

RESOLUTION NUMBER R- 260257

Adopted on MAR 12 1984

WHEREAS, Section 8330 et seq. of the 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 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 the alley east of Drake Street adjacent to Lots 64 and 65, Map 1228, Lot 4, Block "C", Map 1063, and Lot 1, Map 3828, to facilitate development of their property; 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 streets to be vacated are not needed for present or prospective public street purposes; and

WHEREAS, those properties adjoining the streets 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 the alley east of Drake Street adjacent to Lots 64 and 65 of Map 1228, Lot 4, Block "C", of Map 1063, and Lot 1 of

Map 3828, as more particularly shown on Drawing No. 15876-B on file in the office of the City Clerk as Document No. RR-260257-1, 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 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 the alley east of Drake Street adjacent to Lots 64 and 65, Map 1228, Lot 4, Block "C", Map 1063, and Lot

1 of Map 3828, vacated by this document and as more particularly shown on Drawing 15876-B on file in the office of the City Clerk as Document No. RR- 260257-1

4. 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:mem
2/28/84
Or.Dept:E&D
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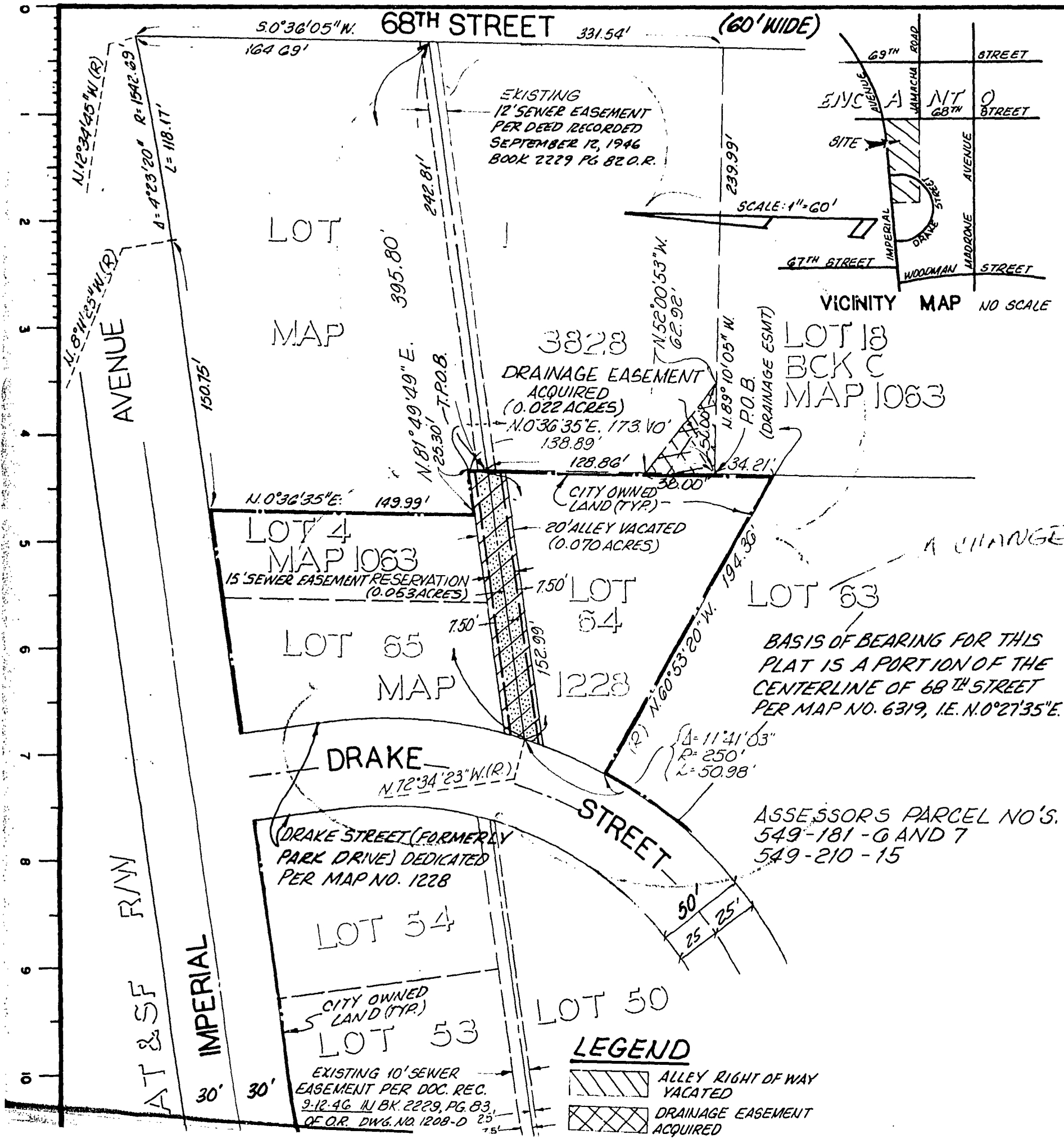
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MAR 12 1984

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<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.

(Seal)

By Marjell G. Portucow, Deputy.

Office of the City Clerk, San Diego, California

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