

RESOLUTION NO. R- 251978 (R.80-2212)

WHEREAS, Section 1930 of the Streets and Highways Code **JUN 9 1980** provides a procedure for the summary vacation of streets by City Council resolution where that portion to be vacated has been superseded by relocation; and

WHEREAS, BERGER AVENUE has been superseded by a new street, BERGER AVENUE, being dedicated with the acceptance of that Grant Deed of W. O. EVERS and E. H. VOSSenkEMPER; and

WHEREAS, those properties adjoining BERGER AVENUE to be vacated will continue to have access or will be accessible by the street which has been dedicated with the acceptance of that Grant Deed of W. O. EVERS and E. H. VOSSenkEMPER; and

WHEREAS, the City wishes to reserve an easement for sewer and water purposes on BERGER AVENUE to be vacated; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That BERGER AVENUE, as more particularly shown on Drawing No. 14893-B on file in the office of the City Clerk as Document No. RR- 251978, which is by this reference incorporated herein and made a part hereof, be, and the same is hereby ordered vacated.

2. That the City reserves an easement for sewer and water purposes as shown on Exhibit "A" which is attached hereto and made a part hereof.

3. That the City Clerk shall deliver a certified copy

of this resolution, with drawing, attested by him under seal,  
to the Property Department for further handling.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold O. Valderhaug, Deputy

HOV:ps  
4/22/80  
Or. Dept. Property  
Job: 15884-C  
14893-B

## LEGAL DESCRIPTION - BERGER AVENUE VACATION

A portion of Berger Avenue in the City of San Diego, County of San Diego, State of California, as shown on San Diego Medical Center Resubdivision, Map No. 5546, and a portion of Berger Avenue as shown on Cabrillo Palisades Unit No. 3, Map No. 4224, lying Southerly of Mesa College Drive, described as follows:

Beginning at the Northwesterly corner of Parcel "A" of said Map 5546; thence Southeasterly along the Westerly line of said Parcel "A", S16°35'32"E (Record S16°34'30"E per Map No. 5546), 139.12 feet to a tangent 340.00-foot radius curve, concave Southwesterly, being the TRUE POINT OF BEGINNING; thence Northwesterly along said curve through a central angle of 34°33'30", an arc distance of 205.07 feet to the Westerly line of Berger Avenue, being a point on a non-tangent 2970.00-foot radius curve (Record 2969.96 feet per Grant Deed to W. O. EVERS and E. H. VOSSenkEMPER recorded 4/20/79 as Document No. 79-163517, based on the California Coordinate System, Zone 6), concave Southwesterly; thence along said curve through a central angle of 1°38'36" an arc distance of 85.18 feet to a tangent 25.00-foot radius curve, concave Southwesterly; thence along said curve through a central angle of 119°51'24" (Record 120°01'15" per said Document No. 79-163517), an arc distance of 52.30 feet (Record 52.37 feet per said Document No. 79-163517), to the Southerly line of said Mesa College Drive; thence Northeasterly along said Southerly line, being a 651.00-foot radius curve, concave Northwesterly, from a tangent which bears N41°53'02"E (Record N42°13'30"E per said Document No. 79-163517), through a central angle of 7°56'10", an arc distance of 90.17 feet; thence tangent to said curve N33°56'52"E 37.82 feet; thence leaving said Southerly line Southwesterly along the Easterly line of said Berger Avenue along a tangent curve, concave Southeasterly, having a radius of 20.00 feet, through a central angle of 52°34'54", an arc distance of 18.35 feet; thence tangent to said curve S18°38'02"E, (Record S18°37'00"E per said Map 4224), 59.26 feet to a tangent 3030.00-foot radius curve, concave Northwesterly; thence Southeasterly along said curve through a central angle of 2°02'30", an arc distance of 107.97 feet; thence S16°35'32"E (Record S16°34'30"E per Map 4224), 191.64 feet to the TRUE POINT OF BEGINNING.

Containing an area of 13,305 square feet.

### RESERVING THEREFROM THE FOLLOWING EASEMENT FOR SEWER AND WATER PURPOSES

Beginning at a point on the Southerly line of said Map 4224, distant thereon N89°38'02"W (Record N89°37'00"W per Map 4224; N89°06'38"W per said Document No. 79-163517), 15.68 feet from the Easterly line of said Berger Avenue; thence Northwesterly along said Southerly line of Map 4224, N89°38'02"W, 12.32 feet; thence S18°38'02"E, 16.43 feet to a point on a 340.00-foot radius curve, concave Southwesterly, a radial to said point bears N50°46'11"E; thence Northwesterly along said curve through a central angle of 3°29'14", an arc distance of 20.69 feet to an intersection with said Northerly line of Map 5546; a radial to said intersection bears N47°16'57"E; thence continuing Northwesterly along said curve

R-251978

EXHIBIT A  
0125A

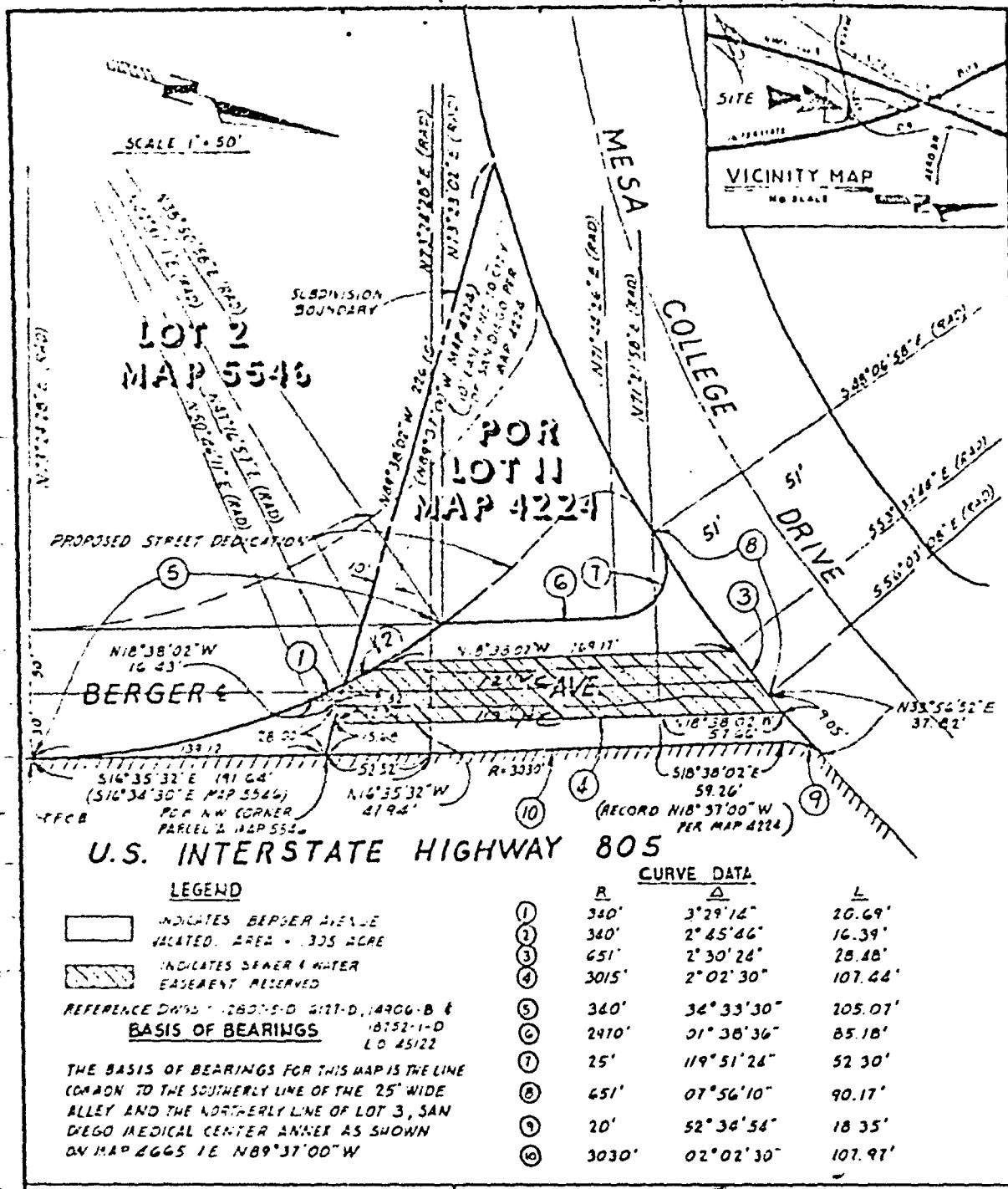
through a central angle of  $2^{\circ}45'46''$ , an arc distance of 16.39 feet; thence  $N18^{\circ}38'02''W$ , 169.17 feet to an intersection with the Southerly line of Mesa College Drive, being a 651.00-foot radius curve, concave Northwesterly, a radial to said intersection bears  $S53^{\circ}32'44''E$ ; thence Northeasterly along said Southerly line of Mesa College Drive through a central angle of  $2^{\circ}30'24''$ , an arc distance of 28.48 feet; thence tangent to said curve  $N33^{\circ}56'52''E$ , 9.05 feet; thence  $S18^{\circ}38'02''E$ , 57.66 feet to a tangent 3015.00-foot radius curve, concave Southwesterly, a radial to said point of tangency bears  $N71^{\circ}21'58''E$ ; thence Southeasterly along said curve through a central angle of  $2^{\circ}02'30''$ , an arc distance of 107.44 feet; thence tangent to said curve  $S16^{\circ}35'32''E$ , 47.94 feet to the TRUE POINT OF BEGINNING.

Containing an area of 5782 square feet.

R-2549285

ORIGINAL

For your INFORMATION



DOCUMENT NO. **RR-251978**

FILED **JUN 11 1980**

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**CONER ENGINEERING**  
Structural and Civil Engineers  
1704 FOWLER COURT, SAN DIEGO, CALIFORNIA 92111  
(619) 378-1212

**STREET VACATION — BERGER AVENUE SOUTH OF MESA COLLEGE DRIVE  
SEWER & WATER EASEMENT  
FOR PROPOSED PARCEL MAP TA 79-198**

CITY OF SAN DIEGO, CALIFORNIA	LM 19 110
FILE NO. 17002	
APPROVED: [Signature]	
DATE: [Date]	
232-1773	
14893	

01256

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

**JUN 9 1980**

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By *Barbara Berridge*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-251978</u>	Adopted <u>JUN 9 1980</u>