

(R-83-1610)

RESOLUTION NUMBER R- 258388

Adopted on MAY 2 1983

WHEREAS, Section 8330, et seq. of the California 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 certain easements; and

WHEREAS, the abutting property owner has requested the vacation of a portion of Commercial Street adjacent to Lots 14-26 and the alley adjacent to Lots 9-19, both of Block 134 of Central Park, Map 435, to facilitate development of his property; 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 Commercial Street adjacent to Lots 14-26 and the alley adjacent to Lots 9-19, both of Block 134 of

Central Park, Map 435, as more particularly shown on Drawing No. 15625-B on file in the office of the City Clerk as Document No. RR- 258388<sup>-1</sup>, 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, water 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 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 easement reserved herein is in, under, over, upon, along, and across that portion of of Commercial Street adjacent to Lots 14-26, Block 134, of Central Park, Map 435, vacated by this document and as more particularly shown on Drawing No. 15625-B on file in the office of the City Clerk as Document No. RR-258388-1.

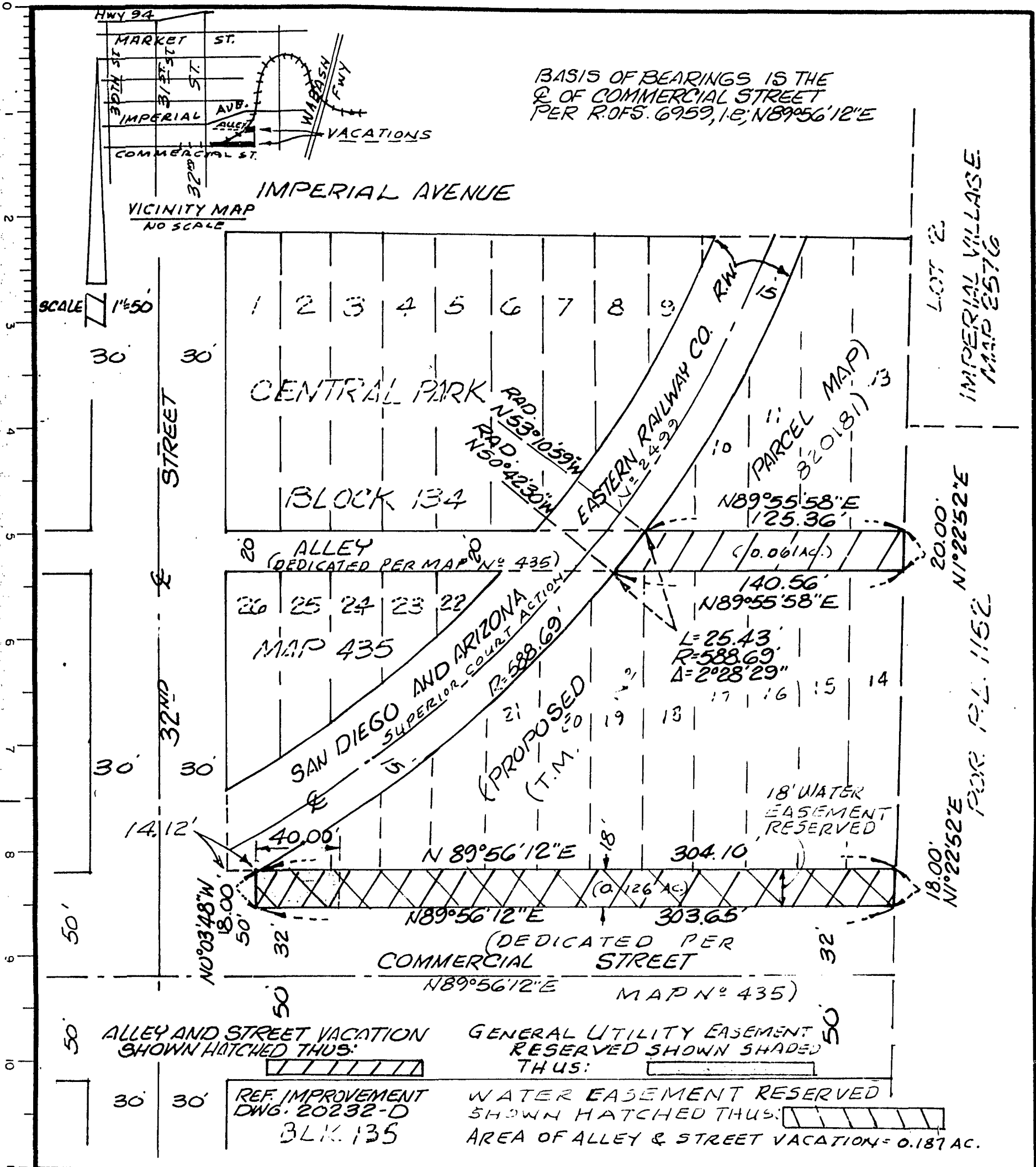
5. That this resolution shall not become effective unless and until an engineering permit to construct public improvements within the right-of-way has been issued. In the event that the engineering permit is not issued by October 3, 1984, this resolution shall become void and of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the issuance of the aforementioned engineering permit, 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   
John K. Riess, Deputy

JKR:smm  
Or.Dept:E&D  
S.A.:81-650  
W.O.:120232  
Dwg.:15625-B  
Form=r.sumv3



BASIS OF BEARINGS IS THE  
 Q. OF COMMERCIAL STREET  
 PER R.O.F.S. 6959, 1-E; N89°56'12"E

IMPERIAL AVENUE  
 VICINITY MAP  
 NO SCALE

SCALE 1"=50'

LOT 2  
 IMPERIAL VILLAGE  
 MAP 2576

CENTRAL PARK

BLOCK 134

ALLEY  
 (DEDICATED PER MAP N° 435)

MAP 435  
 SAN DIEGO AND ARIZONA  
 SUPERIOR COURT ACTION

(PROPOSED  
 T.M.)

N89°55'58"E  
 125.36'

140.56'  
 N89°55'58"E

L=25.43'  
 R=588.69'  
 Δ=2°28'29"

18' WATER  
 EASEMENT  
 RESERVED

N 89°56'12"E

COMMERCIAL STREET  
 (DEDICATED PER  
 MAP N° 435)

ALLEY AND STREET VACATION  
 SHOWN HATCHED THUS:

GENERAL UTILITY EASEMENT  
 RESERVED SHOWN SHADED  
 THUS:

REF. IMPROVEMENT  
 DWG. 20232-D  
 BLK. 135

WATER EASEMENT RESERVED  
 SHOWN HATCHED THUS:  
 AREA OF ALLEY & STREET VACATION = 0.187 AC.

ENGINEER OF WORK  
 Charles R. Crull  
 C.R. CRULL - R.C.E. 8234  
 615 ASH ST. S.D. 92101  
 TEL: 239-8171

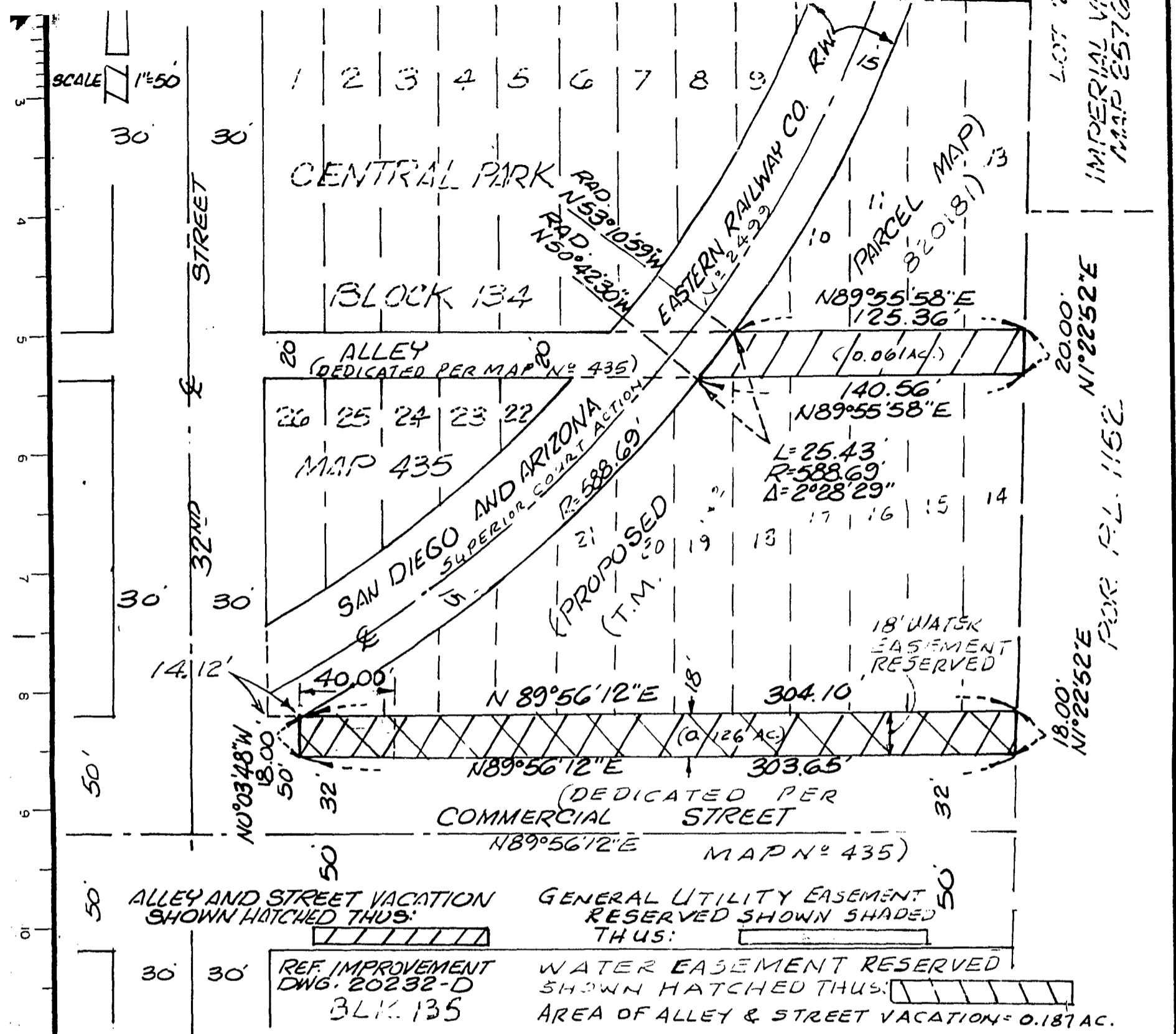
DOCUMENT NO. RR-258388-1  
 FILED MAY 2 1983  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

ALLEY VACATION-ADJACENT TO LOTS 9 TO 19, AND STREET VACATION-  
 COMMERCIAL STREET, ADJACENT TO LOTS 14 TO 26, BLOCK 134, CENTRAL PARK,  
 MAP 435, AND GENERAL UTILITY EASEMENT AND WATER EASEMENT RESERVED.

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA

SA-81-650  
 W.O. NO. 117798



**ENGINEER OF WORK**  
*Charles R. Crull*  
 C.R. CRULL - R.C.E. 8234  
 615 ASH ST. S.D. 92101  
 TEL: 239-8171

DOCUMENT NO. **PR-258388-1**  
 FILED **MAY 2 1983**  
 CLERK OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**ALLEY VACATION-ADJACENT TO LOTS 9 TO 19, AND STREET VACATION-COMMERCIAL STREET, ADJACENT TO LOTS 14 TO 26, BLOCK 134, CENTRAL PARK, MAP 435, AND GENERAL UTILITY EASEMENT AND WATER EASEMENT RESERVED.**

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL				
CITY OF SAN DIEGO, CALIFORNIA				
SHEET 1 OF 1 SHEET				
			<i>Charles R. Crull</i> FOR CITY ENGINEER	<b>May 20, 1982</b> DATE
<div style="display: flex; justify-content: space-between;"> <div> <p>W.O. NO. <b>SA-81-650</b> <b>117798</b></p> <p><b>5-20-82</b> CONTROL CERTIFICATION</p> <p><b>196.1731</b> LAMBERT COORDINATES</p> </div> <div> <p><b>15625 - B</b></p> </div> </div>				
STATUS				

JOB NO. 7840

MAY 2 1983

Passed and adopted by the Council of The City of San Diego on .....  
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"/>
Gloria McColl	<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 *Barbara Berridge*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-258388 Adopted MAY 2 1983