

(R-83-1758)

RESOLUTION NUMBER R- 258555

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 and public service easements by City Council resolution; and

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

WHEREAS, the abutting property owner has requested the vacation of portions of Complex Street, Topaz Way, and the street reservation adjacent to Parcel 2 of Parcel Map 11434, to unencumber his property from existing encroachments; and

WHEREAS, the portions of Complex Street and Topaz Way adjacent to Parcel 2 of Parcel Map 11434, are excess right-of-way and no longer needed for present or prospective public use; and

WHEREAS, that portion reserved for future street adjacent to Parcel 2, Parcel Map 11434, adjacent to the Complex Street/Topaz Way intersection is no longer needed for present or prospective public use; 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 those portions of Complex Street, Topaz Way, and that portion reserved for future street adjacent to Parcel 2 of Parcel Map 11434, as more particularly shown on Drawing No. 15845-B, on file in the office of the City Clerk as Document No. RR- 258555, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

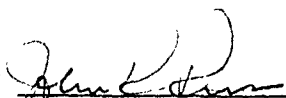
2. That The City of San Diego hereby reserves and excepts the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature, including, but not limited to, sewer and water utilities and all necessary and proper 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 easement reserved herein is in, under, over, upon, along, and across Complex Street and Topaz Way adjacent to Parcel 2 of Parcel Map 11434, vacated by this document and as more particularly shown on Drawing No. 15845-B, on file in the office of the City Clerk as Document No. R-258555-1

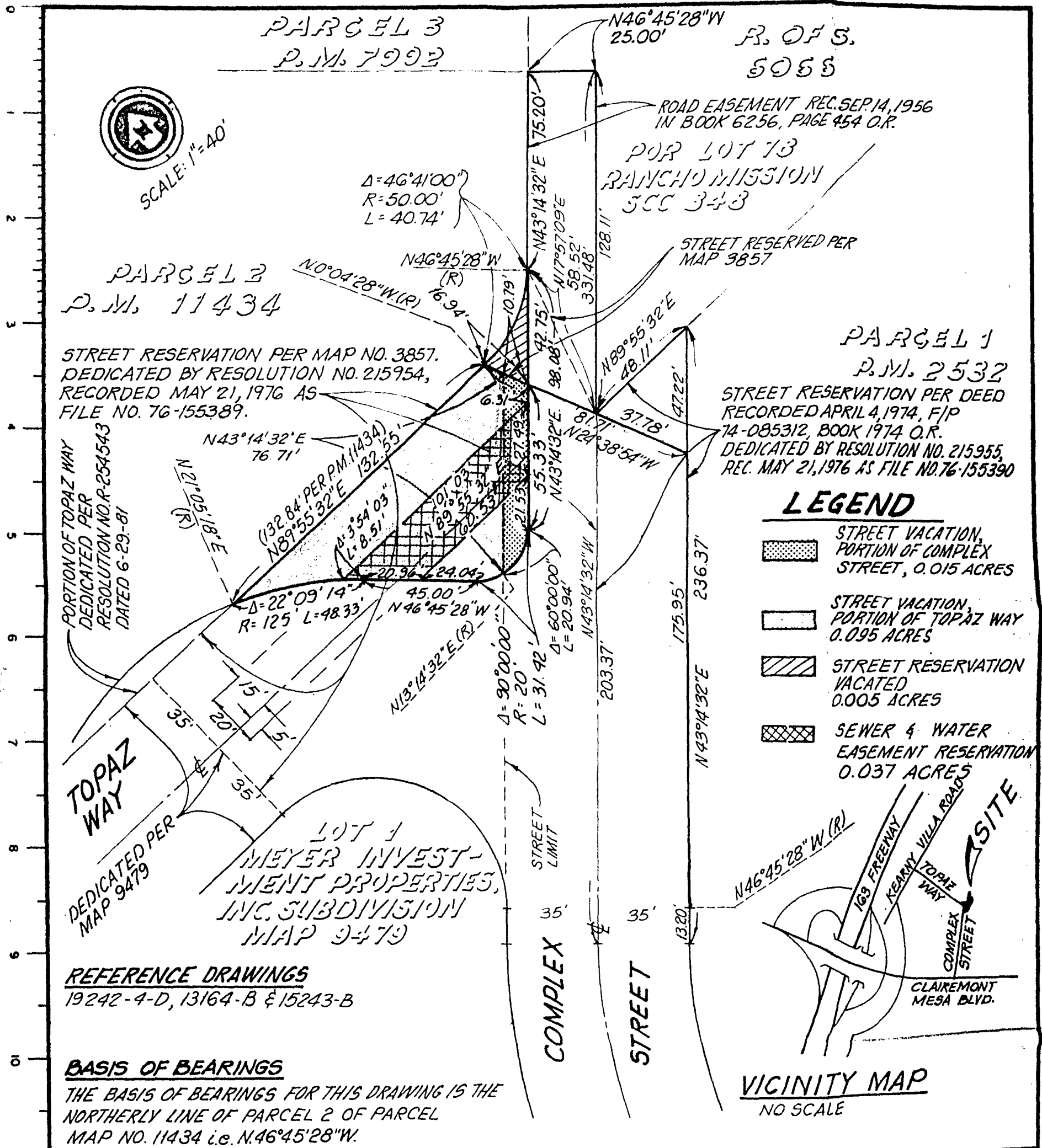
4. That the City Clerk shall cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By

  
John K. Riess  
Deputy City Attorney

JKR:smm:221.1  
5/10/83  
Or.Dept:E&D  
R-83-1758  
SA:82-532  
W.O.:120232  
Dwg.:15845-B  
Form=r.sumv3



**SHOLDERS & SANFORD, INC**  
Planning, Engineering, Surveying  
3585 Fifth Avenue, San Diego, CA 92103  
Telephone (714) 299-7272

*Robert W. Sanford* DATE: 3/23/83  
ROBERT W. SANFORD RCE 18,405

DOCUMENT NO. RR-258555-1

FILED MAY 31 1983  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

STREET VACATION, PORTIONS OF TOPAZ WAY AND COMPLEX STREET AND  
STREET RESERVATION AND SEWER AND WATER EASEMENT RESERVATION  
AT THE INTERSECTION OF TOPAZ WAY AND COMPLEX STREET ADJACENT TO PARCEL 2, P.M. NO. 11434

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. SA 82-532 NO. 120232
ORIGINAL					SHEET 1 OF 1 SHEET	
					<i>Robert W. Sanford</i> April 26, 1983 FOR CITY ENGINEER DATE	<i>Robert W. Sanford</i> 4-26-83 CONTROL CERTIFICATION
						244-1727 LAMBERT COORDINATES

PARCEL 2  
P.M. 11434

STREET RESERVATION PER MAP NO. 3857.  
DEDICATED BY RESOLUTION NO. 215954,  
RECORDED MAY 21, 1976 AS  
FILE NO. 76-155389.

PORTION OF TOPAZ WAY  
DEDICATED PER  
RESOLUTION NO. R-254543  
DATED 6-29-81

TOPAZ WAY

DEDICATED PER  
MAP 9479

LOT 1  
MEYER INVEST-  
MENT PROPERTIES,  
INC. SUBDIVISION  
MAP 9479

REFERENCE DRAWINGS  
19242-4-D, 13164-B & 15243-B

BASIS OF BEARINGS  
THE BASIS OF BEARINGS FOR THIS DRAWING IS THE  
NORTHERLY LINE OF PARCEL 2 OF PARCEL  
MAP NO. 11434 i.e. N.46°45'28"W.

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ORIGINAL					SHEET 1 OF 1 SHEET	
					<i>John W. McLaughlin</i> April 26, 1983 FOR CITY ENGINEER DATE	<i>John W. McLaughlin</i> 4-26-83 CONTROL CERTIFICATION
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						15845-B
STATUS						

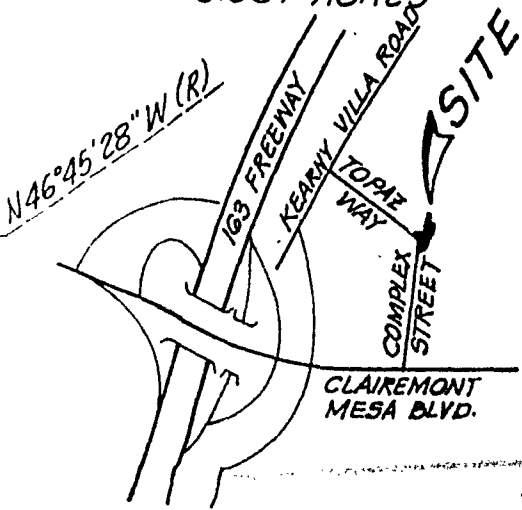
00568

JOB NO. 03071B  
APR 27 1983

PARCEL 1  
P.M. 2532  
STREET RESERVATION PER DEED  
RECORDED APRIL 4, 1974, F/P  
74-085312, BOOK 1974 O.R.  
DEDICATED BY RESOLUTION NO. 215955,  
REC. MAY 21, 1976 AS FILE NO. 76-155390

LEGEND

- STREET VACATION,  
PORTION OF COMPLEX  
STREET, 0.015 ACRES
- STREET VACATION,  
PORTION OF TOPAZ WAY  
0.095 ACRES
- STREET RESERVATION  
VACATED  
0.005 ACRES
- SEWER & WATER  
EASEMENT RESERVATION  
0.037 ACRES



VICINITY MAP  
NO SCALE

MAY 3 1 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 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 R-258555 Adopted MAY 3 1 1983