

RESOLUTION NO. 198921

VACATION OF KEARNY VILLA WAY.

BE IT RESOLVED, by the Council of The City of San Diego, California, that KEARNY VILLA WAY, in Lots 10 and 23, the Highlands, from the southerly line thereof approximately 190 feet northerly,

as more particularly referred to in Resolution of Intention No. 198738 is unnecessary for present or prospective public street purposes.

BE IT FURTHER RESOLVED, that the public interest, convenience and necessity of said City requires the reservation of certain public easement(s), as more particularly referred to in Resolution of Intention No. 198738.

BE IT FURTHER RESOLVED, that KEARNY VILLA WAY, in Lots 10 and 23, the Highlands, from the southerly line thereof approximately 190 feet northerly,

as more particularly shown on Map No. 11944-1-B on file in the office of the City Clerk as Document No. 730411, which said map is attached hereto marked Exhibit A and made a part hereof, be, and the same is hereby vacated.

BE IT FURTHER RESOLVED, that The City of San Diego reserves and excepts from the foregoing vacation the permanent easement(s) as more particularly shown on Map No. 11944-1-B, on file in the office of the City Clerk as Document No. 730411, and as more particularly described hereinafter:

Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to sewer, water, drainage, gas, electric and telephone facilities and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along and across the hereinafter described easement, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easement free and clear of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. Upon written permission of the City or any grantee from the City of the right to utilize the said easement herein, the owners of the underlying fee may utilize the above described parcel of land for structures, the planting or growing of trees or the installation of privately owned pipelines. The City of San Diego shall have the right to permit the use of the easement or easements herein described by any public utility either by conveyance of the necessary right to so use or by permitting such utility to utilize such right under and pursuant to a franchise with The City of San Diego.

The easement reserved herein is in, under, over, upon, along and across the following described property:

Portions of Lot 10, The Highlands, in the City of San Diego, County of San Diego, State of California, according to Map No. 284, filed in the office of the County Recorder of said County, described as follows:

The southerly 12:00 feet of the westerly 50:00 feet of said Lot 10; and the easterly 10:00 feet of the westerly 35:00 feet of the southerly 180:98 feet of said Lot 10.

BE IT FURTHER RESOLVED, that the City Clerk shall cause a certified copy of this resolution, including the attached Exhibit A, attested by him under seal, to be recorded in the office of the County Recorder.

STATE HIGHWAY (U.S. 395) "F R" LINE
 XI-SD-77-5D

KEARNY VILLA WAY

ROAD

ATLAS PARK UNIT NO. 2 MAP NO. 5818

LOT 23

THE HIGHLANDS

$\Delta: 45^{\circ}05'57''$
 $R: 25.00'$
 $L: 19.68'$

$\Delta: 82^{\circ}49'10''$
 $R: 60.00'$
 $L: 86.73'$

$N89^{\circ}52'32''E$

$N89^{\circ}52'32''E$

$\Delta: 84^{\circ}16'36''$
 $R: 60.00'$
 $L: 88.25'$

SCALE: 1" = 50'

Rec. 198921
 120-1970
 DOC. NO. 730411
 FILED DEC 23 1969

INDICATES RESTRICTED GENERAL UTILITY EASE TO BE RESERVED SHOWN HATCHED THUS:
 PROPOSED CLOSING SHOWN SHADED THUS:
 BASIS OF BEARINGS: $N89^{\circ}24'13''E$ SLY. PROPERTY LINE OF ATLAS PARK UNIT NO. 1 MAP # 5047

ENGINEER OF WORK Byrl D. Phelps
 BYRL D. PHELPS R.C.E. 1534

EXHIBIT "A"

STREET VACATION; KEARNY VILLA WAY, IN LOT 23, THE HIGHLANDS, AND IN LOT 10, THE HIGHLANDS,

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA.	W.O. No.
ORIGINAL					ENGINEERING DEPARTMENT SHEET 1 OF 1 SHEETS	27002
					<u>Jo Casey</u> Asst. CITY ENGINEER	(69-9)
						9/12/69 CONTROL CERTIFICATION
					<u>Tom Murphy</u> DESIGN ENGINEER	242-1725 LAMBERT COORDINATES
					PLANNING DEPT.	11944-1-B
STATUS						

APPROVED as
to form by JOHN W. WITT, City Attorney

By Don J. Teleman
Deputy City Attorney

JAN 20 1970

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel Deputy.
EH

Office of the City Clerk, San Diego, California

Resolution Number 198921 Adopted JAN 20 1970

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