

(R-84-765)

RESOLUTION NUMBER R- 259645

Adopted on NOV 21 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 certain easements; and

WHEREAS, the abutting property owner has requested the vacation of that portion of Union Street adjacent to Lots 3-6, Block 82, of Middletown; Maple Canyon Road in Lots 3-5, 10, and a portion of Lot 6, Block 82, a portion of Block 83, all of Middletown, and a portion of Lot I, Block 292, of Horton's Addition; Horton Avenue adjacent to Lots G-I and a portion of Lot J, Block 292, of Horton's Addition, Lot 10, Block 82, and a portion of Block 83, all of Middletown; and Curlew Street adjacent to Lots A and B, Block 291, and Lots K and L, Block 292, all of Horton's Addition, to facilitate the marketing of the property; and

WHEREAS, those portions of Horton Avenue adjacent to G-I, Block 292, of Horton's Addition, and Union Street adjacent to Lots 3-6, Block 82, of Middletown, are excess rights-of-way; and

WHEREAS, Maple Canyon Road in Lots 3-5, 10, and a portion of Lot 6, Block 82, and a portion of Block 83, all of Middletown, and in Lots J-L and a portion of Lot I, Block 292,

of Horton's Addition; Horton Avenue adjacent to a portion of Lot J, Block 292, of Horton's Addition, a portion of Block 83, and Lot 10, Block 82, all of Middletown; and Curlew Street adjacent to Lots K and L, Block 292, and Lots A and B, Block 291, all of Horton's Addition, have been impassable for vehicular traffic and have had no public money expended for their maintenance for a period of five consecutive years; and

WHEREAS, those rights-of-way to be vacated are no longer needed for present or prospective public use; and

WHEREAS, those properties adjoining the streets 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 the portion of Union Street adjacent to Lots 2-6, Block 12, of Middletown; Maple Canyon Road in Lots 3-5, 10, and a portion of Lot 6, Block 82, a portion of Block 83, all of Middletown, and a portion of Lot I, Block 292, of Horton's Addition; Horton Avenue adjacent to Lots G-I and a portion of Lot J, Block 292, of Horton's Addition, Lot 10, Block 82, and a portion of Block 83, all of Middletown; and Curlew Street adjacent to Lots A and B, Block 291, and Lots K and L, Block 292, all of Horton's Addition, as more particulary shown on Drawing No. 20644-D, on file in the office of the City Clerk as

259645 -1

Document No. RR-\_\_\_\_\_, 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 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 are in, under, over, upon, along, and across Union Street adjacent to Lots 3-6, Block 82, of Middletown; Horton Avenue adjacent to Lots G-I, a portion of Lot J, Block 292, of Horton's Addition, and Lot 10, Block 82, and a portion of Block 83, all of Middletown; and Curlew Street adjacent to Lots A and B, Block 291, and Lots K and L, Block 292, all of Horton's Addition, vacated by this document and as more particularly shown on Drawing No. 20644-D, on file in the office of the City Clerk as Document No. RR-259645.-1

5. That the resolution shall not become effective unless and until an Engineering Permit to construct public improvements within the right-of-way has been issued.

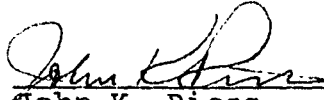
6. That this resolution shall not become effective unless and until a Parcel Map (TM 82-0587) has been approved.

7. That in the event either or both of the above conditions cannot be met by October 1, 1988, this resolution shall become void and be of no further force or effect.

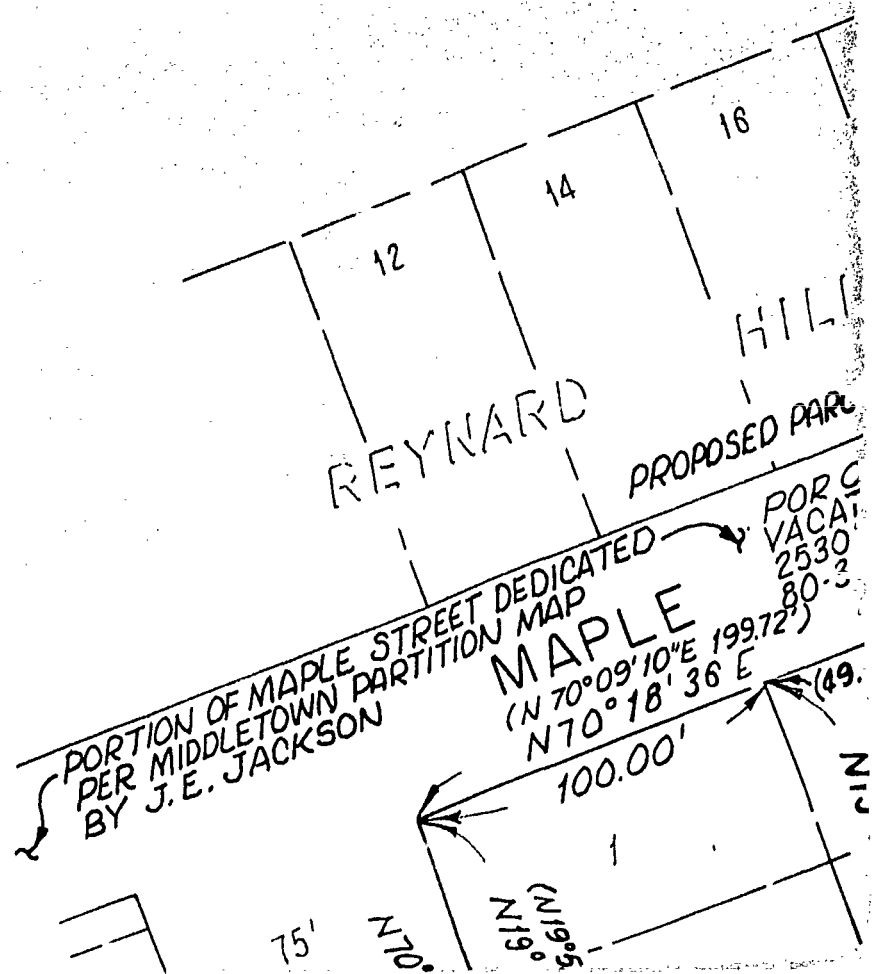
8. That the City Engineer shall advise the City Clerk of the issuance of the aforementioned Engineering Permit and the approval of the aforementioned Parcel Map, and that the City

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 City Attorney

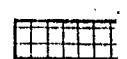
JKR:smm:221.1  
11/1/83  
Or.Dept:E&D  
R-84-765  
SA:81-601  
T.M.:82-0587  
W.O.:120232  
Dwg.:20644-D  
Form=r.sumv3





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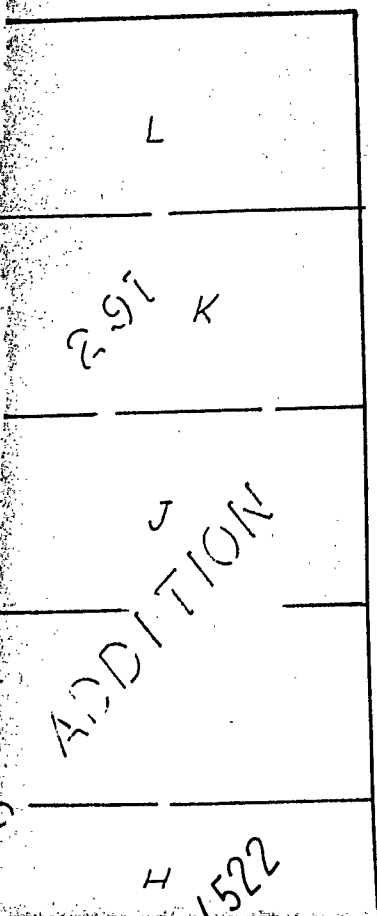


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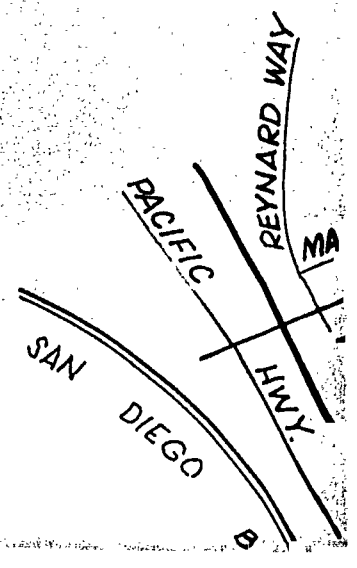
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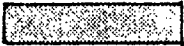






RECEIVED  
JUL 28 1983  
SUBDIVISIONS

STREET VACATION

REFERENCE DRAWINGS:  
10211-1-AD  
15726-B

**LEGEND**

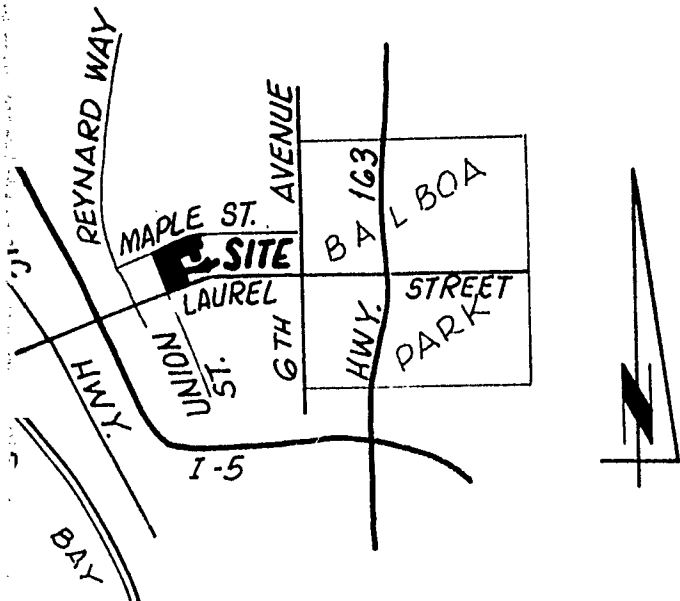
-  = PORTION OF CURLEW STREET VACATED AND DESIGNATED OPEN SPACE SHOWN THUS:
-  = PORTION OF MAPLE CANYON ROAD VACATED SHOWN THUS.
-  = PORTION OF HORTON AVENUE VACATED SHOWN THUS.
-  = PORTION OF UNION STREET VACATED SHOWN THUS.
-  INDICATES GENERAL UTILITY EASEMENT RESERVED.
-  INDICATES SEWER EASEMENT RESERVED.
- ( ) INDICATES RECORD DATA PER P.M. NO. 11127.
- INDICATES PROPOSED PARCEL MAP BOUNDARY

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE EAST LINE OF R.O.F.S. 5229. I.E. NORTH

**AREAS OF STREET VACATION:**

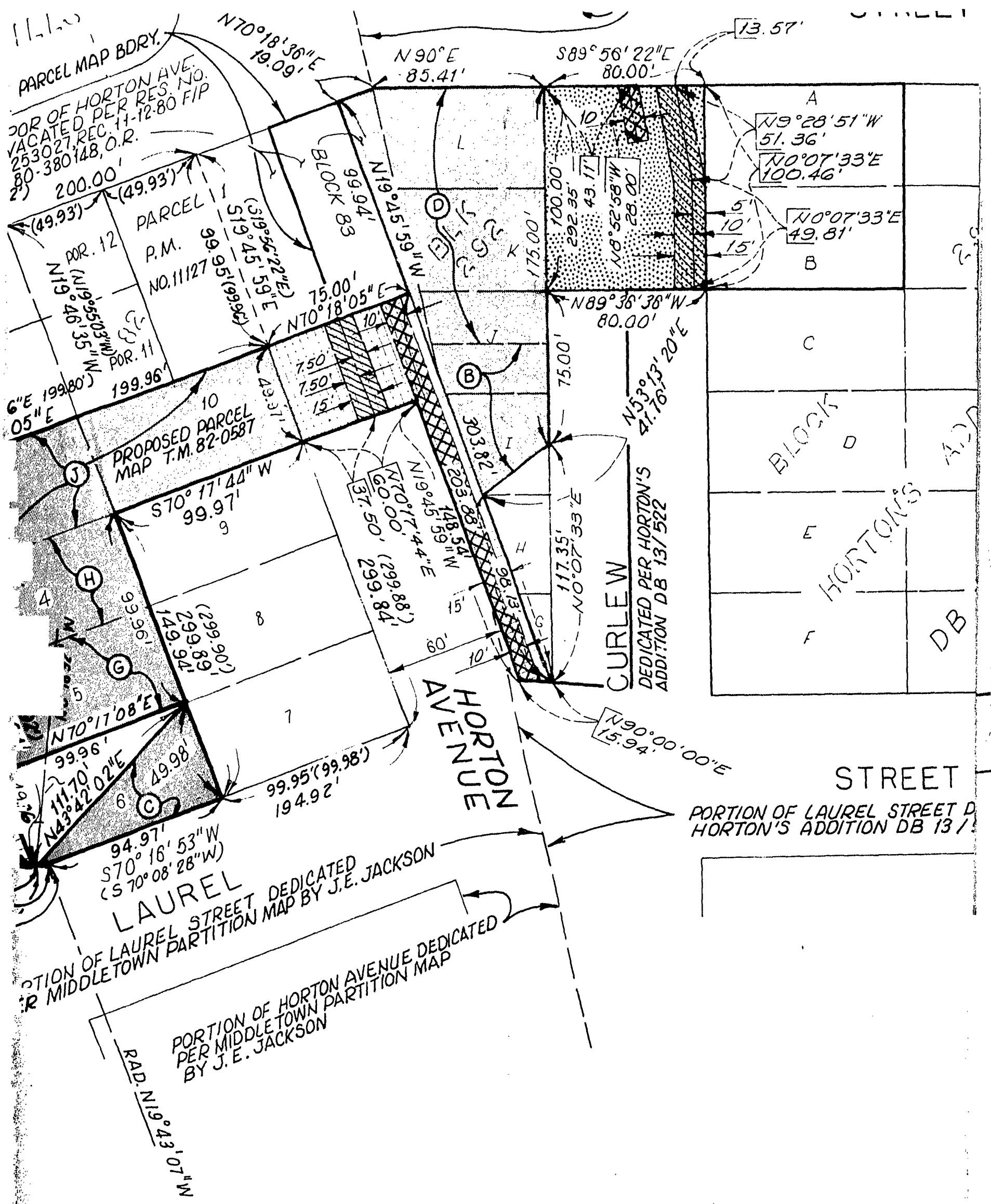
MAPLE CANYON ROAD -	0.824	ACRE
UNION STREET -	0.067	ACRE
HORTON AVENUE -	0.138	ACRE
CURLEW STREET -	0.185	ACRE

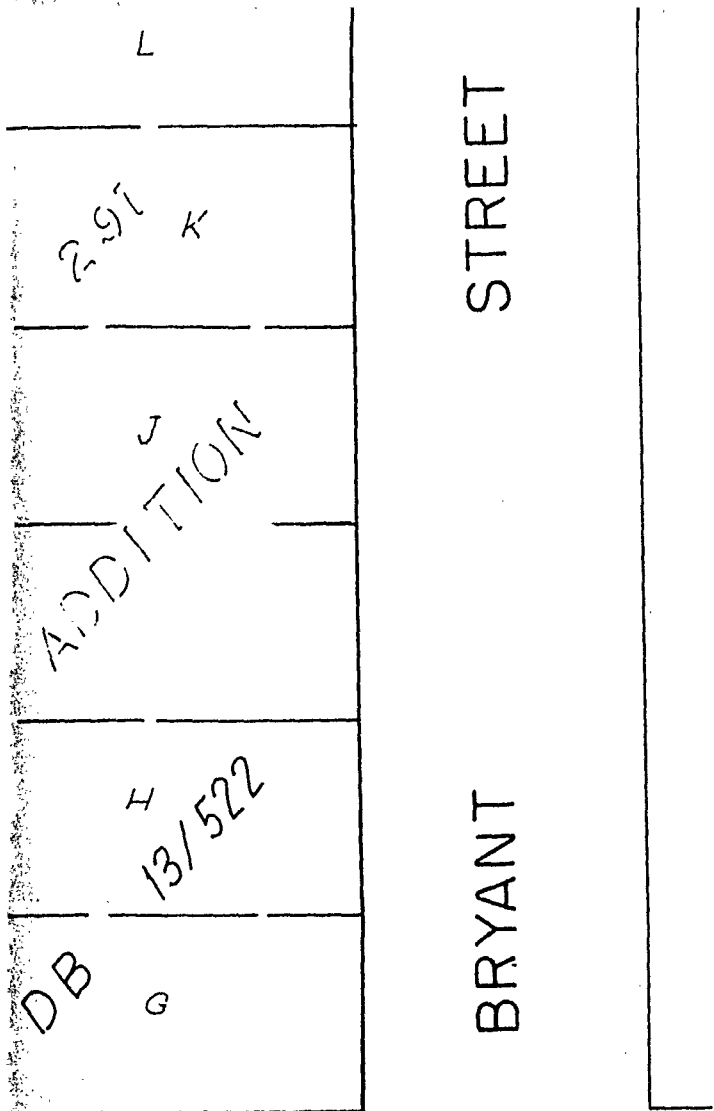


VICINITY MAP  
- NOT TO SCALE -

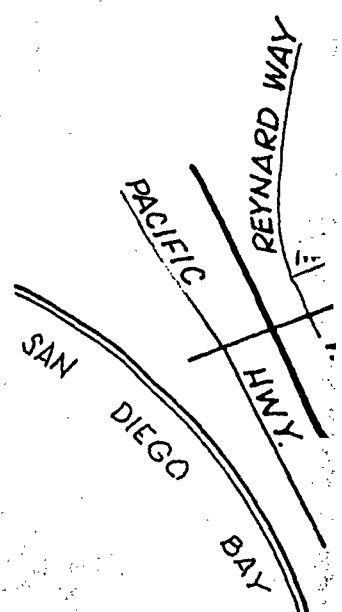
DOCUMENT NO. RR-259645-1  
FILED NOV 21 1983







SCALE: 1" = 50'



AREA  
MAP  
UNI.  
HOR.  
CUR.

ET  
FEET DEDICATED PER  
13/522

EXISTING STREET DEDICATION HISTORY  
FOR MAPLE CANYON ROAD

	<u>DOCUMENT NO.</u>	<u>RECORDING DATE</u>
(B)	F/P 198850	11-2-65
(C)	F/P 218316	12-3-65
(D)	F/P 224971	12-14-65
(G)	F/P 48742	3-23-66
(H)	F/P 48741	3-23-66
(J)	F/P 50502	3-25-66

CHARLES W. CHRISTENSEN  
& ASSOCIATES  
233 "A" STREET, SUITE 1200  
SAN DIEGO, CALIFORNIA 92101  
PHONE: (619) 232-7891

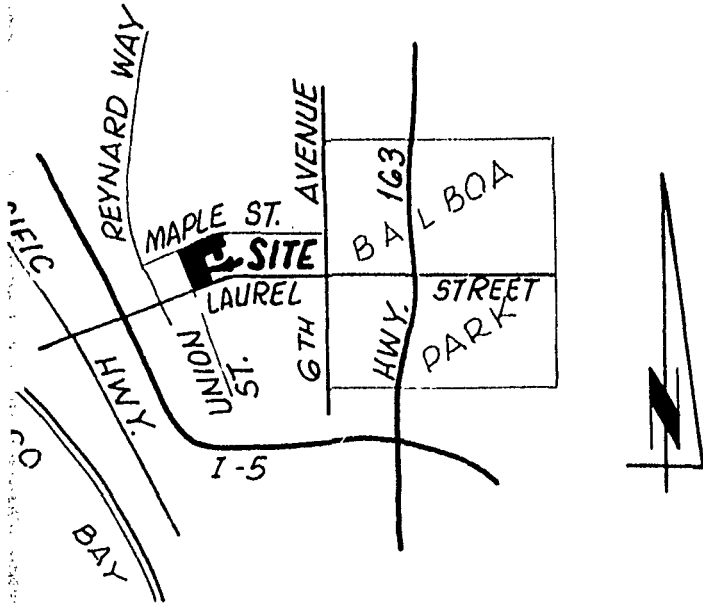
BY: *Charles W. Christensen* 4/29/66  
CHARLES W. CHRISTENSEN DATE  
R.C.E. 8195

# BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE EAST LINE OF R.O.F.S. 5229. I.E. NORTH

## AREAS OF STREET VACATION:

MAPLE CANYON ROAD - 0.824 ACRE  
 UNION STREET - 0.067 ACRE  
 HORTON AVENUE - 0.138 ACRE  
 CURLEW STREET - 0.185 ACRE



VICINITY MAP  
 - NOT TO SCALE -

DOCUMENT NO. RR-259645-1  
 FILED NOV 21 1983  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

CITY PROPERTY DEPT. W.O. NO. 916246

### STREET VACATIONS:

PORTION OF MAPLE CANYON ROAD - IN LOTS 3, 4, 5, 10 AND PORTION OF LOT 6, BLOCK 82 OF MIDDLETOWN, AND IN LOTS J, K, L AND PORTION OF LOT I, BLOCK 292 OF HORTON'S ADDITION, AND IN PORTION OF BLOCK 83 OF MIDDLETOWN.  
 PORTION OF UNION STREET - ADJACENT TO LOTS 3, 4, 5 AND G, BLOCK 82 OF MIDDLETOWN.  
 PORTION OF HORTON AVENUE - ADJACENT TO LOTS G, H, I AND PORTION OF LOT J, BLOCK 292 OF HORTON'S ADDITION, AND ADJACENT TO PORTION OF BLOCK 83 OF MIDDLETOWN.  
 CURLEW STREET - ADJACENT TO LOTS K AND L, BLOCK 292 OF HORTON'S ADDITION, AND ADJACENT TO LOTS A AND B, BLOCK 291 OF HORTON'S ADDITION AND  
 GENERAL UTILITY AND SEWER EASEMENT RESERVATION, DESIGNATED OPEN SPACE ADJACENT TO LOTS K AND L, BLOCK 292 AND LOTS A AND B, BLOCK 291 OF HORTON'S ADDITION

CITY OF SAN DIEGO, CALIFORNIA

SHEET 1 OF 1 SHEET

W.O. NO. SA-81-601

120232

*J. J. McLaughlin* July 18, 1983  
 FOR CITY ENGINEER DATE

SEN

200  
 2101

4/29/83  
 IN DATE

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL CWC 6A	R.M.			

*Emilio...*  
 CONTROL CERTIFICATION

206-1717  
 LAMBERT COORDINATES

20644 -D

PRINTED

A-0859

JUL 28 1983

01860

C. W. C. & A.

NOV 21 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Marjorie L. Peterson* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-259645* Adopted NOV 21 1983