

(R-82-2239)

RESOLUTION NUMBER R- 256747

Adopted on JUL 12 1982

WHEREAS, Section 8330 et seq. of Streets and Highways Code provides a procedure for the summary vacation of streets by City Council resolution where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance; and

WHEREAS, the abutting property owners have requested the vacation of Erie Street south of Clairemont Drive adjacent to Lots 17-28, Block 52, Morena Map 809; Parcel 1 of Parcel Map 6200; and Parcel 2 of Parcel Map 6201, all within or adjacent to the Camelot by the Bay Subdivision boundaries to facilitate development of their property; and

WHEREAS, a portion of Erie Street has been impassable for five consecutive years and no public money has been expended for maintenance; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access; NOW, THEREFORE,

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

1. That Erie Street south of Clairemont Drive adjacent to Lots 17-28, Block 52, Morena Map 809; Parcel 1 of Parcel Map 6200; and Parcel 2 of Parcel Map 6201, all within or adjacent to the Camelot by the Bay Subdivision, as more particularly shown on Drawing No. 15371-2-B on file in the office of the City Clerk

as Document No. RR- 256747 -1 which is by this reference incorporated herein 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 easements, 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 easements reserved herein are in, under, over, upon, along and across Erie Street south of Clairemont Drive adjacent to Lots 17-28, Block 52, Morena Map 809; Parcel 1 of Parcel Map 6200; and Parcel 2 or Parcel Map 6201, all within or adjacent to the Camelot by the Bay Subdivision boundaries, vacated by this document and as more particularly shown on Drawing No. 15371-2-B on file in the office of the City Clerk as Document No.

RR-256747-1 .

BE IT FURTHER RESOLVED, that this resolution shall not become effective unless and until the Camelot by the Bay Subdivision Map, subdividing the land adjacent to the right-of-way, has been approved by Council action.

BE IT FURTHER RESOLVED, that this resolution shall not become effective unless and until a parcel map consolidating the seven parcels adjacent to the right-of-way has been recorded.

BE IT FURTHER RESOLVED, that in the event either or both of the above conditions cannot be met, this resolution shall become void and of no further effect.

BE IT FURTHER RESOLVED, that the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map, and that the City Clerk shall then 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

Janis Sammartino Gardner
Janis Sammartino Gardner, Deputy

JSG:ta:221.1

R-82-2239

6/18/82

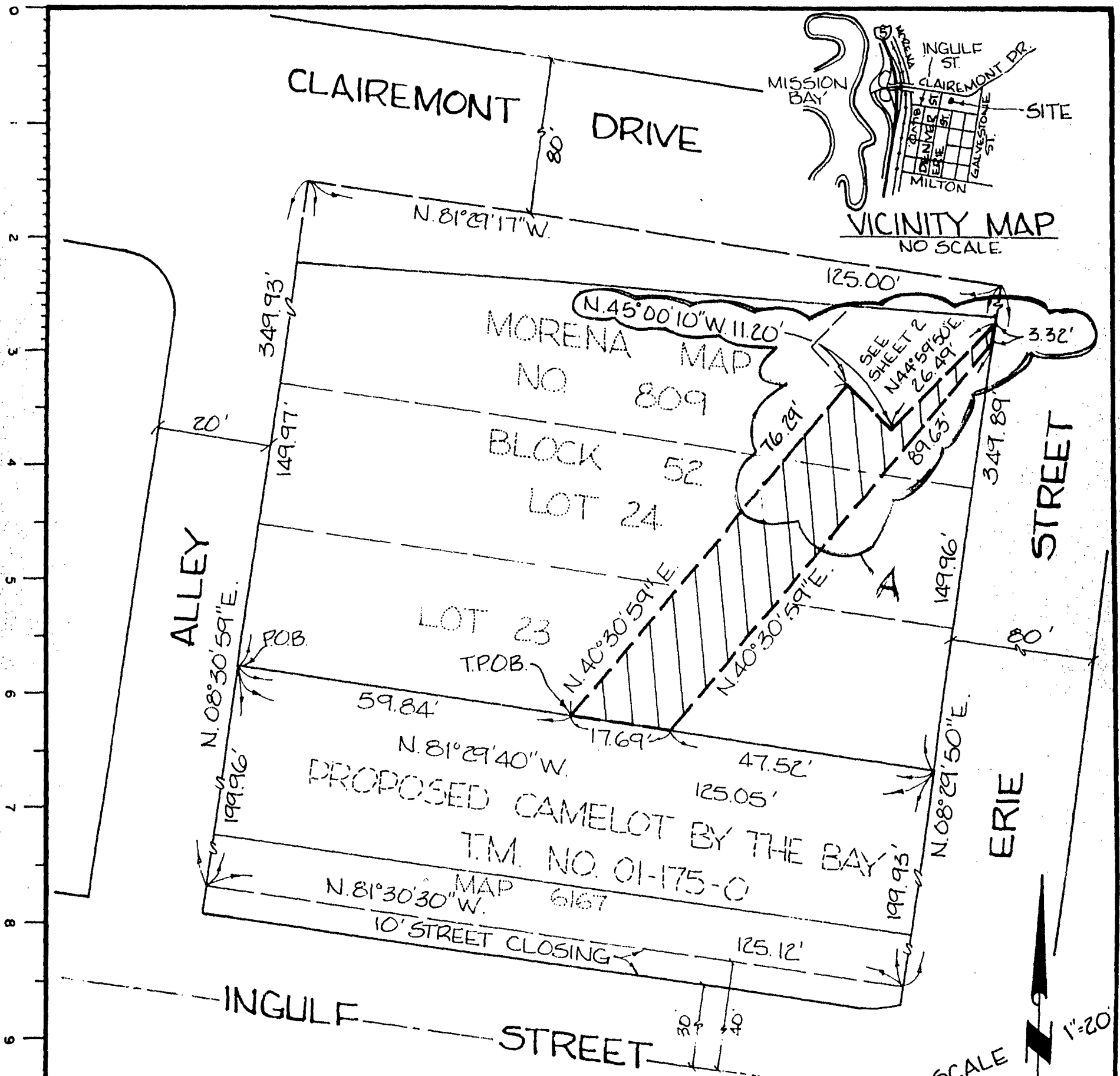
W.O.:071490

T.M.:01-175 & 82-0211


Or.Dept:E&D

Dwg.:15371-2-B

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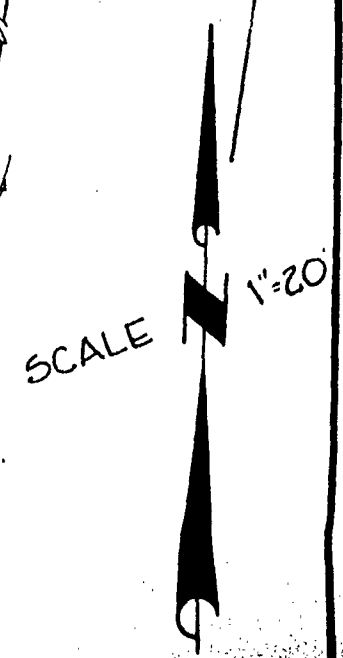


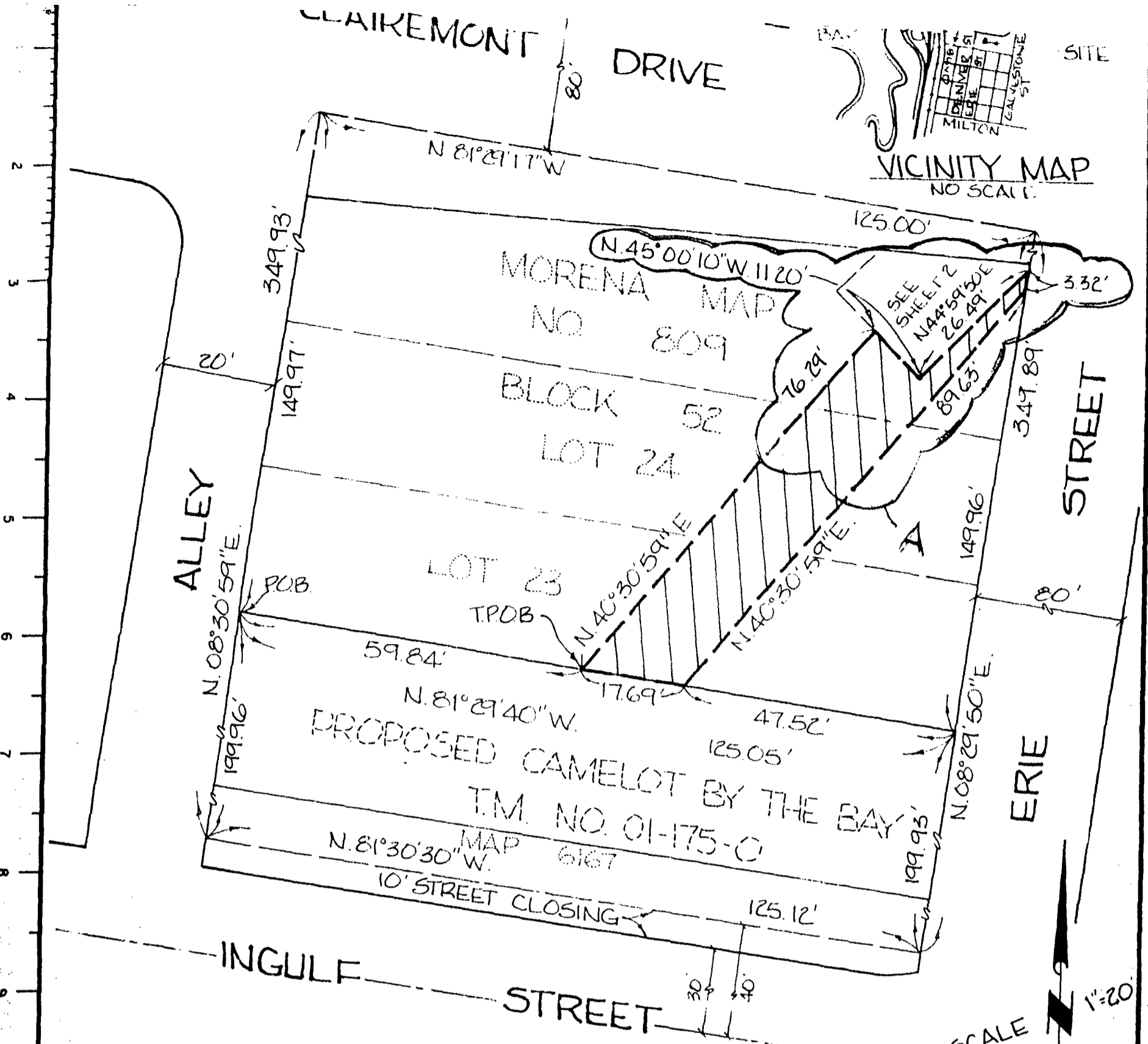
THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTERLINE OF ERIE STREET AS SHOWN ON MAP NO. 4056, I.E. N. 8°29'50"E.

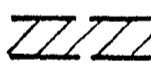
DRAINAGE EASEMENT ACQUIRED SHOWN THUS 

ASSESSORS PARCEL NO. 430-030-20

REFERENCE DRAWING 19883-D





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 ASSESSORS PARCEL NO. 430-030-20
 REFERENCE DRAWING 19883-D

ASSOCIATED ENGINEERS
 3904 GROTON STREET
 SAN DIEGO, CALIFORNIA 92110
 PHONE: 224-2465
William Gregory Clarke
 WILLIAM GREGORY CLARKE-DATE
 "L.S. 3663"

DOCUMENT NO. Rh-256747-1
 FILED JUL 12 1982
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

DRAINAGE EASEMENT
 IN LOTS 23 AND 24, BLOCK 52 OF MORENA MAP NO. 809, FOR
 PROPOSED CAMELOT BY THE BAY. (T.M. 01-175)

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL <i>1/8</i>	<i>G. Shriver</i>		<i>5-1-81</i>	
"A" CHANGE <i>2/18/82</i>	<i>A.C. Laebler</i>		<i>5-17-82</i>	

CITY OF SAN DIEGO, CALIFORNIA
 SHEET 1 OF 2 SHEETS
William Gregory Clarke *7-2-81*
 FOR CITY ENGINEER DATE

T.M. 01-175
 W.O. NO. 71490
J.A. Jacobs *7-2-81*
 CONTROL CERTIFICATION
 226-1707
 LAMBERT COORDINATES
 1537K-1-B

"A" CHANGE: ADDED SECOND SHEET

01426

1432-W-1 A
 4-1-82 G.S.

JUL 12 1982

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"/>
Susan Golding	<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"/>
Ed Struiksma	<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.

(Seal)

By John A. Blackhall, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-256747 Adopted JUL 12 1982