

RESOLUTION NO. 218819

(R. 77-2195)  
(REV.)

VACATION OF FRANKFORT STREET BETWEEN INGULF  
STREET AND CLAIREMONT DRIVE, AND THE ALLEY  
IN BLOCK 69 OF MORENA , MAP NO. 809.

JUL 19 1977

WHEREAS, it is proposed that FRANKFORT STREET between  
Ingulf Street and Clairemont Drive and the ALLEY IN BLOCK 69  
OF MORENA, be vacated; and

WHEREAS, there is no present or prospective use for the  
streets, 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 FRANKFORT STREET between Ingulf Street  
and Clairemont Drive, and the ALLEY IN BLOCK 69 OF MORENA, as  
more particularly referred to in Resolution of Intention  
No. 218589, 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 easements, as more particularly referred to  
in Resolution of Intention No. 218589.

BE IT FURTHER RESOLVED, that FRANKFORT STREET between Ingulf Street and Clairemont Drive, and the ALLEY IN BLOCK 69 OF MORENA, as more particularly shown on Drawing No. 13874-B and 13875-B, on file in the office of the City Clerk as Document Nos. 759674, and 759675, which said drawings are 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:

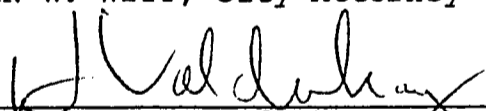
Reserving and excepting to the City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to, water, and all necessary and proper fixtures and equipment for use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

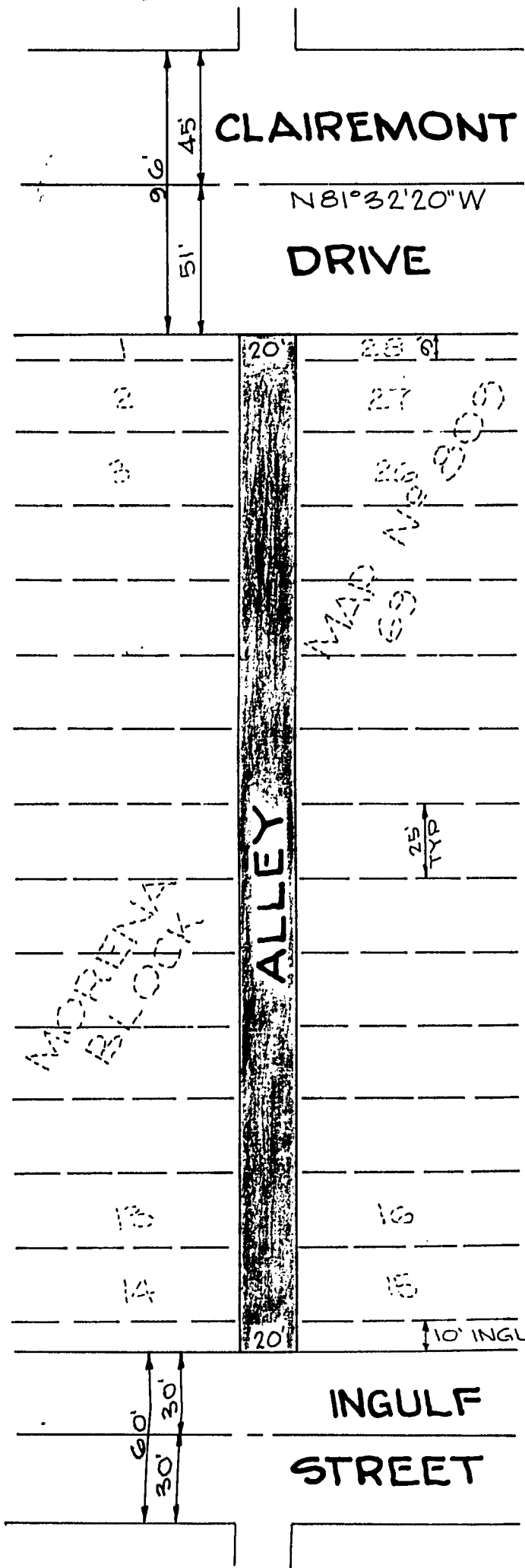
The easement reserved herein is in, under, over, upon, along and across that portion of FRANKFORT STREET between Ingulf Street and Clairemont Drive, and the ALLEY IN BLOCK 69 OF MORENA, vacated by this document and as more particularly shown on Drawing No. 13874-B and 13875-B, on file in the office of the City Clerk as Document Nos. 759674 and 759675.

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

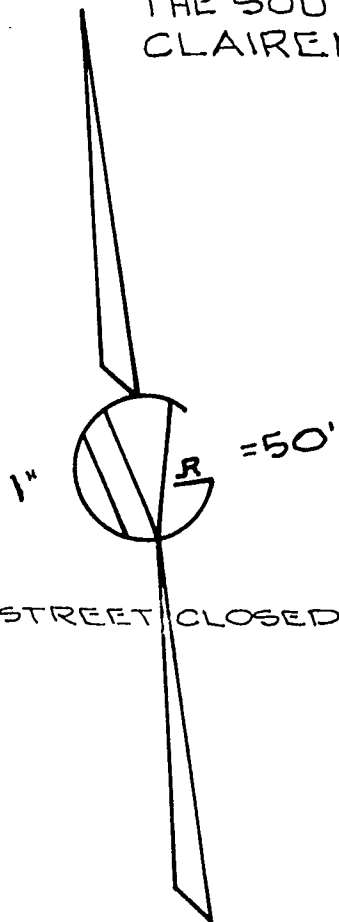
HOV:sml  
6-23-77:REV.  
Or.Dept.:Property



**BASIS OF BEARINGS:**  
 THE CENTERLINE OF CLAIREMONT DRIVE PER MAPS N<sup>o</sup> 5810 & N<sup>o</sup> 6167 I.E. N81°32'20"W

**LEGEND:**  
 ALLEY VACATION SHOWN SHADED THUS 

**LEGAL DESCRIPTION:**  
 THE ALLEY IN BLOCK 69 OF MORENA, MAP N<sup>o</sup> 809, BETWEEN THE NORTHERLY LINE OF INGULF STREET AND THE SOUTHERLY LINE OF CLAIREMONT DRIVE.



LUY W. WINTON JR.  
 C.E. 9490  
 368 SECOND AVE.  
 SAN DIEGO, CALIF.  
 99-9600 92103

DOCUMENT NO. **759675**  
 FILED **JUN 17 1977**  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**ALLEY VACATION-**  
**IN BLOCK 69 OF MORENA, MAP N<sup>o</sup> 809, FOR**  
**PROPOSED PARCEL MAP TM 76-87**



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 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.

(Seal)

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

By Allyn D. Nevill, Deputy.

RECEIVED  
 CITY CLERK'S OFFICE  
 1977 JUL -6 PH 2:09  
 SAN DIEGO, CALIF. 26

Office of the City Clerk, San Diego, California	
Resolution Number <u>218819</u>	Adopted <u>JUL 19 1977</u> <i>EP</i>