

(R. 77-1731)

RESOLUTION NO. 218529

JUN 1 1977

WHEREAS, it is proposed that PENASQUITOS DRIVE, 186 feet Easterly of Carmel Mountain Road to Interstate 15, 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 PENASQUITOS DRIVE, 186 feet Easterly of Carmel Mountain Road to Interstate 15, as more particularly referred to in Resolution of Intention No. 218226, 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. 218226.

BE IT FURTHER RESOLVED, that PENASQUITOS DRIVE, 186 feet Easterly of Carmel Mountain Road to Interstate 15, as more particularly

shown on Map No. 13816-B, on file in the office of the City Clerk as Document No. 759117, 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(s) as more particularly described hereinafter:

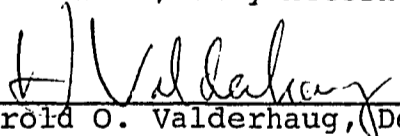
Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to, sewer, water, drainage, and all necessary and proper fixtures and 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.

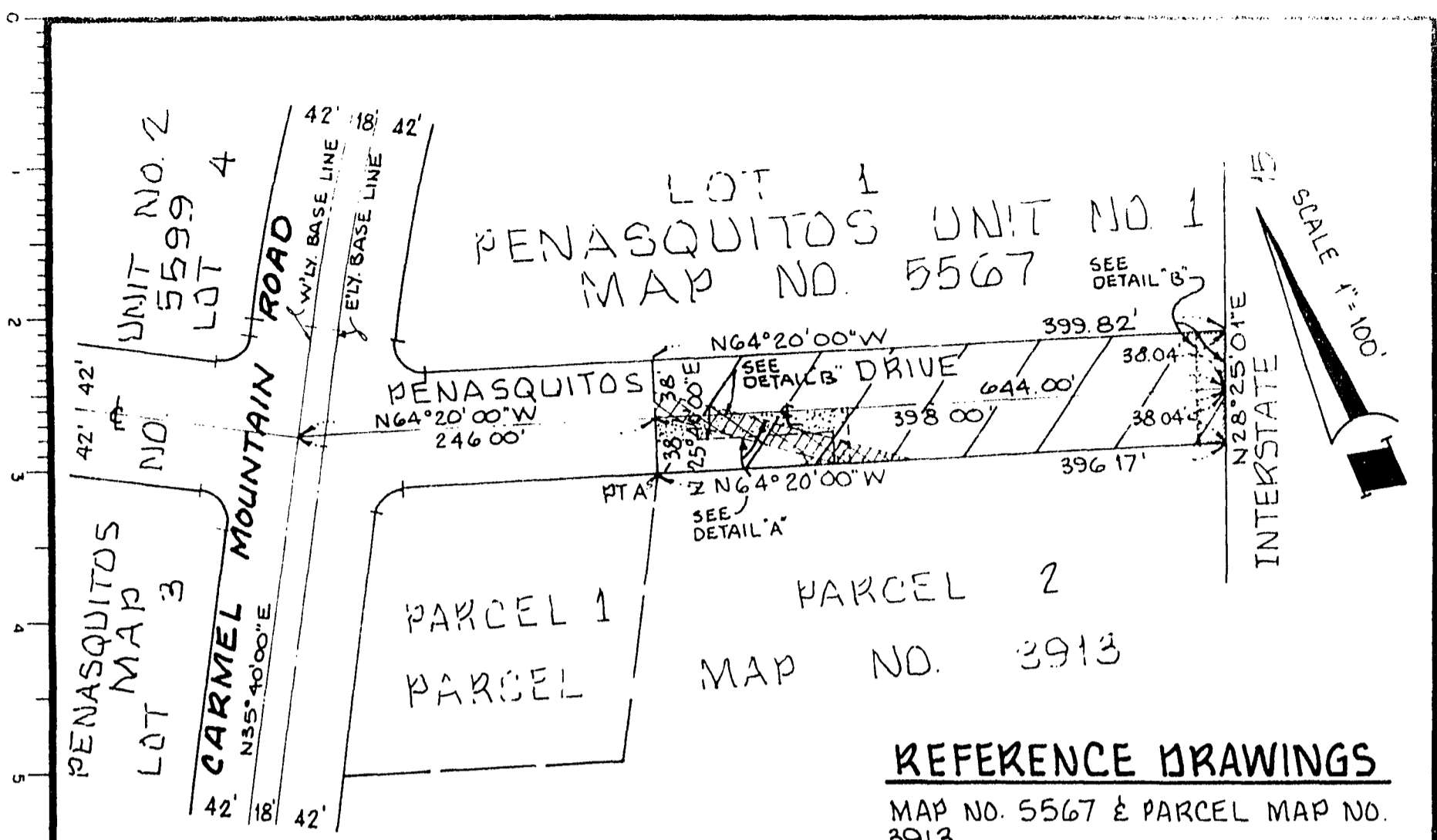
The easement reserved herein is in, under, over, upon, along and across that portion of Penasquitos Drive, 186 feet Easterly of Carmel Mountain Road to Interstate 15, vacated by this document and as more particularly shown on Map No. 13816-B, on file in the office of the City Clerk as Document No. 759117.

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 O. Valderhaug, Deputy

HOV:sml
3-21-77
Or.Dept.:E&D
W.O.:27002



REFERENCE DRAWINGS

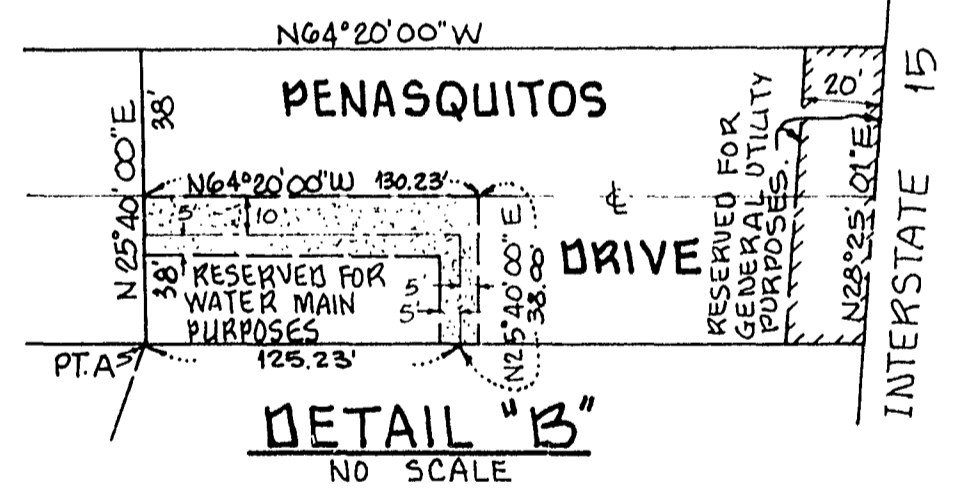
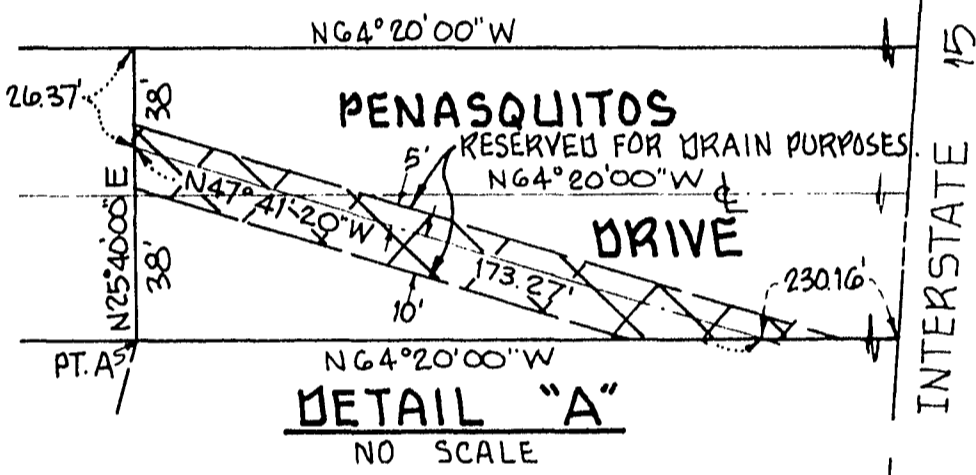
MAP NO. 5567 & PARCEL MAP NO. 3913.
 DWGS. 11306-3, 4, & 5-D

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE CENTERLINE OF PENASQUITOS DRIVE PER PARCEL MAP NO. 3913. I.E. N.64°20'00"W

LEGEND

- STREET VACATION SHOWN AS THIS:
- DRAINAGE EASEMENT RESERVATION SHOWN AS THIS:
- GENERAL UTILITY EASEMENT RESERVATION SHOWN AS THIS:
- WATER EASEMENT RESERVATION SHOWN AS THIS:



ENGINEER OF WORK

Thomas E. Craig
 THOMAS E. CRAIG 10-14-76
 R.C.E. 13,862
 HOGAN, CRAIG & ASSOC. INC.
 8911 LA MESA BLVD. SUITE 101-A
 LA MESA, CA. 92064
 TEL. (714) 461-0211

DOC. NO. _____
 FILED _____

EXHIBIT "A"

759117
 DOCUMENT NO. _____
 FILED MAY 2 1977
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION - EASEMENT RESERVATION IN PENASQUITOS DRIVE EASTERLY OF CARMEL MOUNTAIN ROAD.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	76-619
					<i>CD Leach</i> FOR CITY ENGINEER	27002
					DATE <u>10-22-76</u>	<i>J. Markwood</i> CONTROL CERTIFICATION
						294-1741
						13816-B

JUN 1 1977

Passed and adopted by the Council of The City of San Diego on _____,
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Joel M. Strobl	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Martiniz* Deputy.

(Seal)

RECEIVED
CITY CLERK'S OFFICE
1977 APR 15 PM 4:35
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **218529** Adopted **JUN 1 1977**