

(R-83-130)

RESOLUTION NUMBER R- 256958

Adopted on AUG 9 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 for a period of five consecutive years the streets have been impassable for vehicular travel and during such period no public money has been expended for maintenance; and

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

WHEREAS, only that portion of Adams Avenue within the subdivision boundary of Ashby Glen is being vacated; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access or will be accessible because of the nature of the existing streets and the lots being created with the approval on this date of Ashby Glen subdivision; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that a portion of Adams Avenue, as more particularly shown on Drawing No. 15481-B on file in the office of the City Clerk as Document No. RR- 256958-1, 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 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

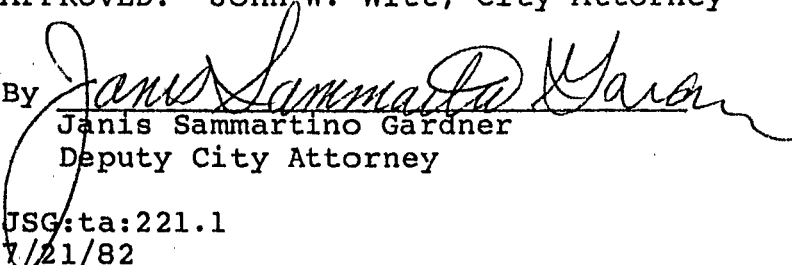
including access to protect the property from all hazards in, upon, over and across the above described portions of streets to be vacated and abandoned.

The easements reserved herein are in, under, over, upon, along and across the southerly 12 feet and the westerly 10 feet of Adams Avenue vacated by this document and as more particularly shown on Drawing No. 15481-B on file in the office of the City Clerk as Document No. RR- 256958 -1 .

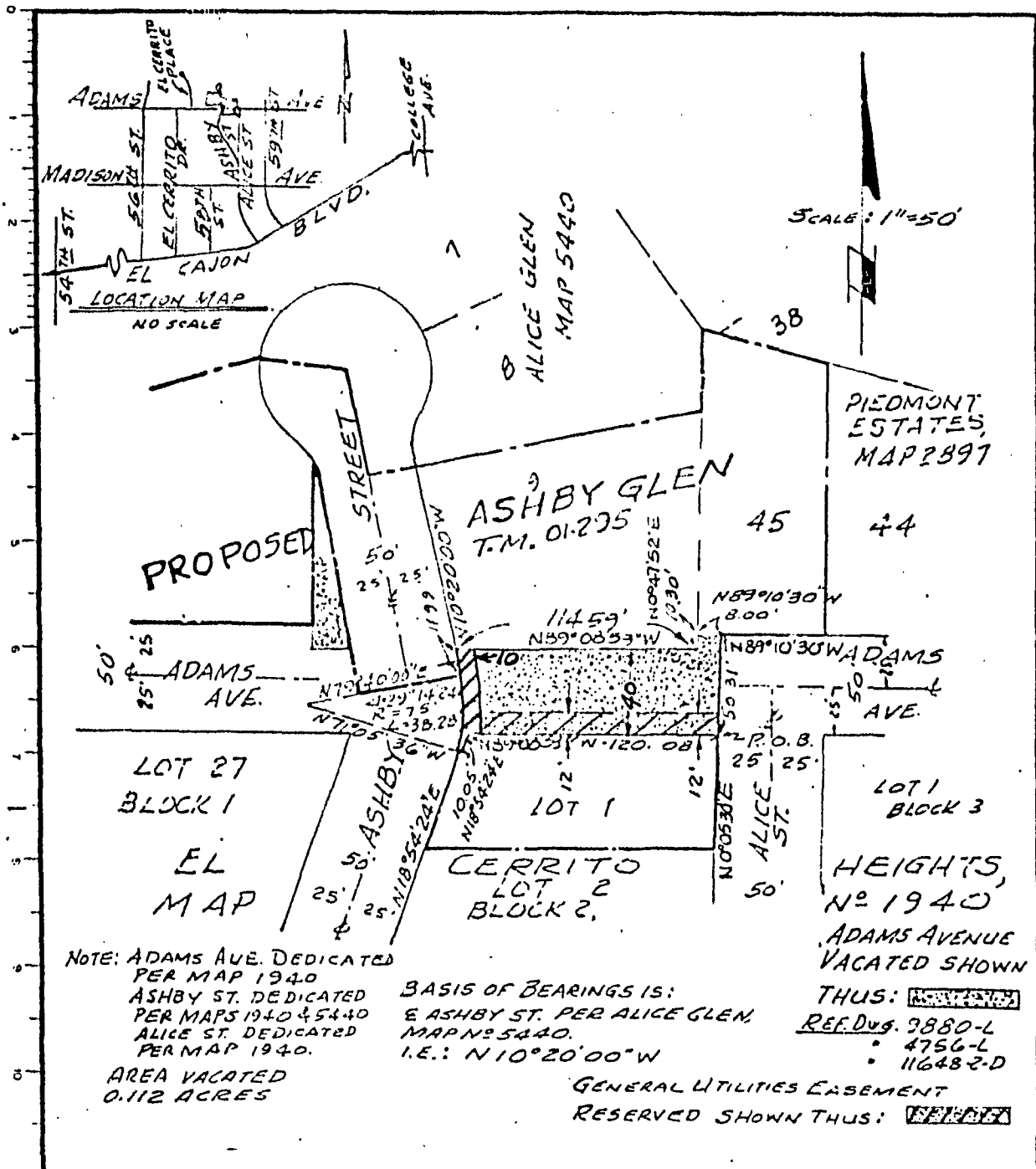
BE IT FURTHER RESOLVED, that the City Clerk shall cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By

  
Janis Sammartino Gardner  
Deputy City Attorney

JSG:ta:221.1  
7/21/82  
Or. Dept: E&D  
W.O.: 71558  
T.M.: 01-295  
Dwg.: 15481-B  
Form=r.none



NOTE: ADAMS AVE. DEDICATED PER MAP 1940  
 ASHBY ST. DEDICATED PER MAPS 1940 & 5440  
 ALICE ST. DEDICATED PER MAP 1940.  
 AREA VACATED 0.112 ACRES

BASIS OF BEARINGS IS:  
 E ASHBY ST. PER ALICE GLEN, MAP NO 5440.  
 I.E.: N 10° 20' 00" W

THUS: REF. DUG. 3880-L  
 4756-L  
 116482-D

GENERAL UTILITIES EASEMENT RESERVED SHOWN THUS:

DESIGN ENGINEER:  
 MUNICIPAL ENGINEERS, INC.  
 615 ASH ST, SAN DIEGO 32101  
 By: *Charles K. ...*  
 TEL: 239-8171 R.C.E. 8234  
 DATE: 8-26-81

DOCUMENT NO. RR-256958-1

FILED AUG 9 1982

OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

STREET VACATION - ADAMS AVENUE ADJACENT TO: LOT 9, ALICE GLEN, MAP 5440; LOT 1 BLOCK 2, EL CERRITO HEIGHTS, MAP 1940; PDR. LOT 45, PIEDMONT ESTATES MAP 2897 FOR PROPOSED ASHBY GLEN T.M. 01-295

CITY OF SAN DIEGO, CALIFORNIA	T.M. 01-295
Sheet 1 of 1 Sheet	71558
<i>C. E. ...</i> 11-24-81	
	213-1747
	15481 - 3

Passed and adopted by the Council of The City of San Diego on AUG 9 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-256958 Adopted AUG 9 1982