

(R-83-1516)

RESOLUTION NUMBER R- 259025

Adopted on AUG 08 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 the westerly 97 feet of "B" Street adjacent to Lot 7, Block 295, and Lot 12, Block 300, all in Middletown, Map 4134-R; and

WHEREAS, those properties adjoining the streets 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 the westerly 97 feet of "B" Street adjacent to Lot 7, Block 295, and Lot 12, Block 300, all in Middletown, Map 4134-R, as more particularly shown on Drawing No. 15851-B on

file in the office of the City Clerk as Document No. RR-
~~259025~~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, drain 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 easements, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easements 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 the right, 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 westerly 97 feet of "B" Street adjacent to Lot 7, Block 295, and Lot 12, Block 300, all in Middletown, vacated by this document and as more particularly shown on Drawing 15851-B on file in the office of the City Clerk as Document No. RR- 259025 -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

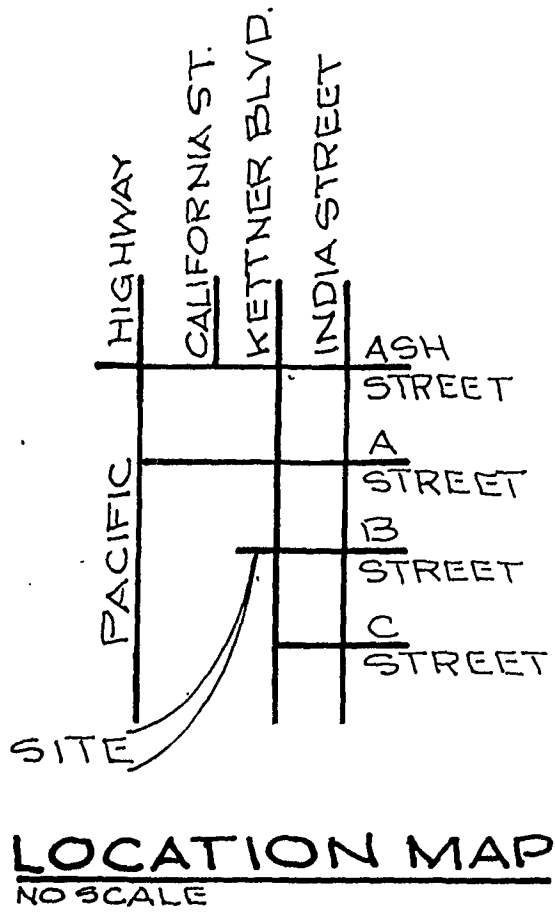
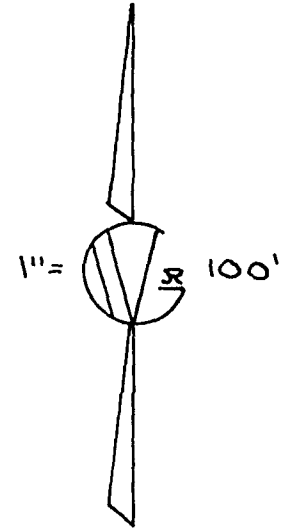
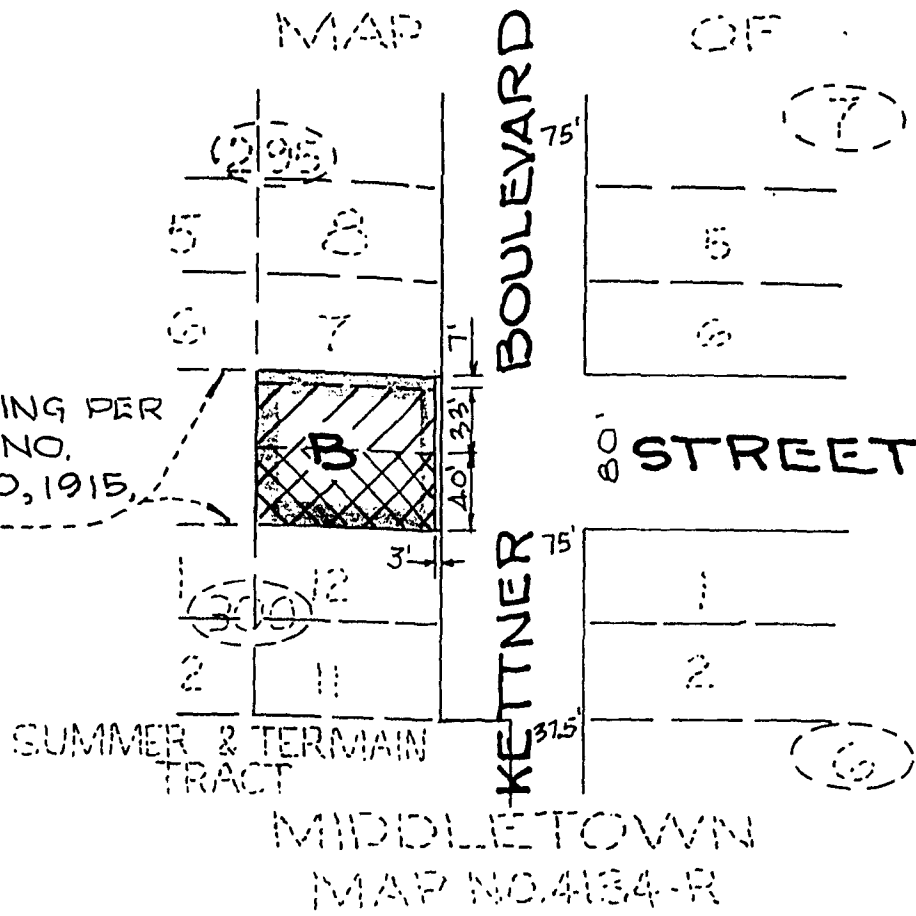
By



John K. Riess
Deputy City Attorney

JKR:smm:221.1
3/23/83
Or.Dept:E&D
SA:82-535
W.O.120232
Dwg.15851-B
Form=r.none

STREET CLOSING PER
RESOLUTION NO.
20386, SEPT. 20, 1915,
FILE NO. 724



LEGEND:
STREET VACATION
SHOWN THUS
DRAINAGE EASEMENT RESERVATION
SHOWN THUS
GENERAL UTILITY EASEMENT
RESERVATION SHOWN THUS

NOTE: KETTNER BOULEVARD AND
B STREET DEDICATED PER
MIDDLETOWN, MAP NO. 4134-R.

GUY W. WINTON, JR., R.C.E. 9490
3368 SECOND AVENUE
SAN DIEGO, CALIFORNIA 92103
(619) 299-9600

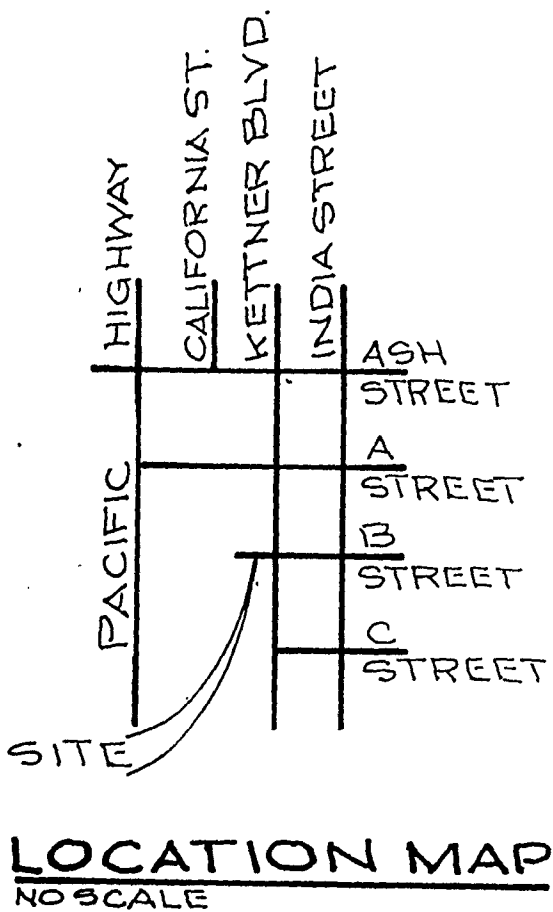
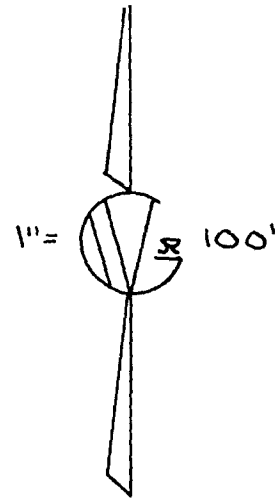
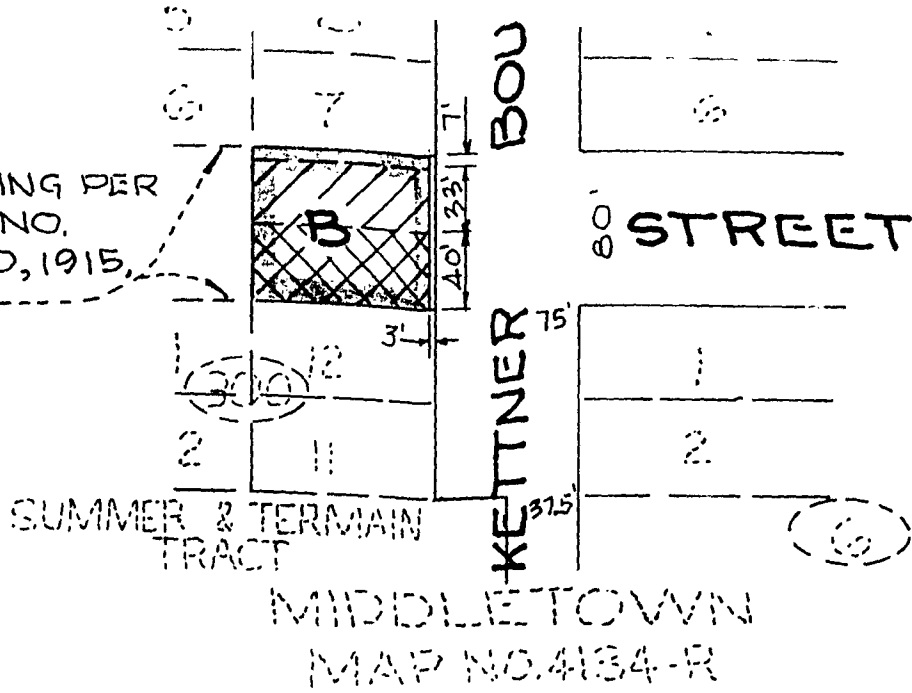
Guy Winton, Jr. 23 FEB. 83

RR- 259025 - 1
DOCUMENT NO. _____
FILED AUG 08 1983
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION - B STREET ADJACENT TO LOT 7, BLOCK 295,
AND LOT 12, BLOCK 300, ALL IN MIDDLETOWN, MAP 4134-R AND
DRAINAGE EASEMENT AND GENERAL UTILITY EASEMENT RESERVATION

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	SABZ- 535
ORIGINAL					SHEET 1 OF 1 SHEET	W.O. NO. 120232
					<i>G. J. McLaughlin</i> FOR CITY ENGINEER	<i>5-8-83</i> CONTROL CERTIFICATION
					DATE Mar. 9, 1983	200-1717
						LAMBERT COORDINATES
						15851 - B
STATUS						

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RESOLUTION NO.
20386, SEPT. 20, 1915,
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					<i>J. F. Winton, Jr.</i> FOR CITY ENGINEER	<i>J. F. Winton, Jr.</i> CONTROL CERTIFICATION
					DATE	3-9-83
						200-1717
						LAMBERT COORDINATES
						15851 - B

STATUS

02057

A-198

AUG 08 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 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 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Raymond G. Bonlesour*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution <i>R-</i> 259025	AUG 08 1983
Number	Adopted