

JUL 19 1977

RESOLUTION NO. 218818 (R. 77-2200)

VACATION OF FORT STOCKTON DRIVE BETWEEN HARNEY STREET AND CONDE STREET.

WHEREAS, it is proposed that FORT STOCKTON DRIVE BETWEEN HARNEY STREET AND CONDE STREET, 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 San Diego, California that FORT STOCKTON DRIVE BETWEEN HARNEY STREET AND CONDE STREET as more particularly referred to in Resolution of Intention No. 218588, 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. 218588.

BE IT FURTHER RESOLVED, that FORT STOCKTON DRIVE BETWEEN HARNEY STREET AND CONDE STREET, as more particularly shown on Drawing No. 13899-B, on file in the office of the City Clerk as Document No. 759668, which said drawing 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:

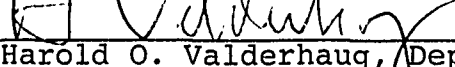
Reserving and excepting to the City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but limited to drainage, and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along and across the hereinafter-described easement, together with the right of ingress thereto and 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 FORT STOCKTON DRIVE BETWEEN HARNEY STREET AND CONDE STREET, vacated by this document and as more particularly shown on Drawing No. 13899-B, on file in the office of the City Clerk as Document No. 759668.

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

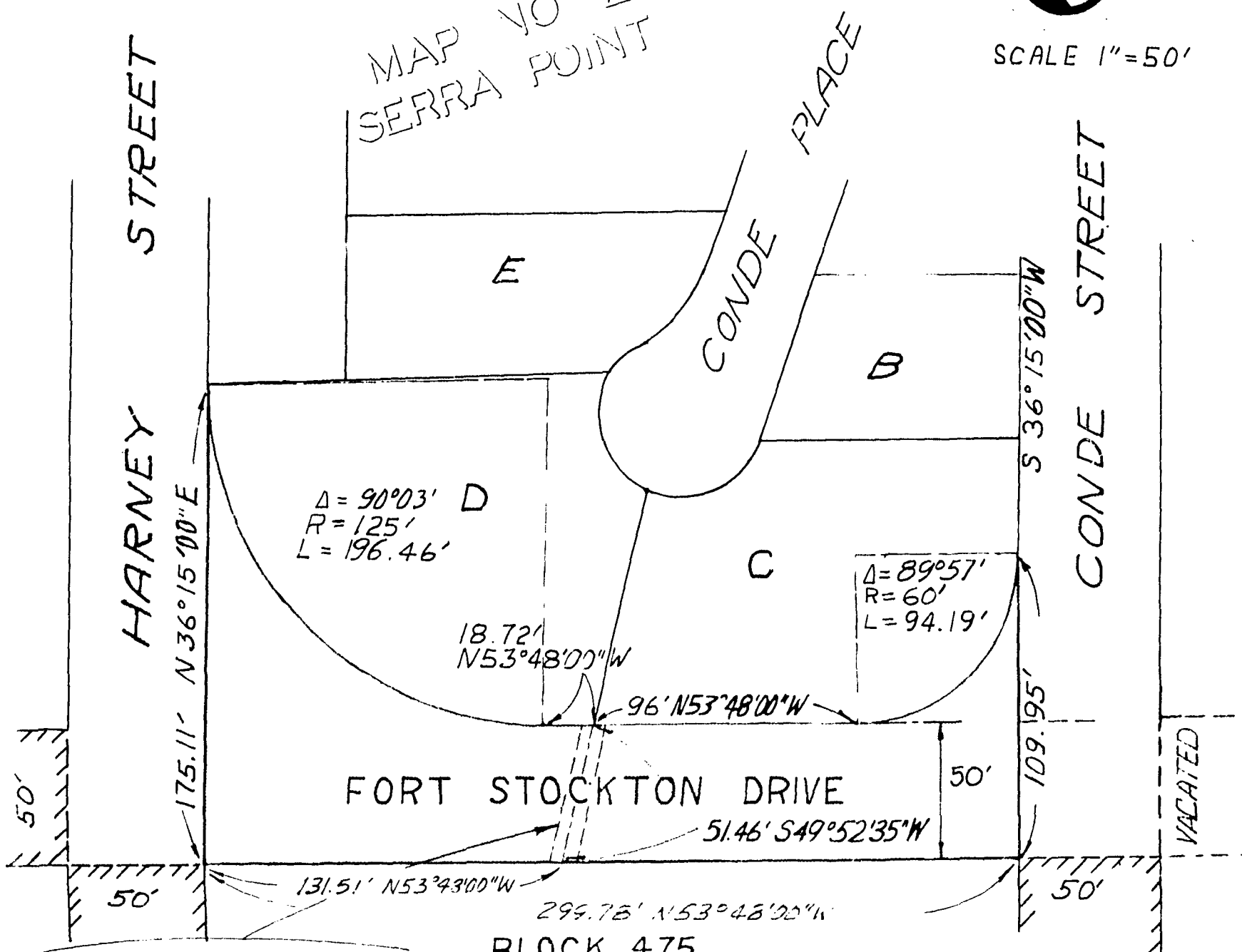
HOV:sml
5-27-77
Or. Dept. :E&D
W.O.:27002

218818

MAP NO 2202
SERRA POINT



SCALE 1"=50'



10 FT DRAINAGE EASEMENT
RESERVED FOR FUTURE
DRAIN EXTENSION.

BLOCK 475
OLD SAN DIEGO
MAP # 40

NOTE: CROSSHATCHED
STREETS VACATED BY
RESO. 181262 DATED
SEPT. 1, 1964

PROPOSED
STREET VACATION SHOWN
AS:
REF DWG 9206-B

BASIS OF BEARINGS
THE SOUTHWESTERLY LINE OF
SERRA POINT, MAP, NO. 2202
I.E. N 53° 48' 00" W

MOND F. HALL CORP.
ENGINEERING &
LAND SURVEYING
2 JUAN STREET
SAN DIEGO, CALIFORNIA
92110
3-9620

TOTAL AREA WITHIN PROPOSED
STREET VACATION = 0.439 AC.

DOCUMENT NO. **759668**
FILED JUN 17 1977
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION - FORT STOCKTON DRIVE BETWEEN
HARNEY STREET AND CONDE STREET

Passed and adopted by the Council of The City of San Diego on JUL 19 1977,
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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,

(Seal)

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

By Allyn D. Newitt, Deputy.

RECEIVED
 CITY CLERK OFFICE
 1977 JUN -7 AM 8:36
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Resolution Number <u>218818</u>	Adopted <u>JUL 19 1977</u>