

(R-83-1638)

RESOLUTION NUMBER R- 258474

Adopted on MAY 17 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 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 Pickwick Street adjacent to Lots 1-10, Block 2, and Lots 30-48, Block 1, all of Broderick and West Addition, Map 1117, and Lot 1 of Davey Subdivision, Map 6135; "E" Street adjacent to Lot 1, Davey Subdivision, Map 6135, and Lots 33-37, Block 2, of Broderick and West Subdivision, Map 1117; and 34th Street between State Highway 94 and the south line extended of Pickwick Street, all within or adjacent to the proposed The Dells No. 4 Subdivision (TM 82-0346) and Parcel Map (TM 01-221) boundaries, to facilitate development of their properties; and

WHEREAS, those properties adjoining the street 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, as follows:

1. That Pickwick Street adjacent to Lots 1-10, Block 2, and Lots 30-48, Block 1, all of Broderick and West Addition, Map 1117, and Lot 1 of Davey Subdivision, Map 6135; "E" Street adjacent to Lot 1, Davey Subdivision, Map 6135, and Lots 33-37, Block 2, of Broderick and West Subdivision, Map 1117; and 34th Street between State Highway 94 and the south line extended of Pickwick Street, all within or adjacent to the proposed The Dells No. 4 Subdivision (TM 82-0346) and Parcel Map (TM 01-221) boundaries, as more particularly shown on Drawing No. 19353-D, on file in the office of the City Clerk as Document No. RR-258474-1, 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 easement reserved herein is in, under, over, upon, along, and across Pickwick Street adjacent to Lots 1-4, Block 2, or Broderick and West Addition, Map 1117, vacated by this document and as more particularly shown on Drawing No. 19353-D on file in the office of the City Clerk as Document No.

RR-258474.-1

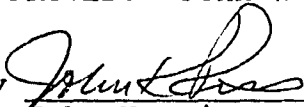
5. That this resolution shall not become effective unless and until the final subdivision map for the The Dells No. 4 Subdivision has been approved by Council action.

6. That this resolution shall not become effective unless and until a parcel map (TM 01-221) consolidating Lots 1-8, Block 2, of Broderick and West Addition, Map 1117, has been recorded.

7. That in the event either or both of the above conditions cannot be met by June 2, 1984, this resolution shall become void and be of no further effect.

8. 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.

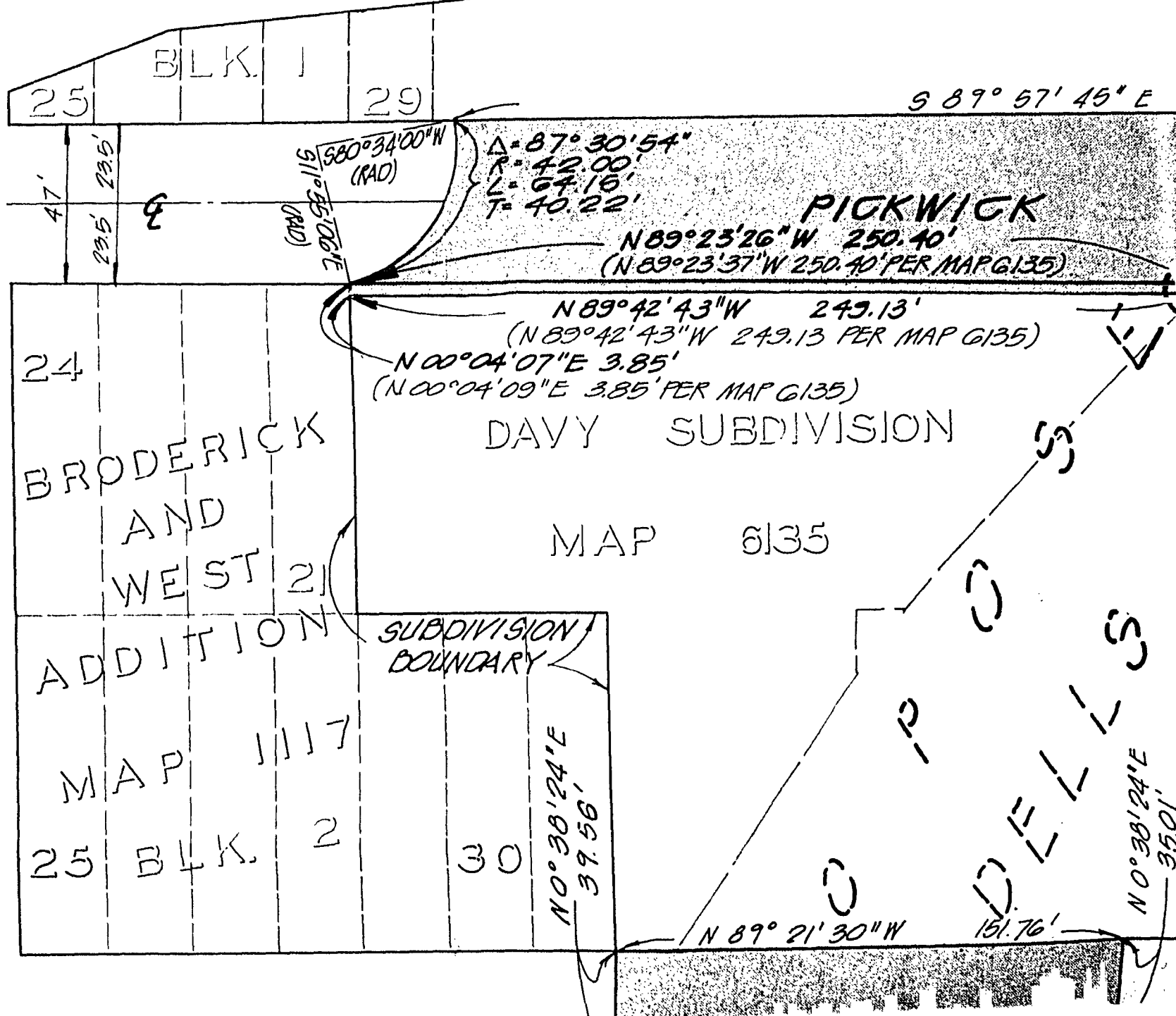
APPROVED: John W. Witt, City Attorney

By 

John K. Riess
Deputy City Attorney

JKR:smm:221.1
4/13/83
Or.Dept:E&D
R-83-1638
SA:83-505
T.M.:82-0346
W.O.:123087
Dwg.:19353-D
Form=r.sumv3

STATE HIGH



STATE HIGHWAY 94

SUBDIVISION BOUNDARY

XI-SD-200-SD

ABU
PER
REC

S 89° 57' 45" E

468.11'

NO. 4

RESERVATION FOR
GENERAL
UTILITIES ESMT.

Δ = 42° 23' 45"
L = 53.28'
R = 72.00'
T = 27.93'

P.O.B.

25

83.40'

N 0° 02' 58" E

13° 36' 35" E

S 56° 00' 24" E

30'

17'

30'

NO 02' 58" E

STREET

ORANGE PARK

PICKWICK STREET

N 23° 26' W 250.40'
S 23° 37' W 250.40' PER MAP G135)

N 13° W 249.13'
S 13° W 249.13 PER MAP G135)

PER MAP G135)
SUBDIVISION

6135

STREET

N 89° 23' 26" W 157.22'

DETAIL "B"

N 62° 24' 35" W 33.5'
N 46° 28' 54" W 33.5' (RAD.)

SUBDIVISION AND BOUNDARY
PARCEL MAP

PROPOSED
PARCEL MAP
01-221

DETAIL "A"

N 89° 23' 26" W 93.23'
N 89° 57' 02" W 6.33'

10° 02' 58" E PER MAP G135 BASIS OF BEARINGS

STREET

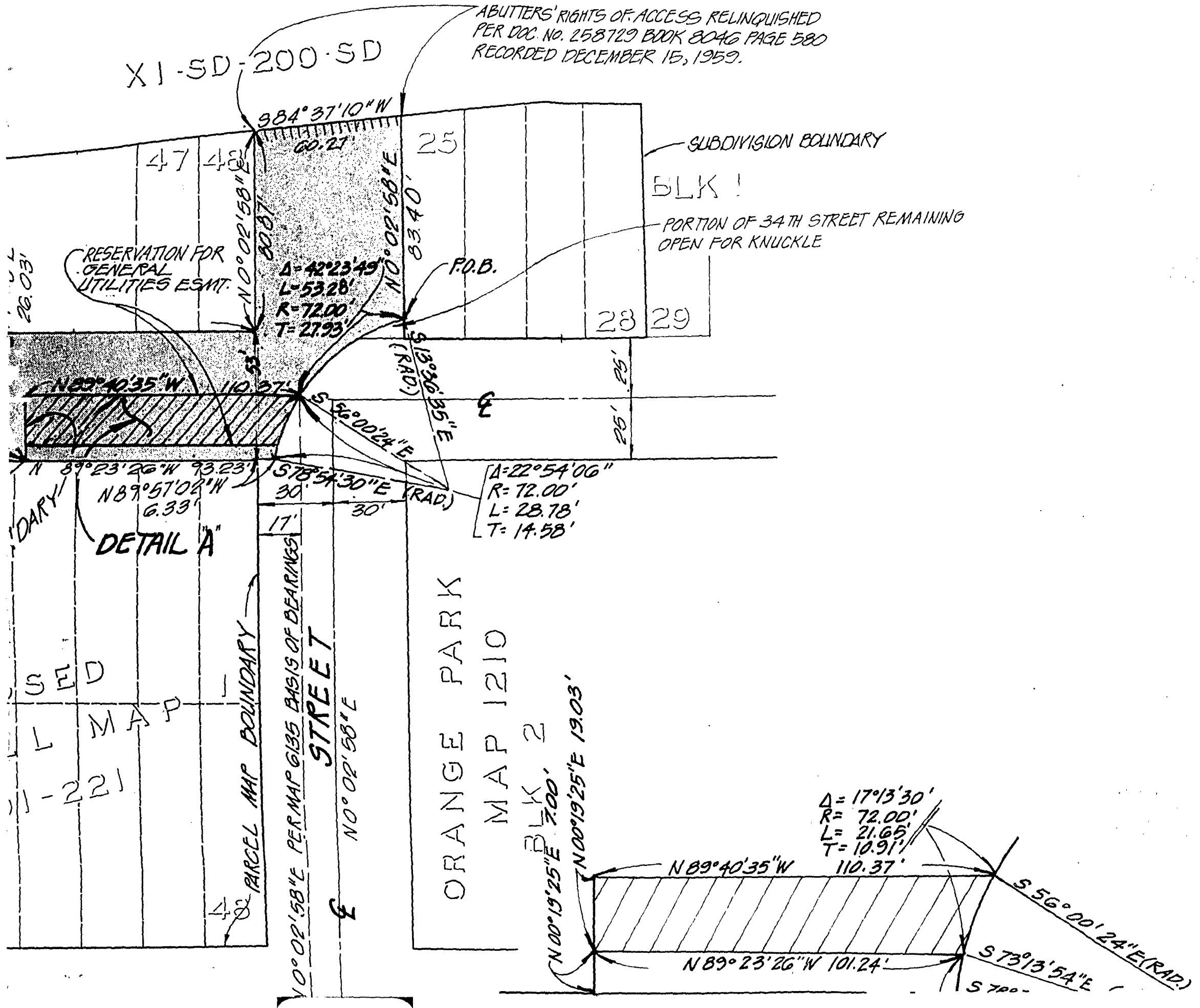
NO 02' 58" E

N 89° 21' 30" W

151.76'

N 0° 38' 24" E
35.01'

75'



P
T
S
D
L
C
A
A
E
I
W
I
E

00347

HED
580


BOUNDARY

TH STREET REMAINING
KLE

BASIS OF BEARINGS:


THE BASIS OF BEARINGS FOR THIS DRAWING IS THE 17' OFFSET LINE IN 34TH STREET BETWEEN PICKWICK STREET AND "E" STREET AS SHOWN ON DAVEY SUB-DIVISION MAP NO. 6135, i.e., $N00^{\circ}02'58''E$.


LEGEND:

34TH STREET, PICKWICK STREET & "E" STREET VACATED SHOWN THUS 

AREA TO BE VACATED

0.958 ACRES

ABUTTERS' RIGHTS OF ACCESS RELINQUISHED AS NOTED, SHOWN THUS 

GENERAL UTILITY EASEMENT RESERVED SHOWN THUS 

FOR IMPROVEMENTS SEE 19352-D

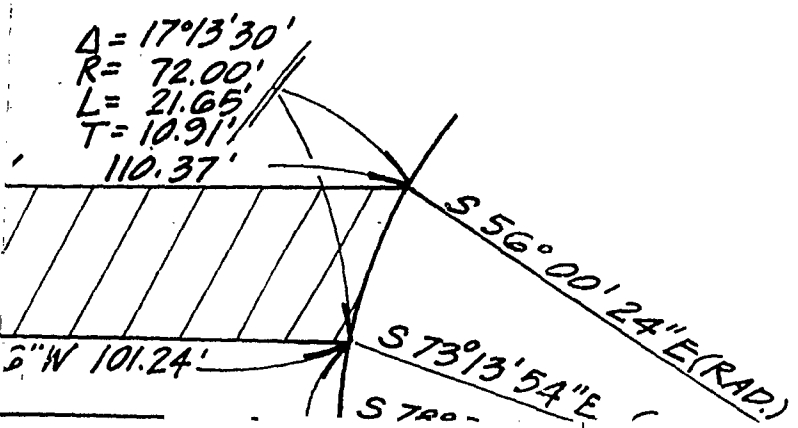
REFERENCE DRAWINGS:

WESTERLY 1/2 OF 34TH ST. DEDICATED PER MAP 1117
EASTERLY 1/2 OF 34TH ST. DEDICATED PER MAP 1210
PORTION OF PICKWICK ST. DEDICATED PER MAP 1117
PORTION OF PICKWICK ST. DEDICATED PER MAP 6135
"E" ST. DEDICATED BY DOC. REC. JAN 19, 1903 BK 322 PG. 476 O.R.

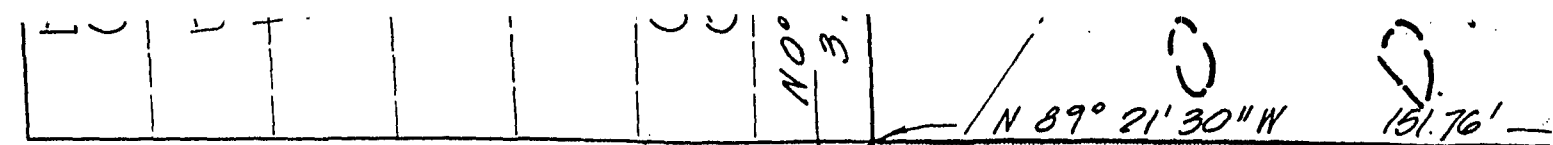
7495-L 6333-W
7496-L 10,683-1-D
11349-D 14940-D
1336-L 17428-D
1964-L 7879-W

STREET VACATION

FOR PROPOSED THE DELLS UNIT NO. 4 (T.M. 01-035) AND PARCEL MAP (T.M. 01-221)

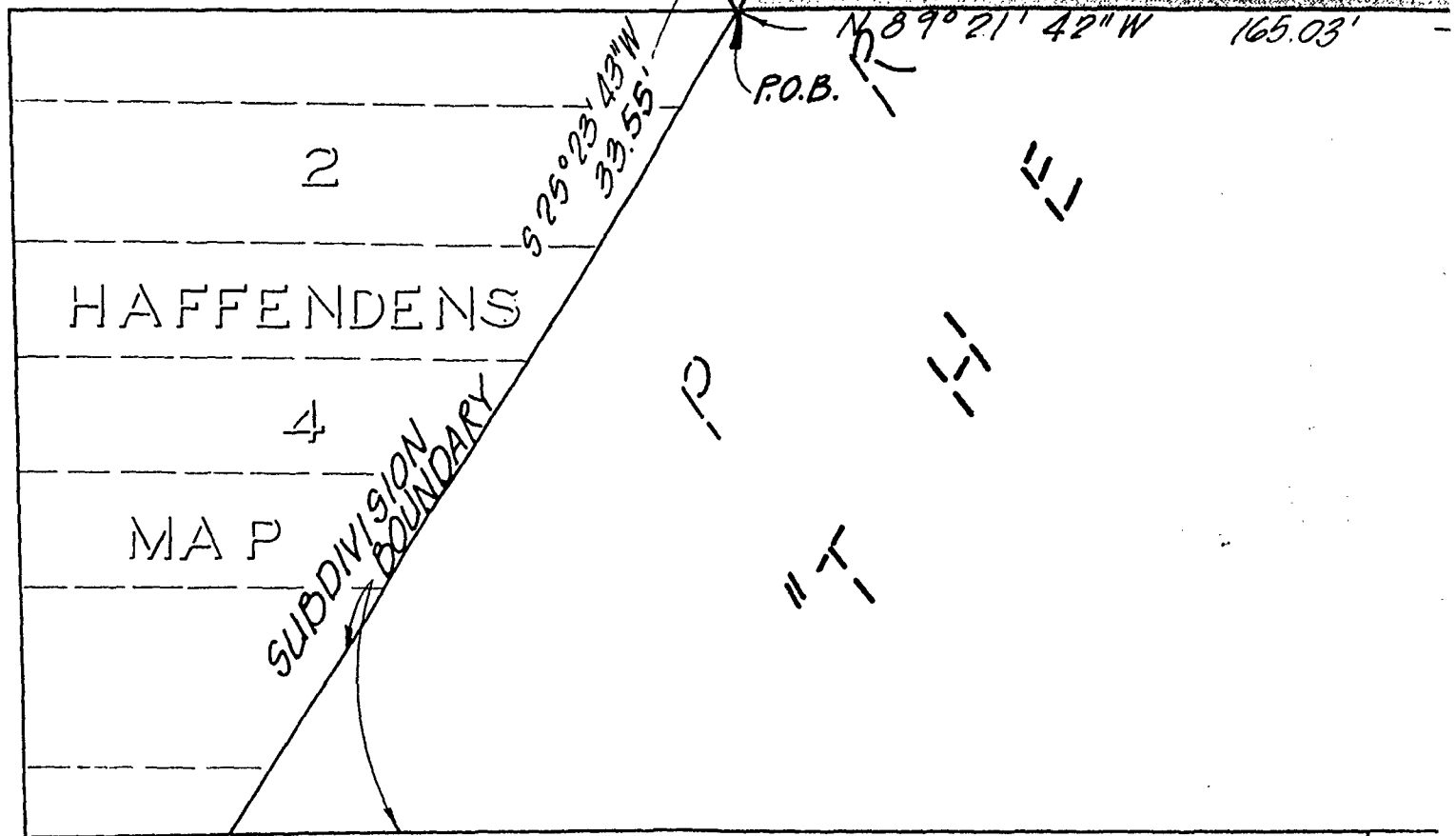


33 RD



"E"

E



2

HAFFENDENS

4

MAP

P.O.B.

"T"

"E"

"F"

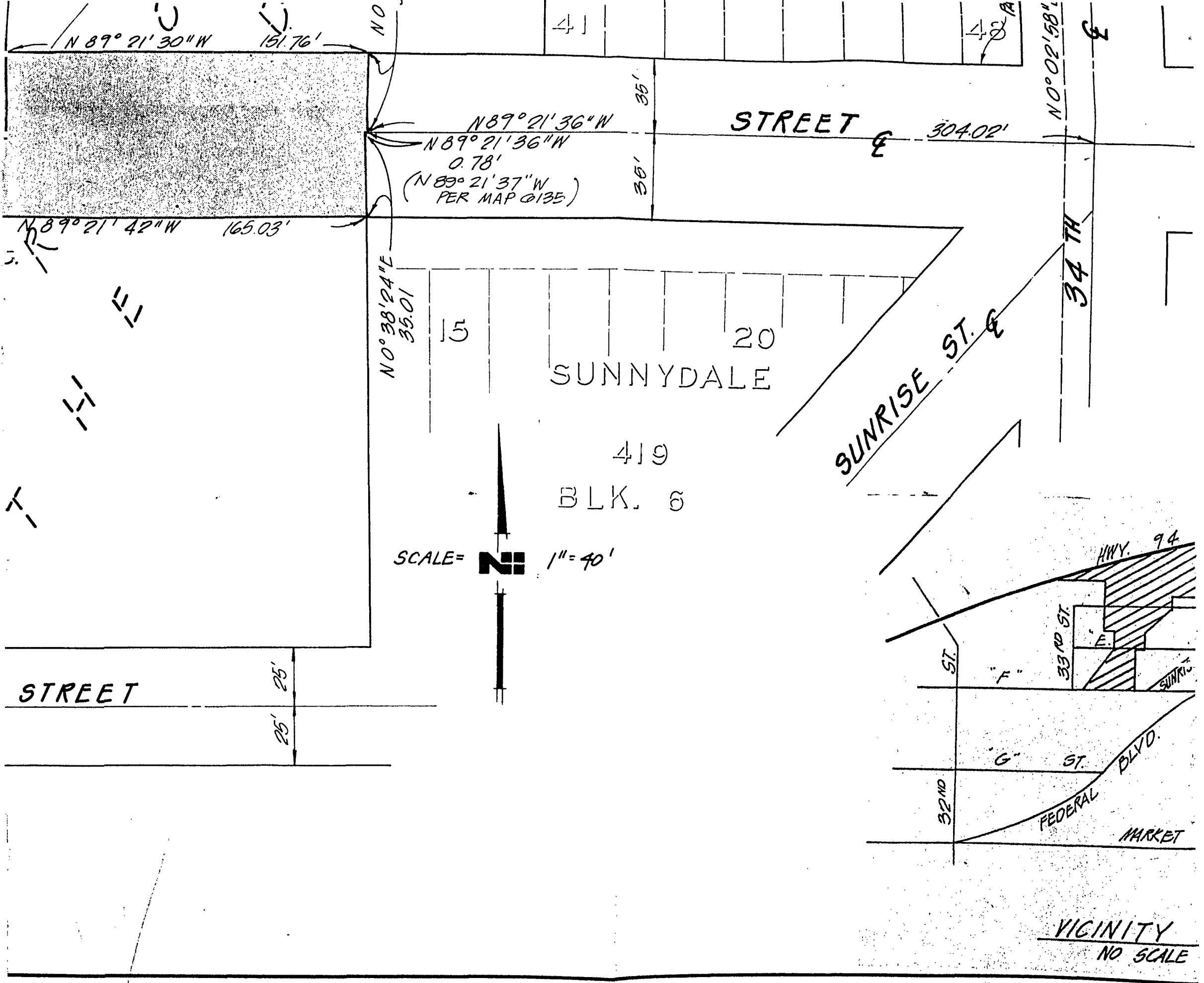
STREET

E

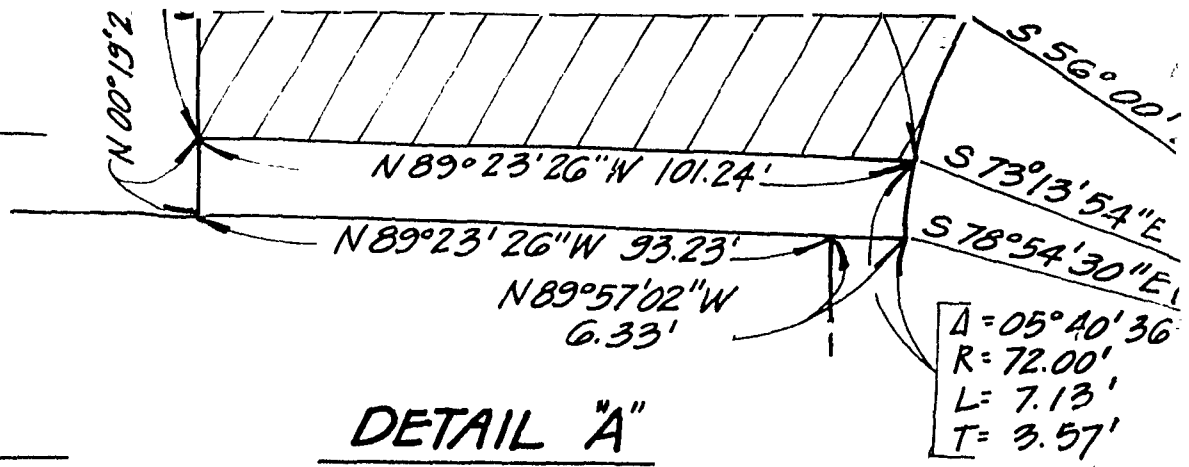
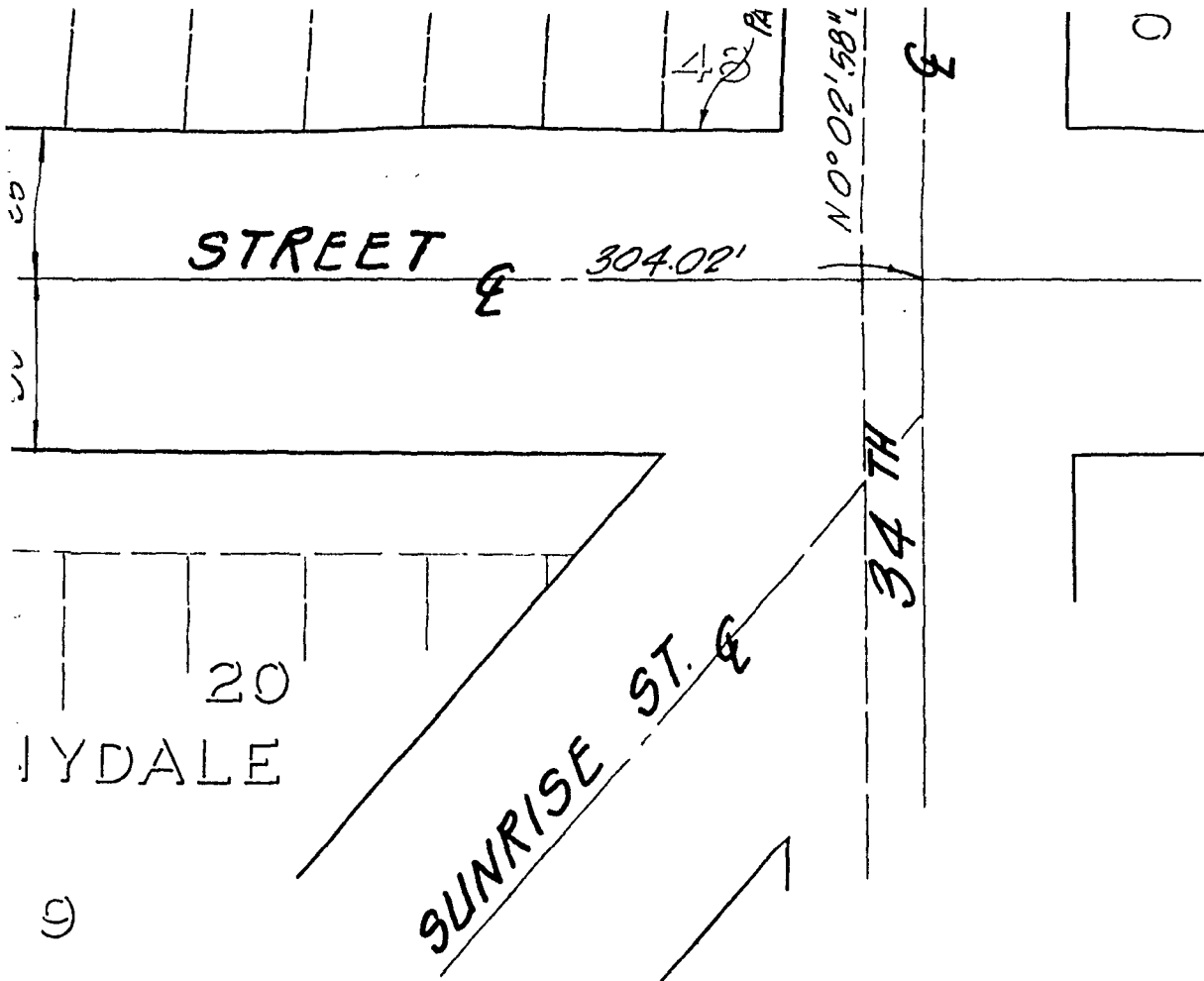
25'

25'

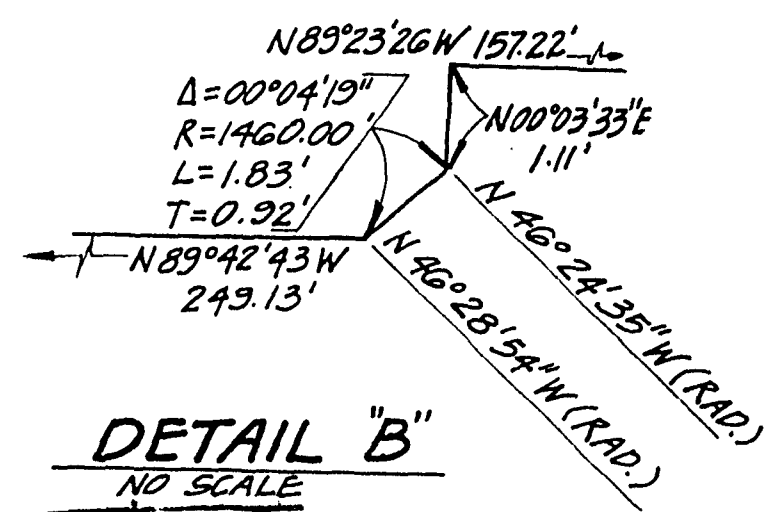
00348



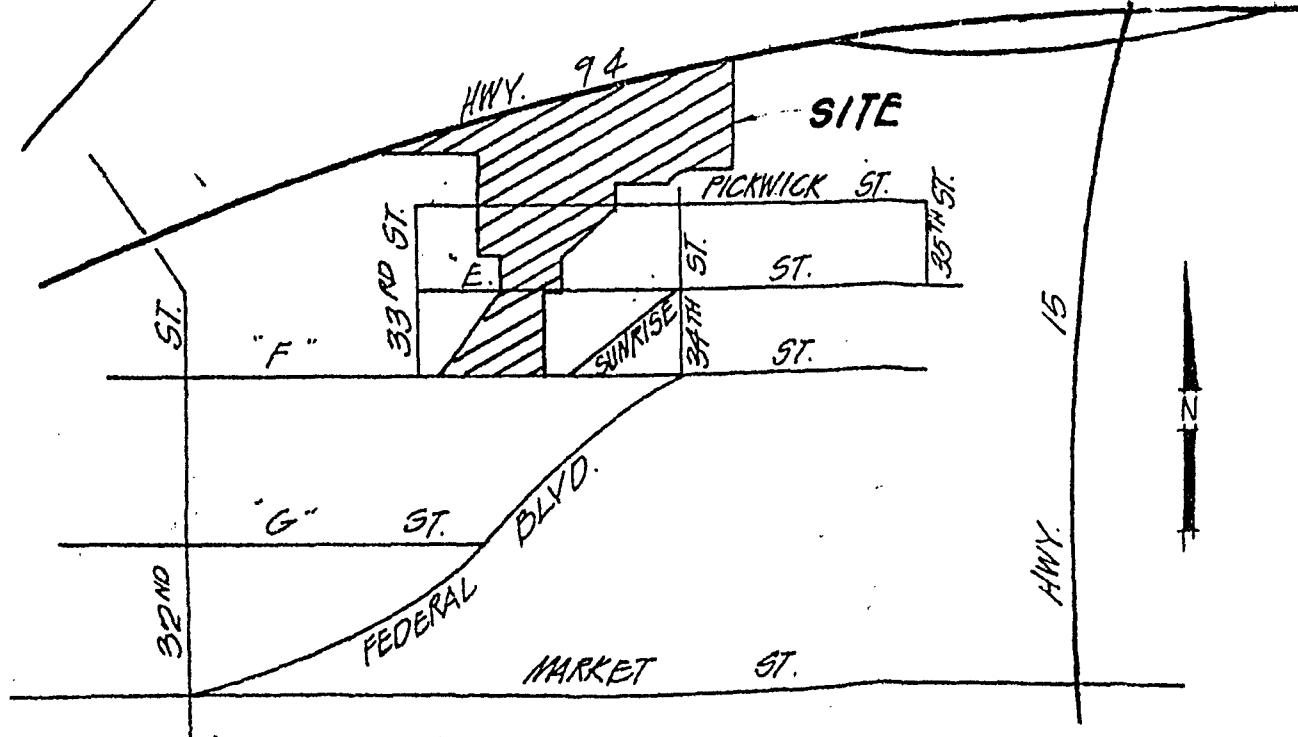
00349



DETAIL "A"
NO SCALE



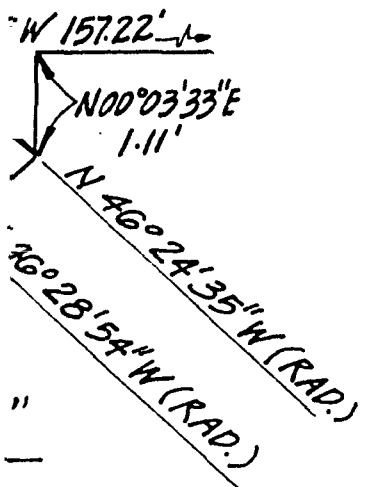
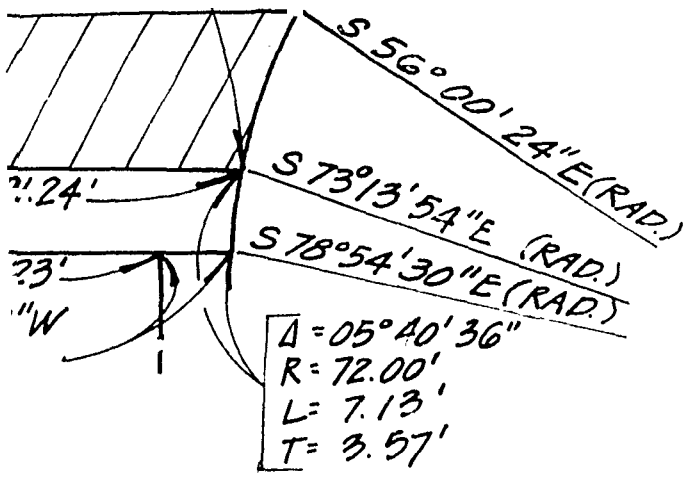
DETAIL "B"
NO SCALE




VICINITY MAP
NO SCALE

STREET VACATION

FOR PROPOSED THE DELLS UNIT NO. 4 (T.M. 01-035) AND PARCEL MAP (TM 01-221)



DOCUMENT NO. RR-258474-1
 FILED MAY 17 1983
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

 GEORGE S. NOLTE AND ASSOCIATES 9455 Bldgheaven Court San Diego, Ca 92123 SAN JOSE • WALNUT CREEK • SAN DIEGO • SACRAMENTO (408) 287-3400 (415) 934-8060 (619) 276-9382 (916) 446-5028 Engineer of Work: <u>Stuart Peace</u> 10-16-80 STUART PEACE R.C.S. 27232 Date		Designed <u>CMP</u>
		Drawn <u>D.J.Q.</u>
		Checked <u>AB</u>
<p>STREET VACATION 34TH STREET - BETWEEN STATE ROUTE 94 AND PICKWICK STREET; PICKWICK STREET - BETWEEN 33RD STREET AND 34TH STREET, ALL BEING WITHIN BRODERICK AND WEST ADDITION, ACCORDING TO MAP THEREOF NO. 1117 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY FEBRUARY 3, 1908, A PORTION OF PICKWICK STREET BETWEEN 33RD STREET AND 34TH STREET AS DEDICATED WITHIN DAVEY SUBDIVISION, ACCORDING TO MAP THEREOF NO. 6135, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JUNE 24, 1968 AND "E" STREET FROM 304 FEET EAST TO 456 FEET EAST OF THE CENTERLINE OF 34TH STREET AS DEDICATED BY DOCUMENT RECORDED JAN. 19, 1903 IN BOOK 322 PAGE 476 O.R. FOR PROPOSED "THE DELLS UNIT NO. 4" (T.M. 01-035) AND P.M. (T.M. 01-221)</p>		
CITY OF SAN DIEGO, CALIFORNIA		T.M. <u>82-0346</u>
SHEET 1 OF 1 SHEET		W.O. <u>123087</u>
		NO. <u>SA 83-505</u>
George Parkin FOR CITY ENGINEER		DATE <u>12-31-80</u>
DESCRIPTION	BY	APPROVED
ORIGINAL		
AS BUILT		
CONTRACTOR _____ DATE STARTED _____		J.R. Jaultz 12-30-80 CONTROL CERTIFICATION <u>200-1731</u> LAMBERT COORDINATES <u>19353-D</u>
RESIDENT ENG. _____ DATE COMPLETED _____		

00351

G.S.N. Job No 8363-79

MAY 17 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 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"/>
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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Maybell G. Pontecorvo, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number 258474 Adopted MAY 17 1983