

(R-86-6)

RESOLUTION NUMBER R- 263669

ADOPTED ON JUL 15 1985

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 Cottonwood Road, adjacent to Lots A44, A52, and A53 and a portion of National City and Otay Railroad right-of-way vacated and Landers Road closed and vacated in Little Landers Subdivision of San Ysidro, Map 1174, to facilitate development of their property; 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 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 Cottonwood Road, adjacent to Lots A44, A52, and A53 and a portion of National City and Otay Railroad right-of-way vacated and Landers Road closed and vacated in Little Landers Subdivision of San Ysidro, Map 1174, as more particularly shown on Drawing No. 15969-B, on file in the office of the City Clerk as Document No. RR-263669,¹ 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, 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 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 easement reserved herein is in, under, over, upon, along, and across that portion of Cottonwood Road, vacated by this document and as more particularly shown on Drawing No. 15969-B on file in the office of the City Clerk as Document No. RR- 263669.

5. That the resolution shall not become effective unless and until Parcel Maps T.M. 82-0513 and T.M. 84-0905 have been approved by the City Engineer. In the event that the final maps are not approved by March 10, 1989, this resolution shall become void and of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the approval of the aforementioned parcel maps and that the City Clerk shall then cause a certified copy of this resolution, with

drawing, attested by him under seal, to be recorded in the office
of the County Recorder.

APPROVED: John W. Witt, City Attorney

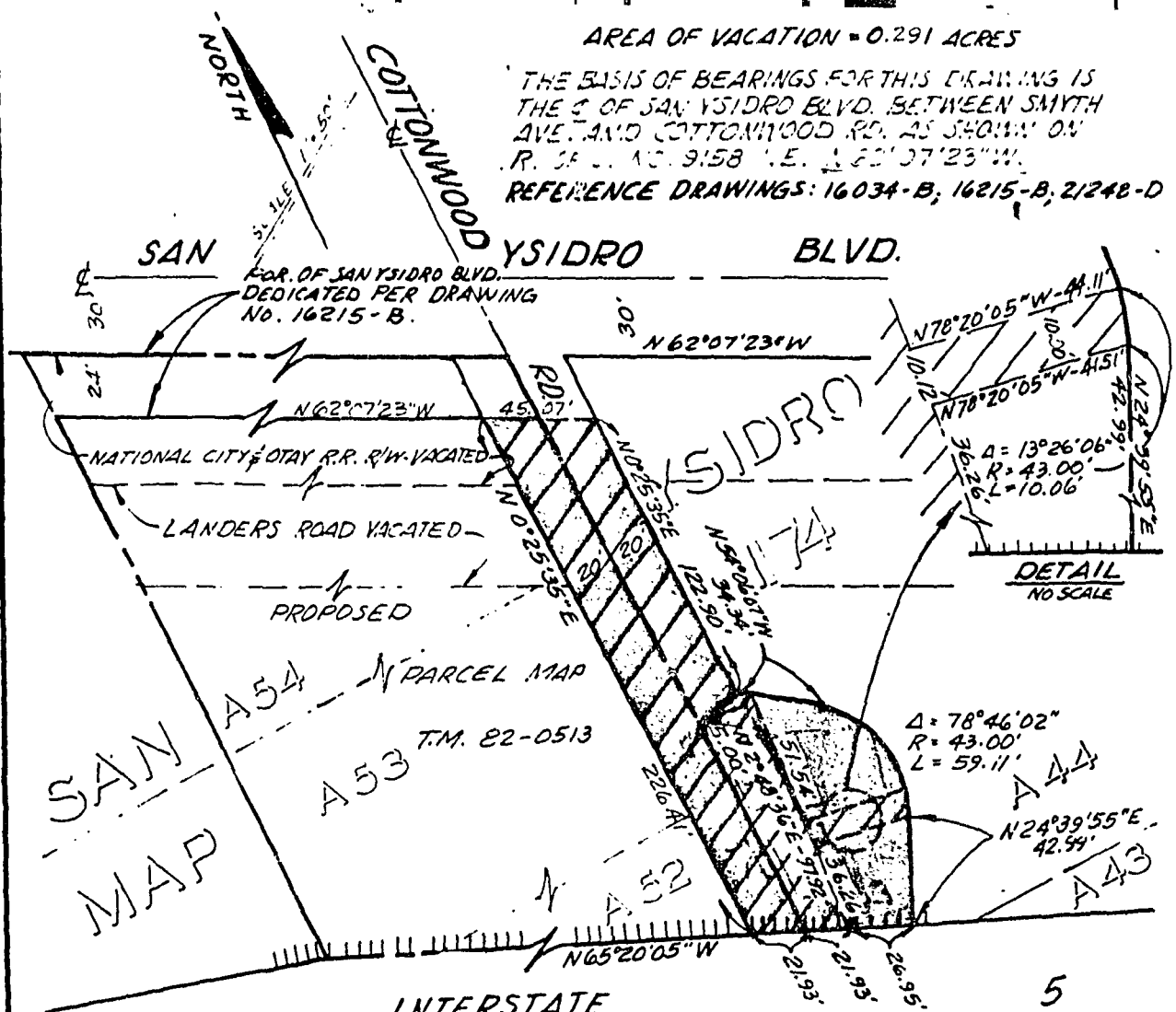
By 
John K. Riess
Deputy City Attorney

JKR:mem:221.1
7/1/85
Or.Dept:E&D
SA:83-534
WO:82-0513
Dwg:15969-B
TM:82-0513
TM:84-0905
R-86-6
Form=r.sumv3


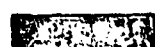


AREA OF VACATION = 0.291 ACRES

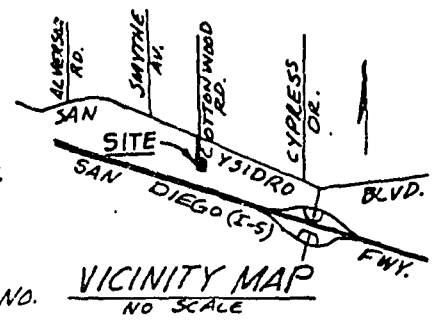
THE BASIS OF BEARINGS FOR THIS DRAWING IS THE S. OF SAN YSIDRO BLVD. BETWEEN SMYTH AVE. AND COTTONWOOD RD. AS SHOWN ON R. OF S. NO. 9158 N.E. & 20'07'23"W.

REFERENCE DRAWINGS: 16034-B, 16215-B, 21248-D



LEGEND

-  INDICATES GENERAL UTILITY EASEMENT RESERVED.
-  INDICATES STREET VACATED.
-  INDICATES PROPOSED PARCEL MAP BDRY.
-  INDICATES RIGHTS OF ACCESS WAIVED AND RELINQUISHED PER FINAL DECREE OF CONDEMNATION REC. 6/30/70 AS FILE NO. 114370.



A ALCOR ENGINEERING
 3266 1/2 ROSECRAWNS ST.
 SAN DIEGO, CA 92110
L. Curtis Larson
 L. CURTIS LARSON, P.C.E. 19319
 DATE: 1/28/85

DOCUMENT NO. **RR-263669-1**
 FILED **JUL 15 1985**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION COTTONWOOD ROAD SOUTH OF SAN YSIDRO BOULEVARD, AND GENERAL UTILITY EASEMENT RESERVED ADJACENT TO LOTS A52, A53 AND A44 AND A PORTION OF NATIONAL CITY AND OTAY RAILROAD R/W VACATED AND LANDERS ROAD CLOSED AND VACATED IN LITTLE LANDERS SUBDIVISION OF SAN YSIDRO, MAP NO. 1174 FOR T.M. 82-0513

00183	CITY OF SAN DIEGO, CALIFORNIA	T.M. 82-0513
		820513
	SA 83-5347	
	FILED JUL 13 1985	City Clerk
	R-263669	140-1753
		15969 - B

Passed and adopted by the Council of The City of San Diego on JUL 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 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 Struiksmma	<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"/>	
District 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vacant
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Barbara Boyter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-263669 Adopted JUL 15 1985