

(R-84-875)

RESOLUTION NUMBER R- 259793

Adopted on DEC 12 1983

WHEREAS, Section 8330, et seq. of the California 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Council resolution where the portion of street to be vacated consists of a portion of a street or highway that has been superseded by relocation; and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 Pistol Range Road, also known as Road Surveys 110 and 154, in the Northeast One-fourth of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, all within or adjacent to the boundaries of the Rainbow Park Subdivision (TM 82-0605); and

WHEREAS, the portion 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 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 Pistol Range Road, also known as Road Surveys 110

and 154, all in the Northeast One-fourth of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, all within or adjacent to the boundaries of the Rainbow Park South Subdivision (TM 82-0605), as more particularly shown on Drawing No. 15520-B, on file in the office of the City Clerk as Document No. RR-259793, 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 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 easement reserved herein is in, under, over, upon, along, and across Pistol Range Road, also known as Road

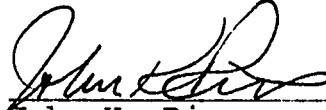
Surveys 110 and 154, all in the Northeast One-fourth of Section 35, Townshp 18 South, Range 2 West, San Beranrdino Meridian, vacated by this document and as more particularly shown on Drawing No. 15520-B, on file in the office of the City Clerk as Document No. RR-259793-1

4. That the resolution shall not become effective unless and until the final subdivision map for the Rainbow Park South Subdivision (TM 82-0605) has been approved by Council action. In the event that the final map is not approved by May 13, 1984, this resolution shall become void and of no further force or effect.

5. That the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision 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
11/29/83
Or.Dept:E&D
R-84-875
SA:83-544
W.O.:820605
Dwg.:15520-B
Form=r.sumv3

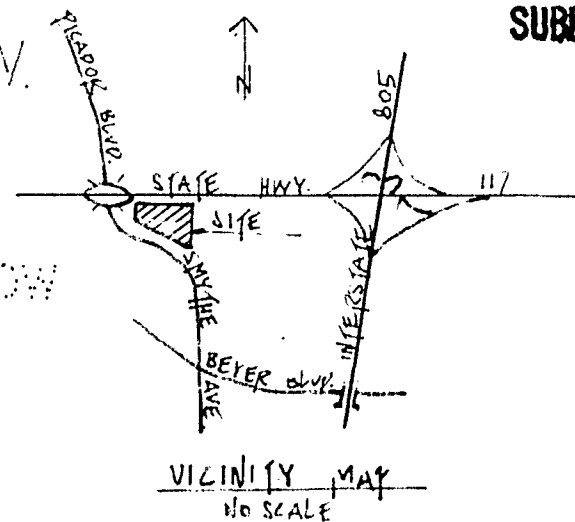
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SUBDIVISIONS

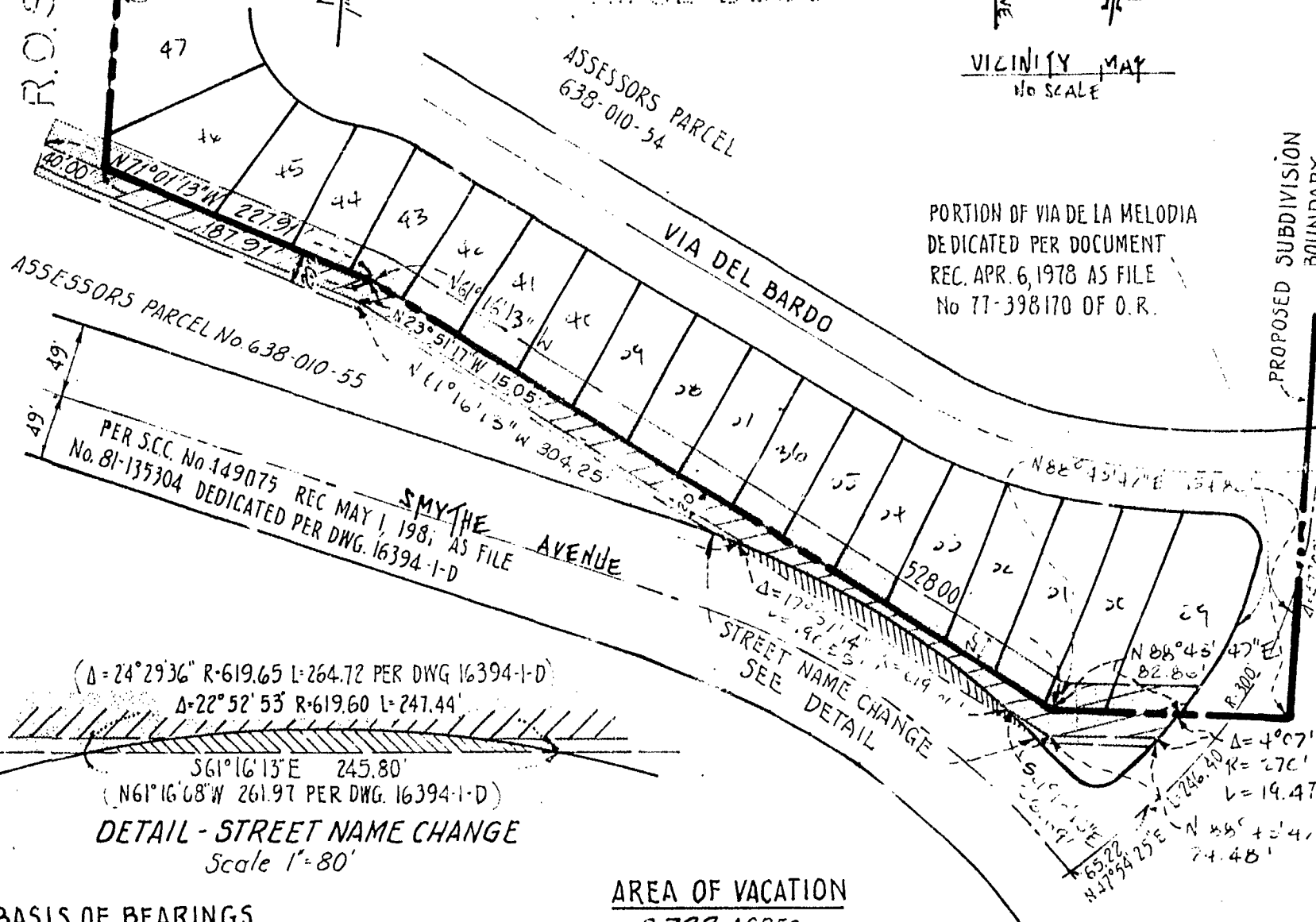
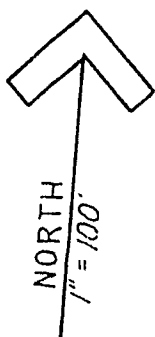
NE 1/4 SEC. 35, T18 S, R2W.
S. B. M.

PROPOSED RAINBOW
PARK SOUTH
TM 82-0805



R.O.S 3025

PROPOSED SUBDIVISION
BOUNDARY



PORTION OF VIA DE LA MELODIA
DEDICATED PER DOCUMENT
REC. APR. 6, 1978 AS FILE
No 77-398170 OF O.R.

($\Delta = 24^{\circ}29'36''$ R-619.65 L-264.72 PER DWG 16394-1-D)
($\Delta = 22^{\circ}52'53''$ R-619.60 L-247.44)

S61°16'13"E 245.80'
(N61°16'08"W 261.97 PER DWG. 16394-1-D)

DETAIL - STREET NAME CHANGE
Scale 1"=80'

AREA OF VACATION
0.723 ACRES

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE WESTERLY LINE OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN AS SHOWN ON BARRIO SAN MARTIN, MAP No. 7042, i.e. N0°50'54"E

REFERENCE DRAWINGS

DWG. NO.'S 13640-13-D; 13640-14-D;
14535-D, AND 16394-1-D

CASA MAYOR UNIT NO. 1 MAP 8743

STREET VACATION

02320

DEC 12 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 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara Berridge*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-259793 Adopted DEC 12 1983