

(R-84-1854)

RESOLUTION NUMBER R- 260915

Adopted on JUN 11 1984

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 lies within property under one ownership and that does not continue through such ownership or end touching the property 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 "E" Street between First and Second Avenues adjacent to Lots F and G, Block 40, of Horton's Addition, Map 369, and Parcel 2 of Parcel Map 12366, to facilitate downtown redevelopment; 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 street to be vacated is not needed for present or prospective public street purpose; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access; NOW, THEREFORE,

02027

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That "E" Street between First and Second Avenues adjacent to Lots F and G, Block 40, of Horton's Addition, Map 369, and Parcel 2 of Parcel Map 12366, as more particularly shown on Drawing No. 16142-B on file in the office of the City Clerk as Document No. RR- 260915-1, 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, drain 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 easements, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easements 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 the right, 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 "E" Street between First and Second Avenues, adjacent to Lots F and G, Block 40, of Horton's Addition, Map 369, and Parcel 2 of Parcel Map 12366, vacated by this document and as more particularly shown on Drawing 16142-B on file in the office of the City Clerk as Document No. RR-  
260915 -/.

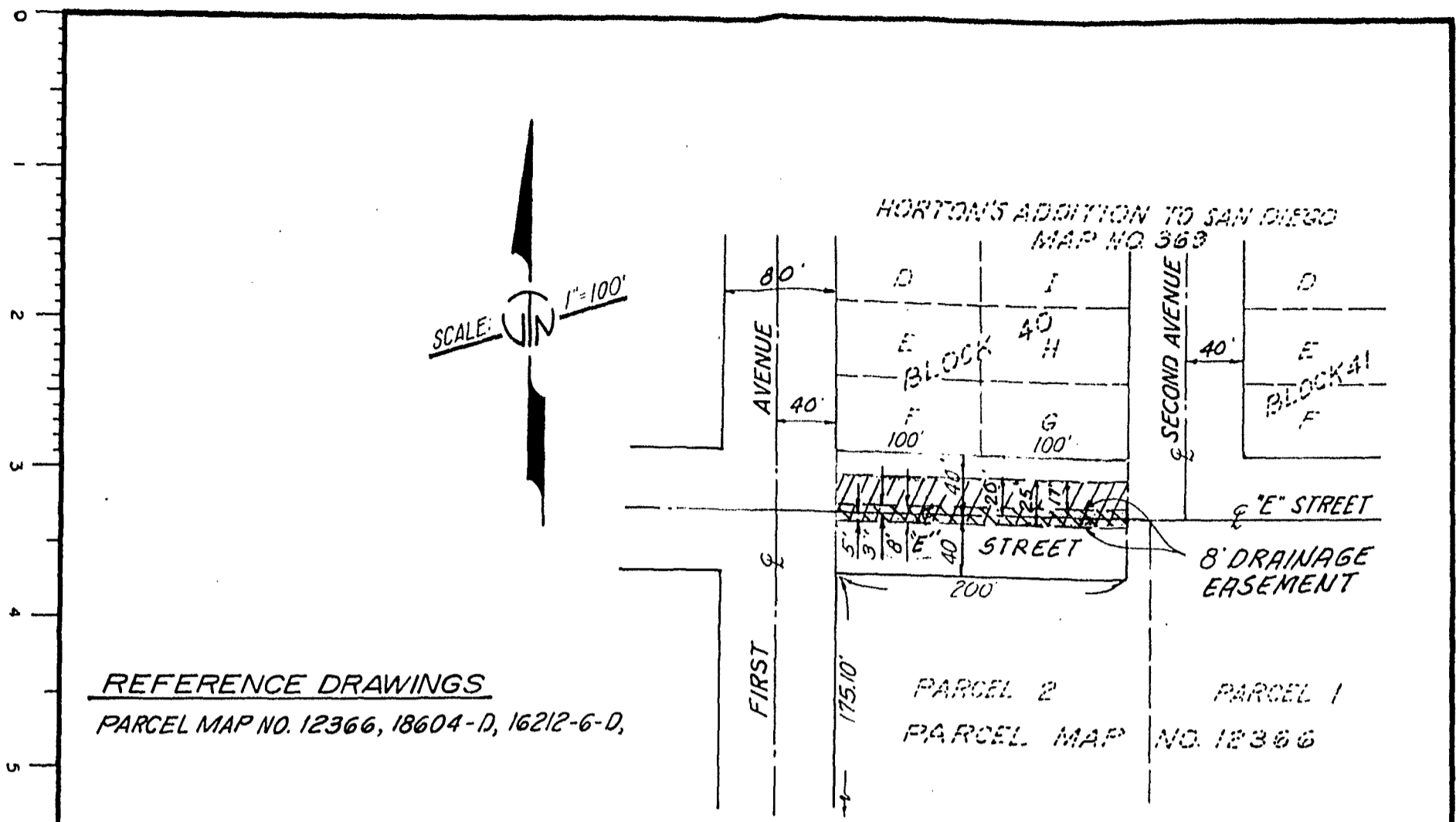
5. That the City Clerk shall cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By   
John K. Riess, Deputy

JKR:mem:221.1  
4/25/84:R-84-1854  
Or.Dept:E&D  
SA:83-532  
WO:120232  
Dwg:16142-B

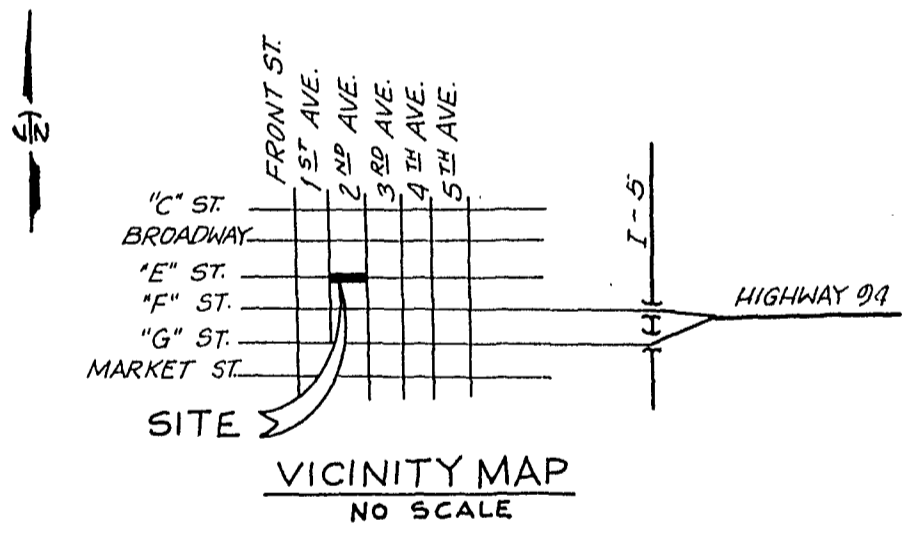
02023



REFERENCE DRAWINGS  
 PARCEL MAP NO. 12366, 18604-D, 16212-6-D,

- LEGEND
- INDICATES "E" STREET VACATED - 0.367 ACRES
  - INDICATES GENERAL UTILITY EASEMENT RESERVED
  - INDICATES DRAINAGE EASEMENT RESERVED

"E" STREET DEDICATED PER  
 HORTON'S ADDITION TO SAN  
 DIEGO, MAP NO. 369.



ENGINEER OF WORK  
*Norbert Rudolph Hamelchle*  
 NORBERT RUDOLPH HAMELEHLE LS 4871  
 VTN san diego DATE: 2-24-84  
 4845 RONSON COURT  
 SAN DIEGO, CALIFORNIA 92111  
 PHONE: (714) 292-1040

DOCUMENT NO. PR-260915-1  
 FILED JUN 11 1984  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**STREET VACATION - "E" STREET, BETWEEN FIRST AVENUE AND SECOND AVENUE AND  
 GENERAL UTILITY EASEMENT AND DRAINAGE EASEMENT  
 RESERVATION IN HORTON'S ADDITION TO SAN DIEGO, MAP NO. 369** JUN 10 1984

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. SA 83-532
ORIGINAL					SHEET 1 OF 1 SHEET	NO 180232
					<i>Norbert Rudolph Hamelchle</i> FOR CITY ENGINEER	<i>4-10-84</i> CONTROL CERTIFICATION
					DATE <u>April 10, 1984</u>	200-1719
						LAMBERT COORDINATES
						16142 - B
					STATUS	
					SECTION HEAD	

1842

Passed and adopted by the Council of The City of San Diego on JUN 11 1984,  
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 Struiksma	<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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-260915 Adopted JUN 11 1984

RECEIVED  
CITY CLERK'S OFFICE  
1984 MAY -9 PM 12:35  
SAN DIEGO, CALIF.

0233

MAY 11 1984