

Recording Requested By:
Public Works Department
City of Fresno
No Fee-Gov't. Code Sections
6103 and 27383

When Recorded, Mail To:
City Clerk
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3623



FRESNO County Recorder
Robert C. Werner

DOC- 2007-0073665

Thursday, APR 12, 2007 10:11:10

Ttl Pd \$0.00

Nbr-0002478385

DJG/R6/1-5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

RESOLUTION NO. 2007-118

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, ESTABLISHING UNDERGROUND
UTILITY DISTRICT NO. FRE-69

RESOLVED, by the Council of the City of Fresno, California, as follows:

WHEREAS, on February 27, 2007, the Council adopted Resolution No. 2007-63 which called for a public hearing on March 27, 2007, at the hour of 10:15 a.m., in the Council Chambers in City Hall, Fresno, California, to ascertain whether the public necessity, health, safety or welfare require the full removal of poles, overhead wires and associated overhead structures and the full underground installation of wires and facilities for supplying electric, communication, cable television or similar or associated service within the area generally located on Ventura Street between "M" Street and State Route 99 as shown on the map entitled "Underground Utility District No. FRE-69", attached hereto as Exhibit "A" and incorporated herein by reference. The area also includes all properties abutting the streets in the District; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the last equalized assessment roll and utilities concerned in the manner and for the time required by law; and

Adopted 5/27/07
Approved 5/27/07
Effective 5/27/07

2007-118

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Fresno does hereby find that public necessity, health, safety, and welfare require the full removal of poles, overhead wires and associated overhead structures and underground installation thereof within the area designated in Exhibit "A" because of the safety benefits associated with improvements installed with the associated Redevelopment Agency project.

BE IT FURTHER RESOLVED that the Council of the City of Fresno does hereby adopt and approves the map attached as Exhibit "A" as the description of the designated area comprising the Underground Utility District No. FRE-69.

BE IT FURTHER RESOLVED that the Council of the City of Fresno does hereby fix July 1, 2010, as the date of which affected property owners must be ready to receive underground service and does hereby order the full removal of all poles, overhead wires and associated overhead structures and the full underground installation of wires and facilities for supplying electric, communication, cable television or similar or associated service within Underground Utility District FRE-69 on or before December 31, 2010.

BE IT FURTHER RESOLVED, that the utility which undertakes underground installation of its facilities shall use the underground conversion allocation computed pursuant to decisions of the Public Utility Commission of the State of California for the purpose of providing service to each premise in Underground Utility District No. FRE-69 requiring it [a maximum of one hundred feet of individual electric service trenching and conductor (as well as backfill, paving and conduit, if required)]. Rule 20A conversion allocation funds shall be available for conversion of electric service panels (not to exceed \$1500 per panel, excluding permit fees) to accept the new underground service facilities pursuant to the Public Utilities Commission of the State of California Advice

Letter 1930-E. Each other serving utility will provide service trenching and conductor in accordance with its tariffs on file with the California Public Utilities Commission or as required by its Franchise Agreement with the City. Each property owner in Underground Utility District No. FRE-69 shall be responsible for the installation and maintenance of the conduit and termination box located on, under or within any structure on the premises served.

BE IT FURTHER RESOLVED, that the following exceptions in said Underground Utility District No. FRE-69 be made and they are hereby authorized:

a. Equipment appurtenant to underground facilities such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets and concealed ducts.

b. Any municipal facilities or equipment installed under the supervision and to the satisfaction of the Director.

BE IT FURTHER RESOLVED, that the City Clerk, within thirty (30) days after the adoption of this Resolution, shall give notice as required by Section 11-808 of the Fresno Municipal Code.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the 27th day of March, 2007.

AYES: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Approval: N/A, 2007

Mayor Approval/No Return: N/A, 2007

Mayor Veto: N/A, 2007

Council Override Vote: N/A, 2007

REBECCA E. KLISCH
City Clerk

BY: Rebecca E. Klisch

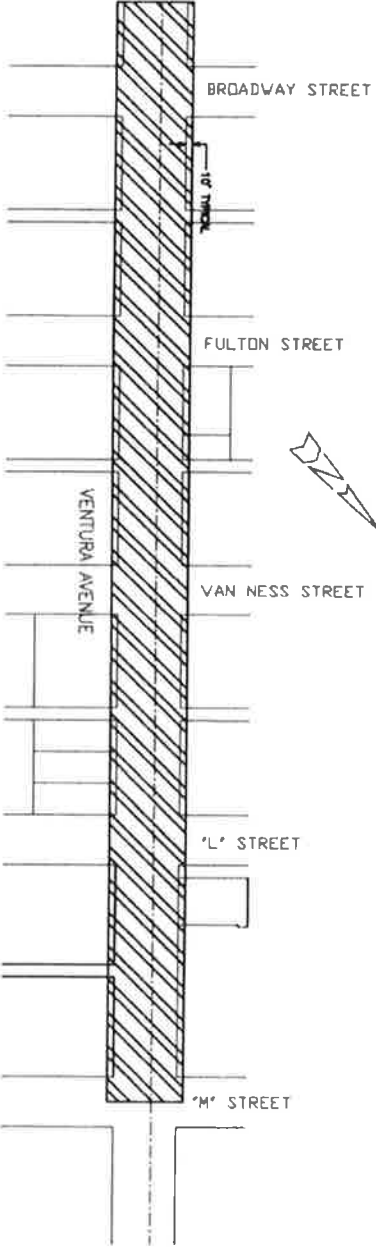
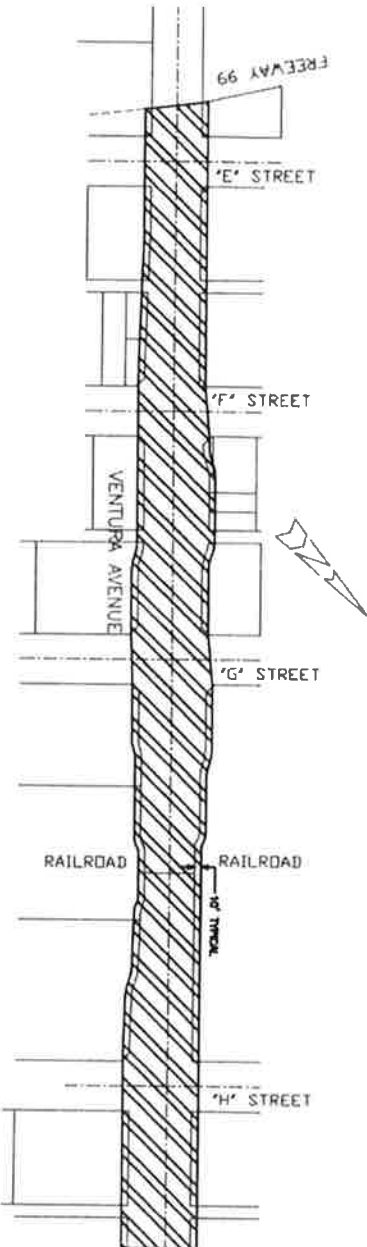
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: [Signature]

BRADLEY

Deputy



IN ACCORDANCE WITH ARTICLES 1 OF CHAPTER 1 OF THE FREMNO MUNICIPAL CODE, THE
COUNCIL OF THE CITY OF FREMNO ON _____ CREATING UNDERGROUND UTILITY DISTRICT
RESOLUTION NUMBER _____

THE WITHIN DESCRIBED UNDERGROUND UTILITY DISTRICT WAS ESTABLISHED BY THE ADOPTION
OF THE ABOVE RECORDED RESOLUTION. IT INCLUDES ALL OF THE LANDS WITHIN THE DISTRICT
AND ALSO INCLUDES ALL VARIOUS REQUIRED BY THE ZONING ORDINANCE OF THE CITY OF
FREMNO ALONG THE STREETS OR ALLEYS ON ALL PROPERTIES ADJACENT ANY STREETS OR
ALLEYS WITHIN THE DISTRICT.

FILED IN THE OFFICE OF THE CLERK OF THE CITY OF FREMNO, STATE OF CALIFORNIA
THIS _____ DAY OF _____, 2007.

REBECCA L. KIRCH
CITY CLERK OF THE CITY OF FREMNO

FILED IN THE OFFICE OF THE PUBLIC WORKS DIRECTOR OF THE CITY OF FREMNO, THIS
_____ DAY OF _____, 2007.

JON RUIZ
PUBLIC WORKS DIRECTOR
OF THE CITY OF FREMNO

DOCUMENT NO. _____

FILED THIS _____ DAY OF _____, 2007, AT THE HOUR OF _____ O'CLOCK, IN
PRESENCE OF _____ A JURY OF _____ COUNTIES DIRECTLY SEATED IN THE OFFICE
OF THE COUNTY RECORDER OF THE COUNTY OF FREMNO, STATE OF CALIFORNIA.

ROBERT C. SAMPSON
COUNTY RECORDER OF THE
COUNTY OF FREMNO

EXHIBIT "A"

LEGEND

- PROPERTY LINE
- LIMITS OF UNDERGROUND UTILITY DISTRICT FWE-69

CITY OF FREMNO
DEPARTMENT OF PUBLIC WORKS
UNDERGROUND UTILITY
DISTRICT NUMBER
FWE-69