

RESOLUTION NUMBER R-262339

ADOPTED ON JANUARY 15, 1985

VACATION OF COOLIDGE AND BURTON STREETS
ADJACENT TO LOTS 3 AND 4, BLOCK 63, AND LOTS 6
AND 8 THROUGH 10, BLOCK 59; THE NORTH/SOUTH
ALLEY ADJACENT TO LOTS 2 THROUGH 5, BLOCK 63;
AND EAST/WEST ALLEY ADJACENT TO LOTS 1, 2, 5,
6 AND 7, BLOCK 63; AND THE WALK ADJACENT TO
LOTS 8 AND 9, BLOCK 59, ALL IN LINDA VISTA
UNIT 4, MAP 3256.

WHEREAS, it is proposed that Coolidge and Burton Streets adjacent to Lots 3 and 4, Block 63, and Lots 6 and 8 through 10, Block 59; the north/south alley adjacent to Lots 2 through 5, Block 63; and east/west alley adjacent to Lots 1, 2, 5, 6 and 7, Block 63; and the walk adjacent to Lots 8 and 9, Block 59, all in Linda Vista Unit 4, Map 3256, be vacated; and

WHEREAS, there is no present or prospective use for the street easement or for any other public use of a like nature that can be anticipated; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation or abandonment is not inconsistent with the General Plan or an approved Community Plan; and

WHEREAS, it is necessary and desirable that the vacation be conditioned upon the approval of certain conditions to assure adequate pedestrian and vehicle circulation; and

WHEREAS, the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

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

1. That Coolidge and Burton Streets adjacent to Lots 3 and 4, Block 63, and Lots 6 and 8 through 10, Block 59; the north/south alley adjacent to Lots 2 through 5, Block 63; and east/west alley adjacent to Lots 1, 2, 5, 6 and 7, Block 63; and the walk adjacent to Lots 8 and 9, Block 59, all in Linda Vista Unit 4, Map 3256, as more particularly referred to in Resolution of Intention No. R-262172, are unnecessary for present or prospective public street purposes.

2. That Coolidge and Burton Streets adjacent to Lots 3 and 4, Block 63, and Lots 6 and 8 through 10, Block 59; the north/south alley adjacent to Lots 2 through 5, Block 63; and east/west alley adjacent to Lots 1, 2, 5, 6 and 7, Block 63; and the walk adjacent to Lots 8 and 9, Block 59, all in Linda Vista Unit 4, Map 3256, as more particularly shown on Drawing No. 21322-D, on file in the office of the City Clerk as Document No. RR- 262172 which said Drawing is attached hereto and made a part hereof, be, and the same is hereby ordered vacated.

3. That the City of San Diego hereby reserves and excepts from the foregoing vacation the permanent easement as more particularly described hereinafter:

(a) Reserving and excepting to the City of San Diego 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. The City of San Diego shall have the right to permit the use of the easement or easements herein described by any public utility either by conveyance of the necessary right to so use or by permitting such utility to utilize such right under and pursuant to a franchise with The City of San Diego.

(b) The easement reserved herein is in, under, over, upon, along and across Coolidge and Burton Streets vacated by this document and more particularly shown on Drawing No. 21322-D on file in the office of the City Clerk as Document No. RR- 262172.

4. That this Resolution shall not become effective unless and until the following conditions have been met:

(a) Approval, by Council action, of a final map encompassing Lots 1 through 7 of Block 63 and Lots 6, 8, 9, and 10 of Block 59, all in Linda Vista Unit No. 4, Map 3256.

(b) Approval of a Planned Residential Development Permit or other Development Agreement encompassing the above described area.

(c) That in the event no Development Agreement, as described in 4(b), has been approved by September 27, 1986, this Resolution shall become void and be of no further force and effect.

(d) That in the event that all of the above conditions have not been met by February 27, 1987, this Resolution shall become void and be of no further force or effect.

6. That the City Engineer shall advise the City Clerk of compliance and completion of the above-mentioned conditions, 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

JKR:mem:11/27/84
Rev-1:2/6/85
Or.Dept:E&D
SA:83-518
WO:120232
Dwg:21322-D
R-85-982
Form=r.sumv3

Passed and adopted by the Council of The City of San Diego on JAN 15 1985,
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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.

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

By *Barbara Bayter*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-262339 Adopted JAN 15 1985