

(R-83-278)

RESOLUTION NUMBER R- 257143

Adopted on SEP 14 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 to be vacated have 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 23rd Street between "A" Street and Russ Boulevard, and "A" Street between 23rd and 24th Streets, adjacent to Blocks A, B and 9 of Culver and Taggart's Addition, Map 249, all within or adjacent to the Vista de Oro Subdivision boundary, to facilitate development of their property; and

WHEREAS, those streets to be vacated have been impassable for five consecutive years and no public money has been expended for maintenance; and

WHEREAS, those properties adjoining the streets 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, that 23rd Street between "A" Street and Russ Boulevard, and "A"

Street between 23rd and 24th Streets adjacent to Blocks A, B and 9 of Culver and Taggart's Addition, Map 249, all within or adjacent to the Vista de Oro Subdivision boundary, as more particularly shown on Drawing No. 15659-B on file in the office of the City Clerk as Document No. RR- 257143-1, 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 hereby reserves and excepts 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 nonmotor vehicular and 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.

BE IT FURTHER RESOLVED, that The City of San Diego hereby reserves and excepts from vacation and abandonment, easements, and rights of any public utility 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.


BE IT FURTHER RESOLVED, that the easements reserved herein are in, under, over, upon, along and across 23rd Street between "A" Street and Russ Boulevard, and "A" Street between 23rd and 24th Streets adjacent to Blocks A, B and 9, of Culver and Taggart's Addition, Map 249, all within or adjacent to the Vista de Oro Subdivision boundary vacated by this document and as more particularly shown on Drawing No. 15659-B on file in the office of the City Clerk as Document No. RR- 257143-1.

BE IT FURTHER RESOLVED, that this resolution shall not become effective unless and until the Vista de Oro Subdivision Map (TM 02-142), subdividing the land adjacent to the right-of-way, has been approved by Council action. In the event that the above condition cannot be met, this resolution shall become void and of no further effect.

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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  
Deputy City Attorney

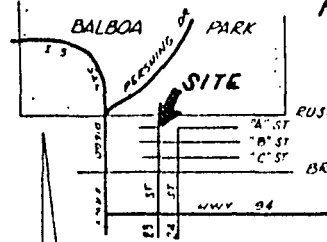
JSG:ta:221.1  
8/12/82  
Or. Dept: E&D  
W.O.: 820269  
T.M.: 02-142  
Dwg.: 15659-B  
Form=r.none

**LEGEND**

STREET VACATED SHOWN THUS **PEDESTRIAN AND NON-MOTOR VEHICULAR EASEMENT RESERVATION SHOWN THUS**

**GENERAL UTILITY EASEMENT RESERVATION SHOWN THUS**

THE BASIS OF BEARINGS FOR THIS MAP IS THE CALIFORNIA GRID BEARING BETWEEN STATIONS "HEN" & "DAN", T.L. N60°16'31"E. NOTE: BEARINGS, DISTANCES, AND COORDINATES ARE IN TERMS OF THE CALIFORNIA COORDINATE SYSTEM, ZONE 8, BASED LOCALLY ON 2<sup>ND</sup> ORDER STATIONS "HEN" & "DAN"



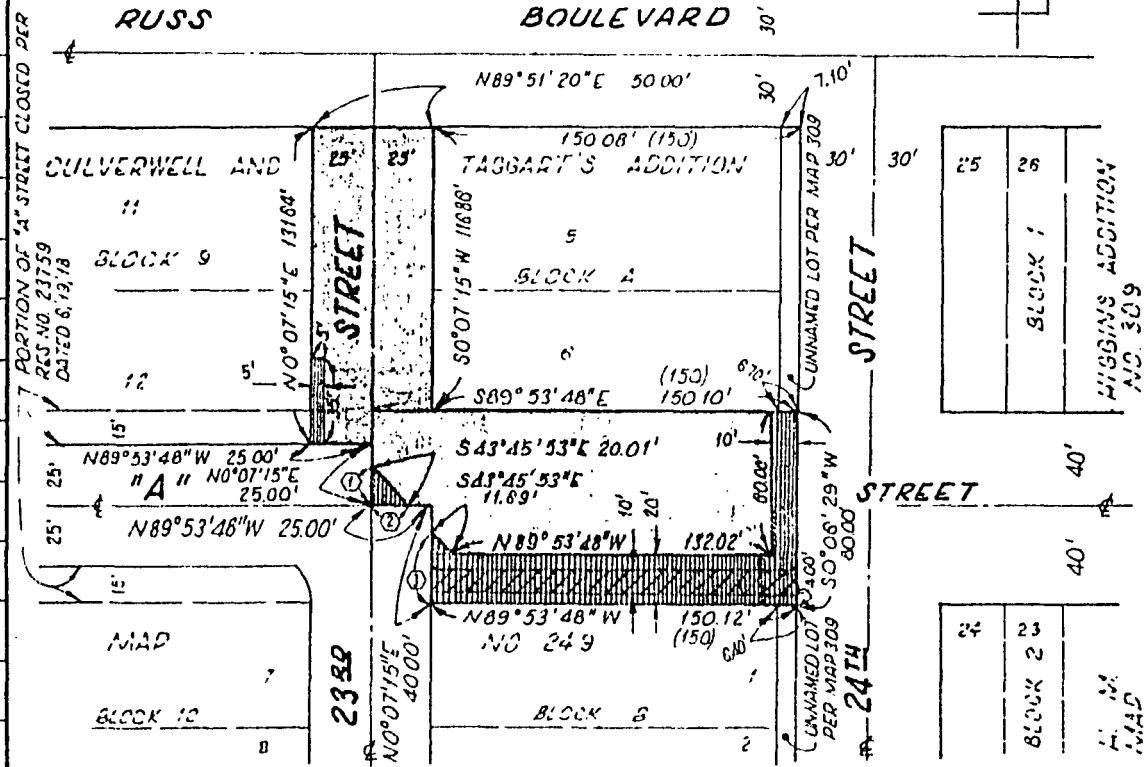
**NOTES:** 23<sup>RD</sup> E "A" STREET DEDICATED PER MAP NO 249  
24<sup>TH</sup> STREET DED. PER MAP NO 309  
RUSS BLVD. DED PER RESOLUTION NO 29039  
( ) INDICATES PER MAP NO. 249

**TABULATED DATA**

- ① N0°07'15"E 14.42'
- ② N89°53'48"W 13.81'
- ③ N0°07'15"E 28.43'

AREA OF STREET VACATION  
0.441 ACRES

SCALE 1"=50'



CHARLES W CHRISTENSEN  
& ASSOCIATES TEL 232-7801  
233 A STREET, SUITE 1200  
SAN DIEGO, CALIF, 92101  
*Charles W. Christensen* 4/19/82  
CHARLES W CHRISTENSEN, RCE 8195 DATE

DOCUMENT NO. **RR-257143-**  
SEP 14 1982  
FILED \_\_\_\_\_  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**STREET VACATION, PEDESTRIAN AND NON-MOTOR VEHICULAR EASEMENT RESERVATION AND GENERAL UTILITY EASEMENT RESERVATION**  
"A" STREET BETWEEN 23<sup>RD</sup> STREET & 24<sup>TH</sup> STREET AND 23<sup>RD</sup> STREET BETWEEN "A" STREET & RUSS BOULEVARD.  
FOR: VISTA DE ORO T.M. 02-142-0 S.A. 82-509

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	T.M. 02-142-0
ORIGINAL CMCEA/RM	3/30/82				SHEET 1 OF 1 SHEET	W.O. NO 820269
					<i>J. F. M. ...</i> July 27, 1982	CONTROL CERTIFICATION
					FOR CITY ENGINEER	DATE
						202-1725
						LABREY COORDINATES
						15659-B

A 6937

00504

Passed and adopted by the Council of The City of San Diego on  
by the following vote:

SEP 14 1982

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 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-257143 Adopted SEP 14 1982