

(R-86-1264)

RESOLUTION NUMBER R- 264909

ADOPTED ON JAN 27 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 or highway to be vacated has for a period of five consecutive years, been impassable for vehicular traffic and no public money was expended for maintenance of the street or highway during that period; 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 a portion of Soto Street northeast of Nimitz Boulevard, 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 Soto Street between Nimitz and Valeta Street adjacent to Parcel 2 of Parcel Map 10146 and Collier Park, as more particularly shown on Drawing No. 16585-B on file in the office of the City Clerk as Document No. RR-264909-1, 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.

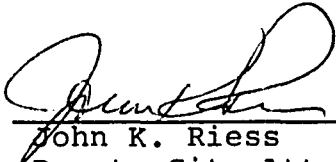
3. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, easements, and rights

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 Soto Street vacated by this document and as more particularly shown on Drawing No. 16585-B on file in the office of the City Clerk as Document No. RR- 264909 - 1.

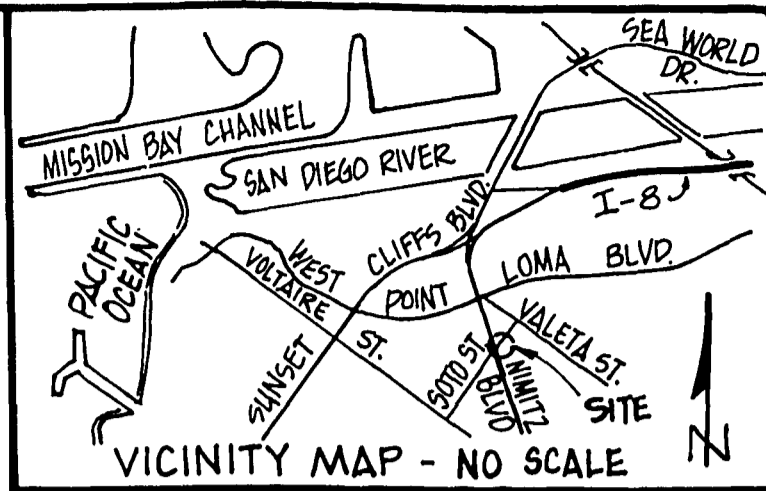
5. That the City Clerk shall then cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By 

John K. Riess
Deputy City Attorney

JKR:mem
1/7/86
Or.Dept:E&D
SA:85-515
WO:120232
Dwg:16585-B
R-86-1264
Form=r.sumv3



P.O.B. NORTHEAST CORNER OF PARCEL 2 OF P.M. 10146

DEDICATED PER MAP NO. 30 (COMMONLY KNOWN AS J.M. DEPUY'S ADDITION) REC. APRIL 22, 1885

PARCEL 2
 PORTION OF SOTO STREET DEDICATED PER MAP NO. 7916
 P.M. 10146

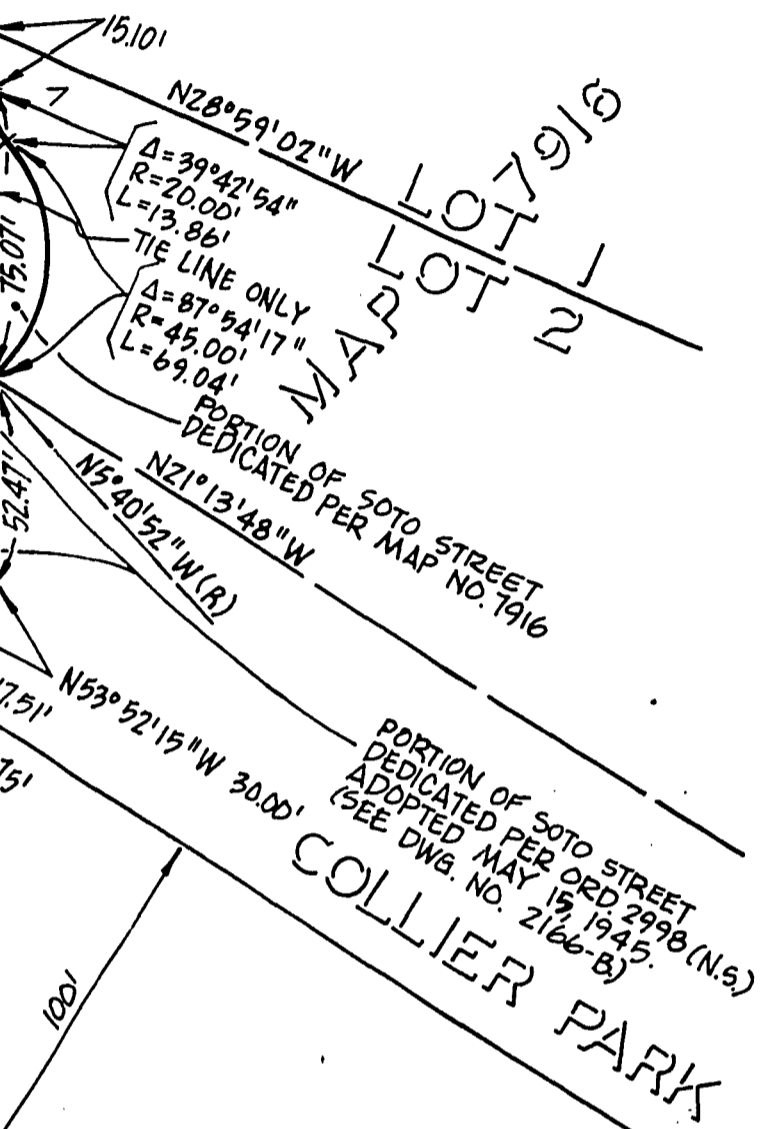


SCALE: 1" = 50'

$\Delta = 39^{\circ}42'54''$
 $R = 20.00'$
 $L = 13.86'$

$\Delta = 87^{\circ}54'17''$
 $R = 45.00'$
 $L = 69.04'$

TIE LINE ONLY



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE CENTERLINE OF SOTO ST. PER P.M. 10146 I.E. $N36^{\circ}07'45''E$.

REFERENCE DRAWINGS:

2166-B, 8108-L, 14436-D

LEGEND

- PORTION OF SOTO STREET VACATED & GENERAL UTILITY EASEMENT RESERVED
- ABUTTERS' RIGHTS OF ACCESS RELINQUISHED

AREA OF STREET VACATION:

3626.17 SQ.FT. 0.083 ACRES

Raymond F. Hall Jr. 2/DEC. 1985
 RAYMOND F. HALL JR. R.C.E. 8629 DATE

HALL PLANNING
 CIVIL ENGINEERING
 Engineering LAND SURVEYING

2802 JUAN STREET ■ SAN DIEGO
 CALIFORNIA ■ 92110
 (619) 298-6183

W.O. 10923

RR-264909-1
 DOCUMENT NO.
 FILED JAN 27 1986
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION & GENERAL UTILITY EASEMENT RESERVATION - A PORTION OF SOTO STREET BETWEEN VALETA STREET AND NIMITZ BOULEVARD

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	BAS				SHEET 1 OF 1 SHEET	120232
						5A85-515
					<i>Ralph C. Adams</i> FOR CITY ENGINEER	<i>Ralph C. Adams</i> CONTROL CERTIFICATION
					Dec. 17, 1985 DATE	212-1697 LAMBERT COORDINATES
						16585-B

JAN 27 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 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 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.

(Seal)

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

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-264909 Adopted JAN 27 1986

RECEIVED
CITY CLERK'S OFFICE
1986 JAN 15 PM 1:30
SAN DIEGO, CALIF.

JAN 15 1986

C0527

JAN 15 1986