

(R-82-2237)

RESOLUTION NUMBER R- 256749

Adopted on JUL 12 1982

WHEREAS, Section 8330 et seq. of the Public Streets, Highways and Service Easements Vacation Law provides a procedure for the summary vacation of streets and public service easements by City Council resolution where a portion of a street or highway lies within property under one ownership and does not continue through such ownership or end touching property of another; and

WHEREAS, the abutting property owner has requested the vacation of Cuvier Street north of Pearl Street adjacent to Lots 9 and 10, Block 12, and Lots 28 and 29, Block 13 of La Jolla Park Map 352; and

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

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation is not inconsistent with the General Plan or an approved Community Plan; NOW, THEREFORE,

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

1. That a portion of Cuvier Street north of Pearl Street adjacent to Lots 9 and 10, Block 12, and Lots 28 and 29, Block 13 of La Jolla Park Map 352, as more particularly shown on Drawing No. 15671-B on file in the office of the City Clerk as

Document No. RR- _____, 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 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 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 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 that portion of Cuvier Street north of Pearl Street adjacent to Lots 9 and 10, Block 12, and Lots 28 and 29, Block 13, of La Jolla Park Map 352, vacated by this document and as more particularly shown on Drawing No. 15671-B on file in the office of the City Clerk as Document No. RR- 256749-1

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 
Janis Sammartino Gardner, Deputy

JSG:ta:221.1
6/18/82
W.O.:117798
Or.Dept:E&D
Dwg.:15671-B
Form=r.eutil

01432

LEGEND

-  INDICATES STREET VACATED
-  INDICATES GENERAL UTILITY EASEMENT ACQUIRED
-  INDICATES GENERAL UTILITY EASEMENT RESERVED

COUNTY ASSESSOR'S PARCEL N^oS

350-441-24
350-442-05

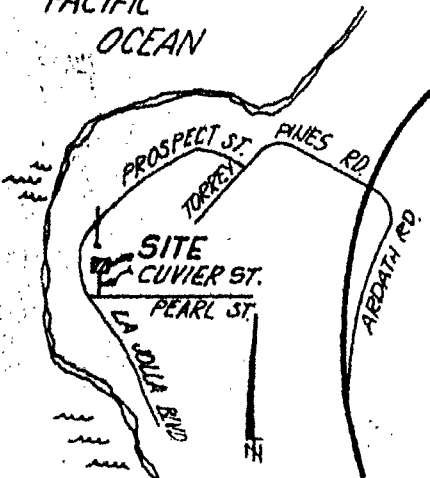
AREA OF VACATION

0.092 ACRES

REFERENCE DRAWING'S

20267-D
7792-B
10296-D
7271-L

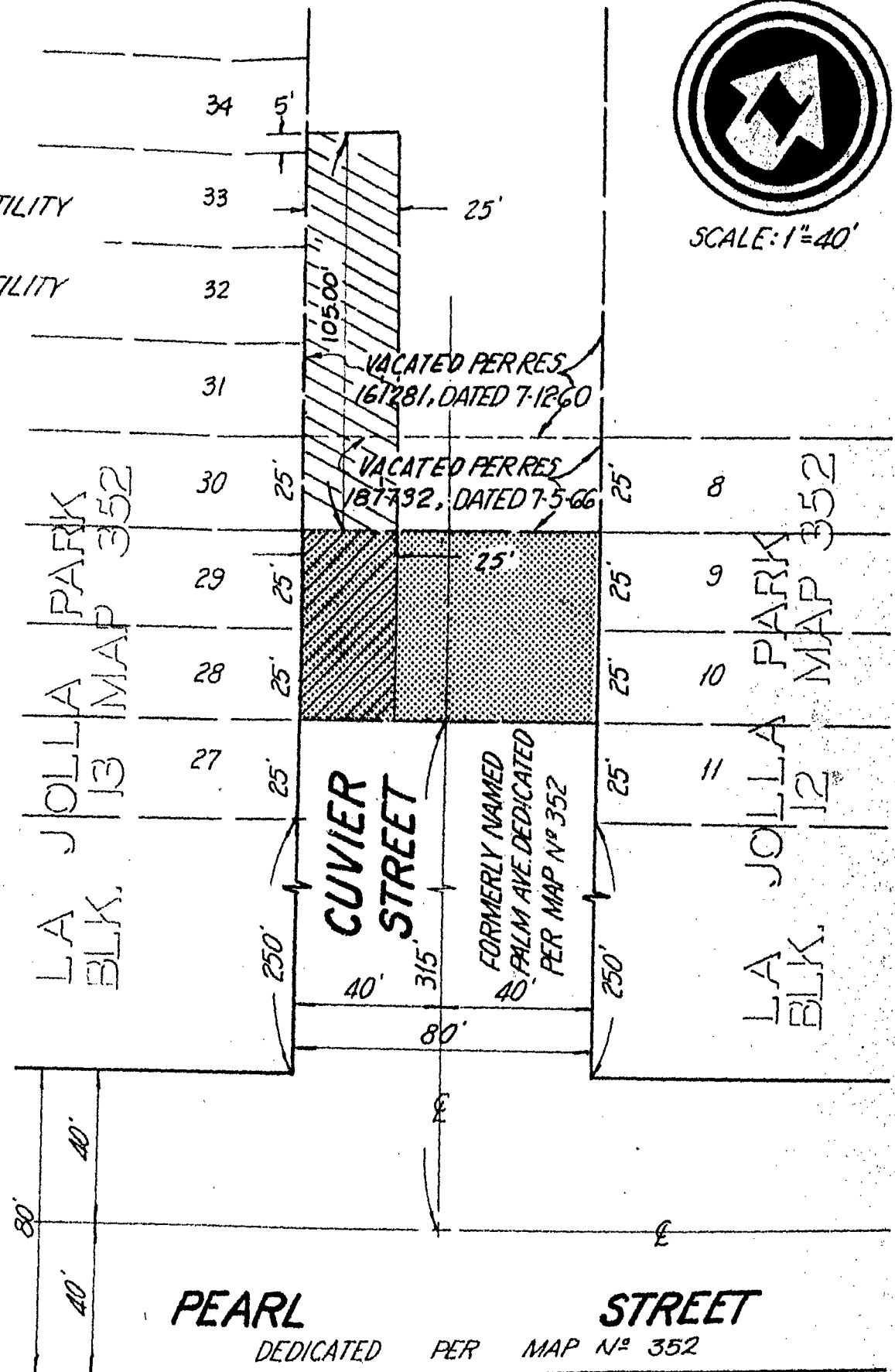
PACIFIC OCEAN






VICINITY MAP
N.T.S.



SCALE: 1"=40'



LEGEND

-  INDICATES STREET VACATED
-  INDICATES GENERAL UTILITY EASEMENT ACQUIRED
-  INDICATES GENERAL UTILITY EASEMENT RESERVED



SCALE: 1"=40'

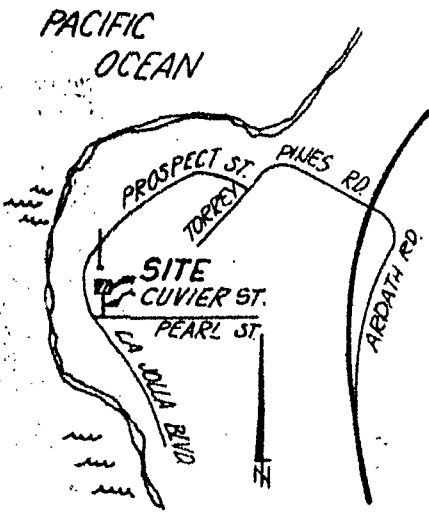
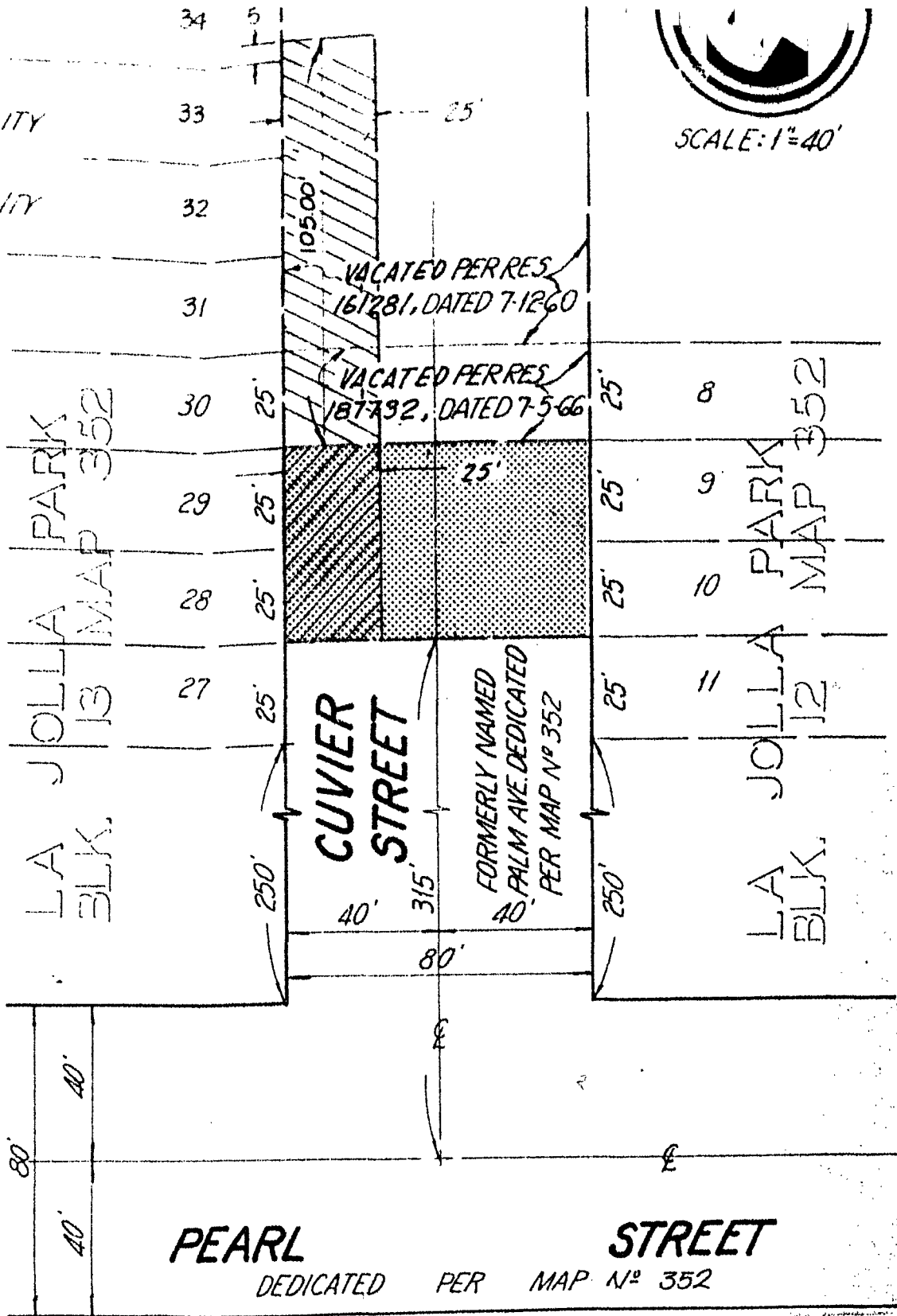
COUNTY
ASSESSOR'S
PARCEL N^o'S

350-441-24
 350-442-05

AREA OF
VACATION
 0.092 ACRES

REFERENCE
DRAWING'S

20267-D
 7792-B
 10296-D
 7271-L



VICINITY MAP
 N.T.S.



SHOLDERS & SANFORD, INC
 Planning, Engineering, Surveying
 3685 Fifth Avenue, San Diego, CA 92103
 Telephone (714) 299-7272

DOCUMENT NO. RR-256749-1
 FILED JUL 12 1982
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

Robert W. Sanford DATE: 10/17/81
 ROBERT W. SANFORD R.C.E. 18405

STREET VACATION, & GENERAL UTILITY EASEMENT RESERVATION
 CUVIER STREET (FORMERLY PALM AVENUE) ADJACENT TO LOTS 9 AND 10 OF BLOCK 12 AND LOTS 28 AND 29 OF BLOCK 13, OF LA JOLLA PARK MAP NO. 352.
GENERAL UTILITY EASEMENT IN CUVIER STREET VACATED ADJACENT TO LOTS 30-31 BLOCK 13 OF LA JOLLA PARK MAP N^o 352

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA
 SHEET 1 OF 1 SHEET
J. T. McLaughlin May 26, 1982
 FOR CITY ENGINEER DATE

SA-81-645
 W.O. NO. 117798
[Signature]
 CONTROL CERTIFICATION
 246-1683
 LAMBERT COORDINATES
15671 - B

STATUS

01433-2

10168C. RMR.
 10-15-81
 1-20-82
 5-21-82

Passed and adopted by the Council of The City of San Diego on JUL 12 1982,
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.

By *Paul A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R- 256749 Adopted JUL 12 1982