

RESOLUTION NO. 222283 (R.79-720)

VACATION OF A PORTION OF BEECH STREET BETWEEN
38TH STREET AND THE ALLEY IN BLOCKS 31 AND 28
OF MAP NO. 517

WHEREAS, it is proposed that a portion of BEECH STREET
BETWEEN 38TH STREET AND THE ALLEY IN BLOCKS 31 AND 28 OF
MAP NO. 517 be vacated; and

WHEREAS, there is no present or prospective use for the
street or alley either for the public street system for
which the rights-of-way were originally acquired or for any
other public use of a like nature that can be anticipated in
that the City has no present or future need for the rights-
of-way as a part of the circulation pattern within the neigh-
borhood; and

WHEREAS, the public will benefit from the vacation
through improved utilization of land; and

WHEREAS, the vacation or abandonment is not incon-
sistent with the General Plan or an approved Community Plan;
and

WHEREAS, the public street system for which the rights-
of-way were 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 BEECH STREET BETWEEN
38TH STREET AND THE ALLEY IN BLOCKS 31 AND 28 OF MAP NO. 517, as
more particularly referred to in Resolution of Intention
No. 222117, is unnecessary for present or prospective
public street purposes.

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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. 222117.

BE IT FURTHER RESOLVED, that a portion of BEECH STREET BETWEEN 38TH STREET AND THE ALLEY IN BLOCKS 31 AND 28 OF MAP NO. 517, as more particularly shown on Drawing No. 14382-B on file in the office of the City Clerk as Document No.

764922, 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 as more particularly described herein-after:

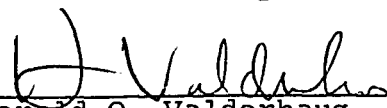
Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to, water, and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along and across the hereinafter described easement, together with the right of ingress thereto and 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 BEECH STREET BETWEEN 38TH STREET AND THE ALLEY IN BLOCKS 31 AND 28 OF MAP NO. 517 vacated by this document and as more particularly shown on Drawing No. 14382-B on file in the office of the City Clerk as Document No. 764922.

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.

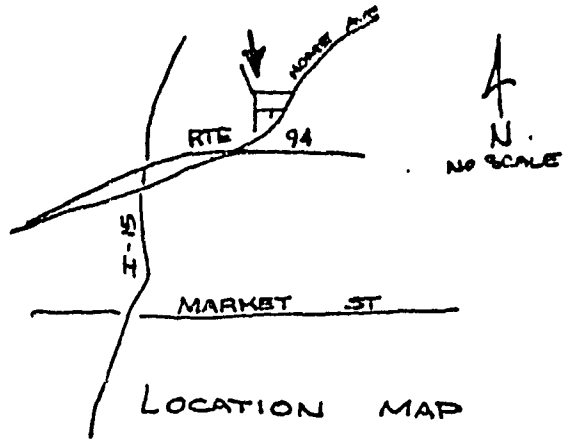
APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

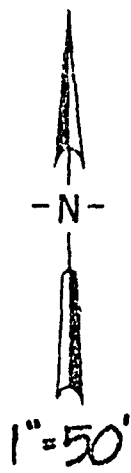
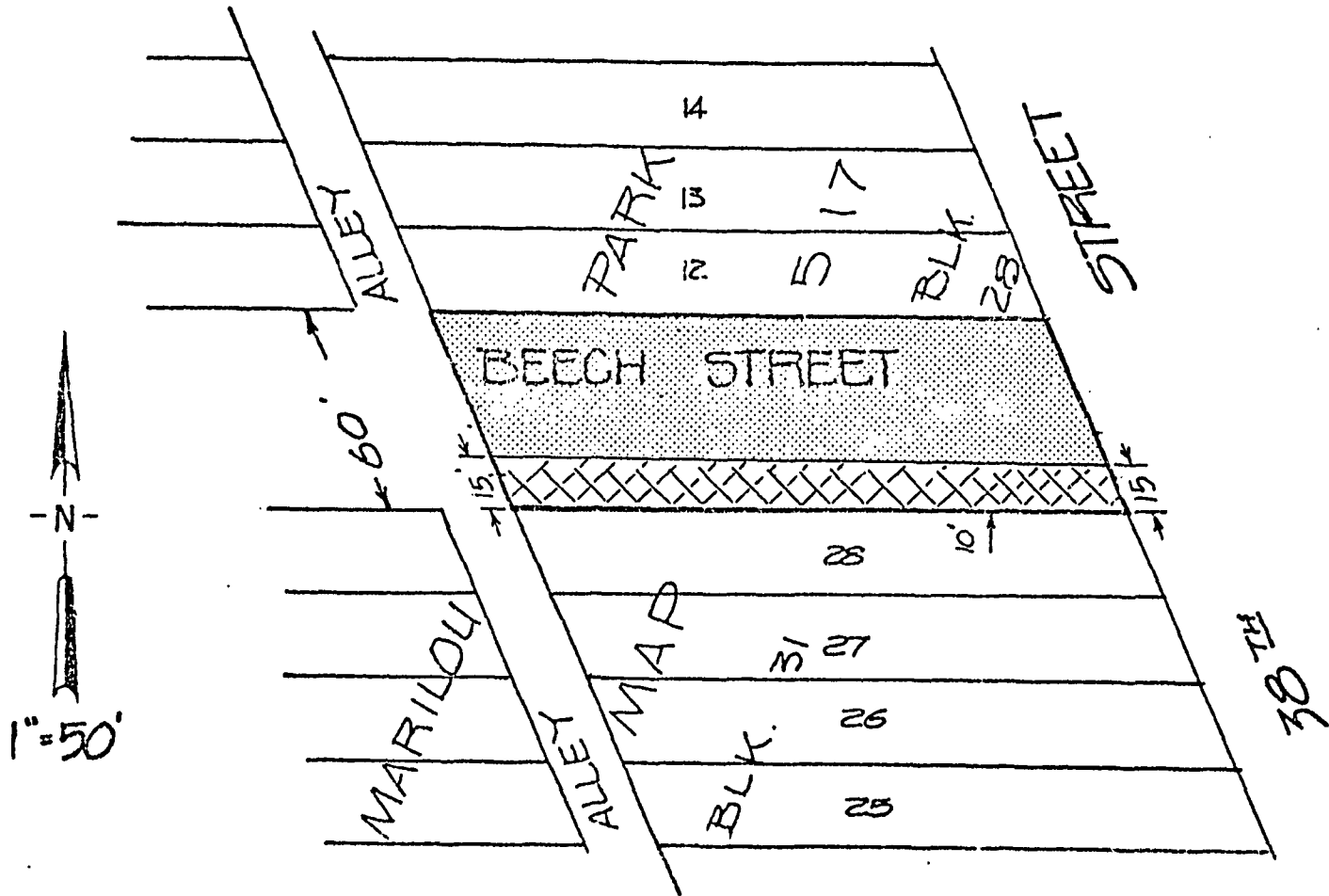
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Or. Dept. E&D
W.O. 27002
14382-B

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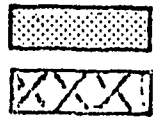


222283

LEGEND

STREET VACATED SHOWN

WATER EASEMENT RESERVED SHOWN



REFERENCE DRAWINGS: 11649-3-D, 12795-1-D, MAP 517

DOCUMENT NO. 764922
 FILED NOV 7 1978
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

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STREET VACATION & WATER EASEMENT
 RESERVATION: BEECH STREET, 38TH STREET
 TO THE ALLEY IN BLOCKS 28 & 31 OF MAP 517

222283

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL				0625 78	SHEET 1 OF 1 SHEET	
A' RELOCATE EASEMENT		<i>[Signature]</i>	7-5-78		<i>[Signature]</i> July 26, 1978 FOR CITY ENGINEER DATE	
					W.O. NO. 78-504 27002 CONTROL CERTIFICATION <i>[Signature]</i>	
					202-1735 LAMBERT COORDINATES 14382 -B	

Passed and adopted by the Council of The City of San Diego on NOV 21 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Bill Lowery	<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"/>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
John D. Hare Lucy Killea	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ineligible
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 Goodhue, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California	
Resolution Number	222283
Adopted	NOV 21 1978

RECEIVED
CITY CLERK'S OFFICE
1978 OCT 18 PM 2:09
SAN DIEGO, CALIF.

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