

(R-86-1132)

RESOLUTION NUMBER R- 264797

ADOPTED ON JAN 6 1986

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 Dodson Street located between Market Street to the south and an unimproved alley to the north, 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 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 Dodson Street, located between Market Street to the south and an unimproved alley to the north, as more particularly shown on Drawing No. 16011-B, on file in the office of the City Clerk as Document No. RR-264797-, 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

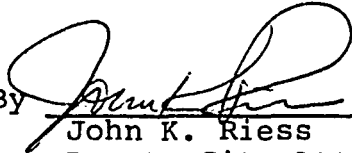
of any public utility pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for 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 portions of Lots 29, 30, 31, and 32 of Block 38 of E. W. Morse's Subdivision, Map No. 547, and as more particularly shown on Drawing No. 16011-B on file in the office of the City Clerk as Document No. RR-264797./

5. That the resolution shall not become effective unless and until the Consolidation Parcel Map, T.M. 83-0662 has been approved by the City Engineer. In the event that the final map is not approved by March 18, 1986, this resolution shall become void and of no further force or effect.

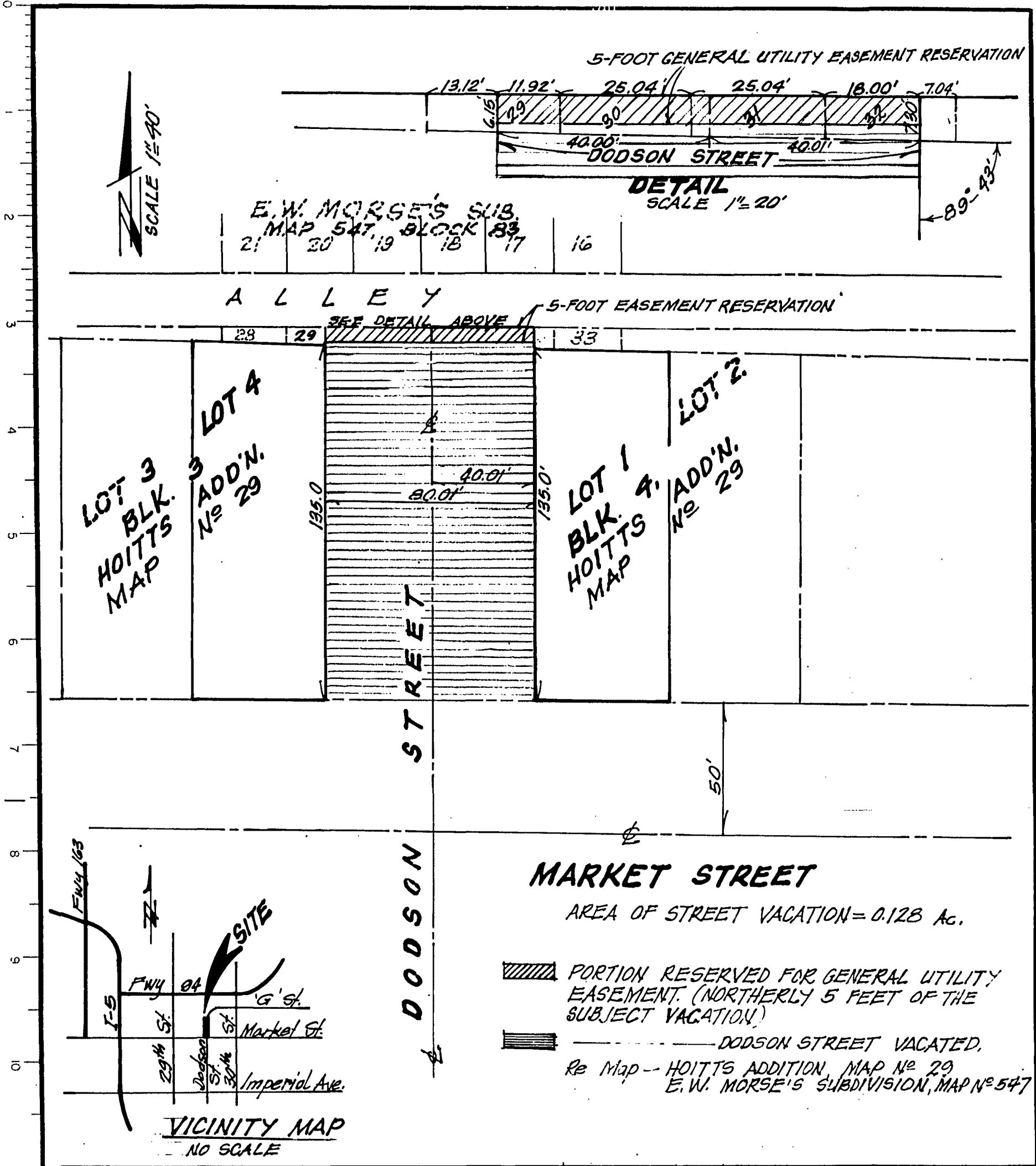
6. That the City Engineer shall advise the City Clerk of the approval of the aforementioned Consolidation Parcel Map, T.M. 83-0662 and that the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

BY 

John K. Riess
Deputy City Attorney

JKR:mem
12/9/85
Or.Dept:E&D
SA:81-636
WO:830662
Dwg:16011-B
R-86-1132
Form=r.sumv3



PREPARED BY
Oscar V. Serano
OSCAR V. SERANO
R.C.E. 24240

date: 22 July '84 Ph 578.9067

DOCUMENT NO. **RR-264797-1**

FILED **JAN 6 1986**

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION - DODSON STREET-NORTH OF MARKET STREET, GENERAL UTILITY EASEMENT RESERVATION IN LOTS 29, 30, 31 & 32, BLOCK 83, E.W. MORSE'S SUBD'N., MAP No. 547

DESCRIPTION	BY	APPROVED	DATE	F. L. MED.
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA		W.O. SA 81-636
SHEET 1 OF 1 SHEET		NO. 830662
<i>J. S. McLaughlin</i> CITY ENGINEER	Aug. 1, 1984 DATE	<i>Pratt</i> CONTROL CERTIFICATION
		198-1729 LAMBERT COORDINATES
		16011 -B

JAN 6 1986

Passed and adopted by the Council of The City of San Diego on _____ ,
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 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"/>
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.

By *June G. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-264797 Adopted JAN 6 1986