

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2703

**ORDINANCE GRANTING A THIRTY-SIX YEAR,
TEN MONTH NON-EXCLUSIVE EASEMENT TO
COX COMMUNICATIONS CALIFORNIA, LLC FOR
TELECOMMUNICATIONS FACILITIES ON
SHELTER ISLAND DRIVE**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, Section 5(b)(4) of the Port Act grants authority to the District to exercise its land management authority and powers over any other lands or interests in lands acquired by the District in furtherance of the District's powers and purposes as provided in Section 87; and

WHEREAS, Cox Communications California, LLC (Cox Communications) proposes to install new telecommunications facilities underground along Shelter Island Drive to provide service to the Bali Hai and Shelter Cove Marina; and

WHEREAS, an easement from the District to Cox Communications is necessary to allow placement of underground communication lines along Shelter Island Drive as more fully described in the easement on file in the Office of the District Clerk as Document No. 59904; and

WHEREAS, the term of the proposed easement is thirty-six (36) years and ten (10) months, commencing March 1, 2013 and ending December 31, 2049.

NOW, THEREFORE, the Board of Port Commissioners of the San Diego Unified Port District does ordain as follows:

Section 1. The non-exclusive easement between the San Diego Unified Port District and Cox Communications California, LLC for a thirty-six (36) year and ten (10) month term for telecommunications facilities along Shelter Island Drive on file in the Office of the District Clerk as Document No. 59904, is hereby granted and approved.

Section 2. The Executive Director or his designated representative is hereby directed to execute said easement with Cox Communications California, LLC on behalf of the San Diego Unified Port District.

Section 3. This ordinance shall take effect on the 31st day from its passage by the Board of Port Commissioners.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 12th day of February, 2013, by the following vote:

AYES: Malcolm, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

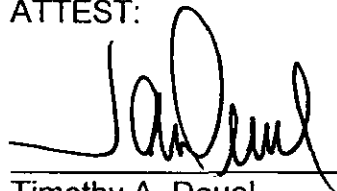
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)