

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2784

**ORDINANCE GRANTING A 66-YEAR UTILITY
EASEMENT TO SAN DIEGO GAS AND ELECTRIC
FOR SUBSURFACE GAS EQUIPMENT LOCATED
ON HARBOR DRIVE SERVING THE CAFÉ IN THE
NORTH PAVILION OF BROADWAY LANDING IN
THE CITY OF SAN DIEGO**

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 87(b) of the Port Act grants authority to the District to lease the tidelands or submerged lands, or parts thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which those lands are held, by the State of California; and

WHEREAS, North Embarcadero Visionary Plan (NEVP) is a multi-phased public improvement project to enhance San Diego's North Embarcadero with over 1.2 miles of linear park; and

WHEREAS, improvements in the NEVP and Broadway Pier areas require gas and electrical service to District owned structures; and

WHEREAS, in order to allow for construction, operation, maintenance and repair of gas and electrical facilities placed below ground and necessary aboveground fixtures and appurtenances, an easement to San Diego Gas & Electric is necessary; and

WHEREAS, the proposed easement is located along Harbor Drive between the Broadway and B Street piers to provide gas service to District owned improvements in the NEVP North Pavilion; and

WHEREAS, the term of the easement is 66-years, commencing September 1, 2014 and expiring on August 31, 2080.

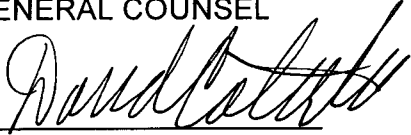
NOW, THEREFORE, the Board of Port Commissioners of the San Diego Unified Port District does ordain as follows:

Section 1. That the 66-year utility easement to San Diego Gas & Electric for subsurface gas equipment located on Harbor Drive serving the café in the North Pavilion of Broadway Landing in the City of San Diego is hereby approved and granted.

Section 2. The Executive Director or his designated representative is hereby directed to execute said easement with San Diego Gas & Electric 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.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL

A handwritten signature in cursive script, appearing to read "David Calvert", is written over a horizontal line.

By: ~~Assistant~~ Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 14th day of October 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

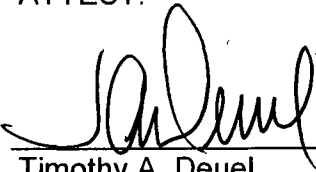
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)