

Meeting Date: 07/31/13 (7)

ORDINANCE NO. 10275 (NEW SERIES)

AN ORDINANCE ADDING SECTION 89.315
TO THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES
TO FORM AN UNDERGROUND UTILITY DISTRICT
ON BEAR VALLEY PARKWAY
UNDERGROUND UTILITY DISTRICT NO. 114

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Section 89.315 is hereby added to the San Diego County Code of Regulatory Ordinances to read as follows:

Sec. 89.315 UNDERGROUND UTILITY DISTRICT NO. 114.

The following described portion of San Diego County, State of California, is hereby declared to be Underground Utility District No. 114 of the County of San Diego:

THOSE PORTIONS of Blocks 190, 240, 241, 320, 321, and 322 of the Resurvey of Part of the RANCHO RINCON DEL DIABLO, in the City of Escondido, County of San Diego, State of California, according to Map thereof No. 725, filed in the Office of the County Recorder of said County, August 13, 1892, described as follows:

- 1) BEGINNING at the Southeast corner of Lot 1 of SUBURBAN HILLS, according to Map thereof No. 4463 filed in the San Diego County Recorder's Office, being also a point in the Westerly right-of-way line of Bear Valley Parkway, 40 foot Westerly half width;
- 2) THENCE along said Westerly right-of-way line, and along the Easterly line of said Lot 1, North 02°29'03" West, 158.96 feet (North 02°58'48" West, 159.01 feet per Map No. 4463) to the beginning of a tangent 25 foot radius curve concave Southwesterly;
- 3) THENCE Northwesterly along the arc of said curve through a central angle of 94°51'05", a distance of 41.39 feet;
- 4) THENCE leaving said lot line, non-tangent to said curve, North 01°28'14" East, 60.72 feet to the Northerly right-of-way line of Suburban Hills Drive according to said Map No. 4463, being also the Southerly line of Lot 18 of Map No. 4463, being also the beginning of a 25 foot radius curve concave Northwesterly;
- 5) THENCE Northeasterly along the arc of said curve through a central angle of 85°09'26", a distance of 37.16 feet;
- 6) THENCE continuing along said lot line, and along the Easterly line of Lot 19 of Map No. 4463, North 02°29'34" West, 343.66 feet to the beginning of a tangent 25 foot radius curve concave Southwesterly;

- 7) THENCE Northwesterly along the arc of said curve through a central angle of $94^{\circ}52'22''$, a distance of 41.40 feet to a point of tangency with the Southerly right-of-way line of Viewmont Drive, as shown in Map No. 4463;
- 8) THENCE leaving said Southerly right-of-way line, at right angles, North $07^{\circ}21'58''$ East, 41.00 feet to the Southerly line of Lot 6 of Map No. 725;
- 9) THENCE along said Southerly line, North $82^{\circ}38'02''$ East, 37.74 feet to the Southeasterly corner of Lot 6, being also a point in the Westerly right-of-way line of Bear Valley Parkway, 33 foot Westerly half width, according to said Map No. 725;
- 10) THENCE along said Westerly right-of-way line, North $02^{\circ}29'34''$ East, 838.32 feet to the most Easterly corner of Lot 7 of Block 321 of Map No. 725;
- 11) THENCE along the Northerly line thereof, North $74^{\circ}19'41''$ West, 80.00 feet;
- 12) THENCE leaving said Northerly line, at right angles, North $15^{\circ}40'19''$ East, 66.00 feet to Southerly line of Lot 3 of Block 322 of Map No. 725;
- 13) THENCE along said Southerly line, South $74^{\circ}19'41''$ East, 64.70 to the Westerly right-of-way line of Bear Valley Parkway, 33 foot Westerly half width, according to said Map No. 725;
- 14) THENCE along the Easterly line of Lot 3 and along said Westerly right-of-way line, North $18^{\circ}37'20''$ East, 369.30 feet to the Southerly line of Parcel 1 of Parcel Map No. 3637 filed in the San Diego County Recorder's Office;
- 15) THENCE along said Southerly line, North $71^{\circ}15'59''$ West, 18.00 feet to a line that is parallel with and lying 18.00 feet Westerly of, measured at right angles to, the Easterly line of Lot 3, said line being also the Westerly boundary of the certain road easement granted to the County of San Diego, in a deed recorded July 2, 1987 as Document No. 87-373030 in said San Diego County Recorder's Office;
- 16) THENCE along said Westerly boundary, North $18^{\circ}37'21''$ East, 352.56 feet to the beginning of a tangent 20 foot radius curve concave Southwesterly;
- 17) THENCE continuing along said easement boundary, Northwesterly along the arc of said curve through a central angle of $86^{\circ}39'54''$, a distance of 30.25 feet to a point of tangency with the Southerly right-of-way line of Birch Avenue, according to said Map No. 725;
- 18) THENCE leaving said Southerly right-of-way line, at right angles, North $21^{\circ}57'26''$ East, 66.00 feet to the Northerly right-of-way line of Birch Avenue as shown in Map No. 725;
- 19) THENCE along said Northerly right-of-way line, North $68^{\circ}02'34''$ West, 85.14 feet to the Southwesterly corner of Lot 3 of Bear Valley Terrace, according to Map thereof No. 3821 filed in the San Diego County Recorder's Office;
- 20) THENCE along the Westerly line thereof, North $18^{\circ}37'21''$ East, 163.38 feet to the Northwesterly corner thereof;

- 21) THENCE along the Northerly line of Lot 3, South $71^{\circ}22'39''$ East, 101.00 feet to the Northeasterly corner of Lot 3, being also a point in the Westerly right-of-way line of that portion of Bear Valley Road as dedicated in said Map No. 3821
- 22) THENCE along said Westerly right-of-way line, North $18^{\circ}37'21''$ East, 486.00 feet to the beginning of a tangent 25 foot radius curve concave Southwesterly, said curve being also in the Easterly boundary of Lot 10 of Map No. 3821;
- 23) THENCE Northwesterly along the arc of said curve through a central angle of $90^{\circ}00'00''$, a distance of 39.27 feet;
- 24) THENCE leaving said boundary, at right angles, North $18^{\circ}37'21''$ East, 60.00 feet to the Southerly line of Lot 15 of Map No. 3821;
- 25) THENCE along said line, North $71^{\circ}22'39''$ West, 67.00 feet to the beginning of a tangent 50 foot radius curve concave Northerly
- 26) THENCE Westerly along the arc of said curve through a central angle of $17^{\circ}27'27''$, a distance of 15.23 feet to the Southwesterly corner of Lot 15;
- 27) THENCE along the Westerly line thereof, North $18^{\circ}37'21''$ East, 162.11 feet to the Northwesterly corner of Lot 15, being also a point in the Southerly line of Lot C, Block 190 in the Re-Subdivision of Block 190 of RANCHO DEL DIABLO, according to Map thereof No. 1427 filed in the San Diego County Recorder's Office, April 4, 1912;
- 28) THENCE along said Southerly line, North $71^{\circ}22'39''$ West, 76.00 feet to a line that is parallel with and lying 200.00 feet Westerly of, measured at right angles to, the Easterly line of Lot C;
- 29) THENCE along said parallel line, and its Northerly prolongation, North $18^{\circ}37'21''$ East, 558.00 feet to the Northwesterly corner of that land described in deed to Paul Damico, et ux, recorded February 27, 2003 as Document No. 2003-0223080 in the San Diego County Recorder's Office;
- 30) THENCE along the Northerly boundary thereof, South $71^{\circ}22'39''$ East, 200.00 feet to the Easterly line of Lot C, being also a point in the Westerly right-of-way line of Bear Valley Parkway;
- 31) THENCE along said right-of-way line, North $18^{\circ}37'21''$ East, 93.65 feet to the most Easterly corner of Lot 2 of Block 190, being also a point in the Southwesterly right-of-way line of Boyle Avenue, according to said Map No. 725;
- 32) THENCE along the Northeasterly line of Lot 2, and the Southwesterly right-of-way line of Boyle Avenue, North $41^{\circ}29'01''$ West, 110.00 feet;
- 33) THENCE leaving said Northeasterly line, at right angles, North $48^{\circ}30'59''$ East, 66.00 feet to the Northeasterly right-of-way line of Boyle Avenue;
- 34) THENCE along said right-of-way line, and its Southeasterly prolongation, South $41^{\circ}29'01''$ East, 72.60 feet;

- 35) THENCE South $63^{\circ}50'10''$ East, 123.88 feet to a point in the arc of a non-tangent 1795 foot radius curve concave Easterly, a radial line to said curve at said point bears, North $64^{\circ}24'17''$ West, said curve being also parallel and concentric with, and lying 55 feet Easterly of, measured at right angles to, the centerline of *Road Survey No. 1791-3* on file in the Office of the San Diego County Engineer;
- 36) THENCE Southerly along the arc of said curve through a central angle of $06^{\circ}58'23''$, a distance of 218.45 feet;
- 37) THENCE continuing along said parallel line, tangent to said curve, South $18^{\circ}37'21''$ West, 468.67 feet to the Southerly line of Lot 2 of Block 241 of said Map No. 725;
- 38) THENCE along said Southerly line, South $67^{\circ}18'01''$ East, 136.35 feet to the Northeasterly corner of that land described in deed to David Chavez, et al, recorded May 04, 1992 as Document No. 1992-0262385 in the San Diego County Recorder's Office;
- 39) THENCE along the Easterly boundary thereof, and its Southerly prolongation, South $18^{\circ}37'21''$ West, 171.04 feet to the Southeasterly corner of that land described in deed to Reynaldo Ramos, et ux, recorded September 24, 1999 as Document No. 1999-0652389 in the San Diego County Recorder's Office;
- 40) THENCE along the Southerly boundary of Ramos' land, North $71^{\circ}22'39''$ West, 10.00 feet to the Northerly prolongation of the Easterly boundary of that land described in deed to Frank Perham, et ux, recorded September 16, 2008 as Document No. 2008-0491245 in the San Diego County Recorder's Office ;
- 41) THENCE Southerly along said Northerly prolongation, and along said Easterly boundary of Perham's land, and its Southerly prolongation, South $18^{\circ}37'21''$ West, 283.34 feet to the Northerly boundary of that land described in deed to the Haworth Family Trust, recorded January 31, 1991 as 1991-0045947 in the San Diego County Recorder's Office;
- 42) THENCE along said Northerly boundary, South $71^{\circ}22'39''$ East, 10.00 feet to the Northeasterly corner of said Haworth's land;
- 43) THENCE Southerly along the Easterly boundary of Haworth's land, South $18^{\circ}37'21''$ West, 217.70 feet to the Northeasterly corner of that land described in deed to Bruce Park, et al, recorded October 07, 2005 as Document No. 2005-0873318 in the San Diego County Recorder's Office;
- 44) THENCE along the Easterly boundary of Park's land, South $03^{\circ}15'09''$ East, 55.92 feet to the Southerly line of Lot 1 of Block 241 of Map No. 725, being also the Northerly right-of-way line of Birch Avenue;
- 45) THENCE along said Northerly right-of-way line, South $72^{\circ}12'59''$ West, 71.09 feet;
- 46) THENCE leaving said Northerly right-of-way line, South $17^{\circ}47'01''$ East, 66.00 feet to a point in the arc of a non-tangent 172 foot radius curve concave Southerly, a radial line to said curve at said point bears, North $31^{\circ}37'57''$ West;

- 47) THENCE Westerly along the arc of said curve through a central angle of $07^{\circ}24'07''$, a distance of 22.22 feet to the beginning of a tangent 228 foot radius reverse curve;
- 48) THENCE Westerly along the arc of said curve through a central angle of $34^{\circ}30'50''$, a distance of 137.34 feet;
- 49) THENCE non-tangent to said curve, South $52^{\circ}01'19''$ West, 41.26 feet to a line that is parallel with and lying 55 feet Easterly of, measured at right angles to, the centerline of said Road Survey No. 1791-3;
- 50) THENCE Southerly along said parallel line, South $18^{\circ}37'21''$ West, 256.81 feet to the Northerly line of Parcel 1 of Parcel Map No. 4770 in the San Diego County Recorder's Office;
- 51) THENCE Easterly along said Northerly line, South $67^{\circ}19'39''$ East, 127.32 feet to a line that is parallel with and lying 200 feet Westerly of, measured at right angles to, the Easterly line of Parcel 1;
- 52) THENCE along said parallel line, South $22^{\circ}40'21''$ West, 516.82 feet to the Southeasterly line of Parcel 1, being also the Northeasterly right-of-way line of Idaho Avenue, according to Map No. 725;
- 53) THENCE along said right-of-way line, South $67^{\circ}19'39''$ East, 172.80 feet to the Northeasterly prolongation of the Southeasterly line of Parcel 1 of Parcel Map No. 3817 filed in the San Diego County Recorder's Office;
- 54) THENCE along said prolongation and along said Southeasterly line of Parcel 1, South $22^{\circ}42'10''$ West, 276.35 feet to the Northeasterly line of Parcel 3 of Parcel Map No. 3817;
- 55) THENCE Southeasterly along said Northeasterly line, South $67^{\circ}19'41''$ East, 207.13 feet to the most Easterly corner of said Parcel 3;
- 56) THENCE Southerly along the Southeasterly line of Parcel 3, and along the Southeasterly line of Parcel 4, both of Parcel Map No. 3817, South $22^{\circ}42'10''$ West, 416.77 to the Southerly most corner of said Parcel 4, being also a point in the Northeasterly line of Lot 2 of Block 320 of Map No. 725;
- 57) THENCE along said Northeasterly line, South $67^{\circ}19'41''$ East, 50.60 feet to the Northeasterly corner of that land described in deed to the Seiler Family Trust recorded April 20, 1995 as Document No. 1995-0166219 in the San Diego County Recorder's Office;
- 58) THENCE along the Easterly boundary of thereof, South $37^{\circ}13'33''$ East, 245.89 feet to the most Easterly corner of Seiler's land;
- 59) THENCE along the Southerly boundary thereof, North $67^{\circ}19'41''$ West, 194.06 feet to the most Northeasterly corner of that land described in deed to the Fabianes Family Trust dated November 02, 2005 as Document No. 2005-0952471 in the Office of the San Diego County Recorder;

- 60) THENCE along the Easterly boundary of Fabianes' land, and its Southerly prolongation, South $02^{\circ}29'34''$ East, 592.94 feet to the Northerly line of Lot 1 of Block 320 of Map No. 725;
- 61) THENCE along said Northerly line, North $67^{\circ}19'41''$ West , 153.69 feet to the Easterly right-of-way line of Bear Valley Parkway according to Road Survey No. 1791-3;
- 62) THENCE along said right-of-way line, South $02^{\circ}00'30''$ East, 430.01 feet to an angle point therein;
- 63) THENCE continuing along said right-of-way line, South $01^{\circ}24'52''$ East, 256.48 feet to the beginning of a tangent 3062 foot radius curve concave Westerly;
- 64) THENCE Southerly along the arc of said curve through a central angle of $03^{\circ}52'40''$, a distance of 207.23 feet;
- 65) THENCE non-tangent to said curve, South $45^{\circ}07'08''$ East, 25.56 feet to a point in the Northerly boundary of that certain road easement granted to the County of San Diego in a deed recorded October 28, 1987 as Document No. 1987-606972 in the San Diego County Recorder's Office;
- 66) THENCE North $75^{\circ}28'03''$ West, 168.26 feet to the POINT OF BEGINNING.

The Board of Supervisors shall by subsequent resolution set the dates by which all affected property owners shall be ready to receive underground utility service and by which the utility or utilities must remove all poles, overhead wires and associated overhead structures and make the necessary underground installation of wires and facilities for supplying electric, communication or similar or associated service within Underground Utility District No. 114 and notice of the adoption of such subsequent resolution shall be given by the Clerk of the Board of Supervisors in the manner provided in Section 89.107(a) and (b) of this Division.

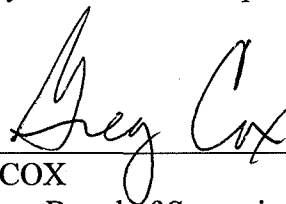
Section 2. It is the finding of the Board of Supervisors of San Diego County that the public health, safety and welfare require the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication or similar or associated service within Underground Utility District 114. The Board of Supervisors further

finds that Underground Utility District No.114, herein created, is in the general public interest because that portion of Bear Valley Parkway, from State Route 78 to Boyle Avenue, within Underground Utility District No. 114, carries a heavy volume of vehicular traffic.

Section 3. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same in San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

CCSF, 84.27, 4/77

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 31st day of July, 2013.



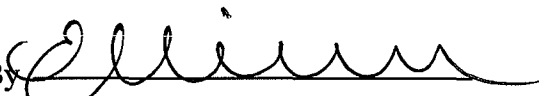
GREG COX
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 31st day of July, 2013.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By 
Elizabeth Miller, Deputy



Ordinance No. 10275 (N.S.)

07-31-13 (7)