



Meeting Date: 12 / 11 / 12

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Ralph Alamillo *RA* Agenda Item No. I-3  
 Reviewed By: City Manager *RPB* City Attorney *BA* Finance *JC* Other (Specify) \_\_\_\_\_

**DATE:** November 27, 2012

**TO:** City Council

**FROM:** Michael Henderson, General Services Superintendent *MHA*  
City Manager Department

**SUBJECT:** City Easement to Southern California Edison for Underground Utility  
District No. 18, Future Sports Park, 100 E. Gonzales Road

**RECOMMENDATION**

That City Council approve and authorize the Mayor to execute a Grant of Easement to Southern California Edison ("Edison") for the Underground Utility District No. 18 along Oxnard Boulevard so that Edison may adhere to City Resolution No. 13,960.

**DISCUSSION**

In order to complete the undergrounding of Edison's existing overhead electrical facilities in accordance with the City of Oxnard Resolution No. 13,960 which formed the Underground Utility District No. 18 along Oxnard Boulevard for the new Sports Park to be located at 100 E. Gonzales Road, this easement must be signed and properly executed by the City. There will be minimal construction work on City property and after completion of the work, the property shall be restored to as near as possible to its previous condition. Construction on this property is currently planned to begin in June of 2013.

**FINANCIAL IMPACT**

There is no cost to the City for granting this easement.

MH/ra

- Attachment #1 – Grant of Easement
- #2 – Resolution No. 13,960
- #3 – Edison Drawing of Work Site

RECORDING REQUESTED BY



SOUTHERN CALIFORNIA EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

SOUTHERN CALIFORNIA EDISON COMPANY

Real Properties
2131 Walnut Grove Avenue, 2nd Floor
Rosemead, CA 91770

Attn: Distribution/TRES

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT

Table with columns: DOCUMENTARY TRANSFER TAX \$ NONE (VALUE AND CONSIDERATION LESS THAN \$100.00), DISTRICT (Ventura), WORK ORDER (TD518924), IDENTITY, MAP SIZE, FIRM NAME (SCE Company), FIM (31-26A), APN (215-0-010-100, 215-0-020-100), APPROVED (Real Properties), BY (SLS/SM), DATE (11/30/12)

CITY OF OXNARD, a California municipal corporation (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Ventura, State of California, described as follows:

TWO STRIPS OF LAND LYING WITHIN A PORTION OF SUBDIVISION 23, OF THE RANCHO EL RIO DE SANTA CLARA O' LA COLONIA, ACCORDING TO THE MAP FILED WITH THE ACTION ENTITLED THOMAS A. SCOTT, ET AL., PLAINTIFFS VS RAFAEL GONZALES, ET AL., DEFENDANTS, IN THE OFFICE OF THE COUNTY CLERK OF SAID VENTURA COUNTY, SAID PORTION MORE PARTICULARLY DESCRIBED IN PARCEL 1 OF THE DEED TO THE GRANTOR HEREIN, RECORDED APRIL 12, 2007 AS DOCUMENT NO. 20070412-0075597-0 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND WITHIN LOT G, TRACT NO. 5198-1, AS PER MAP RECORDED IN BOOK 141, PAGES 84 THROUGH 94 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF SAID COUNTY RECORDER, THE WESTERLY LINES OF SAID STRIPS BEING DESCRIBED AS FOLLOWS:

STRIP #1 (5.00 FEET WIDE)

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT G; THENCE ALONG THE WESTERLY LINE OF SAID LOT G, SOUTH 00°02'50" WEST 70.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE ALONG SAID WESTERLY LINE AND THE WESTERLY LINE OF THE LAND DESCRIBED IN PARCEL 1 OF SAID DOCUMENT NO. 20070412-0075597-0, NORTH 00°02'50" EAST 647.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID PARCEL 1, NORTH 00°02'50" EAST 475.00 FEET.

STRIP #2 (14.00 FEET WIDE)

BEGINNING AT SAID POINT "A"; THENCE ALONG THE WESTERLY LINE OF THE LAND DESCRIBED IN PARCEL 1 OF SAID DOCUMENT NO. 20070412-0075597-0, NORTH 00°02'50" EAST 88.00 FEET.

EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN STRIP #1 DESCRIBED HEREINABOVE.

ATTACHMENT 1
PAGE 1 OF 3

This legal description was prepared pursuant to Sec. 8730(c) of the Business & Professions Code.

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground, and all landscaping, irrigation, fencing, pavement, paths, drainage, lighting, and other existing features to as near the same condition as it was prior to such excavation as is practicable.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR**

CITY OF OXNARD, a California municipal corporation

\_\_\_\_\_  
Signature

Tim Flynn  
\_\_\_\_\_  
Print Name

Mayor  
\_\_\_\_\_  
Title

**GRANTEE**

SOUTHERN CALIFORNIA EDISON COMPANY, a  
corporation

\_\_\_\_\_  
Dino J. LaBanca,  
Real Properties Department

Date \_\_\_\_\_

State of California )  
 )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, notary public  
(here insert name )

personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(This area for notary stamp)

State of California )  
 )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, notary public  
(here insert name )

personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(This area for notary stamp)

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 13,960

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD  
DECLARING THE FORMATION OF UNDERGROUND UTILITY  
DISTRICT NO. 18 AND ORDERING REMOVAL AND  
UNDERGROUNDING OF POLES, OVERHEAD WIRES AND  
ASSOCIATED OVERHEAD STRUCTURES ADJOINING THE FUTURE  
SITE OF SPORTS PARK

WHEREAS, on April 19, 2011, the City Council conducted a public hearing to ascertain whether the public necessity, health, safety or welfare requires formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures and equipment for supplying electric, communications, community antenna television, and similar associated services within the territory described in Exhibit A, and depicted in Exhibit B, which Exhibits are attached hereto and made a part hereof; and

WHEREAS, the City Clerk notified all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearing at least ten days prior to the date thereof; and

WHEREAS, prior to holding such public hearing, the city engineer consulted with all affected utilities and submitted a report at such hearing identifying the extent of such utilities' participation and estimates of the total costs to the city and affected property owners, and estimating the time required to complete the underground installation and removal of overhead facilities; and

WHEREAS, this project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15302 of the State CEQA Guidelines (Class 2: replacement or reconstruction of existing facilities); and

NOW, THEREFORE, the City Council of the City of Oxnard resolves, finds and determines as follows:

1. The public necessity, health, safety or welfare require formation of an underground utility district for the removal of poles, overhead wires and associated overhead structures within the territory described in Exhibit A, and depicted in Exhibit B.

2. The undergrounding of utilities within the territory described in Exhibit A, and depicted in Exhibit B, is in the general public interest for the following reason:

The right-of-way adjoins or passes through a public recreation area.

3. The territory described in Exhibit A, and depicted in Exhibit B, is hereby declared to be Underground Utility District No. 18.

4. The city council hereby orders the removal of all existing overhead poles, wires, and associated overhead facilities within Underground Utility District No. 18 for supplying electric, communications or associated service within said District. Such undergrounding installation and said removal of overhead facilities shall be accomplished, and affected property

ATTACHMENT NO. 2

PAGE 1 OF 4

owners shall have underground service available, no later than December 31, 2014.

5. Within ten days from the date hereof, the City Clerk shall notify all affected utilities and all persons owning real property within Underground Utility District No. 18 of the adoption of this resolution and that, except as provided in Section 6 of this resolution, if the affected property owners or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to the applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Public Utilities Commission. Such notice shall be made by mailing a copy of this resolution and of Article II of Chapter 21 of the City Code to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

6. Pursuant to Southern California Edison's Rule 20 Tariff, Rule 20A funds will be used for the installation of no more than 100 feet of each customer's underground electric service lateral on private property, as well as the conversion of affected property owners meter panels from overhead to underground service. The cost of such meter conversions using Rule 20A funds shall be limited to existing meters, and shall not include permit fees and any upgrades requested by affected property owners.

7. Property owners shall grant each utility the necessary easements or land rights when it is necessary by the utilities to place their facilities on private property to complete the occasioned undergrounding.

8. Southern California Edison and all other affected utilities are hereby authorized to discontinue overhead service Underground Utility District No. 18, subject to the provision of underground service as specified in this resolution.

APPROVED AND ADOPTED this 19 day of April, 2011, by the following vote:

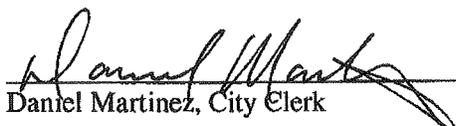
AYES: Councilmembers Holden, Pinkard, MacDonald, Flynn and Ramirez.

NOES: None.

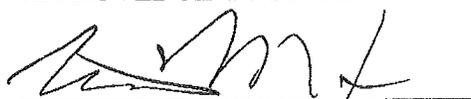
ABSENT: None.

  
\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

  
\_\_\_\_\_  
Daniel Martinez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Holmberg, City Attorney

## EXHIBIT A

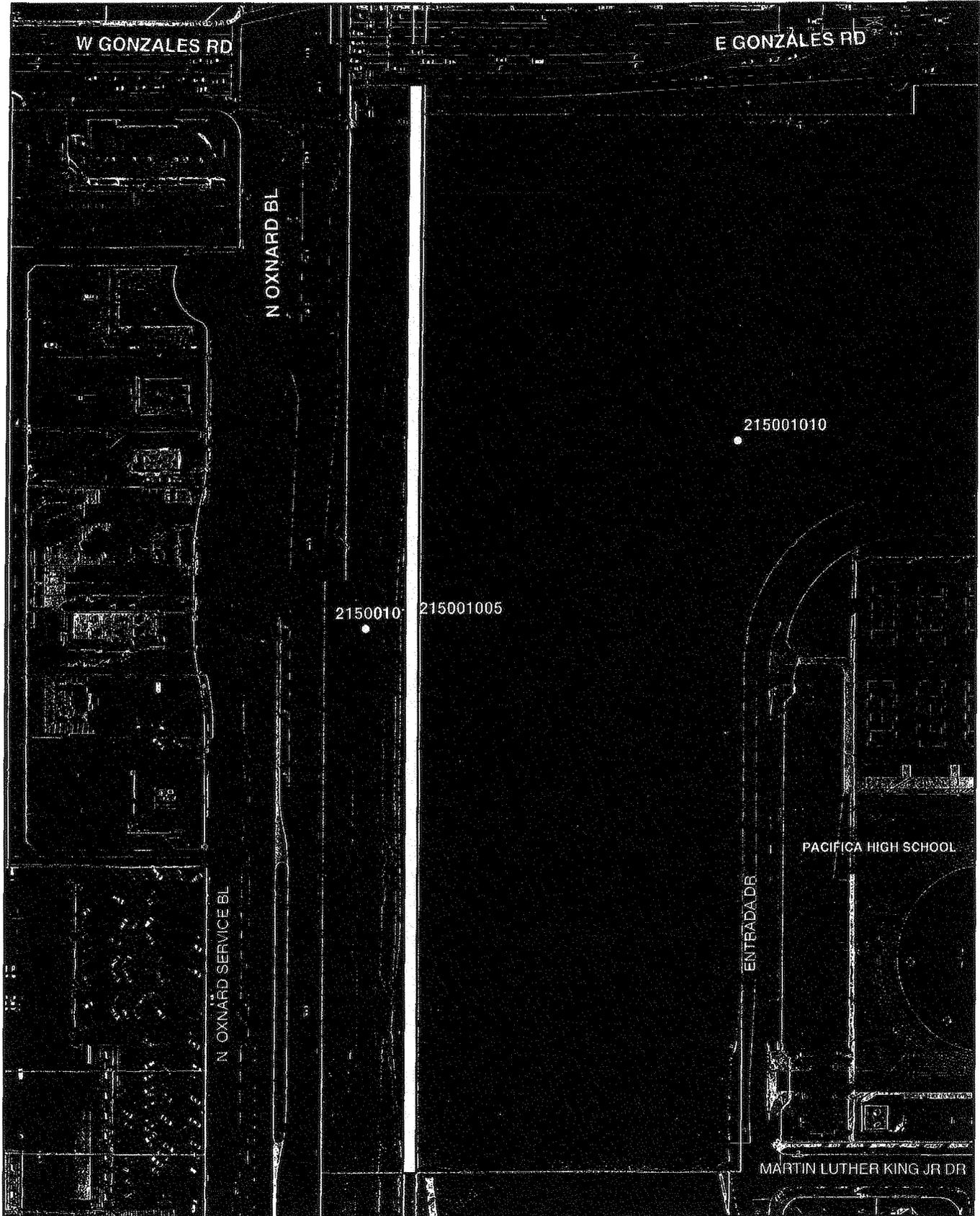
Part of Subdivision twenty-three (23), as the same is designated and delineated upon that certain map entitled "Map of Rancho el Rio de Santa Clara o' la Colonia, partitioned by order Dist. Court 1<sup>st</sup>. Jud. Dist. California", and filed in the office of the County Clerk of Ventura County in that certain action entitled "Thomas A. Scott, et at., Plffs., vs. Rafael Gonsales, et al., Defts.", brought for the purpose of partitioning said Rancho El Rio de Santa Clara o' La Colonia, said real property described as:

A strip or parcel of land 15.00 feet wide and 1,304.00 feet long, lying adjoining and immediately East of the East line of that certain piece or parcel of land, 100.00 feet wide, as conveyed by Katharine Hartman to Southern Pacific Railroad Company by deed dated December 1, 1897, and recorded in the office of the County Recorder of Ventura County in book 54 of Deeds, at page 636 et seq.; the center line of said strip or parcel of land 15.00 feet wide particularly described as follows:

Beginning at a point in the North line of that certain parcel of land as conveyed by Mary Kaufman to Caroline Pfeiler by deed dated January 8, 1896, and recorded in the office of the County Recorder of Ventura County in book 44 of Deeds, at page 278 et seq., from which point a 6" x 6" redwood post marked "P", set in the East line of the "Saviers Road", bears West 107.50 feet distant, said point of beginning being East 57.50 feet, at right angles, from the center line of the track of the Southern Pacific Railroad, at engineer's survey station 186+27.90 of said railroad; a rock marked "S.177", set at the South-west corner of said Subdivision 23, bears South 7.92 chains from the above-described 6" x 6" post marked "P"; thence from said point of beginning,

North, parallel with and at a uniform distance of 57.50 feet East, at right angles, from the center line of the track of the Southern Pacific Railroad, a distance of 1,304.00 feet, more or less, to the point of intersection of said center line with the South line of the Easterly extension of the "Gonzales Road", from which point of intersection the point of intersection of the "Saviers Road" and the South line of the Easterly extension of said "Gonzales Road" bears West 107.50 feet distant, and engineer's survey station 173+23.90 of said Southern Pacific Railroad bears West 57.50 feet distant; and embracing all the land included between two lines drawn parallel with, on either side of, and at a uniform distance of 7.50 feet from said center line (and the prolongation thereof), and containing an area of 0.443 of an acre.

ATTACHMENT 2  
EXHIBIT A  
PAGE 3 OF 4

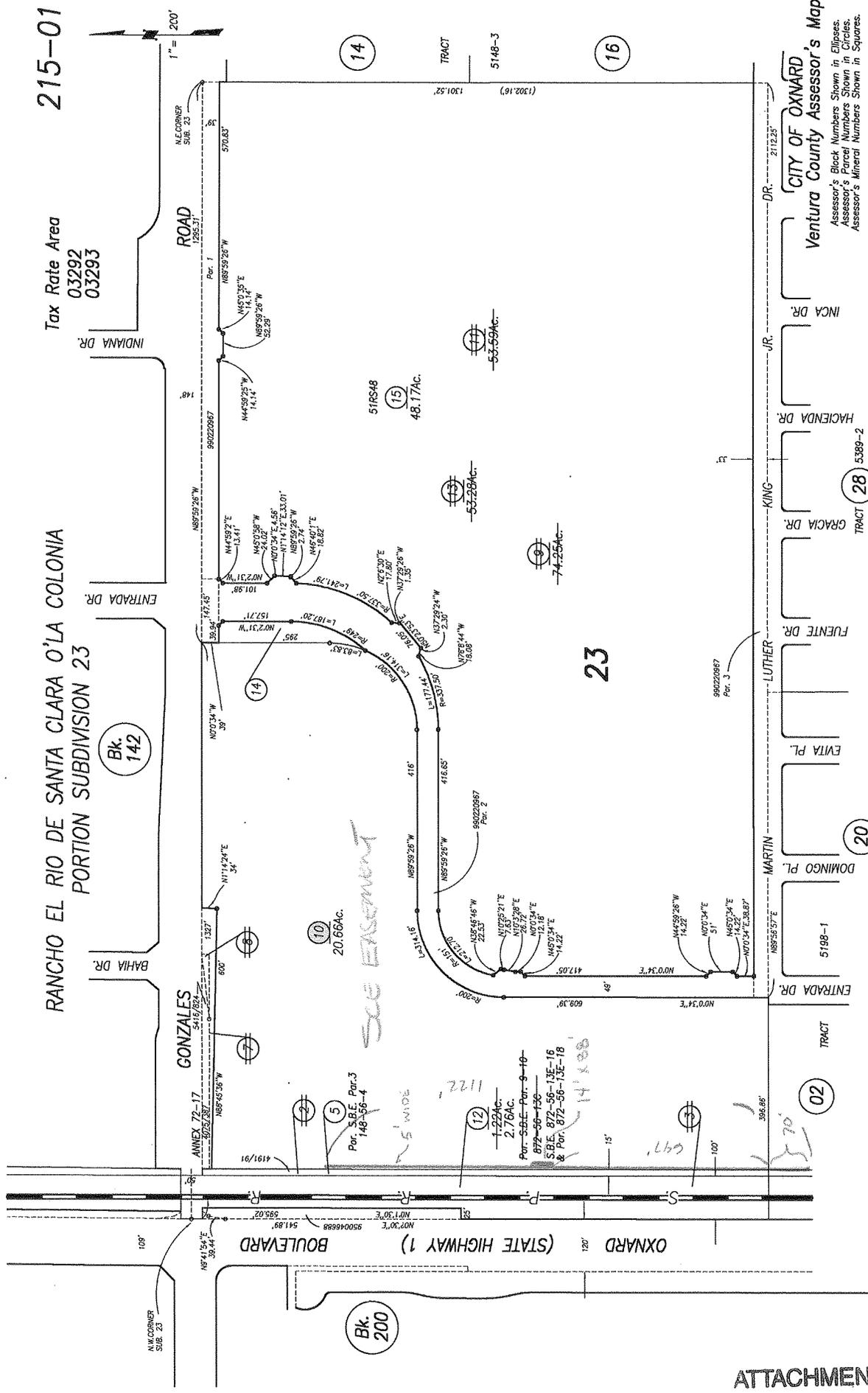


215-01

Tax Rate Area  
03292  
03293

RANCHO EL RIO DE SANTA CLARA O'LA COLONIA  
PORTION SUBDIVISION 23

Bk. 142



ATTACHMENT NO. 3

PAGE 1 OF 2

Partition Map Scott vs. Gonzales, Dds. Bk.6, Pg.161  
Rancho El Rio De Santa Clara O'La Colonia, M.R. Bk.1A, Pg.9

**CITY OF OXNARD**  
Ventura County Assessor's Map.

Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

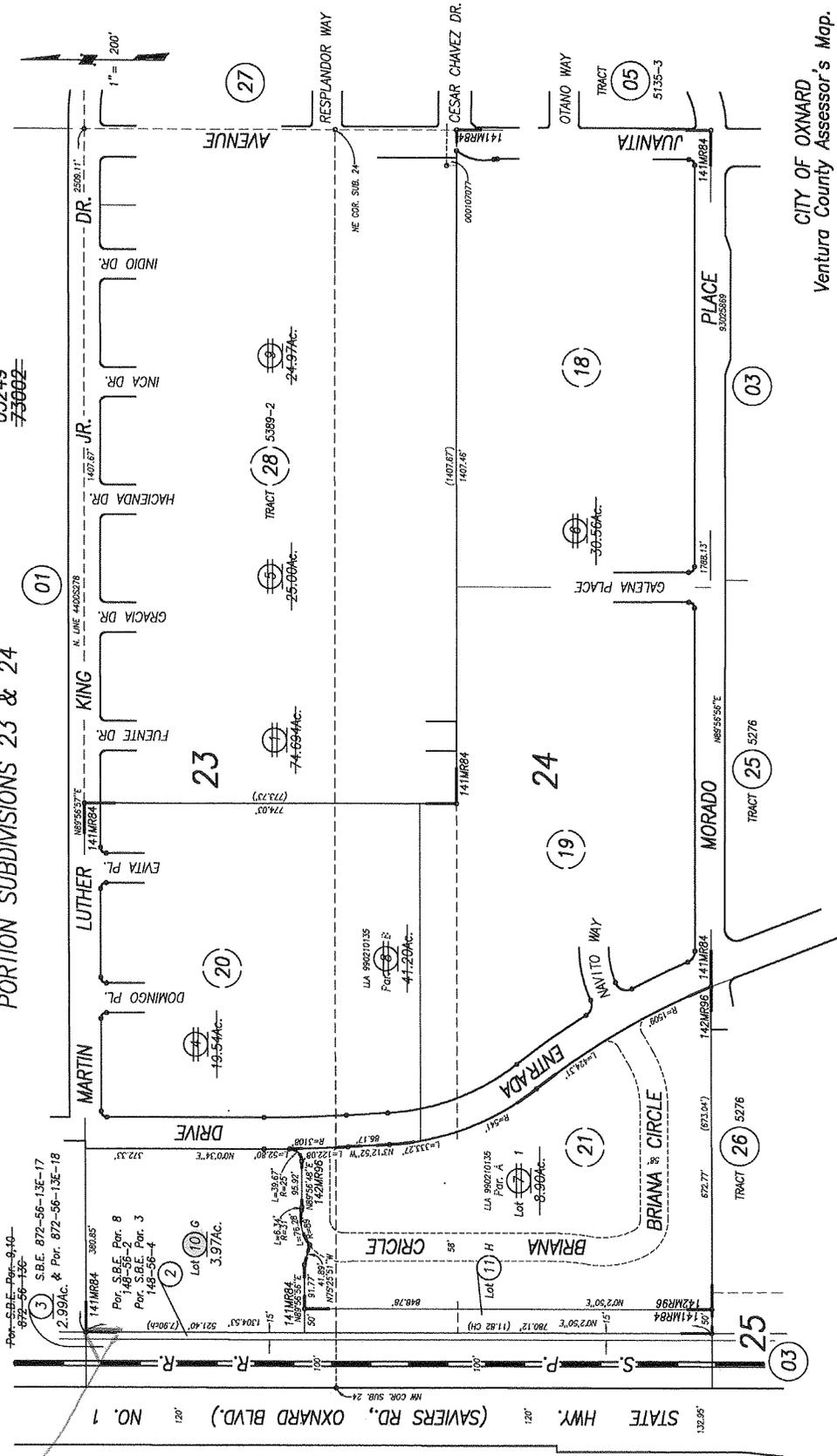
DRAWN	REUSED	10-21-2004
REDRAWN	S.T. CREATED	1-21-2000
INKED	PLOTTED EFFECTIVE	00-01 ROLL
	PREVIOUS Bk.216, Portion Pg.01	
Compiled By Ventura County Assessor's Office		

NOTE: ASSessor PARCELS SHOWN ON THIS PAGE DO NOT NECESSARILY CONSTITUTE LEGAL LOTS. CHECK PLANNING DIVISION TO VERIFY.

SEE ENLARGEMENT  
5' x 70'

**215-02**  
**RANCHO EL RIO DE SANTA CLARA O'LA COLONIA**  
**PORTION SUBDIVISIONS 23 & 24**

Tax Rate Area  
0.3249  
~~73662~~



**CITY OF OXNARD**  
**Ventura County Assessor's Map.**  
Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.  
Assessor's Mineral Numbers Shown in Squares.

DRAWN	W.C.B. REVISED	10-21-2004
REDRAWN	SAI CREATED	9-15-2000
INKED	PLOTTED EFFECTIVE	67-68 ROLL
	PREVIOUS Bk.216, Partion Pa.01	
	Compiled By Ventura County Assessor's Office	

NOTE: ASSESSOR PARCELS SHOWN ON THIS PAGE  
DID NOT NECESSARILY CONSTITUTE EASE LOTS.  
CHECK WITH COUNTY SURVEYOR'S OFFICE OR  
PLANNING DIVISION TO VERIFY.

Tract 5198-2, M.R. Bk.142, Pg.96  
Portion Tract 5198-1, M.R. Bk.141, Pg.84  
Partition Map Scott vs. Gonzales, D.D.S. Bk.6, Pg.161  
Rancho El Rio De Santa Clara O'La Colonia, M.R. Bk.1A, Pg.9

Roll-Year	05-06	BK. 215 , PG. 02	REVISION LOG
DATE	10/27/04	150 MR 93 & 96	NEW TRACTS
REFERENCE DOC.			Code
EXPLANATION			Description
			A.P.N.(s)
			VOID
			A.P.N.(s)
			RESIDUAL
			A.P.N.(s)
			NEW
			215-0-281-015 - 135
			215-0-282-015 - 245
			215-0-284-015 - 245
			215-0-286-015 - 245
			215-0-288-115 - 265