

RESOLUTION NO. R- 254346

(R-81-1731)
(REV.)

Adopted on JUN 2 1981

VACATION OF SMITH STREET BETWEEN CONGRESS STREET AND INTERSTATE
5/A.T. & S.F. RAILROAD RIGHTS-OF-WAY

WHEREAS, it is proposed that Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad rights-of-way 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 since the right-of-way is not needed for public street, bikeway, or open space purposes in that Interstate 5 and the A.T. & S.F. Railroad right-of-way truncate the right-of-way on the west, effectively preventing any through traffic using the right-of-way; and

WHEREAS, the public will benefit from the vacation through improved utilization of land in that the owners of property abutting both sides of the street proposed to be vacated as indicated desire to utilize the vacated street area for needed off-street parking; and

WHEREAS, the vacation or abandonment is not inconsistent with the General Plan or an approved Community Plan and is also not inconsistent with the provisions of the Old San Diego Planned District ordinance; 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 Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad rights-of-way, as more particularly referred to in Resolution of Intention No.

R-254033 is unnecessary for present or prospective public street purposes.

BE IT FURTHER RESOLVED, that Smith Street between Congress Street and

Interstate 5/A.T. & S.F. Railroad rights-of-way, as more particularly shown on Drawing No. 15178-B on file in the office of the City Clerk as Document No. RR-254033, 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 and drainage 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.

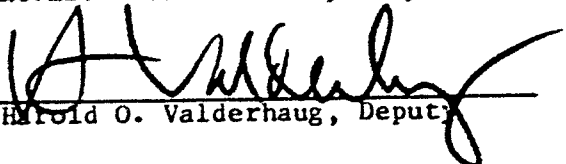
The easement reserved herein is in, under, over, upon, along and across Smith Street between Congress Street and Interstate 5/A.T. & S.F. Railroad rights-of-way vacated by this document and as more particularly shown on Drawing No. 15178-B on

file in the office of the City Clerk as Document No. RR- 254033 .

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:221.1.1
Revised 5/18/81
W.O.117798
Or.Dept.: E&D
15178-B

C0289-00001



SCALE 1"=50'

HIGHWAY 5
R/W LINE 7

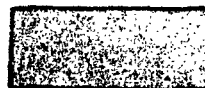
INTERSTATE (LO 3557)
R/W LINE 7

A. T. & S. F.
R=2814.93'
L=0°34'29"
L=28.24' 29"
N71°23'55"E (RAD)
N70°49'26"E (RAD)

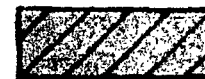
7' WIDE S.D.G. & E. GAS LINE EASEMENT,
RECORDED JAN. 29, 1980, FILE No.
80-033083, O.R.

POR. BLOCK
428

RESERVED FOR
18.5' WIDE SEWER &
DRAINAGE EASEMENT

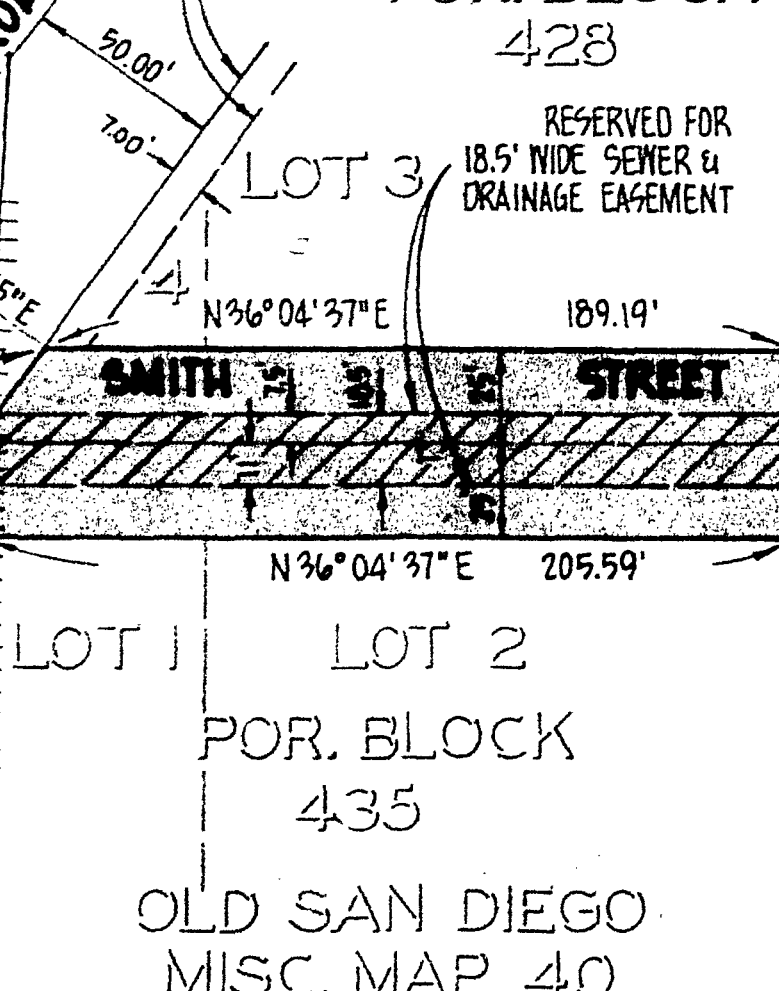


PROPOSED STREET
VACATION



SEWER & DRAINAGE
EASEMENT RESERVED

BASIS OF BEARINGS FOR THIS
DRAWING IS THE NORTHERLY LINE OF
PARCEL 3 OF RECORD OF SURVEY NO.
1344 I.E. N82°06'50"E.



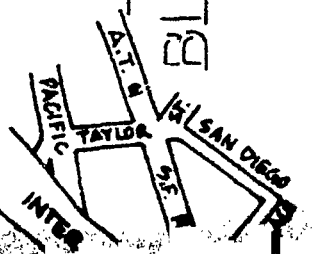
N53°59'05"W 50.00'

STREET

CONGRESS

BLOCK 427
BLOCK 436
BLOCK 427

ACCESS RIGHTS RELINQUISHED PER DEED RECORDED
NOV. 4, 1968 AS FILE No. 193265 OF OFFICIAL RECORDS.
FOR SEWER LINE & STORM DRAIN
SEE DNG. 13720-1-D.



N53°37'47"W
26.88'

N36°04'37"E 205.59'

LOT 1 LOT 2

POR. BLOCK
435

OLD SAN DIEGO
MISC. MAP 40

INTERSTATE (LD 3557)
R/W LINE 7

ACCESS RIGHTS RELINQUISHED PER DEED RECORDED
NOV. 4, 1968 AS FILE NO. 193265 OF OFFICIAL RECORDS.
FOR SEWER LINE & STORM DRAIN
SEE DWG. 13720-1-D.

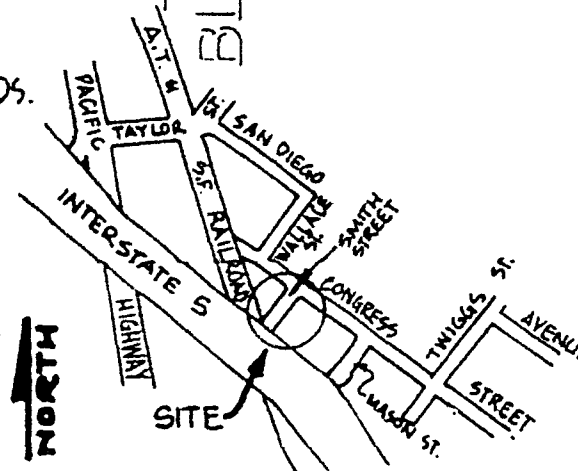
SMITH STREET DEDICATED PER OLD SAN DIEGO
ACCORDING TO MAP THEREOF MADE BY JAMES
PASCOE, CITY ENGINEER, IN MARCH, 1870. A COPY
OF SAID MAP WAS FILED IN THE OFFICE OF THE COUNTY
RECORDER OF SAN DIEGO COUNTY DECEMBER 12, 1921,
AND IS KNOWN AS
MISCELLANEOUS MAP 40.

Raymond F. Hall 11-15-80

RAYMOND F. HALL R.C.E. 8629

CONGRESS

BLOCK 436 · BLOC



VICINITY MAP
SCALE: 1" = 500'

HALL PLANNING
Engineering CIVIL ENGINEERING
LAND SURVEYING
2802 JUAN STREET • SAN DIEGO
CALIFORNIA • 92110
(714) 298-6183

DOCUMENT NO. PR-254033

FILED APR 20 1981
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION, SEWER & DRAINAGE EASEMENT RESERVATION SMITH STREET BETWEEN CONGRESS STREET & A.T. & S.F. RAILROAD R/W

APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. SA 80-606
			SHEET 1 OF 1 SHEET	NO. 117798
			<i>Raymond F. Hall</i> Feb. 17, 1981	<i>Raymond F. Hall</i> 2-17-81
			ENGINEER	DATE
				214-1707
				LAMBERT COORDINATES
				15178 - B

00289-00002

Passed and adopted by the Council of The City of San Diego on JUN 2 1981
 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"/>
Susan Golding	<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"/>
Dick Murphy	<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.

By Barbara Beridge Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-254346 Adopted JUN 2 1981