

# STAFF REPORT



ITEM NO. 10  
CITY OF OCEANSIDE

---

DATE: July 16, 2008  
TO: Honorable Mayor and City Councilmembers  
FROM: Economic and Community Development Department  
SUBJECT: **ELECTRICAL SERVICE UPGRADE AT HARBOR VILLAGE**

## **SYNOPSIS**

Staff recommends that the City Council and Harbor Board of Directors approve a grant of easement to San Diego Gas and Electric for underground electrical and aboveground transformer facilities for the upgrade of service to the Harbor Village and authorize the Mayor to execute the deed.

## **BACKGROUND**

H.V. Holdings, LLC (Birtcher Anderson Properties), master tenant of the Harbor Village, is in the process of upgrading the electrical service to meet the needs of the various shops and restaurants at the property. The existing 800-amp electrical system is too small to meet the tenants' needs and usage, thereby causing overloads and outages. To correct this situation the service is being upgraded to a 2000-amp system. New distribution lines and transformer are being installed to accommodate the larger service.

Because the new system is being placed outside the existing easement held by SDG&E it is requiring a new easement to support the additional facilities. This additional easement is located adjacent existing utilities situated in the planter east of the Harbor Village building and south of the public restrooms at the northerly and westerly bend of South Harbor Drive.

## **ANALYSIS**

Since the City owns the Harbor property and the Oceanside Small Craft Harbor District leases it from the City, it would be appropriate that the City Council and Harbor Board of Directors, jointly, consider and approve the grant of easement requested by SDG&E.

Harbor maintenance staff has reviewed the construction drawings for the project and has determined that the proposed facilities will not conflict with public needs or uses of the location in which they are to be placed.

Typically, SDG&E doesn't release work orders for installation of its equipment until it has a properly executed easement in hand. However, because the work is in progress



Recording Requested by  
San Diego Gas & Electric Company

When recorded, mail to:

San Diego Gas & Electric Company  
8335 Century Park Court, Suite 100  
San Diego, CA 92123-1569  
Attn: Real Estate Records - CP11D

SPACE ABOVE FOR RECORDER'S USE

Project No.: 730595-010  
Const. No.: 2879130  
A.P.N.: 143-010-16  
Sketch No.: OS-90090

**EASD-005-2008**

Transfer Tax None

**SAN DIEGO GAS & ELECTRIC COMPANY**

EASEMENT

THE CITY OF OCEANSIDE, A MUNICIPAL CORPORATION, hereinafter called "Grantor", grants to SAN DIEGO GAS & ELECTRIC COMPANY, a corporation, "Grantee", an easement and right of way to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of: (1) Underground electric facilities, and appurtenances for the transmission and distribution of electricity, (2) Underground communication facilities, and appurtenances, for any and all purposes, together with the right of ingress thereto and egress therefrom over said easement and over other practical routes across Grantor's land situated in the City of Oceanside, County of San Diego, State of California described as follows:

That portion of Section 22, Township 11 South, Range 5 West, San Bernardino Base and Meridian, described in Parcel 2 of a Deed recorded July 26, 1960 as File/Page No. 151177 of Official Records of said County of San Diego.

The easement in the aforesaid property shall be a strip of land, including all of the area lying between the exterior sidelines, which sidelines shall be three (3) feet, measured at right angles, on each exterior side of each and every facility installed, the approximate location being shown and delineated as "Utility Facilities" on the Exhibit "A", attached hereto and made a part hereof.

In order to provide adequate working area for Grantee, Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed any building or other structure, deposit any materials, park any vehicle, plant any trees and/or shrubs within eight feet of the front of the door or hinged opening of any above ground facilities installed within this easement.

Grantor grants to Grantee the right to erect and maintain on Grantor's property immediately adjacent to this easement retaining walls and/or protective barricades as may be necessary for Grantee's purposes.

Grantor will exercise only such reserved rights in said land as will not interfere with or prohibit the free and complete use and enjoyment by Grantee, its successor or assigns, of the rights hereby granted. Grantee shall have the right to assign any or all rights granted in this easement in whole or in part to other companies providing utility or communication services. Grantee shall have the right to top, cut, remove, or trim interfering plants and trees, and to keep said easement free from and to prevent any person, including Grantor and successors and assigns, from erecting, placing, or storing on said easement any flammable or other hazards and any structures, objects, or earth fills/cuts or other obstructions.

The legal description was prepared by me or under my direction in conformance with the Land Surveyors Act on 6-11-08.



Peter C. Golding LS 4768

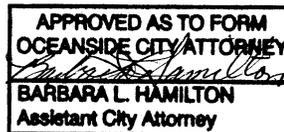
Dated \_\_\_\_\_

THE CITY OF OCEANSIDE, A MUNICIPAL CORPORATION

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_



Prepared by: PDC-SCB  
Checked: \_\_\_\_\_  
Date: 6/11/2008

STATE OF CALIFORNIA )

COUNTY OF SAN DIEGO )

On \_\_\_\_\_, before me \_\_\_\_\_  
\_\_\_\_\_ (name, title of officer), appeared \_\_\_\_\_  
\_\_\_\_\_, who proved to me on the basis of satisfactory  
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged  
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)  
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

OWNER: THE CITY OF OCEANSIDE  
 FILE/PAGE NO. 151177  
 REC. 7-26-1960

POR. SEC. 22, T11S  
 R5W, SBM

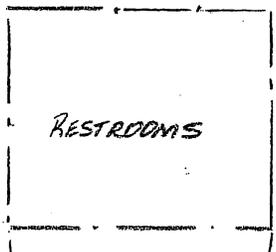
APN: 143-010-16

143  
 01

SHOPS  
 252-285 HARBOR DRIVE SOUTH  
 OCEANSIDE, CA  
 SIDEWALK

PARKING AREA

HARBOR DRIVE SOUTH



NEW TRANSFORMER +  
 UG ELEC.

R/W#  
 147979

EXISTING  
 HH108995

CONST. NO.: 2879130

PROJECT NO.: 730595-010

FILE # EASD-005-2008

THOS. BROS.: 1085-17

PROJECT NAME & LOCATION  OCEAN HARBOR UPGRADE  OCEANSIDE, CA	DRAWN BY: PDC-SCB	OK TO INSTALL:	DRAWING NO:
	DATE: 5-29-2008	R/W OK:	OS-90090
	SCALE: NONE	JOB TYPE: UG ELEC.	COORDINATES
	REFERENCES:		

EXHIBIT "A"