

**TOWN OF SAN ANSELMO
RESOLUTION NO. 3907**

**A RESOLUTION ESTABLISHING UNDERGROUND UTILITY DISTRICT NO.
10 LOCATED ALONG RED HILL AVENUE FROM THE EASTERLY TOWN
LIMIT TO SEQUOIA AVENUE**

Be It Resolved by the Council of the Town of San Anselmo as follows:

Whereas, Van Acker Construction Associates, Inc. (VACA-SA Undergrounding) has requested that they be allowed to underground the overhead utility lines that run along Red Hill Avenue from the easterly town limit to Sequoia Avenue.

Whereas, a public hearing was called for the Council meeting on May 11, 2010 at the hour of 8:00 p.m. in the Town of San Anselmo Council Chambers, 525 San Anselmo Avenue, San Anselmo, California, to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures, and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service, within that certain area of the Town described as follows: Red Hill Avenue from the easterly town limit to Sequoia Avenue. All those properties contained within the boundary of the proposed underground utility district as shown on the map attached hereto marked "Exhibit A," entitled "Underground Utility District No. 10 Town of San Anselmo" and dated April 13, 2010; and

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

Whereas, said hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard; and

Whereas, VACA-SA Undergrounding will deposit with the Town a Surety Bond to guarantee completion of all district and resident costs involved, in the amount of \$950,000; and

Whereas, the Council determined after a hearing on the subject that the Underground Utility District herein created is in the general public interest for the following reasons:

1. The undergrounding to be accomplished will avoid or eliminate a heavy concentration of overhead distribution facilities.
2. The undergrounding to be accomplished will result in increased safety for pedestrian and vehicular traffic.
3. The full cost of undergrounding will be paid by a private entity contracting with VACA-SA Undergrounding, including the cost of converting all the neighboring properties to receive underground services.

Now, Therefore, Be It Resolved by the Council of the Town of San Anselmo, that, pursuant to Ordinance No. 899 of the Town of San Anselmo, the above described area is hereby declared an Underground Utility District, and is designated as Underground Utility District No. 10 of the Town of San Anselmo. Attached hereto, marked Exhibit "A," and hereby incorporated as a part of this resolution, is a map delineating the boundaries of said District.

Resolved, Further, that the Council does hereby fix August 1, 2010 as the date on which affected property owners must be ready to receive underground service and does hereby order the removal of all poles, overhead wires, and associate overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service with said Underground Utility District on or before December 1, 2010.

Resolved, Further, that all design coordination, construction management, and negotiations with property owners and tenants, and miscellaneous related activities shall be the responsibility of VACA-SA Undergrounding and/or their consultants. Town staff will not be made available except for oversight administration.

Resolved, Further, that the Town Clerk is hereby instructed to notify all affected utilities and all persons owning real property within Underground Utility District No. 10 of the adoption of this resolution within ten (10) days after the date of such adoption. Said Town Clerk shall further notify said property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or other similar or associated service they or such occupant shall, by the date fixed in this resolution, 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 applicable rules, regulations, and tariffs of the respective utility or utilities on file with the Public Utilities Commission of the State of California. Such notification shall be made by mailing a copy of said Ordinance No. 899, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities.

I hereby certify that the forgoing Resolution was adopted and passed at a regular meeting of the Town Council of San Anselmo held on May 11, 2010 by the following vote, to wit.


AYES: Coleman, Greene, Kroot, McLnerney, Thornton

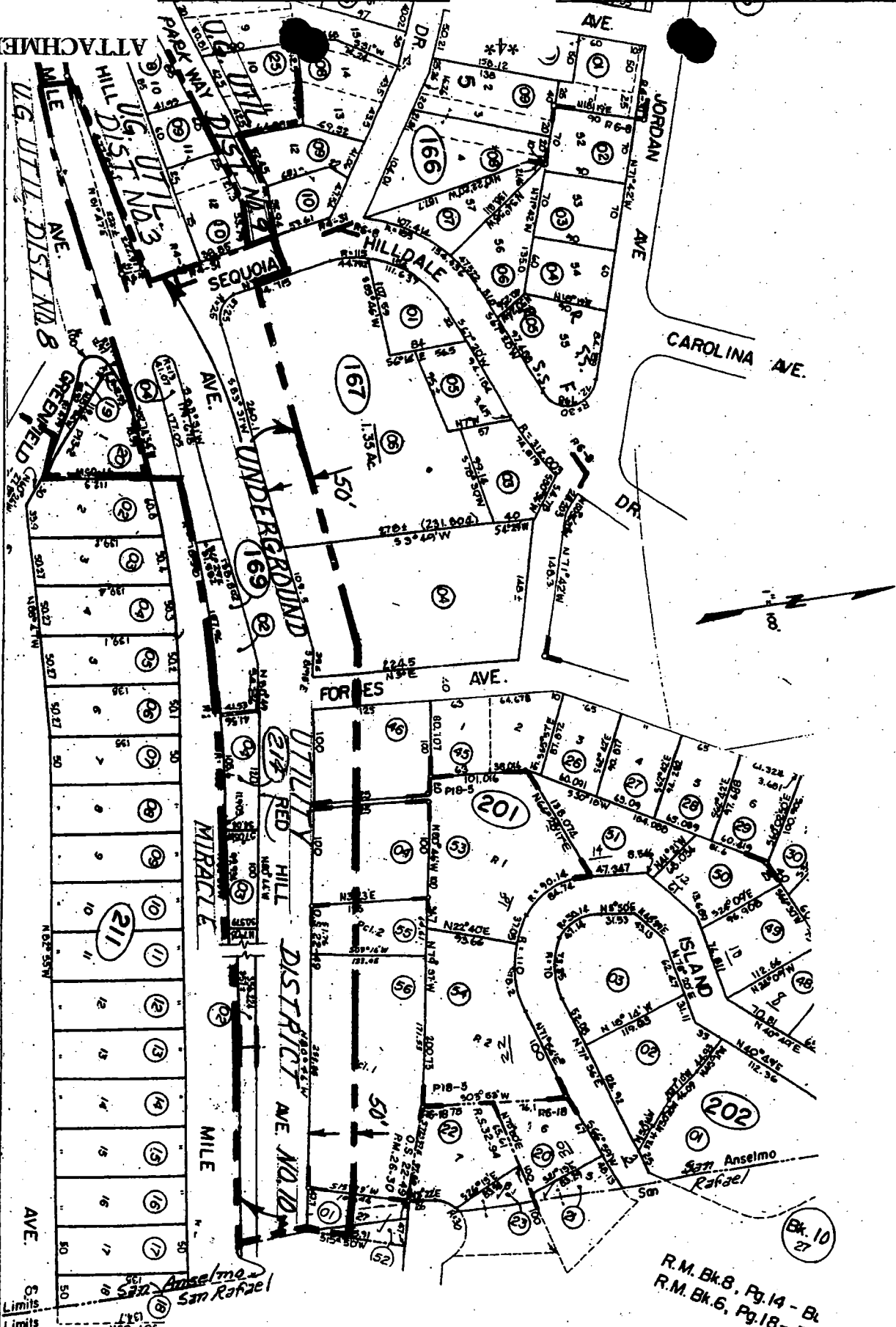
NOES: None

ABSENT: None

ABSTAIN: None


Barbara Thornton, Mayor


Barbara Chambers, Town Clerk



TOWN OF
SAN ANSELMO
DEPT. OF
PUBLIC WORKS
APR 2016

EXHIBIT "A"

UNDERGROUND UTILITY DIST. NO. 10

R.M. Bk. 8, Pg. 14 - Bk
R.M. Bk. 6, Pg. 18 - Ref
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