

RESOLUTION NO. 222266

(R.79-581)
NOV 20 1978

VACATION OF A PORTION OF CONVOY STREET
AND KEARNY MESA ROAD ADJACENT TO LOT 3
AND PARCEL B OF MAP 4883

WHEREAS, it is proposed that a portion of Convoy Street and Kearny Mesa Road adjacent to Lot 3 and Parcel B of Map 4883 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 in that neither the City nor the State has any present or prospective use for these right-of-way segments; 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 Convoy Street and Kearny Mesa Road Adjacent to Lot 3 and Parcel B of Map 4883, as more particularly referred to in Resolution of Intention No. 222037, is unnecessary for present or prospective public street purposes.

MICROFILMED

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BE IT FURTHER RESOLVED, that a portion of Convoy Street and Kearny Mesa Road adjacent to Lot 3 and Parcel B of Map 4883, as more particularly shown on Drawing No. 14324-B on file in the office of the City Clerk as Document No. 764707, which said Drawing is attached hereto and made a part hereof, be, and the same is hereby ordered vacated.

BE IT FURTHER RESOLVED, that The City of San Diego reserves and excepts from the foregoing vacation the permanent easement for sewer purposes as more particularly described herein-after:

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 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 Convoy Street and Kearny Mesa Road adjacent to Lot 3 and Parcel B of Map 4883 vacated by this document and as more particularly shown on Drawing No. 14324-B on file in the office of the City Clerk as Document No. 764707.

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

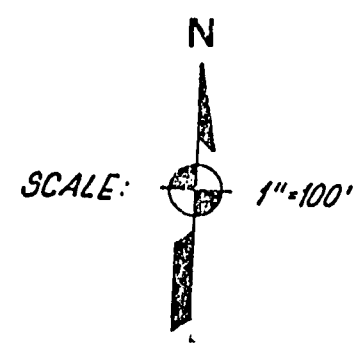
By 
Harold O. Valderhaug, Deputy

HOV:dm
9/26/78
Or. Dept. E&D
W.O. 27002
14324-B

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MAP No 4883

REFERENCE DRAWINGS

10238-2-D, 10238-3-D

COUNTY ASSESSOR NO'S.

356-362-9365-362-11, 356-362-12, 356-362-13

LEGEND

SOUTHERLY BOUNDARY MAP 4883

- INDICATES CONVOY STREET VACATION (5891 SQ. FT.)
INDICATES KEARNY MESA ROAD VACATION (23630 SQ. FT.)

BASIS OF BEARINGS

FOR KEARNY MESA ROAD - SOUTHEASTERLY BOUNDARY OF MAP No 4883, I.E. N 32° 32' 15" E
FOR CONVOY STREET - CALIF. COORDINATE SYSTEM, ZONE 6, PER MISCELLANEOUS SURVEY No 727

PREPARED BY: RICK ENGINEERING CO. 5620 FRIARS ROAD SAN DIEGO, CALIFORNIA (92110) PHONE NO. (714)-291-0707

DOCUMENT NO. 764707
FILED OCT 18 1978
OFFICE OF THE CITY CLERK SAN DIEGO, CALIFORNIA

STREET VACATION - CONVOY STREET & KEARNY MESA ROAD ADJ. TO LOT 3 & PARCEL B OF NICHOLS RIDGE PER MAP # 4883

Table with columns: DESCRIPTION, BY, APPROVED, DATE, FILMED, CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET, W.O. NO., CONTROL CERTIFICATION, STATUS.

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JOB # 6611

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Passed and adopted by the Council of The City of San Diego on NOV 20 1978,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By Betty Gledhill, Deputy.

(Seal)

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 SAN DIEGO, CALIF.

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Office of the City Clerk, San Diego, California	
Resolution Number <u>222266</u>	Adopted <u>NOV 20 1978</u>