

(R-84-568)

RESOLUTION NUMBER R- 259476

Adopted on OCT 24 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 where a portion of street or highway 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 Curlew Street, north of Laurel Street, adjacent to Lots C-F, Block 291, and Lots G-J, Block 292, all of Horton's Addition, to facilitate development of their properties; and

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

WHEREAS, those properties adjoining the street to be vacated through 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 Curlew Street, north of Laurel Street, adjacent to Lots C-F, Block 291, and Lots G-J, Block 292, all of Horton's

Addition, as more particularly shown on Drawing No. 15726-B, on file in the office of the City Clerk as Document No. RR-

259476-1, 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 Curlew Street adjacent to Lots C-F, Block 291, and Lots G-J, Block 292, all of Horton's Addition, vacated by this document and as more particularly shown on Drawing No. 15726-B, on file in the office of the City Clerk as Document No. <sup>RR</sup> 259476-1

5. That the resolution shall not become effective unless and until the Parcel Map (TM 82-04070) has been approved. In the event that the final map is not approved by October 31, 1985, this resolution shall become void and of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the approval of the aforementioned parcel map, 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.

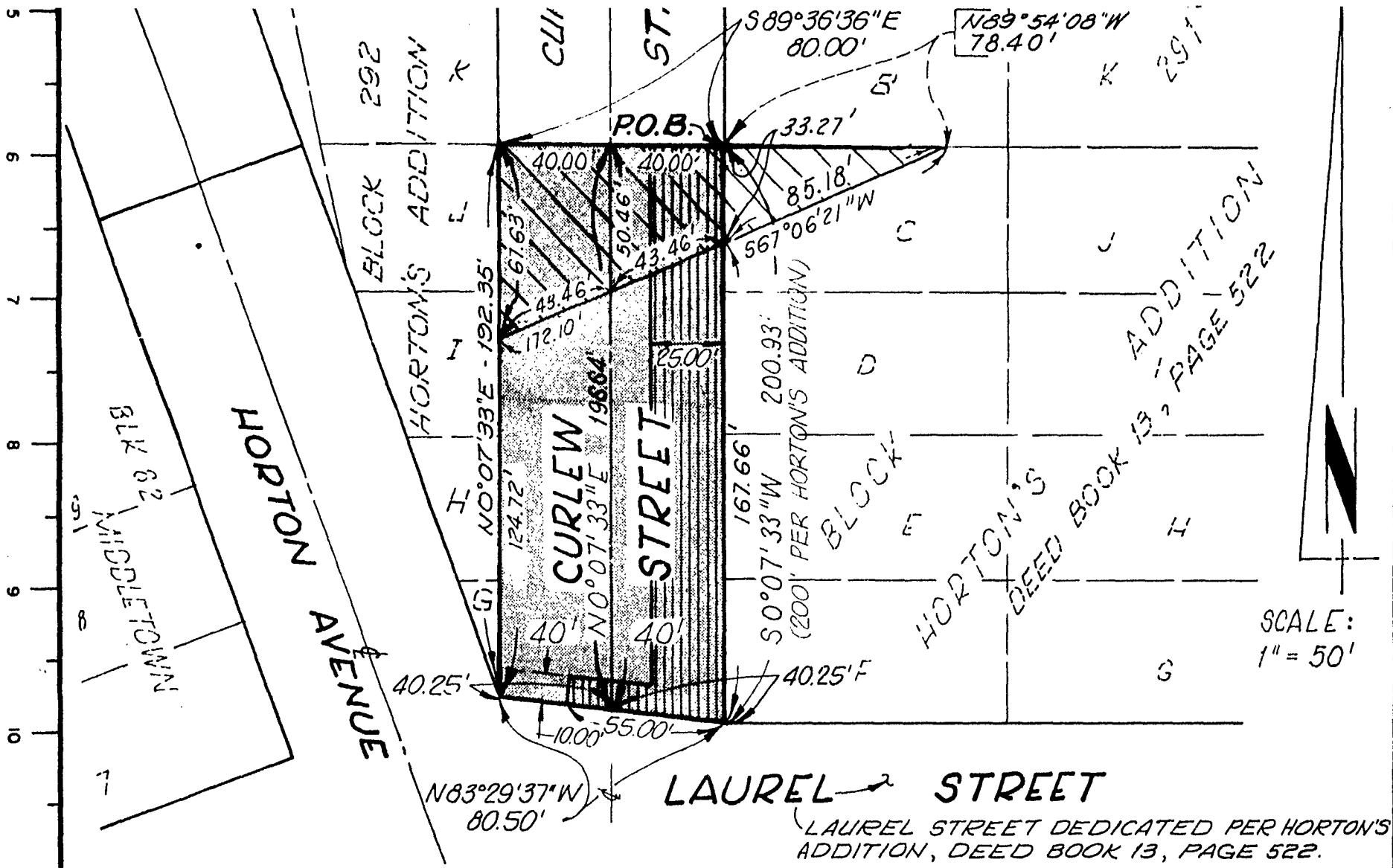
APPROVED: JOHN W. WITT, City Attorney

By  John K. Riess, Deputy

JKR:smm  
10/10/83  
Or.Dept.:E&D  
R-84-568  
SA:81-651  
W.O.:820470  
Dwg:15726-B  
Form=r.sumv3



01313



SCALE:  
1" = 50'

LAUREL STREET DEDICATED PER HORTON'S ADDITION, DEED BOOK 13, PAGE 522.

CHARLES W. CHRISTENSEN  
& ASSOCIATES  
233 "A" ST. SUITE 1200  
SAN DIEGO, CA. 92101  
BY: *Charles W. Christensen*  
CHARLES W. CHRISTENSEN  
R.C.E. 8195 6/14/82

RR-259476-1  
DOCUMENT NO. \_\_\_\_\_  
FILED **OCT 24 1983**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**STREET VACATION - CURLEW STREET, OPEN SPACE EASEMENT,  
& GENERAL UTILITY EASEMENT RESERVED. ADJACENT  
TO LOTS C, D, E, F OF BLOCK 291, LOTS G, H, I, J OF BLOCK 292 OF HORTON'S ADDITION, DEED  
BOOK 13, PAGE 522 OF DEEDS & OPEN SPACE EASEMENT IN LOT C, BLOCK 291 OF HORTON'S  
ADDITION.**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL C.W.C.&A	R.M.				SHEET 1 OF 1 SHEET	
					<i>E. J. McLaughlin</i> FOR CITY ENGINEER	SA 81-651 W.O. NO 820470
					July 25, 1983 DATE	<i>[Signature]</i> CERTIFICATION CONTROL
						206-1717
						LAMBERT COORDINATES
						15726 - B

DATED  
8 1983  
D. & A.

A.7039

01314

**OCT 24 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Maxwell L. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California

Resolution

*R-259476*

**OCT 24 1983**

Number

Adopted