

RESOLUTION NO. 222284

(R.79-724)

VACATION OF A PORTION OF BERNARDO CENTER
DRIVE IN BERNARDO GREENS WEST UNIT NO. 4

NOV 21 1978

WHEREAS, it is proposed that a portion of Bernardo Center Drive in Bernardo Greens West Unit No. 4 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 the right-of-way is not needed for public street, bikeway or open space purposes; 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 BERNARDO CENTER DRIVE IN BERNARDO GREENS WEST UNIT NO. 4, as more particularly referred to in Resolution of Intention No. 222118, 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. 222118.

BE IT FURTHER RESOLVED, that a portion of BERNARDO CENTER DRIVE IN BERNARDO GREENS WEST UNIT NO. 4, as more particularly shown on Drawing No. 14147-B on file in the office of the City Clerk as Document No. 764923, 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:

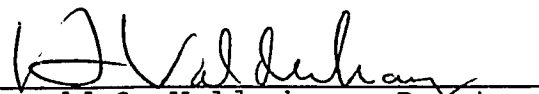
Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to, general, and all necessary and proper fixtures and equipment for use 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 BERNARDO CENTER DRIVE IN BERNARDO GREENS WEST UNIT NO. 4 vacated by this document and as more particularly shown on Drawing No. 14147-B on file in the office of the City Clerk as Document No. 764923.

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.

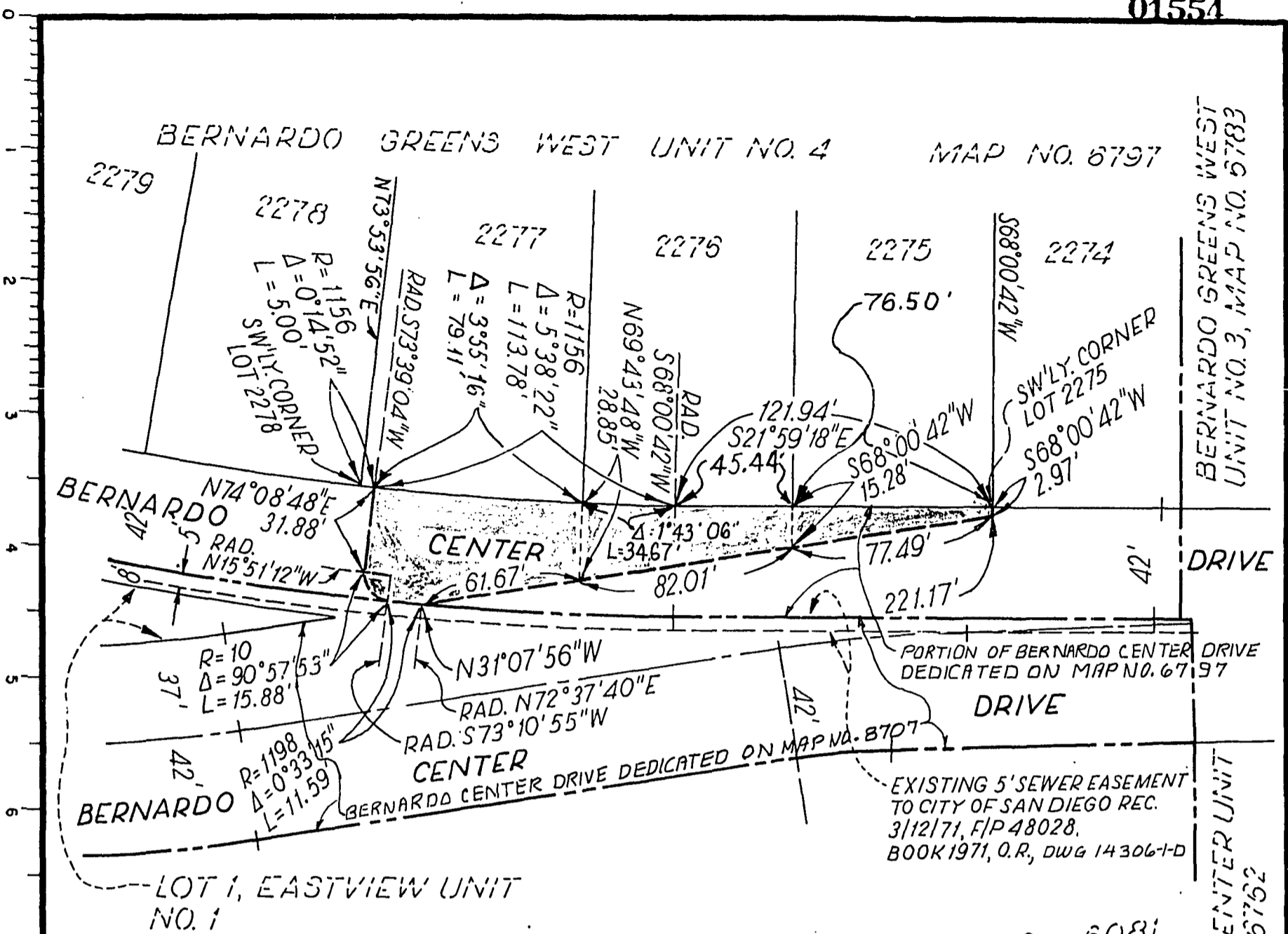
APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:dm
10/17/78
Or. Dept. E&D
W.O. 27002
14147-B

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REFERENCES

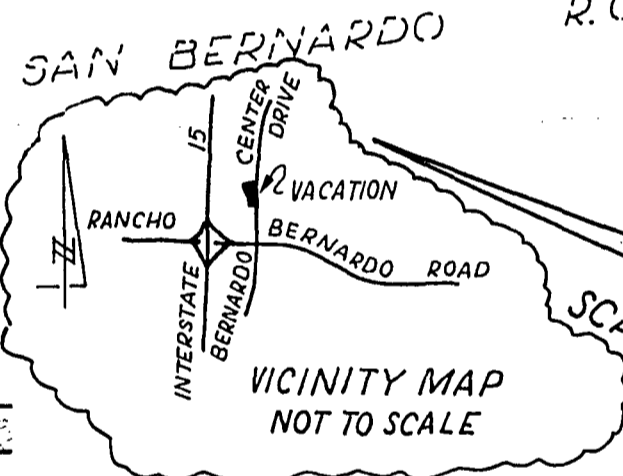
SUBDIVISION MAPS, NO'S 6797 & 8707
 EXISTING IMPROVEMENTS, DWG. 14270-3-D
 NEW IMPROVEMENTS, DWGS. 17334-A-D, -6-D, -15-D
 EXISTING SEWER EASEMENT DWG. 14306-1-D

LEGEND

STREET VACATION
 AND GENERAL UTILITIES
 EASEMENT RESERVED

BASIS OF BEARINGS IS THE SOUTHERLY LINE OF LOT
 2275 OF BERNARDO GREENS WEST UNIT NO. 4
 MAP NO. 6797, I.E. S 68°00'42"W

CHARLES W. CHRISTENSEN
 & ASSOCIATES
 233 A STREET, SUITE 1200
 SAN DIEGO, CALIFORNIA,
 92101
 232-7891



PRINTED
 SEP 8 1978
 C.W.C. & A.

STREET VACATION AND GENERAL UTILITIES EASEMENT RESERVATION - BERNARDO CENTER DRIVE
 IN BERNARDO GREENS WEST UNIT NO. 4
 FOR: EASTVIEW UNIT NO. 1

DOCUMENT NO. 76492
 FILED NOV 7 1978
 OFFICE OF THE CITY CLERK

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	SAN DIEGO, CALIFORNIA
ORIGINAL CWC&A/RB	8/12/77				SHEET 1 OF 1 SHEET	W.O. NO. 27002
"A" CHANGE-GENERAL UTILITIES EASEMENT RESERVATION	CWC&A/RB 8/30/78	<i>[Signature]</i>	9-6-78		<i>[Signature]</i> FOR CITY ENGINEER	DATE Feb. 13, 1978
STATUS					CONTROL CERTIFICATION	
					312-1747	
					LAMBERT COORDINATES	
					14147 - B	

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NOV 21 1978

Passed and adopted by the Council of The City of San Diego on _____,
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. Hill Lucy Killea	<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.

(Seal)

By Betty Goedberg, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number 222284 Adopted NOV 21 1978

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CITY CLERK'S OFFICE
1978 OCT 18 PM 2: 08
SAN DIEGO, CALIF.

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