

R-75-2032A

RESOLUTION NO. 213423

MAY 30 1975

VACATION OF THE ALLEY IN BLOCK 251, SOUTH CHOLLAS ADDITION, AND THE ALLEY ADJACENT TO LOTS 8 THROUGH 10 AND LOTS 39 THROUGH 42, BLOCK 251, BERGIN'S ADDITION, ALSO THAT ALLEY LOCATED EASTERLY OF THE CHOLLAS CREEK CHANNEL ADJACENT TO BLOCK 265, BERGIN'S ADDITION.

WHEREAS, it is proposed that the ALLEY in Block 251, South Chollas Addition, and the ALLEY adjacent to Lots 8 through 10 and Lots 39 through 42, Block 251, Bergin's Addition, also that ALLEY located easterly of the Chollas Creek Channel adjacent to Block 265, Bergin's Addition, be vacated; and

WHEREAS, there is no present or prospective use for the alleys, either for the public street system for which the right-of-way was originally acquired or for any other public use of a like nature that can be anticipated; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation or abandonment is not inconsistent with the General Plan or an approved Community Plan; and

WHEREAS, the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, California, that the ALLEY in Block 251, South Chollas Addition, and the ALLEY adjacent to Lots 8 through 10 and Lots 39 through 42, Block 251, Bergin's addition, also that ALLEY located easterly of the Chollas Creek Channel adjacent to Block 265, Bergin's Addition, as more particularly referred to in Resolution Of Intention

No. 212917 are 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 a certain public easement, as more particularly referred to in Resolution of Intention No. 212917.

BE IT FURTHER RESOLVED, that the ALLEY in Block 251, South Chollas Addition, and the ALLEY adjacent to Lots 8 through 10 and Lots 39 through 42, Block 251, Bergin's Addition, also that ALLEY located easterly of the Chollas Creek Channel adjacent to Block 265, Bergin's Addition, as more particularly shown on Map No. 12981-B, revised, on file in the office of the City Clerk as Document No. 751489 which said map is attached hereto 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 as more particularly described hereinafter:

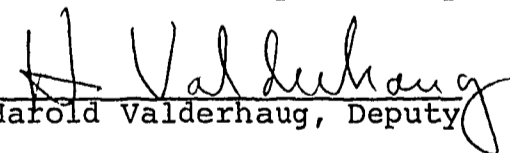
Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating sewer facilities and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along and 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 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 acquisition of an encroachment permit from the City Engineer pursuant to the Municipal Code of the City, 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 portions of the alleys vacated by this document and as more particularly shown on Map No. 12981-B,^{revised,} on file in the office of the City Clerk as Document No. 751489.

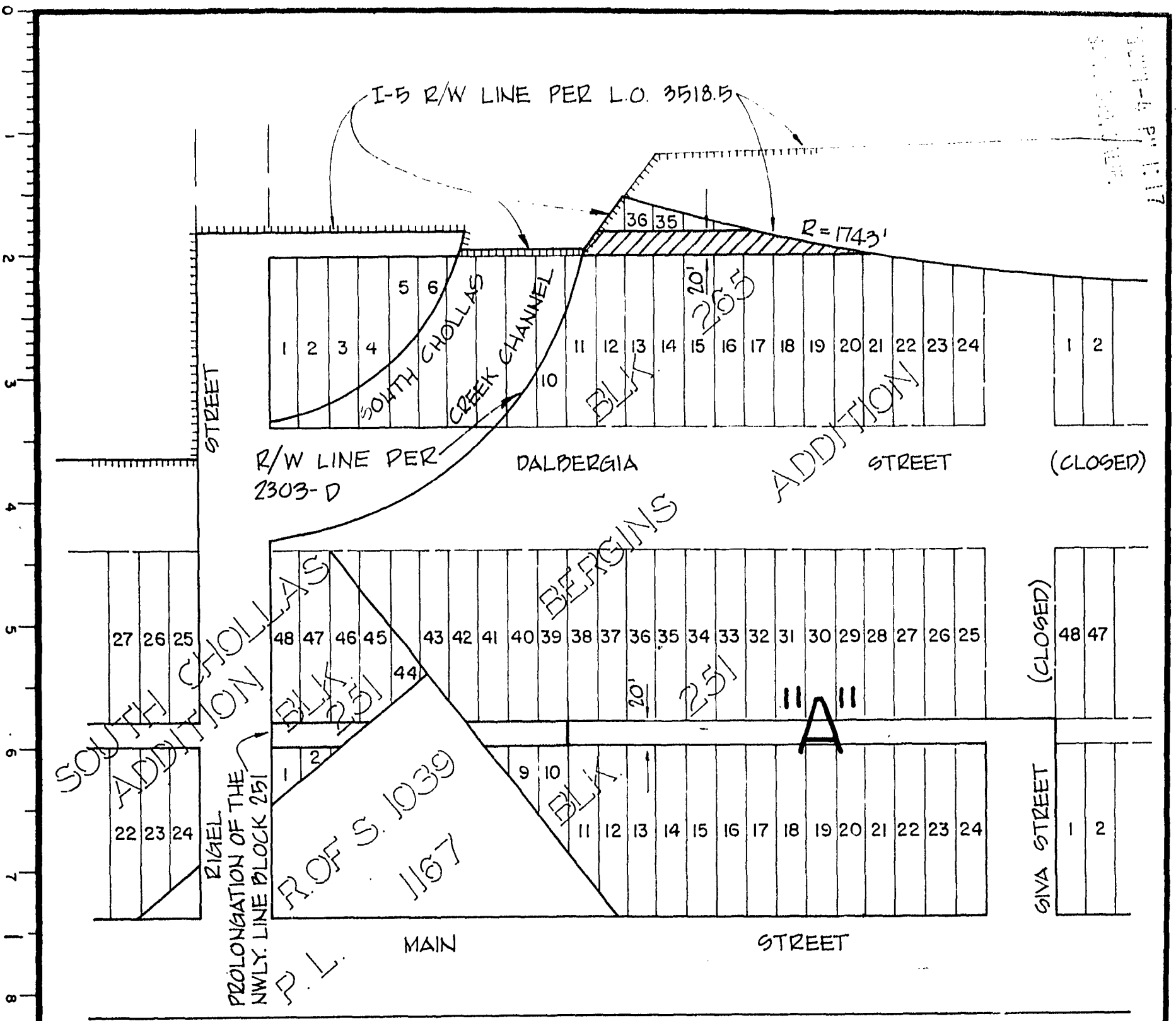
BE IT FURTHER RESOLVED, that the City Clerk shall cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

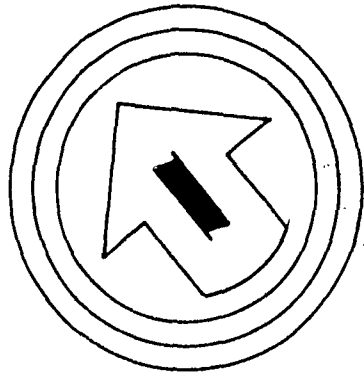
By 
Harold Valderhaug, Deputy

HOV:nr 221.1
6-5-75 (Rev.)
Or. Dept. E&D

RECEIVED
89



U. S. GOVERNMENT



SCALE 1"=100'

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	V.G.W.	R.F.H.	1-74	
"A"-Delete Vacation	G.L.	R.F.H.	6-75	

CITY OF SAN DIEGO, CALIFORNIA

SHEET | OF | SHEET

CR [Signature] 2-6-74
FOR CITY ENGINEER DATE

DIVISION HEAD _____ PLANNING DEPT _____

SECTION HEAD _____

W.O. NO. 27002 (72-18)

Bill [Signature] 2-6-74
CONTROL CERTIFICATION

190-1731

LANDMARK (BY REGISTRATION)

12981 - B

213423

Passed and adopted by the Council of The City of San Diego on MAY 30 1975,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

(Seal)

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 1975 JUN -3 PM 1:18
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number 213423 Adopted MAY 30 1975