

RESOLUTION NO. 223964 (R. 79-2128)

JUL 10 1979

VACATION OF THE WESTERLY 14 FEET OF COLUMBIA STREET BETWEEN UPAS STREET AND THORN STREET.

WHEREAS, it is proposed that the westerly 14 feet of Columbia Street between Upas Street and Thorn 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 in that this right-of-way is not needed for public street purposes, a bikeway, or for access to open space; 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 the westerly 14 feet of Columbia Street between Upas Street and Thorn Street as more particularly referred to in Resolution of Intention No. 223538, is unnecessary for present or prospective public street purposes.

BE IT FURTHER RESOLVED, that a portion of the westerly 14 feet of Columbia Street between Upas Street and Thorn Street, as more particularly shown on Drawing No. 14445-B on file in the office of the City Clerk as Document No. 766433

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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 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 sewer, drains, general utilities, 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

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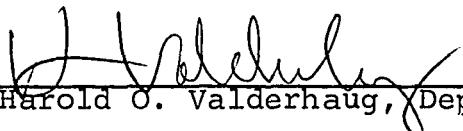
01701

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 Columbia Street between Upas Street and Thorn Street vacated by this document and as more particularly shown on Drawing No. 14445-B on file in the office of the City Clerk as Document No. 766433.

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.

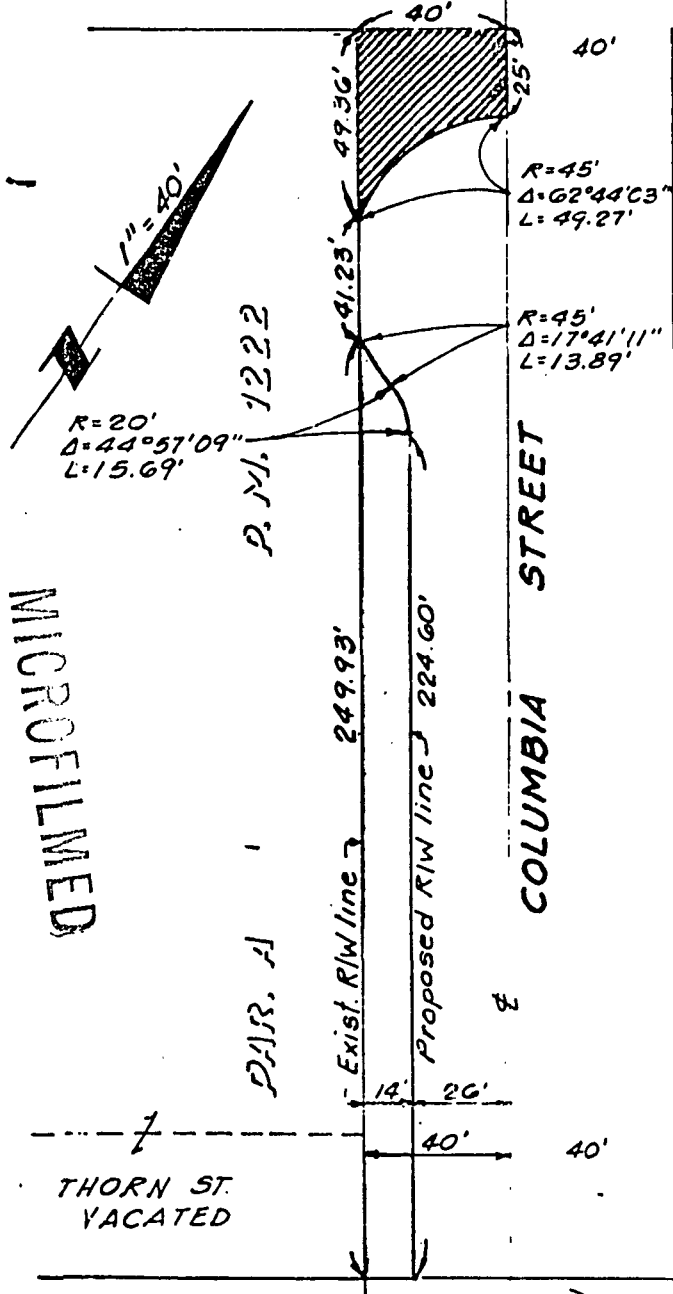
APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug, Deputy

HOV:cw
5/4/79
Or. Dept. E & D
W.O. 27002
14445-B

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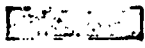

UPAS ST. 50'

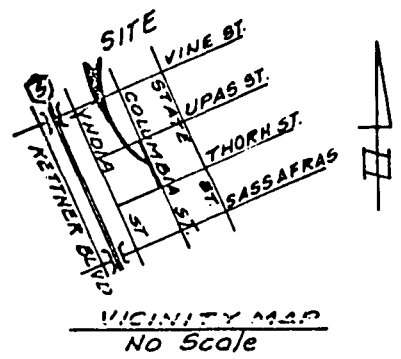


MIDDLETOWN
MAP 4134-R

BUX. 140

LEGEND

-  Indicates portion to be vacated.
-  Indicates sewer, Storm Drain & General Utility Easement Reservation



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DESIGN • ENGINEERING • CONSULTATION

**AREVALO & SAFINO
OF SAN DIEGO, INC.**

CIVIL • STRUCTURAL • LAND SURVEYING

Samuel F. Safino
R.C.E. 13,177
CIVIL ENGINEER • STATE C • SAN DIEGO, CALIFORNIA 0754 853-1141

DOCUMENT NO. 766433

FILED JUN 5 1979
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION - A PORTION OF THE W'LY ONE-HALF OF COLUMBIA STREET BETWEEN UPAS STREET & THORN STREET ADJACENT TO PARCEL 'A' OF P.M. 1222 & SEWER, STORM DRAIN AND GENERAL UTILITY EASEMENT RESERVATION.

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET	S.A. 78-527 W O NO <u>27002</u>
ORIGINAL						<i>J.F.M. Laughlin</i> FOR CITY ENGINEER
						208-1715 LAMBERT COORDINATES
						14445 - B

21460.3

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Passed and adopted by the Council of The City of San Diego on JUL 10 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Rita Andrews, Deputy.

(Seal)

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Office of the City Clerk, San Diego, California

Resolution Number 223964 Adopted JUL 10 1979

RECEIVED
CITY CLERK'S OFFICE
1979 MAY 23 PM 4:49
SAN DIEGO, CALIF.

19 1030