

(R-83-1260)

RESOLUTION NUMBER R- 257995

Adopted on FEB 22 1983

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 portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; and

WHEREAS, in connection with said vacation the City desires to reserve a certain easement; and

WHEREAS, the abutting property owners have requested the vacation of an alley adjacent to Lots 9-40 in Block 86 of E. W. Morse's Subdivision, Map 547; and

WHEREAS, those properties adjoining the streets 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 the alley adjacent to Lots 9-40 in Block 86 of E. W. Morse's Subdivision, Map 547, as more particularly shown on Drawing No. 15824-B on file in the office of the City Clerk as Document No. RR-257995-1 which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

2. 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, 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 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.

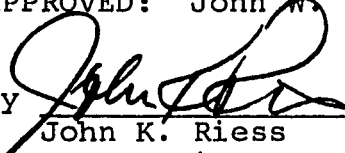
3. That The City of San Diego hereby reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and 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.

4. That the easements reserved herein are in, under, over, upon, along, and across the alley adjacent to Lots 9-40 in Block 86 of E. W. Morse's Subdivision, Map 547, vacated by this document and as more particularly shown on Drawing 15824-B on file in the office of the City Clerk as Document No. RR-257995-!

5. 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.

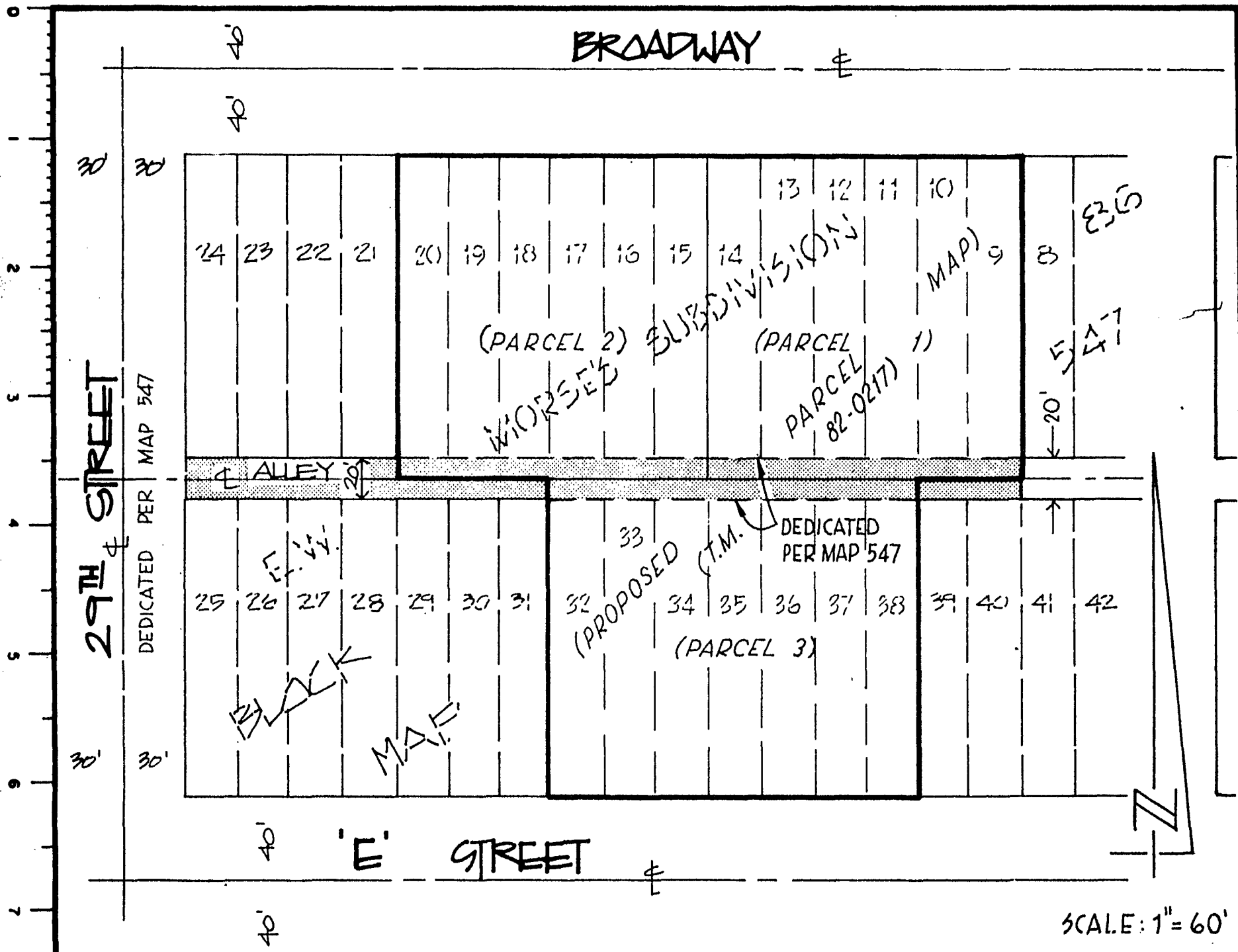
APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:smm:221.1
2/8/83
Or.Dept:E&D
SA:81-502
W.O.120232
Dwg.15824-B
Form=r.none



00980

BLOCK No 85

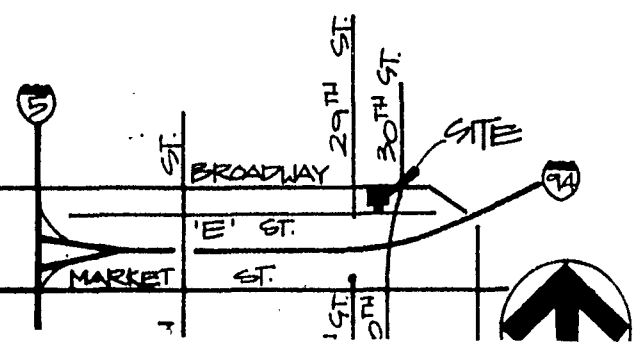
REFERENCE DRAWINGS 1204-B, 5105-B

ASSESSOR'S PARCEL No. 539-591-03, 04, 05
539-591-16, 17, 18 539-591-15

LEGEND

ALLEY VACATION/GENERAL UTILITY
EASEMENT RESERVED SHOWN THUS: 

AREA OF VACATION 0.184 ACRES



40' 'E' STREET

SCALE: 1" = 60'

00980

BLOCK No 85

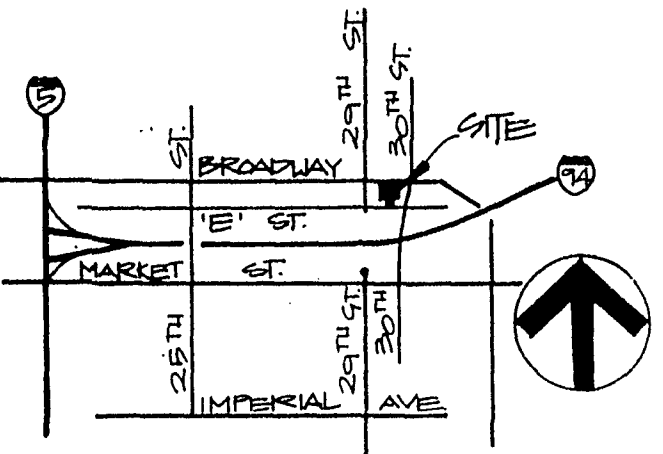
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ASSESSOR'S PARCEL No. 539-591-03, 04, 05
539-591-16, 17, 18 539-591-15

LEGEND

ALLEY VACATION/GENERAL UTILITY EASEMENT RESERVED SHOWN THUS: 

AREA OF VACATION 0.184 ACRES



VICINITY MAP NO SCALE

PREPARED BY:
ALBERT & HAY ENGINEERING, INC.
428 BROADWAY
CHULA VISTA, CA. 92010
PHONE No. 420-7090
James H. Albert 1-14-83
JAMES H. ALBERT RCE 19073

DOCUMENT NO. RR-257995-1
FILED FEB 22 1983
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

ALLEY VACATION/GENERAL UTILITY EASEMENT RESERVATION

ADJACENT TO LOTS 9
THROUGH 40, BLOCK 86 OF E.W. MORSE'S SUBDIVISION, MAP NO 547
FOR: PROPOSED PARCEL MAP T.M. 82-0217

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA		SA 82-502
ORIGINAL					SHEET 1 OF 1 SHEET		W.O NO 120232
					<i>J. J. McLaughlin</i> FOR CITY ENGINEER	Jan. 25, 1983 DATE	<i>1-25-83</i> <i>br...</i> CONTROL CERTIFICATION
							200-1729 LAMBERT COORDINATES
							15824 - B
STATUS							

#3531

00981

Passed and adopted by the Council of The City of San Diego on FEB 22 1983,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
William Jones	<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"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

BILL CLEATOR
Deputy 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-257995 Adopted FEB 22 1983