

(R-83-1756)

RESOLUTION NUMBER R- 258554

Adopted on MAY 31 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 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 the alley adjacent to Lot 1, Block 16, and Lots 1-3, Block "D", all in Estudillo and Caprons Addition, Map 650, between Ninth Avenue and State Highway 163, 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 the alley adjacent to Lot 1, Block 16, and Lots 1-3, Block "D", all in Estudillo and Caprons Addition, Map 650, between Ninth Avenue and State Highway 163, as more particularly shown on Drawing No. 15812-B, on file in the office of the City

Clerk as Document No. RR- 258554-1, 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, sewer, 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 the alley adjacent to Lot 1, Block 16, and Lots 1-3, Block "D", all in Estudillo and Caprons Addition, Map 650, between Ninth Avenue and State Highway 163, vacated by this document and as more particularly shown on Drawing No. 15812-B, on file in the office of the City Clerk as Document No.

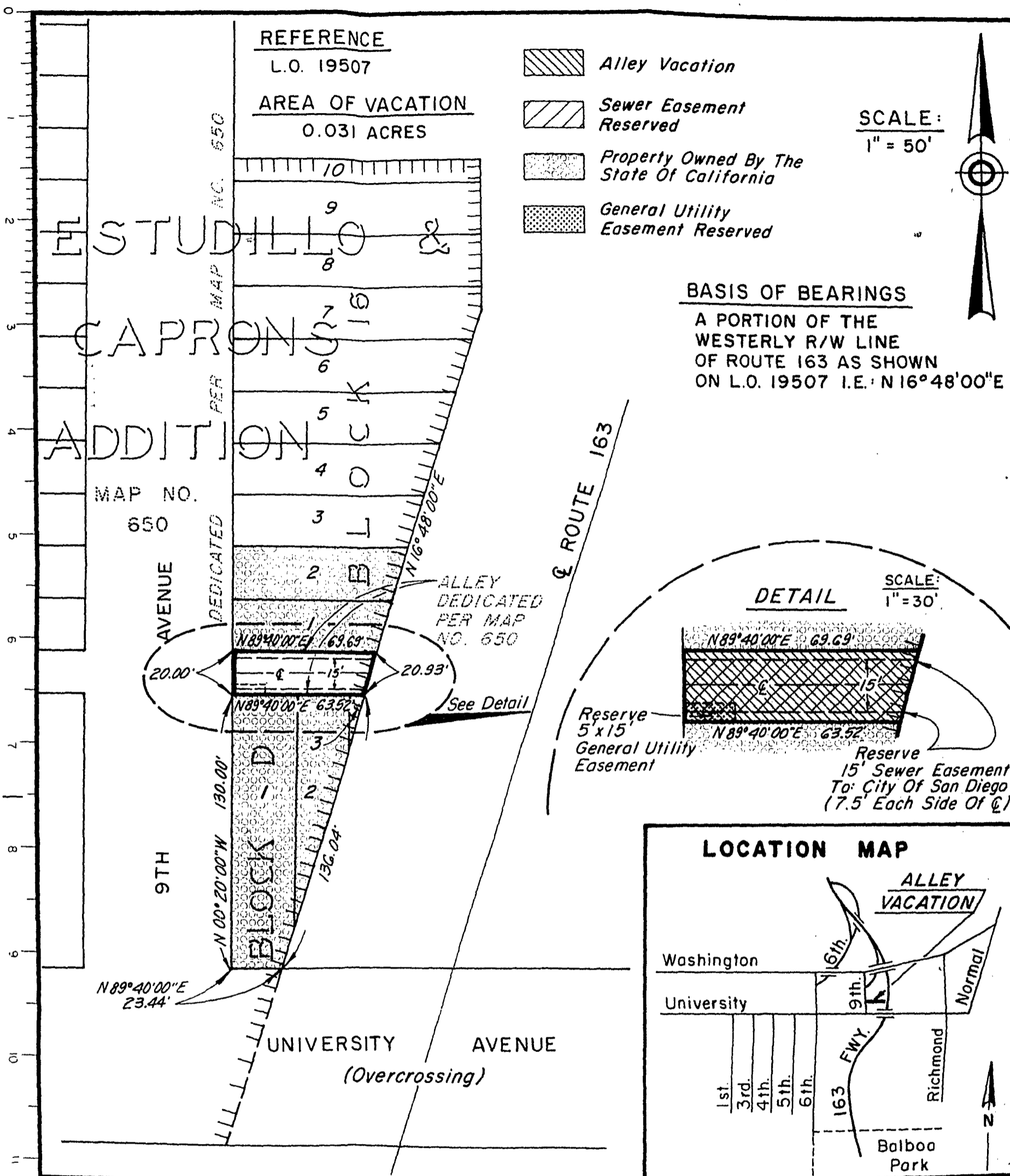
RR- 258554-1

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  
5/9/83  
Or.Dept:E&D  
R-83-1756  
SA:79-640  
W.O.:120232  
Dwg.:15812-B  
Form=r.sumv3



PREPARED BY:  
**CALTRANS - DISTRICT II**  
 2829 JUAN STREET  
 POST OFFICE BOX 85406  
 SAN DIEGO, CALIFORNIA 92138  
*T.G. Hofmann*  
 ENGINEER 3-31-83  
 DATE

DOCUMENT NO. PP-258554-1  
 FILED MAY 31 1983  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**ALLEY VACATION - ADJACENT TO PORTION OF LOT 1, BLOCK 16, AND PORTIONS OF LOTS 1, 2, AND 3, BLOCK D, ALL IN ESTUDILLO AND CAPRONS ADDITION, MAP NO. 650, AND SEWER AND GENERAL UTILITY EASEMENT RESERVATION.**

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL	T.G. Hofmann 3-83			

CITY OF SAN DIEGO, CALIFORNIA

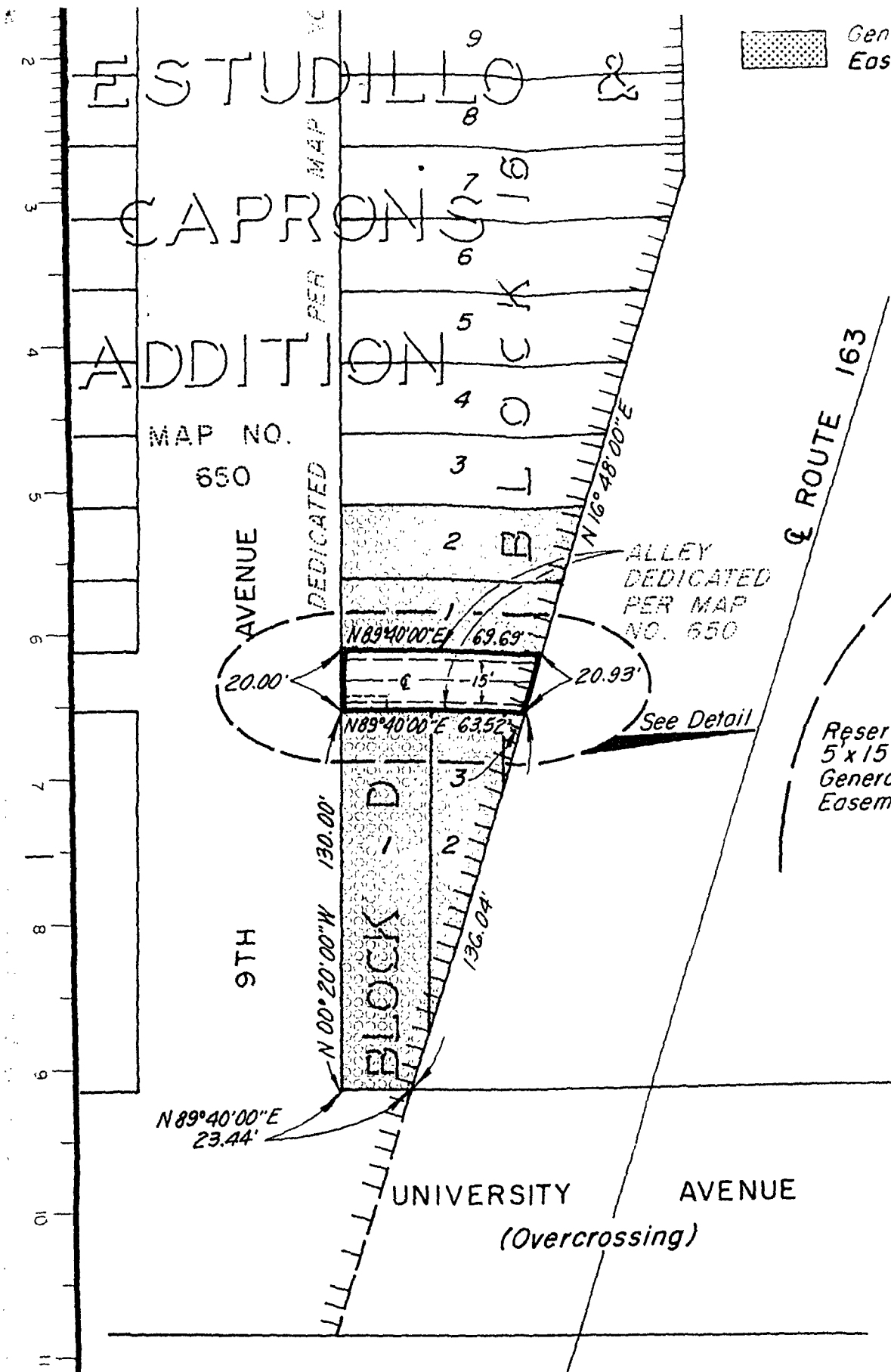
SHEET 1 OF 1 SHEET

*J.T.M. Laughlin* April 19, 1983  
 FOR CITY ENGINEER DATE

W.O. SA 79-640  
 NO. 120232

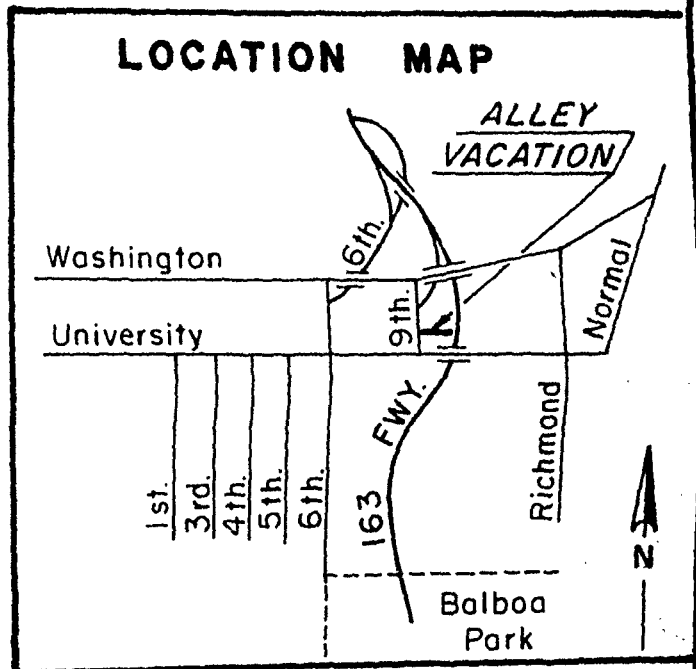
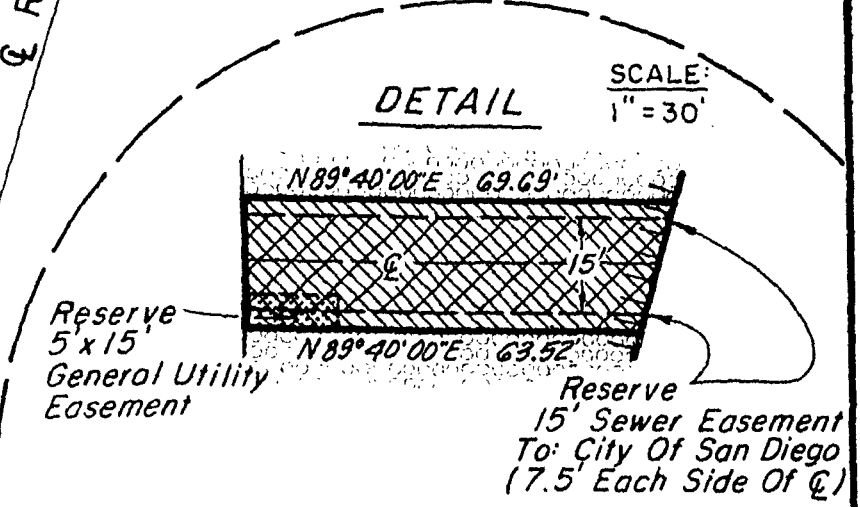
*J.M. [Signature]* 4-19-83  
 CONTROL CERTIFICATION

212-1721  
 LAMBERT COORDINATES



General Utility Easement Reserved

**BASIS OF BEARINGS**  
 A PORTION OF THE WESTERLY R/W LINE OF ROUTE 163 AS SHOWN ON L.O. 19507 I.E. N 16° 48' 00" E



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 15812-B

Passed and adopted by the Council of The City of San Diego on MAY 31 1983,  
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McCall	<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 Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

By Jane A. Blackwell, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-258554</u>	Adopted <u>MAY 31 1983</u>