

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2712

**ORDINANCE GRANTING A SIXTY-SIX YEAR
EASEMENT TO SAN DIEGO GAS & ELECTRIC
COMPANY FOR SUBSURFACE ELECTRICAL
EQUIPMENT SERVING G STREET MOLE AND
TUNA HARBOR**

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, San Diego Gas & Electric Company (SDG&E) has a 20-year easement with the District, which expired on December 31, 2011 and is currently on holdover on file in the Office of the District Clerk as Document No 27756; and

WHEREAS, the easement property is located on the "G" Street Mole in Tuna Harbor in the City of San Diego; and

WHEREAS, the current easement is for subsurface electrical equipment which primarily serves District leaseholds and public areas in San Diego, including the Fish Market Restaurant, and allows for construction, operation, maintenance, repair, upgrade, relocation and replacement of electric facilities placed below ground and necessary aboveground equipment; and

WHEREAS, the proposed easement would supersede the existing easement on holdover and is similar to other SDG&E easements throughout tidelands; and

WHEREAS, the easement primarily serves the District and its tenants, no rent is required for the term of the agreement; and

WHEREAS, staff recommends the Board of Port Commissioners (PBC) grant a utility easement to SDG&E for a term of sixty-six (66) years expiring on May 8, 2079.

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

Section 1. The easement between the San Diego Unified Port District and San Diego Gas & Electric Company, a California corporation for a sixty-six (66) year term for subsurface electrical equipment serving G Street Mole and Tuna Harbor on file in the Office of the District Clerk as Document No. 60282, is hereby granted and approved.

Section 2. The Executive Director or his designated representative is hereby directed to execute said easement with San Diego Gas & Electric Company, on behalf of the San Diego Unified Port District, for a term of sixty-six (66) years expiring on May 8, 2079.

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 9th day of April, 2013, by the following vote:

AYES: Malcolm, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

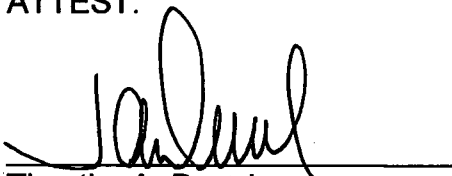
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)