

(R-84-448)

RESOLUTION NUMBER R- 259301

Adopted on SEP 26 1983

WHEREAS, Section 8330, et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of an excess right-of-way of a street or highway not required for street or highway purposes; and where a 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 a portion of Main Street adjacent to Lots 15-24, Block 21, Reed and Hubbell's Addition, Map 327, and the unnamed access road between Main and Schley Streets, to acquire the land to provide much-needed offstreet parking; and

WHEREAS, that portion of Main Street adjacent to Lots 15-24, Block 21, Reed and Hubbell's Addition, Map 327, is excess right-of-way and no longer needed for present or prospective public street or highway purposes; and

WHEREAS, that unnamed access road between Main and Schley Streets lies within property under one ownership and does not continue through such ownership or end touching property of another, and is no longer needed for present or prospective public street or highway purposes; 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 the portion of Main Street adjacent to Lots 15-24, Block 21, Reed and Hubbell's Addition, Map 327, and the unnamed access road between Main and Schley Streets, as more particularly shown on Drawing No. 15862-B, on file in the office of the City Clerk as Document No. RR-259301,<sup>1</sup> 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 easements reserved herein is in, under, over, upon, along, and across the the unnamed access road adjacent to Lots 15 and 24, Block 21, Reed and Hubbell's Addition, Map 327, and Lots 1, 2, and 41-48, Block 77, San Diego Land and Town Company's Addition to San Diego, Map 379, vacated by this document and as more particularly shown on Drawing No. 15862-B, on file in the office of the City Clerk as Document No.

RR-259301-1

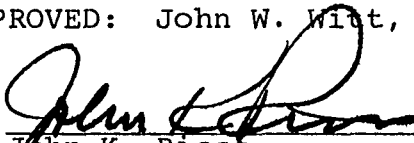
5. That the resolution shall not become effective unless and until the Main and Schley Street improvements, as more

particularlry shown on City Engineer Drawing No. 20865-1-3-D and as authorized by Engineering Permit No. W-26557 have been completed, accepted, and opened to public use. In the event that the aforementioned street improvements have not been completed, accepted, and opened to public use by October 1, 1984, this resolution shall become void and be of no further force or effect.

6. That the City Engineer shall advise the City Clerk when the aforementioned street improvements have been completed, accepted, and opened to public use, 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

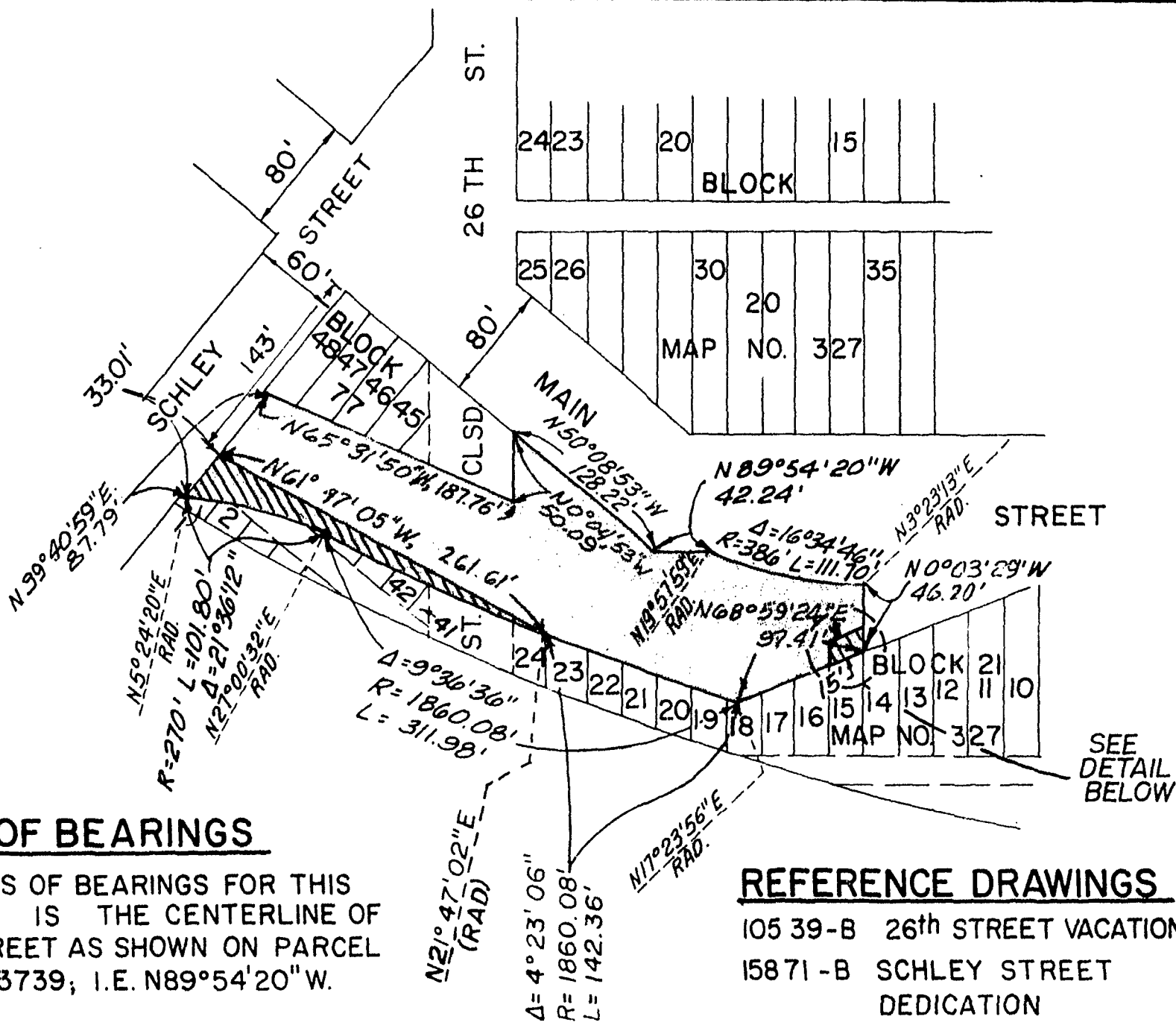
By

  
John K. Riess  
Deputy City Attorney

JKR:smm:221.1  
9/12/83  
Or.Dept:E&D  
R-84-448  
SA:81-626  
W.O.:830164  
Dwg.:15862-B  
Form=r.sumv3

R- 259301

00747



**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTERLINE OF MAIN STREET AS SHOWN ON PARCEL MAP NO. 3739; I.E.  $N 89^{\circ} 54' 20'' W$ .

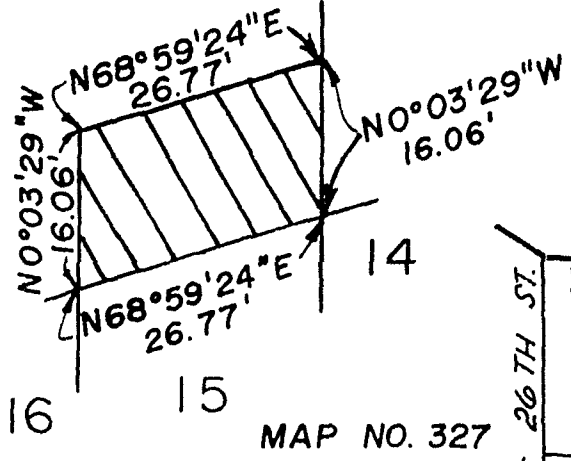
**REFERENCE DRAWINGS**

- 105 39-B 26th STREET VACATION
- 15871-B SCHLEY STREET DEDICATION
- 20865-1, -2, -3 - D SCHLEY AND MAIN STREET IMPROVEMENT DRAWINGS.
- 15903-B SALES PLAT

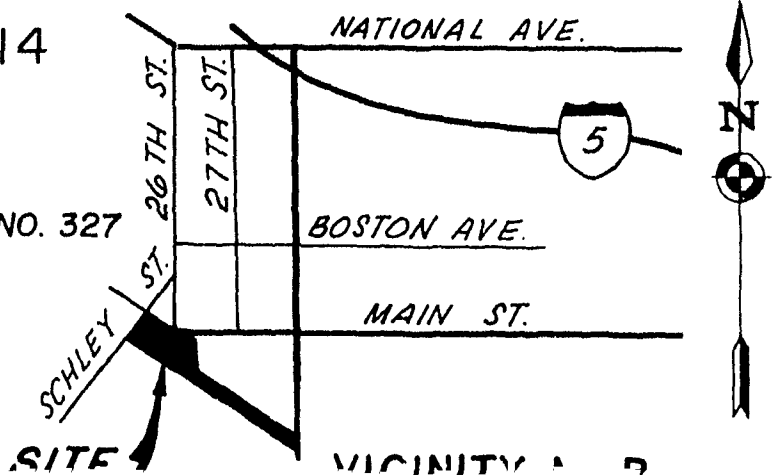
**LEGEND**

- STREET VACATION SHOWN THUS
- GENERAL UTILITY EASEMENT RESERVED

STREET VACATION AREA = 37,973 SQ. FT. = 0.872 AC.



DETAIL SCALE 1"=20'



SEE DETAIL BELOW



# BASIS OF BEARINGS



THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTERLINE OF MAIN STREET AS SHOWN ON PARCEL MAP NO. 3739; I.E. N89°54'20"W.

N21°47'02" L  
(RAD)  
Δ = 4°23'06"  
R = 1860.08'  
L = 142.36'  
N17°23'5" RAD.

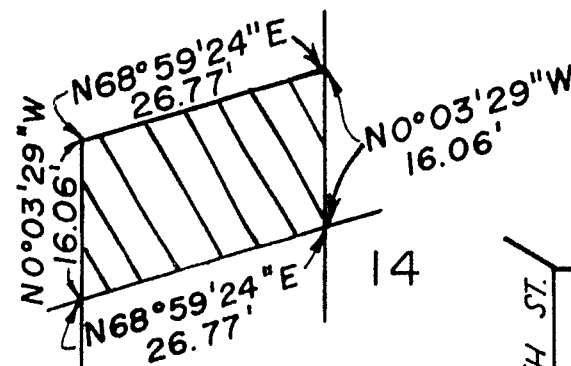
# REFERENCE DRAWINGS

105 39-B 26th STREET VACATION  
158 71-B SCHLEY STREET DEDICATION  
20865-1, -2, -3-D SCHLEY AND MAIN STREET IMPROVEMENT DRAWINGS.  
15903-B SALES PLAT

## LEGEND

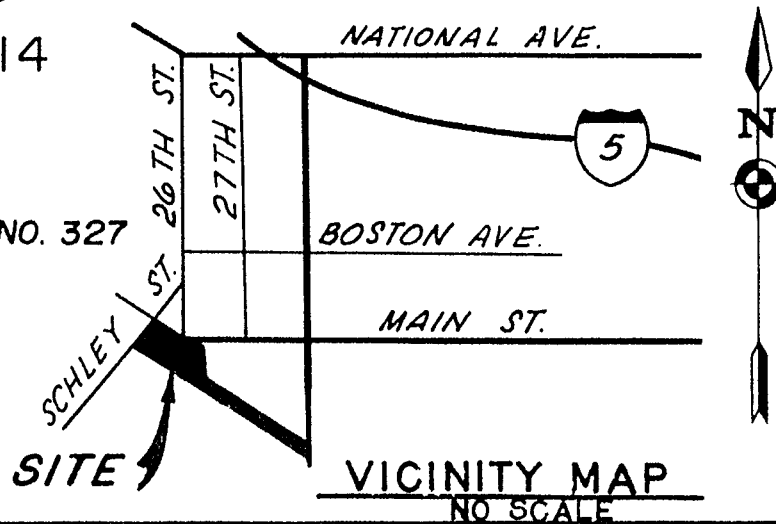
-  STREET VACATION SHOWN THUS
-  GENERAL UTILITY EASEMENT RESERVED

STREET VACATION AREA = 37,973 SQ. FT.  
= 0.872 AC.



MAP NO. 327

DETAIL  
SCALE 1"=20'



VICINITY MAP  
NO SCALE

**BEMENT DAINWOOD STURGEON**  
CIVIL ENGINEERS  
6150 MISSION GORGE ROAD, SUITE 128  
SAN DIEGO, CALIFORNIA 92120  
280-4842 PROJECT 82-74

RR- 259301 - 1  
DOCUMENT NO. \_\_\_\_\_  
FILED **SEP 26 1983**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

*James J. Bement* 4-21-83  
E.O.W. R.C.E. 16099 DATE

**STREET VACATION** - PORTION OF MAIN STREET AND THE UNNAMED ACCESS ROAD ADJACENT TO LOTS 15-24, GENERAL UTILITY EASEMENT RESERVED ADJACENT TO LOTS 15 & 24 ALL IN BLOCK 21, MAP 327; THE UNNAMED ACCESS ROAD ADJACENT TO LOTS 1, 2, 41-48, GENERAL UTILITY EASEMENT RESERVED ADJACENT TO LOTS 1, 2, 41-48 IN BLK 77, MAP 379.

DESCRIPTION	CITY OF SAN DIEGO, CALIFORNIA	NO SA-81-626
ORIGINAL	SHEET   OF   SHEET	NO 830164
	<i>J. J. McLaughlin</i> June 22, 1983	<i>J. J. McLaughlin</i> 6-16-83
	FOR ENGINEER	DATE
		192-1725
		LAMPREY COORDINATES
		15862-B

00748

**SEP 26 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 Struiksm	<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 *Mayell L. Postecow*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution **R-259301** **SEP 26 1983**  
Number ..... Adopted .....