

RESOLUTION NO. R-252157 (R.80-2128)

VACATION OF NICHOLS STREET EASTERLY FROM SAN FERNANDO STREET, ADJACENT TO PARCELS 1 AND 2 OF PARCEL MAP 7623, AND LOT 2 OF LA PLAYA RESUB. NO. 1, MAP 4202

JUN 30 1980

WHEREAS, it is proposed that Nichols Street easterly from San Fernando Street, adjacent to Parcels 1 and 2 of Parcel Map 7623, and Lot 2 of La Playa Resub. No. 1, Map 4202 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 Nichols Street easterly from San Fernando Street, adjacent to Parcels 1 and 2 of Parcel Map 7623, and Lot 2 of La Playa Resub. No. 1, Map 4202, as more particularly referred to in Resolution of Intention No. R-251922, is unnecessary for present or prospective public street purposes.

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BE IT FURTHER RESOLVED, that Nichols Street easterly from San Fernando Street, adjacent to Parcels 1 and 2 of Parcel Map 7623, and Lot 2 of La Playa Resub. No. 1, Map 4202, as more particularly shown on Drawing No. 14923-B on file in the office of the City Clerk as Document No. RR-251932, which 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, 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 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

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owned pipelines. The City of San Diego shall have the right to reserve and except from vacation and abandonment, easements and rights pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles and other structures, equipment and fixtures for the transportation or distribution of electrical or electronic energy and natural gas and for incidental purposes including access to protect the property from all hazards in, upon, over and across the above described portions of streets to be vacated and abandoned.

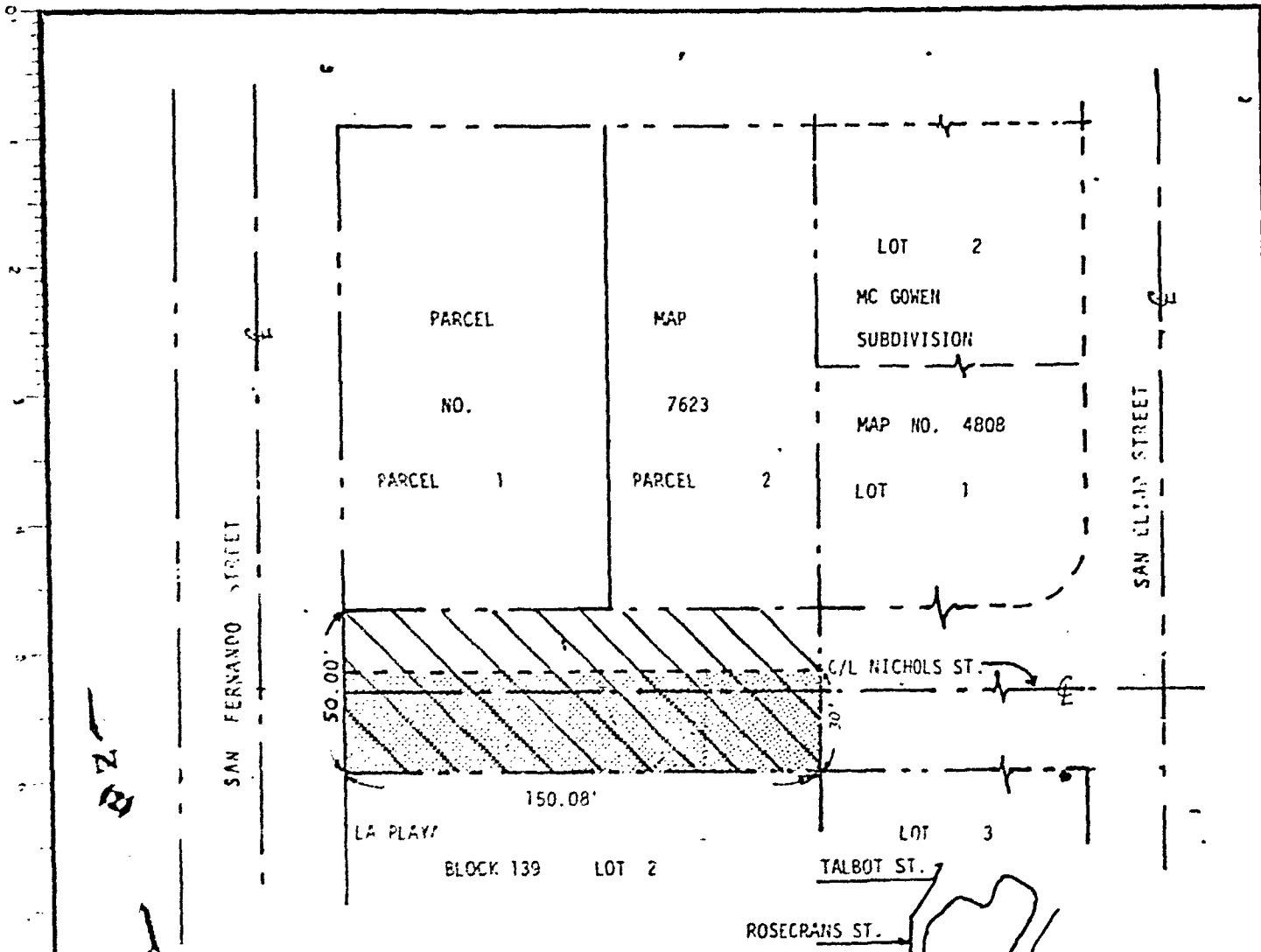
The easement reserved herein is in, under, over, upon, along and across Nichols Street easterly from San Fernando Street, adjacent to Parcels 1 and 2 of Parcel Map 7623, and Lot 2 of La Playa Resub. No. 1, Map 4202 vacated by this document and as more particularly shown on Drawing No. 14923-B on file in the office of the City Clerk as Document No. RR-251902.

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:ps:221.1  
5/5/80  
Or. Dept. E&D  
W.O. 27002



SCALE 1" = 40'

LOCATION MAP  
SCALE 1" = 2,900'

LEGEND:

VACATION SHOWN SHADED THUS.

NICHOLS STREET DEDICATED PER MISCL. MAP 37

AREA OF VACATION 0.172 AC.

GENERAL UTILITIES EASEMENT RESERVED SHOWN SHADED THUS.

REFERENCE DRAWINGS:

1587-L, 1587-1-L, -2-L & -3-L & 12360-4-D

PREPARED BY: E. C. BRAZELL AND ASSOCIATES  
8514 COMMERCE AVENUE  
SAN DIEGO, CALIFORNIA 92121  
714 - 271 9645

DOCUMENT NO. **BB-251902**  
FILED **1980**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

STREET VACATION: NICHOLS STREET, EASTERLY FROM SAN FERNANDO STREET, ADJACENT TO PARCELS 1 AND 2 OF PARCEL MAP NO. 7623, AND LOT 2 OF LA PLAYA  
AND A GENERAL UTILITIES EASEMENT RESERVED IN A PORTION OF THE NICHOLS STREET VACATION.

DESCRIPTION	BY	APPROVED DATE	CHECKED	CITY OF SAN DIEGO, CALIFORNIA		W 5 79 - 612
PREPARED BY	E.C.B.M.	10-30-79		SHEET 1 OF 1 SHEET		NO 27002
CORR.		12-12-79		<i>John F. McLaughlin</i>	Jan 15, 1980	<i>[Signature]</i>
CORR.		1-9-80		CITY ENGINEER	DATE	CONTROL CERTIFICATION
						198 - 1695
						LAMBERT COORDINATES
						14923 - B

JUN 30 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 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"/>
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 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 Bartara Berudge Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-252157 Adopted JUN 30 1980