

(R-82-2283)

RESOLUTION NUMBER R- 256819

Adopted on JUL 19 1982

WHEREAS, Section 8330 et seq. of the Streets and Highways Code provides a procedure for the summary vacation of streets by City Council resolution where the street easement has a width in excess of the public street needs; and

WHEREAS, the abutting property owner has requested the vacation of a portion of La Playa Avenue adjacent to Lot 24, Block 28, Fortuna Park Addition, Map 894; and

WHEREAS, the portion of street to be vacated is not needed for present or prospective public street purposes; 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 portion of La Playa Avenue adjacent to Lot 24, Block 28, of Fortuna Park Addition, Map 894, as more particularly shown on Drawing No. 15652-B on file in the office of the City Clerk as Document No. RR- 256819-/ 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,

01631

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.

01632

The easement reserved herein is in, under, over, upon,
along and across that portion of La Playa Avenue adjacent to Lot
24, Block 28, Fortuna Park Addition, Map 894, as vacated by this
document and as more particularly shown on Drawing No. 15652-B
on file in the office of the City Clerk as Document
No. RR- 256819- / .

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
6/23/82
W.O.:117798
Dwg.:15652-B
Or.Dept:E&D
Form=r.none

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Passed and adopted by the Council of The City of San Diego on JUL 19 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 Struiksm	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Barbara Benridge*, Deputy.

Office of the City Clerk, San Diego, California
Resolution Number R-256819 Adopted JUL 19 1982