

RESOLUTION NO. R- 251001 (R.80-851)

VACATION OF A PORTION OF DEL MAR HEIGHTS  
ROAD BETWEEN MERCADO DRIVE AND BOQUITA  
DRIVE.

JAN 21 1980

WHEREAS, it is proposed that a PORTION OF DEL MAR HEIGHTS ROAD BETWEEN MERCADO DRIVE AND BOQUITA DRIVE 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; 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 DEL MAR HEIGHTS ROAD BETWEEN MERCADO DRIVE AND BOQUITA DRIVE, as more particularly referred to in Resolution of Intention No. R- 250849, 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. R- 250849

BE IT FURTHER RESOLVED, that a PORTION OF DEL MAR HEIGHTS ROAD BETWEEN MERCADO DRIVE AND BOQUITA DRIVE, as more particularly shown on Drawing No. 14663-B on file in the office of the City Clerk as Document No. RR-250849, which said Drawing 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, 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 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.

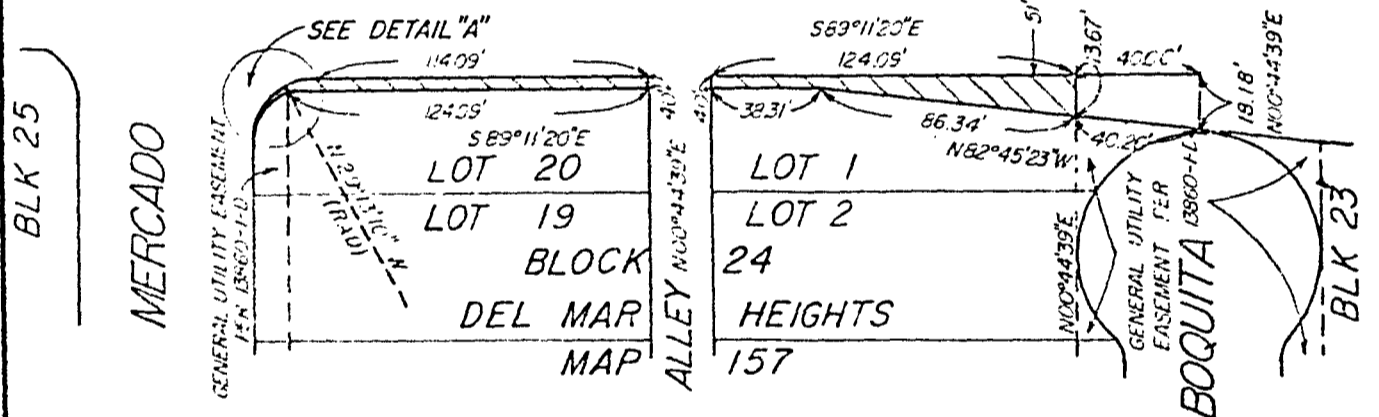
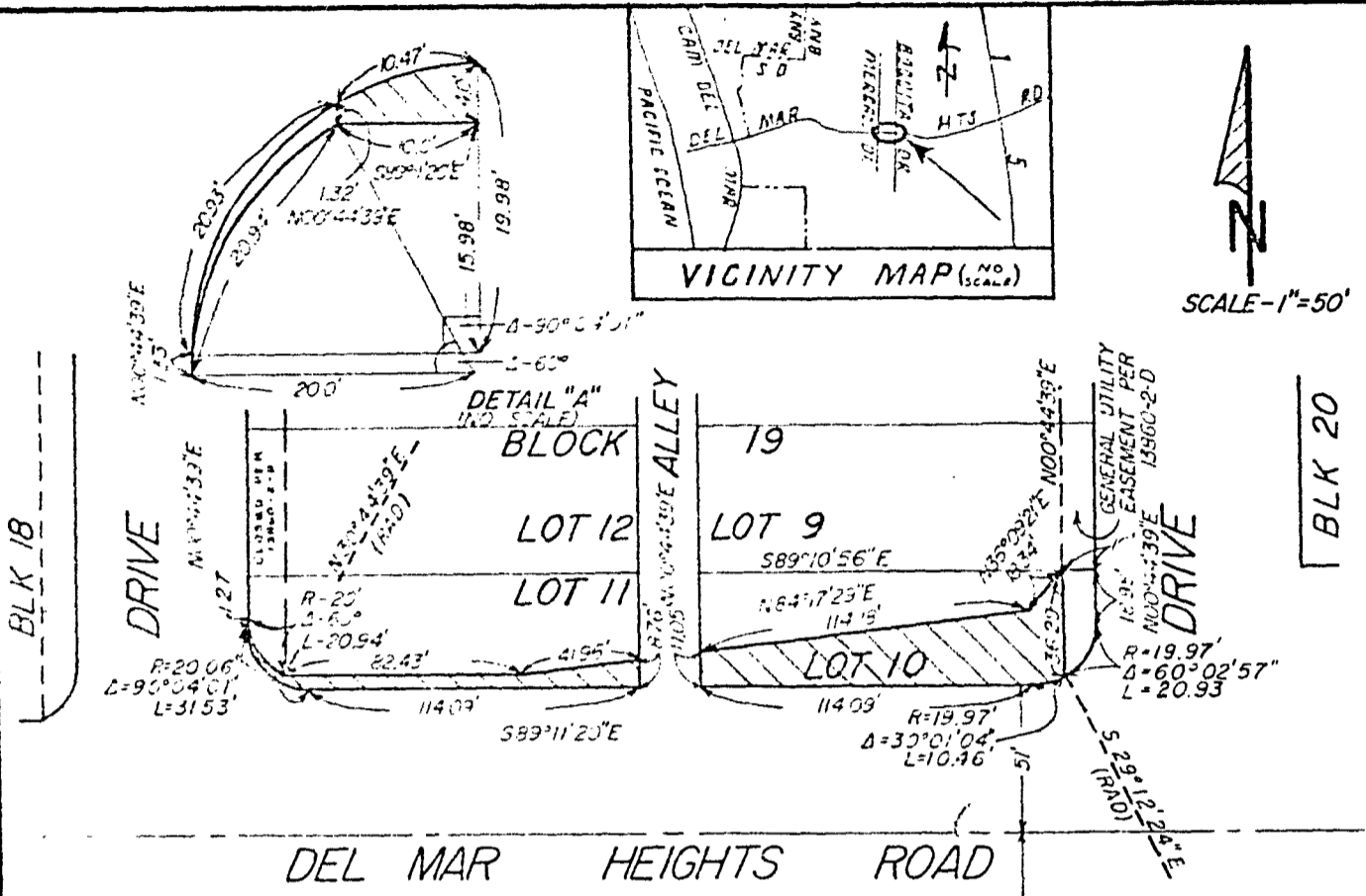
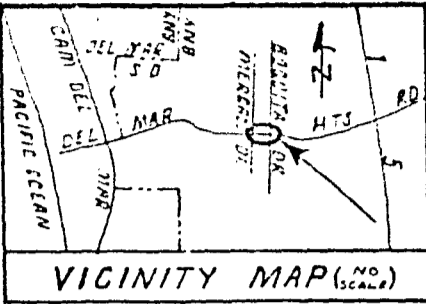
The easement reserved herein is in, under, over, upon, along and across that PORTION OF DEL MAR HEIGHTS ROAD BETWEEN MERCADO DRIVE AND BOQUITA DRIVE vacated by this document and as more particularly shown on Drawing No. 14663-B on file in the office of the City Clerk as Document No. RR-250849.

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  
11/27/79  
Or. Dept.: E&D  
W.O.: 27002  
14663-B



-LEGEND-

- STREET VACATION
- STREET VACATION WITH GENERAL UTILITY EASEMENT RESERVATION

BASIS OF BEARINGS - CENTERLINE OF DEL MAR HEIGHTS RD.  
 STATE HIGHWAY DRAWING : LO 3687  
 IE S 89°11'25" E

DOCUMENT NO. RR-250849  
 FILED DEC 17 1979  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**STREET VACATION - A PORTION OF DEL MAR HEIGHTS ROAD BETWEEN MERCADO DRIVE AND BOQUITA DRIVE AND GENERAL UTILITIES EASEMENT RESERVED**

CWC REVISED RJZ	CITY OF SAN DIEGO, CALIFORNIA	79-607 121041
	<i>E. T. Laughlin July 17, 1979</i>	<i>[Signature]</i>
		286-1693
		14663-B

JAN 21 1980

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
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"/>
Bill Cleator	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-251.001 Adopted JAN 21 1980