

(R-84-161)

RESOLUTION NUMBER R- 259177

Adopted on SEP 12 1983

WHEREAS, Section 8330 et seq. of the Streets and Highways Code provides a procedure for the summary vacation of streets and public service easements 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 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 Black Mountain Road east of Interstate 5, in the East One-half of Section 13, Township 14 South, Range 4 West, San Bernardino Meridian, and adjacent to Lot 45 and Parcel "C" of N.C.W. Neighborhood 3, Unit 1, Map 10395; 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; and

WHEREAS, the street to be vacated is not needed for present or prospective public street purposes; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Black Mountain Road east of Interstate 5, in the East One-half of Section 13, Township 4 South, Range 4 West, San Bernardino Meridian, and adjacent to Lot 45 and Parcel "C" of N.C.W. Neighborhood 3, Unit 1, Map 10395, as more particularly shown on Drawing No. 15896-B, on file in the office of the City Clerk as Document No. RR-~~259177~~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 Black Mountain Road east of Interstate 5, in the East One-half of Section 13, Township 14 South, Range 4 West, San Bernardino Meridian, and adjacent to Lot 45 and Parcel "C" of N.C.W. Neighborhood 3, Unit 1, Map 10395, vacated by this document and as more particularly shown on Drawing No. 15896-B, on file in the office of the City Clerk as Document No.

RR-259177-1

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

JKR:smm
7/28/83
Or.Dept.:E&D
R-84-161
SA:84-161
W.O.:071585
Dwg.:15896-B
Form=R.sumv3

- ① N87°58'43"E-79.32'
- ② N87°58'43"E-68.81'
- ③ N01°54'38"W-17.71'
- ④ N01°54'38"W-50.73'

E 1/2 SEC. 13 T14S R4W

R.O.S. 8903

S.B.M.

INTERSTATE ROUTE 5

M.S. 776

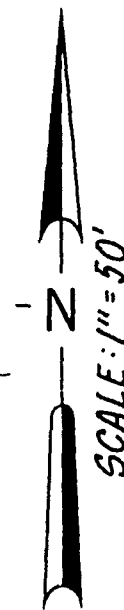
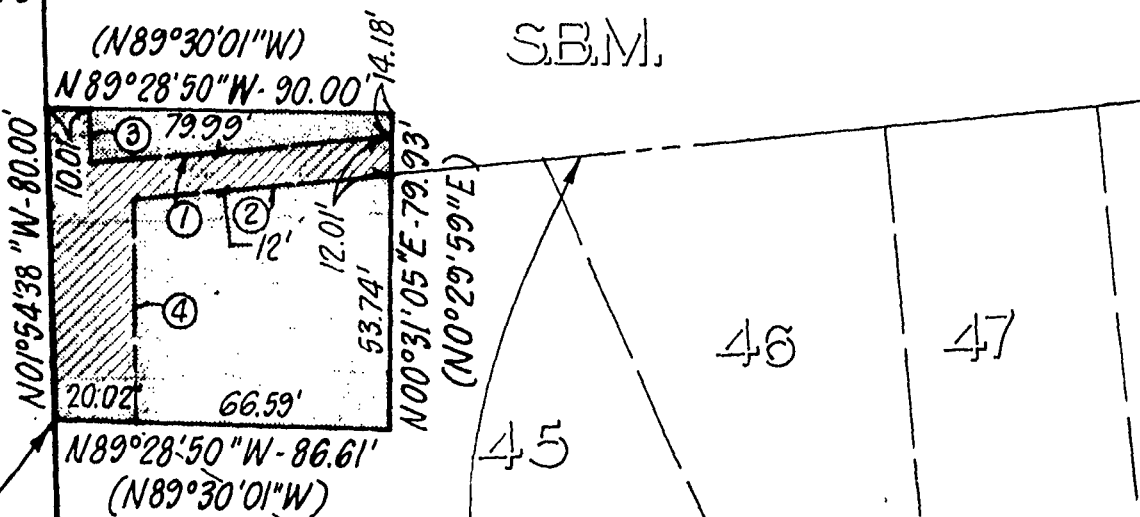
P.O.B. N.W. CORNER

PARCEL C MAP NO. 10395

(N1°55'49"W)

BASIS OF BEARINGS

PARCEL



SCALE: 1" = 50'

N.C.W. NEIGHBORHOOD 3
UNIT No. 1, MAP No. 10395**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS DRAWING IS A PORTION
OF THE WEST BOUNDARY OF N.C.W. NEIGHBORHOOD 3,
UNIT No. 1, MAP NO. 10395
I.E. N1°54'38"W.

ASSESSOR'S PARCEL NO.

NONE

REFERENCE DRAWINGS

M.S. 776, 20236-6-D MAP 10395

AREA OF VACATION

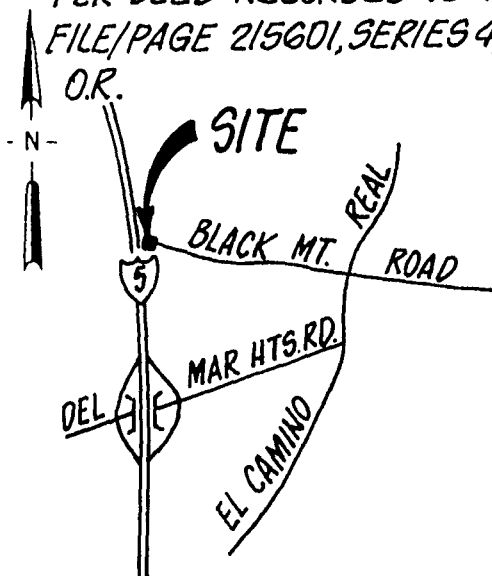
0.162 ACRES

LEGEND

STREET VACATION. SHOWN THUS

NOTE*

BLACK MOUNTAIN ROAD DEDICATED
PER DEED RECORDED 12-4-63 AS
FILE/PAGE 215601, SERIES 4, BK. 1963



N.C.W. NEIGHBORHOOD 3
UNIT NO. 1, MAP NO. 10395

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS A PORTION
OF THE WEST BOUNDARY OF N.C.W. NEIGHBORHOOD 3,
UNIT NO. 1, MAP NO. 10395
I.E. N1°54'38"W.

ASSESSOR'S PARCEL NO.

NONE

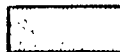
REFERENCE DRAWINGS

M.S. 776, 20236-6-D MAP 10395

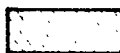
AREA OF VACATION

0.162 ACRES

LEGEND



STREET VACATION SHOWN THUS

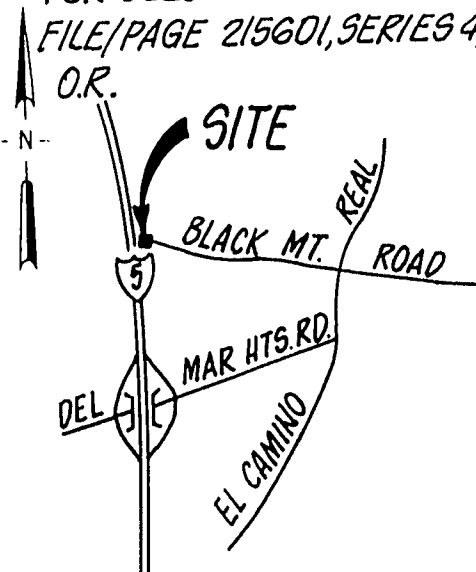


GENERAL UTILITY EASEMENT RESERVATION SHOWN THUS.

() INDICATES RECORD DATA PER NOTE*

NOTE*

BLACK MOUNTAIN ROAD DEDICATED
PER DEED RECORDED 12-4-63 AS
FILE/PAGE 215601, SERIES 4, BK. 1963



VICINITY MAP

NO SCALE



PROJECT DESIGN CONSULTANTS
CIVIL ENGINEERING, URBAN-REGIONAL PLANNING
209' A St Third Floor, San Diego, CA 92101 (714) 235-6471

Douglas C. Paul 4/11/83
DOUGLAS C. PAUL R.C.E. 22606 DATE

DOCUMENT NO. RR-259177-1

FILED SEP 12 1983

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION — BLACK MOUNTAIN RD. & GENERAL UTILITY EASEMENT RESERVATION IN THE EAST 1/2 OF SECTION 13, T14S, R4W, S.B.M.

DESCRIPTION	BY	APPROVED	DATE	FILE NO.
ORIGINAL				
				CITY OF SAN DIEGO, CALIFORNIA
				SHEET 1 OF 1 SHEET
				W.D. NO. <u>071585</u>
				<u>SA. 83-516</u>
				<i>For M. P. S. S.</i>
				CONTROL CERTIFICATION
				<u>288-1695</u>
				LAMBERT COORDINATES
				<u>15896 - B</u>

00350

SEP 1 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 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 June A. Blacknell, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R- 259177 Adopted SEP 1 2 1983