

(R-86-575)

RESOLUTION NUMBER R- 264763

ADOPTED ON DEC 17 1985

VACATION OF KETTNER BOULEVARD ADJACENT TO LOTS 1, 2, AND 3, BLOCK 178 AND LOTS 10, 11, AND 12 OF BLOCK 179 AND PUBLIC STAIRWAY ADJACENT TO LOT 10 BLOCK 179 ALL OF MIDDLETOWN ADDITION MAP 384.

WHEREAS, it is proposed that Kettner Boulevard adjacent to Lots 1, 2, and 3, Block 178 and Lots 10, 11, and 12 of Block 179 and Public Stairway adjacent to Lot 10 of Block 179 all of Middletown Addition Map 384, be vacated; and

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

WHEREAS, there is no present or prospective use for the streets either for the public street system for which the rights-of-way were originally acquired or for any other public use of a like nature that can be anticipated in that the rights-of-way are not needed for public street or open space purposes; 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 completion of a consolidation parcel map for the affected parcels; 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 Kettner Boulevard adjacent to Lots 1, 2, and 3, Block 178 and Lots 10, 11, and 12 of Block 179 and Public Stairway adjacent to Lot 10 of Block 179 all of Middletown Addition Map 384, as more particularly referred to in Resolution of Intention No. R- 264494, is not necessary for present or prospective public street purposes.

2. That Kettner Boulevard adjacent to Lots 1, 2, and 3, Block 178 and Lots 10, 11, and 12 of Block 179 and Public Stairway adjacent to Lot 10 of Block 179 all of Middletown Addition Map 384, as more particularly shown on Drawing No. 16511-B, on file in the office of the City Clerk as Document No. RR- 264494, 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 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.

4. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, easement, 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.

5. That the easements reserved herein are in, under, over, upon, along and across that portion of Kettner Boulevard, vacated by this Document and as more particularly shown on Drawing No. 16511-B, on file in the office of the City Clerk as Document No. RR-264494.

6. That the resolution shall not become effective unless and until the following conditions, have been met:

a. Clearances must be obtained from all concerned utility companies.

b. A consolidation map must be filed to eliminate landlocked parcels.

c. Water meters must be relocated and unused services must be cut and plugged as well as provide a 24-foot paved water and sewer easement.

d. Provide curb and gutter across the vacated portion of Kettner Boulevard.

e. Easements must be provided for all existing public utilities.

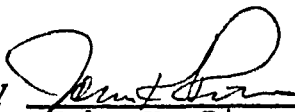
f. Remove the Public Stairway and restore the area satisfactory to the City Engineer.

In the event the above items are not completed by October 1, 1987, this resolution shall become void and be of no further force or effect.

7. That the City Engineer shall advise the City Clerk that the above-mentioned items have been completed, 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
9/26/85
Or.Dept:E&D
SA:84-552
WO:120232
Dwg:16511-B
R-86-575
Form=r.stve

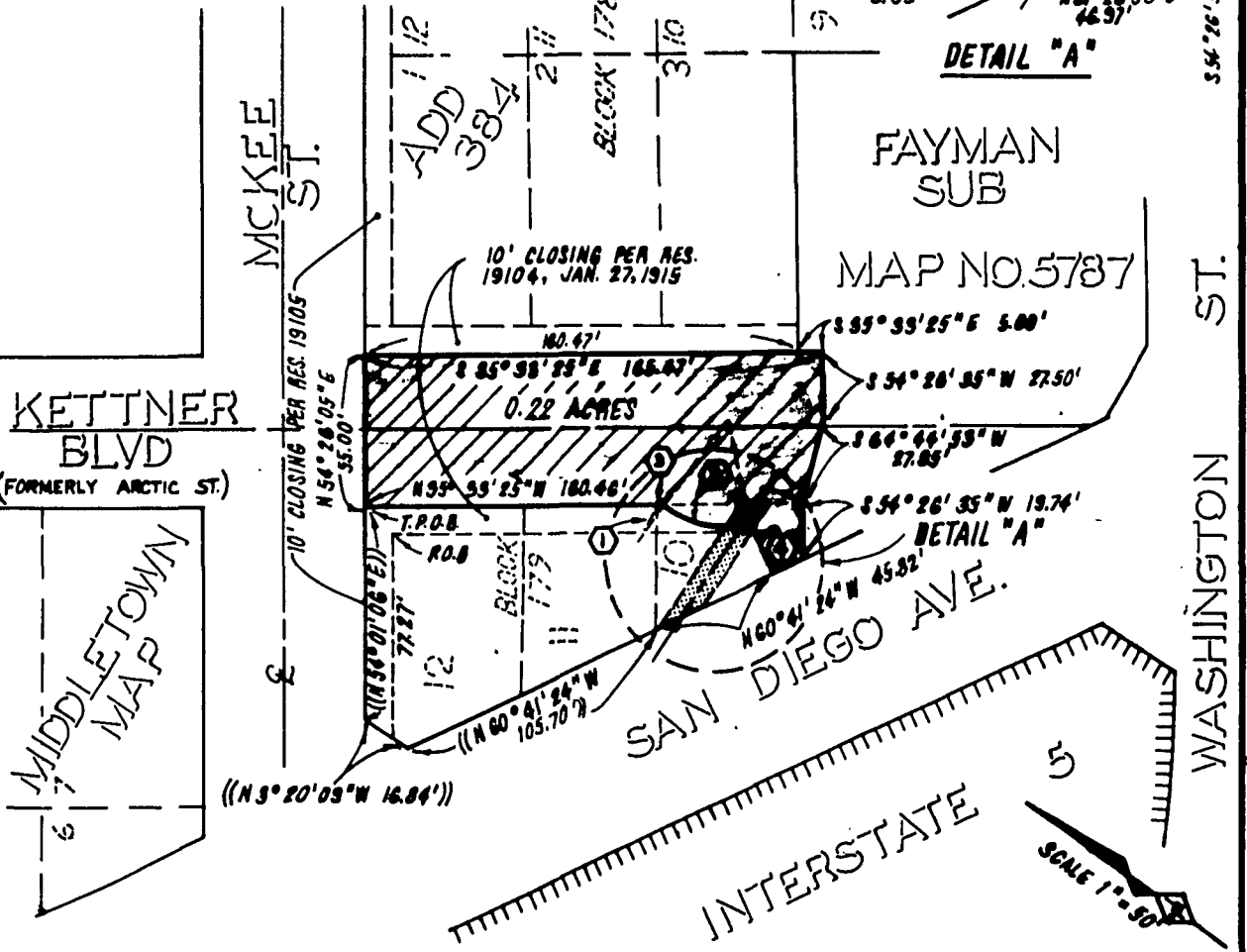
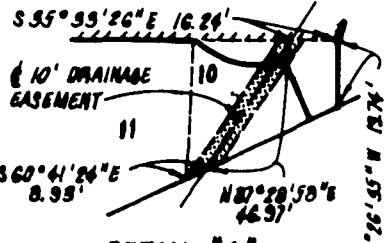
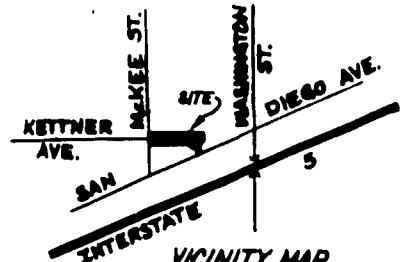
REFERENCE DRAWING
 FAYMAN SUBDIVISION MAP 5787
 CALTRANS R/W MAP LO 3552 SHT. 45 AND 46

LEGEND

VACATION SHOWN 
 BDRY. DATA PER MAP 5787, INDICATED: N35°33'25"W 5.00'
 BDRY. DATA PER DEED, RECORDED AUG. 7, 1968 AS FILE #134606,
 INDICATED: (N60°41'24"W 151.52')
 BDRY. DATA PER DEED, RECORDED AUG. 7, 1968 AS FILE #134607,
 INDICATED: ((N3°20'09"W 16.84'))

 (R = 19.00', Δ = 1°00'17", L = 0.30')
 (R = 29.00', Δ = 66°03'57", L = 33.44')
 (N36°01'53"W 1.63')
 (N29°18'36"E 20.13')

NOTE: ORIGINAL R/W PER MIDDLETOWN ADDITION; MAP 384
 GENERAL UTILITY EASEMENT RESERVED SHOWN 
 DRAINAGE EASEMENT ACQUIRED SHOWN 





ENGINEER OF WORK
 LLOYD G. JEFFRIES & ASSOCIATES
 CIVIL ENGINEERS - SURVEYING - PLANNING
 1000 UNIVERSITY AVENUE
 LA JOLLA, CALIFORNIA 92037
 (619) 454-1004
 Lloyd G. Jeffries 7-3005
 LLOYD G. JEFFRIES, REG. 10122 DATE

DOCUMENT NO. RR-264494
 FILED NOV 18 1985
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION & GENERAL UTILITY EASEMENTS RESERVED -
 KETTNER BLVD. BETWEEN MC KEE STREET AND WASHINGTON STREET ADJACENT TO
 LOTS 1, 2, & 3, BLOCK 178 & LOTS 10, 11 & 12, BLOCK 179, AND
 DRAINAGE EASEMENT IN LOT 10, BLOCK 179, MIDDLETON ADDITION, MAP 384

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA
 SHEET 1 OF 1 SHEET

 CITY ENGINEER DATE 10/20/85

W D NO. 120232
 SA 64-352

 CONTROL CERTIFICATION
 210-1713
 LAMBERT COORDINATES

02060

STATUS R-264763 16511 -B

345

Passed and adopted by the Council of The City of San Diego on **DEC 17 1985**,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
Judy McCarty	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego, California.

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

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-264763** Adopted **DEC 17 1985**
 Number Adopted