

(R-85-84)

RESOLUTION NUMBER R- 261264

Adopted on JUL 30 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 property of another; and

WHEREAS, in connection with said vacation, the City desires to reserve certain easements; and

WHEREAS, the abutting property owners have requested the vacation of the north/south and the east/west alleys adjacent to Lot 1 of Fairmount Commercial Tract, Map 6740, and Parcel One of Parcel Map 13324 to provide additional offstreet parking for their business, and

WHEREAS, the alleys to be vacated are 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 the north/south and east/west alleys adjacent to Lot 1 of Fairmount Commercial Tract, Map 6740, and Parcel One of Parcel Map 13324, as more particularly shown on Drawing No. 16171-B on file in the office of the City Clerk as Document No. RR- 261264 -!, 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

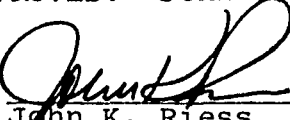
public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation 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 the north/south and east/west alleys adjacent to Lot 1 of Fairmount Tract, Map 6740, and Parcel One of Parcel Map 13324, vacated by this document and as more particularly shown on Drawing No. 16171-B on file in the office of the City Clerk as Document No. RR-261264 -1

5. 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:mem:221.1
7/10/84
Or.Dept:E&D
R-85-84
SA:83-559
W.O.:840266
Dwg.:16171-B
Form=r.sumv3

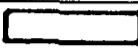


BASIS OF BEARINGS

The Basis of Bearings for this drawing, is the Easterly line of Fairmount Commercial Tract Map No. 6740, i.e. N 1° 01' 20" E

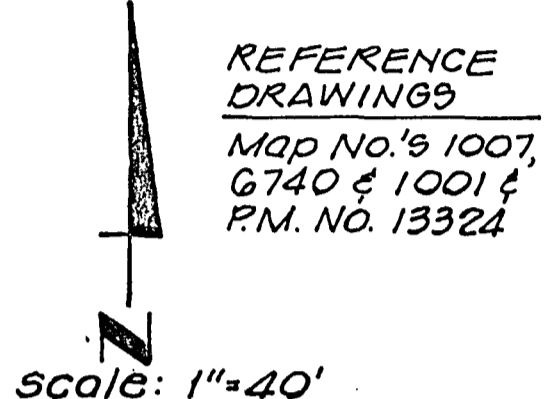
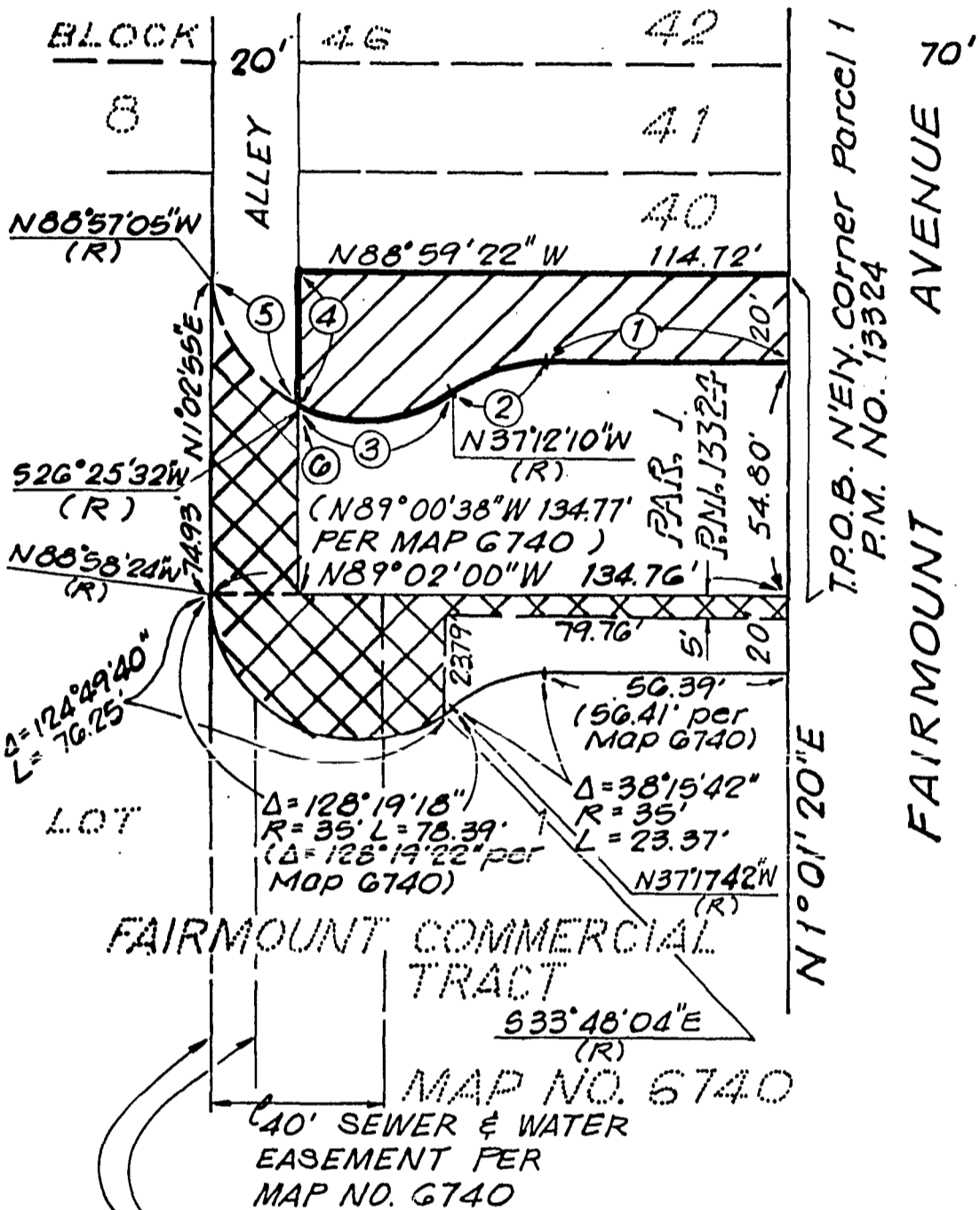
ASSESSORS PARCEL NO.'S.

471-452-31
471-452-21

LEGEND

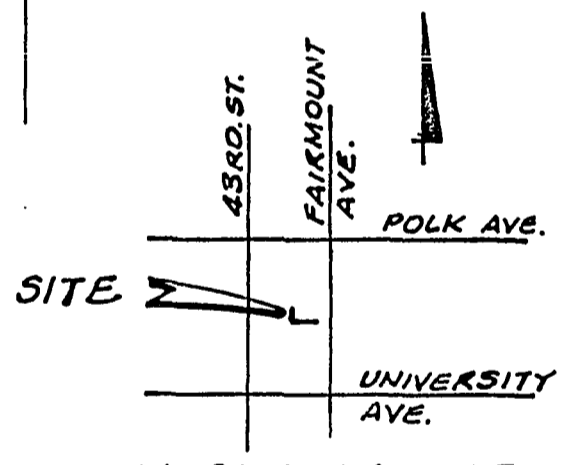
-  Indicates Alley Vacated (dedication per Map No.'s 1007 & 6740).
Vacated-Area = 0.099 Acres
-  Indicates Alley dedicated - Area = 0.065 Acres
-  Indicates General Utility Easement reserved

**AMENDED MAP OF CITY HEIGHTS
MAP NO. 1007**



TABULATED DATA

- ① N 88° 59' 22" W 56.42'
- ② Δ = 38° 12' 48"
R = 35' L = 23.34'
- ③ Δ = 63° 37' 42"
R = 35' L = 38.87
- ④ N 1° 02' 55" E 31.61'
- ⑤ Δ = 64° 37' 23"
R = 35' L = 39.47'
- ⑥ N 1° 02' 55" E 43.28'



10' EASEMENT TO S.D.G.&E. PER DOCUMENTS RECORDED VICINITY MAP AUG. 10, 1970 AS F/P 141481 AND F/P 141502, BOOK 1970, O.R. NO SCALE

<p><i>H. K. Husebye</i> 4-30-84 HAROLD K. HUSEBYE RCE 12268 366 Kearny Villa Road, Suite 201 San Diego, California • 92121 • (619) 560-1111</p>	<p>RR-261264-1 DOCUMENT NO. _____ FILED JUL 30 1984 OFFICE OF THE CITY CLERK SAN DIEGO, CALIFORNIA</p> <p>PRINTED JUN 28 1984</p>
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ALLEY VACATION - ADJACENT NORTHERLY OF LOT 1, FAIRMOUNT COMMERCIAL TRACT MAP NO. 6740 AND ADJACENT WESTERLY OF PARCEL 1 OF PARCEL MAP NO. 13324.
ALLEY DEDICATION - IN A PORTION OF PARCEL 1 OF PARCEL MAP NO. 13324.
GENERAL UTILITY EASEMENT RESERVATION - IN A PORTION OF ALLEY IN BLOCK 46, MAP 1007 (VACATED)

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET	W.O. NO. SA 83-559 840266
ORIGINAL						
		<i>J. M. Laughlin</i>	6/15/84		FOR CITY ENGINEER	CONTROL CERTIFICATION
					DIVISION HEAD	PLANNING DEPT.
					SECTION HEAD	LAMBERT COORDINATES
						212-1737
						10171 - B

JUL 30 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Charles G. Abdelnour*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution **R- 261264** Adopted **JUL 30 1984**
Number Adopted