

Res: Ordering Vacation--easements required

RESOLUTION NO. 201275 NOV 17 1970

VACATION OF PORTIONS OF WINDER STREET AND  
INDIA STREET.

BE IT RESOLVED, by the Council of The City of San Diego,  
California, that portions of WINDER STREET and INDIA STREET,  
between and adjacent to Blocks 167 and 175 of Middletown,

as more particularly referred to in Resolution of Intention  
No. 201136 is unnecessary for present or prospective  
public street purposes.

BE IT FURTHER RESOLVED, that the public interest, con-  
venience and necessity of said City requires the reservation  
of certain public easement(s), as more particularly referred  
to in Resolution of Intention No. 201136.

BE IT FURTHER RESOLVED, that portions of WINDER STREET  
and INDIA STREET, between and adjacent to Blocks 167 and 175  
of Middletown,

as more particularly shown on Map No. 11920-B on file  
in the office of the City Clerk as Document No. 733823,  
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. 11920-B, on file in  
the office of the City Clerk as Document No. 733823, and  
as more particularly described hereinafter:

Form CA 213-L  
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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:

All that portion of INDIA STREET as vacated and WINDER STREET as vacated, as established according to the map of Middletown according to Partition Map thereof made by J. E. Jackson, on file in the office of the County Clerk of said San Diego County, being more particularly described as follows:

Beginning at the most easterly corner of Lot 7, Block 175 of said Middletown, thence South  $50^{\circ} 11' 02''$  East, 6.21 feet to the beginning of a nontangent 70.00 foot radius curve concave north-easterly, a radial to said point bears South  $54^{\circ} 00' 22''$  West; thence along the arc of said curve through a central angle of  $7^{\circ} 22' 14''$ ; a distance of 9.00 feet; thence leaving said curve South  $54^{\circ} 01' 09''$  West, 34.67 feet; thence North  $60^{\circ} 41' 24''$  West, 16.51 feet; thence North  $54^{\circ} 01' 09''$  East, 39.47 feet to the point of beginning.

201275

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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.

APPROVED: JOHN W. WITT, City Attorney

By



Don S. Peterson, Deputy

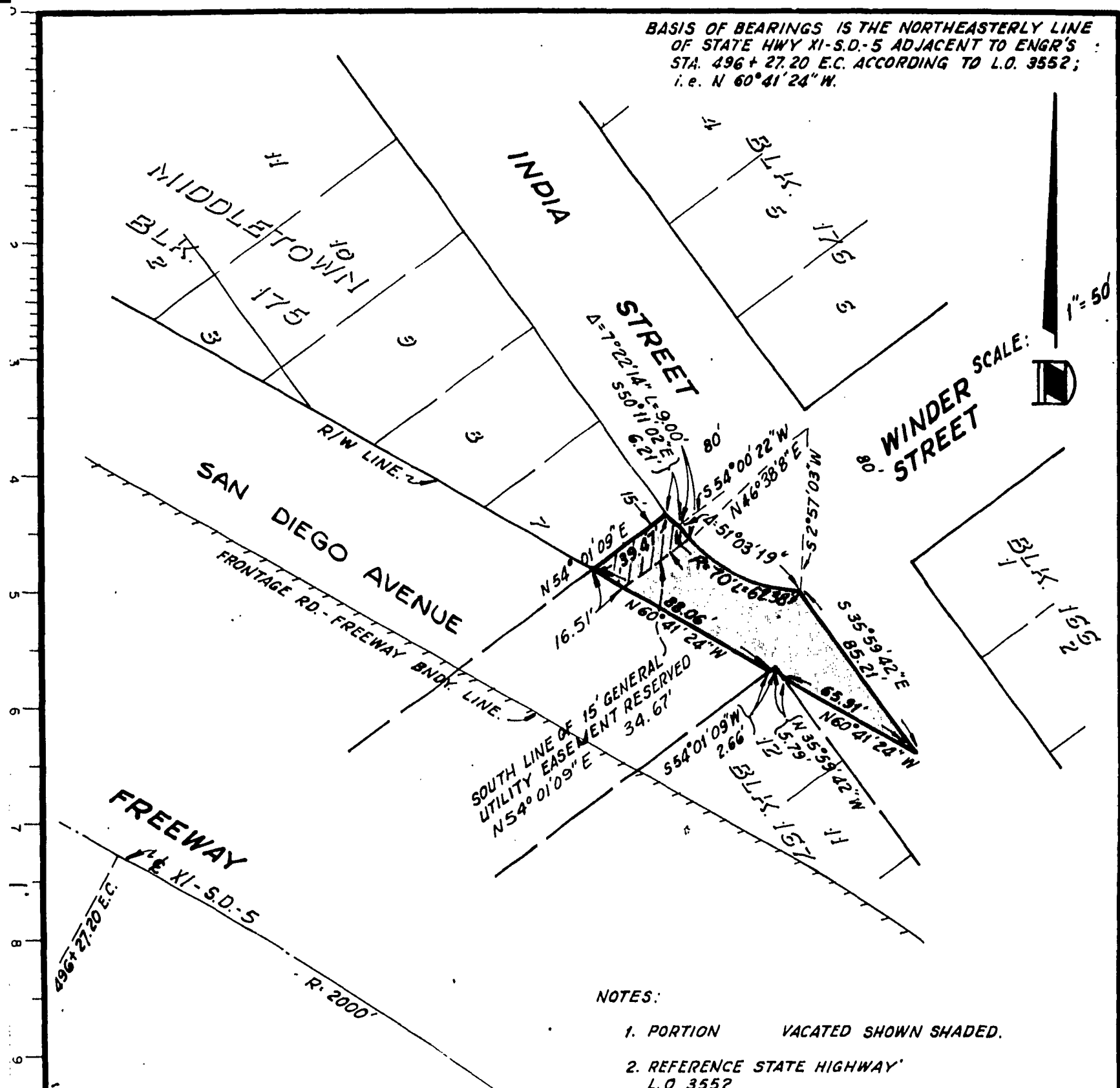
201275

cav

10/7/70

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BASIS OF BEARINGS IS THE NORTHEASTERLY LINE OF STATE HWY XI-S.D.-5 ADJACENT TO ENGR'S STA. 496+27.20 E.C. ACCORDING TO L.O. 3552; i.e. N 60°41'24" W.



SCALE: 1" = 50'

- NOTES:
1. PORTION VACATED SHOWN SHADED.
  2. REFERENCE STATE HIGHWAY' L.O. 3552.
  3. GENERAL UTILITY EASEMENT RESERVED SHOWN HATCHED.

Res. 201275

DON NASLAND - ENGINEERING & SURVEYS.  
2120 UNIVERSITY AVE.  
SAN DIEGO, CALIFORNIA.  
296-6373.

DOC. 733823  
FILED. OCT 30 1970

EXHIBIT "A"

D.N. No. 1133-69.

**STREET VACATION - Portions of Winder Street and India Street between and adjacent to Blocks 167 and 175 of Middletown**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT SHEET 1 OF 1 SHEETS		W.O. NO. 27002 (69-6)
ORIGINAL	J.A.L./r.		4-25-69		 CITY ENGINEER		 DATE 4-25-69 CONTROL CERTIFICATION
"A" REVISED DWG	Roubinek	Roubinek	8-29-70				
"B" DIMENSIONED ESM	Roubinek	Roubinek	9-22-70				
MICROFILMED					DIVISION HEAD		210-1713
					PLANNING DEPT.		LAMBERT COORDINATES
STATUS					 SECTION HEAD		11920 - B

Passed and adopted by the Council of The City of San Diego on NOV 17 1970,  
 by the following vote:

RECEIVED  
 CITY CLERK'S OFFICE

1970 OCT 23 PM 12:46

SAN DIEGO, CALIF.

Councilmen  
 Helen Cobb  
 Sam T. Loftin  
 Henry L. Landt  
 Leon L. Williams  
 Floyd L. Morrow  
 Bob Martinet  
 Allen Hitch  
 Mike Schaefer  
 Mayor Frank Curran

Yeas	Nays	Excused	Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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AUTHENTICATED BY:

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

(Seal)

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

By Elfa J. Hanel, Deputy. *KP*

Office of the City Clerk, San Diego, California

Resolution Number 201275 Adopted NOV 17 1970

FORM CC-1276 (1.69)

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