

R-77-105

RESOLUTION NO. 217116

NOV 10 1976

VACATION OF A PORTION OF FRIARS ROAD BETWEEN STATE HIGHWAY 163 AND FRAZEE ROAD.

WHEREAS, it is proposed that a portion of FRIARS ROAD between State Highway 163 and Frazee Road be vacated; and

WHEREAS, there is no present or prospective use for the street, 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 a portion of FRIARS ROAD between State Highway 163 and Frazee Road, as more particularly referred to in Resolution of Intention No. 216913 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 a certain public easement, as more particularly referred to in Resolution of Intention No. 216913.

BE IT FURTHER RESOLVED, that a portion of FRIARS ROAD between State Highway 163 and Frazee Road, as more particularly shown on Map No. 16337-D on file in the office of the City Clerk as Document No. 756876, 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:

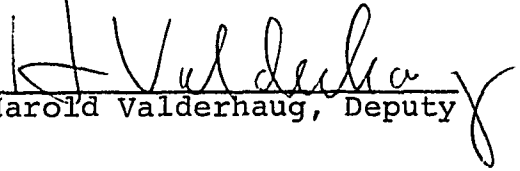
Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but limited to, sewer facilities and all necessary and proper fixtures and equipment for 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 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 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 that portion of FRIARS ROAD between State Highway 163 and Frazee Road vacated by this document and as more particularly shown on Map No. 16337-D on file in the office of the City Clerk as Document No. 756876.

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:n 221.1
7-8-76
Or. Dept. E&D

-3-

217116

STATE HIGHWAY 163

ESMT RESERVED HEREON
RD SEWER

N 89° 27' 39" W

N 27° 02' 00" W

OWN Y. J. BROWN
OWN M. J. BROWN

PL 1174
PL 1173

W. LINE PER STATE 2000
FRAZEE
LO 19516 4A

NOV 13 1951



ROAD

ROAD

ATTIARS PROFESSIONAL PARK

MAP NO. 1049

1100

NOTES

1. THE RIGHT OF WAY LOCATED WITH FEE TITLE REVERTING TO THE CITY OF SAN DIEGO WAS ACQUIRED BY THE FOLLOWING INSTRUMENTS:

BOOK 149, PAGE 337, DECS., REC. 10-14-02

BOOK 149, PAGE 338, DECS., REC. 10-14-02

BOOK 149, PAGE 351, DECS., REC. 10-14-02

BOOK 149, PAGE 352, DECS., REC. 10-14-02

2. THE RIGHT OF WAY LOCATED WITH FEE TITLE REVERTING TO THE CITY OF SAN DIEGO WAS ACQUIRED BY THE FOLLOWING INSTRUMENTS:

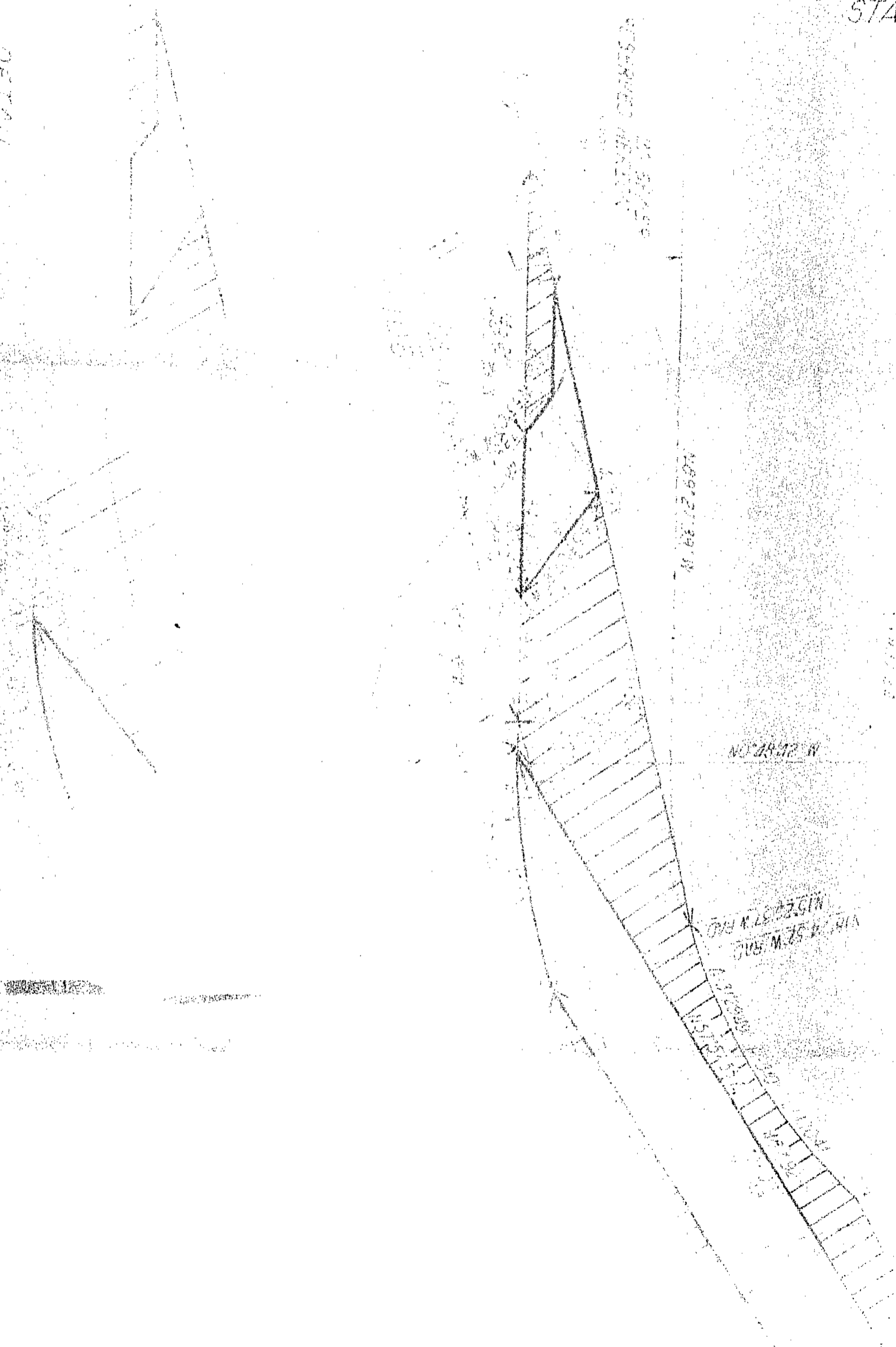
BOOK 149, PAGE 337, DECS., REC. 10-14-02

BOOK 149, PAGE 338, DECS., REC. 10-14-02

BOOK 149, PAGE 351, DECS., REC. 10-14-02

BOOK 149, PAGE 352, DECS., REC. 10-14-02

DETAIL



1924 180, PAGE 180, 2 2, REC 10-28-23
 1924 187, PAGE 111, 1 5, REC 1-31-24
 1924 188, PAGE 107, 0 5, REC 10-9-22

2 THE RIGHT OF WAY VACATED WITH FEE TITLE REVERTING TO THE CITY OF SAN DIEGO WAS ACQUIRED BY THE FOLLOWING INSTRUMENTS:

BOOK 204, PAGE 237, 204, REC 10-11-22
 BOOK 229, PAGE 398, 205, REC 10-11-22
 BOOK 242, PAGE 357, 205, REC 10-11-22

3 THE RIGHT OF WAY ACQUIRED BY THE CITY OF SAN DIEGO WAS ACQUIRED BY THE FOLLOWING INSTRUMENTS:

RECORD

INDICATES PREVIOUSLY VACATED RIGHT OF WAY TO OTHERS
 INDICATES 20' WIDE EASEMENT
 INDICATES 17' WIDE EASEMENT

BASIS OF BEARINGS: THE SOUTHERLY
 LINE OF FRIARS ROAD PER STATE OF CALIFORNIA
 RIGHT OF WAY MAP NO LO-195164, LE N77°33'57"E

NOTE: PORTIONS OF THE ABOVE BOUNDARY AND AREAS
 ARE BASED ON EXISTING RECORD MAPS AND
 DEEDS PREPARED BY OTHERS AND ARE NOT THE
 RESULT OF A FIELD SURVEY BY RICK ENGINEERING.

RICK ENGINEERING COMPANY	
STREET VACATION	
FRIARS ROAD - BETWEEN	
STATE HIGHWAY 163 AND FRAZEE ROAD	
SALE OF CITY LAND IN SEVERAL LOTS AND	
LOTS 1123 AND 1124	
CITY OF SAN DIEGO, CALIFORNIA	
SHEET 1 OF 1 SHEET	
4-23-25	
1000	1000
1000	1000
1000	1000

Passed and adopted by the Council of The City of San Diego on NOV 10 1976,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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)

RECEIVED
CITY CLERK'S OFFICE
1976 SEP 27 PM 2:52
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number 217116 Adopted NOV 10 1976
ED