

(R-86-1478)

RESOLUTION NUMBER R- 265165

ADOPTED ON MAR 3 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 has been impassable for vehicular travel and upon which no public moneys have been expended for maintenance; 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 Cherokee Avenue and Thorn Street adjacent to Lots 1 through 5, Block 119 of City Heights, Map 1007, 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 a portion of Cherokee Avenue north of Thorn Street and a portion of Thorn Street east of Cherokee Avenue adjacent to Lots 1 through 5, Block 119 of City Heights, Map 1007, as more particularly shown on Drawing No. 22589-D on file in the office of the City Clerk as Document No. RR-265165,¹ 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 Cherokee Avenue and Thorn Street, vacated by this document and as more particularly shown on Drawing No. 22589-D, on file in the office of the City Clerk as Document No. RR- 265165.

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

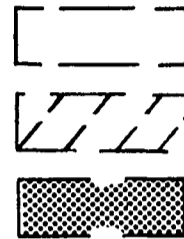


John K. Riess
Deputy City Attorney

JKR:mem
02/05/86
Or.Dept:E&D
SA:85-510
WO:120232
Dwg:22589-D
R-86-1478
Form=r.sumv3

LEGEND

THORN STREET AND PORTION OF CHEROKEE AVENUE VACATED
SHOWN THUS
PORTION OF STREET RESERVED FOR SEWER EASEMENT SHOWN THUS...
SEWER EASTMENT AQUIRED SHOWN THUS



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE SOUTHEASTERLY
BOUNDARY OF PARCEL MAP NO. 13704. I.E. N34°52'26"E

REFERENCE DRAWINGS

12316-8-D
20192-4-D
20335-D
MAP NO. 10452
P.M. NO. 13704

AREA OF STREET VACATION = 0.229 ACRES

RESOLUTIONS

*ST. VACATION: R-265165 3-3-86
CCD. 265165-1 3-3-86
F/P 86-095517 3-12-86*

*SEWER ESMT ACQUISITION: R-265166 3-3-86
CCD. RR-265166 3-3-86*

DOCUMENT NO. **RR-265165-1** F/P 86-105112 3-19-86

FILED **MAR 3 1986**

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**STREET VACATION AND SEWER
EASEMENT RESERVATION**

**CHEROKEE AVENUE
EASTERLY 18 FEET SOUTH OF SOUTHERLY
BELLINGHAM AVENUE RIGHT OF WAY LINE TO
NORTHERLY I-805 RIGHT OF WAY**

213
TH AV.
ST.
AV.
ST.
ST.
PT
40th

LEGEND

THORN STREET AND PORTION
SHOWN THUS

PORTION OF STREET RE
SEWER EASTMENT AQU

BASIS OF BEA

THE BASIS OF BEARING
BOUNDARY OF PARCEL

REFERENCE D

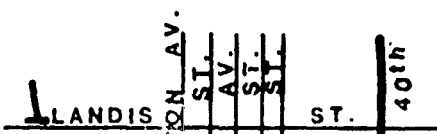
12316-8-D
20192-4-D
20335-D
MAP NO. 10452
P.M. NO. 13704

AREA OF STREE

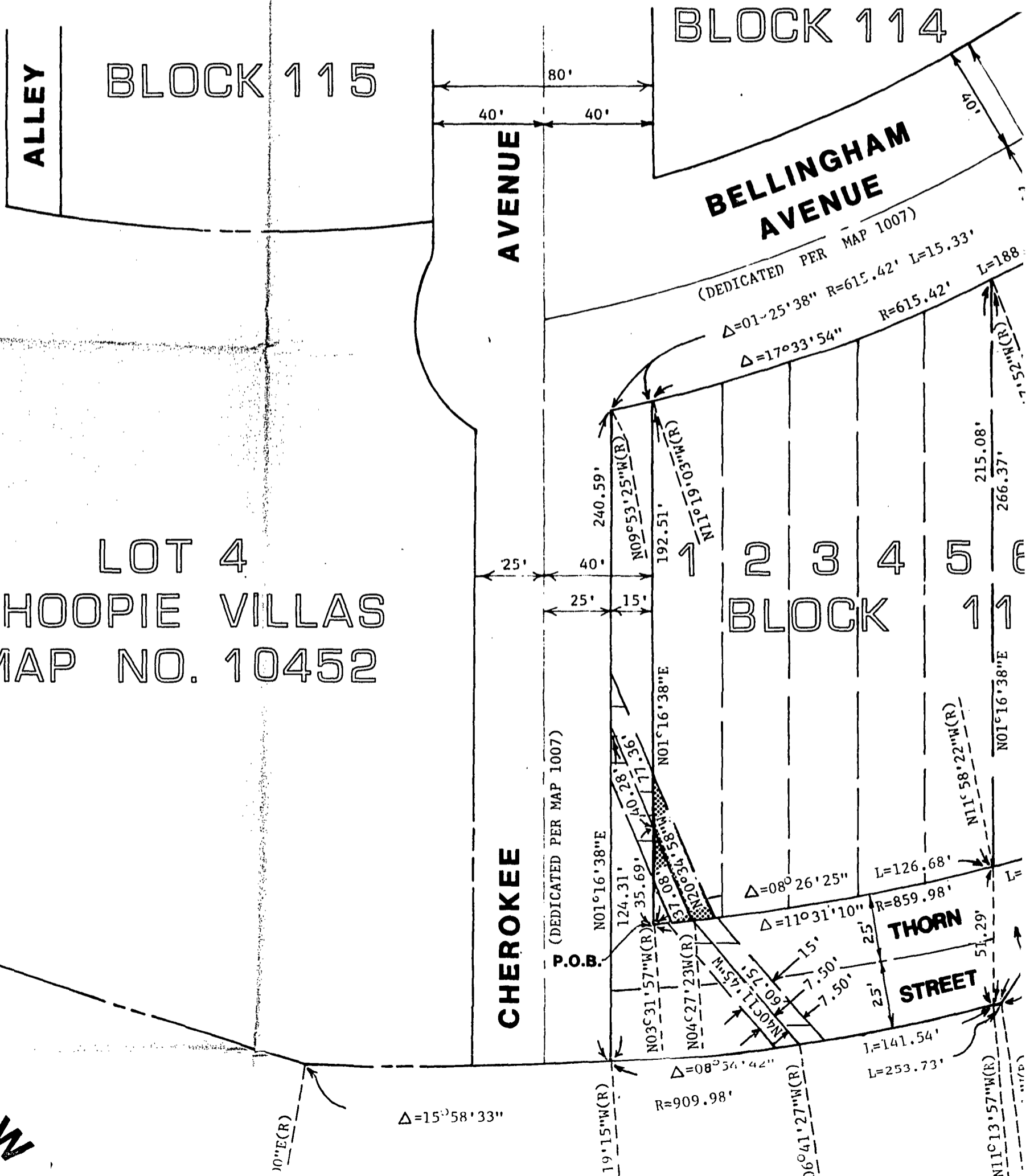
13704
PARCEL 2

WABASH BOULEVARD
11-SD-15

THORN STREET



CITY HEIGHTS
MAP NO. 1007



LOT 4
WHOOPIE VILLAS
MAP NO. 10452

STATE HIGHWAY
11-SD-8C

LOT 4
WHOOPIE VILLAS
MAP NO. 10452

STATE HIGHWAY
11-SD-805

ALLEY

BLOCK 115

AVENUE

CHEROKEE

BLOCK 1

BELLINGH AVENUE

2 3
BLOC

N04°32'00"E(R)

Δ=15°58'33"

N02°19'15"W(R)

R=909.98'

N06°41'27"W(R)

(DEDICATED PER MAP 1007)

P.O.B.

240.59'

N09°53'25"W(R)

192.51'

N01°16'38"E

124.31'

N03°31'57"W(R)

N04°27'23"W(R)

N01°16'38"E

35.69'

117.96'

N01°16'38"E

117.96'

N01°16'38"E

(DEDICATED PER MAP

Δ=01°25'38" R=61'

Δ=17°33'54"

Δ=08°26'23"

Δ=11°31'1"

Δ=08°54'42"

N01°16'38"E

N01°16'38"E

N01°16'38"E

N01°16'38"E

N01°16'38"E

N01°16'38"E

N01°16'38"E

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| NO | DATE | BY | DESCRIPTION | NO | BY | DATE | DESCRIPTION |
|----|------|----|-------------|----|----|------|-------------|
| 8 | | | | 4 | | | |
| 7 | | | | 3 | | | |
| 6 | | | | 2 | | | |
| 5 | | | | 1 | | | |

JP ENGINEERING, INC.
CIVIL ENGINEERING, LAND PLANNING, SURVEYING
8361 VICKERS STREET, SUITE 205, SAN DIEGO, CA 92111
(619) 569-7377

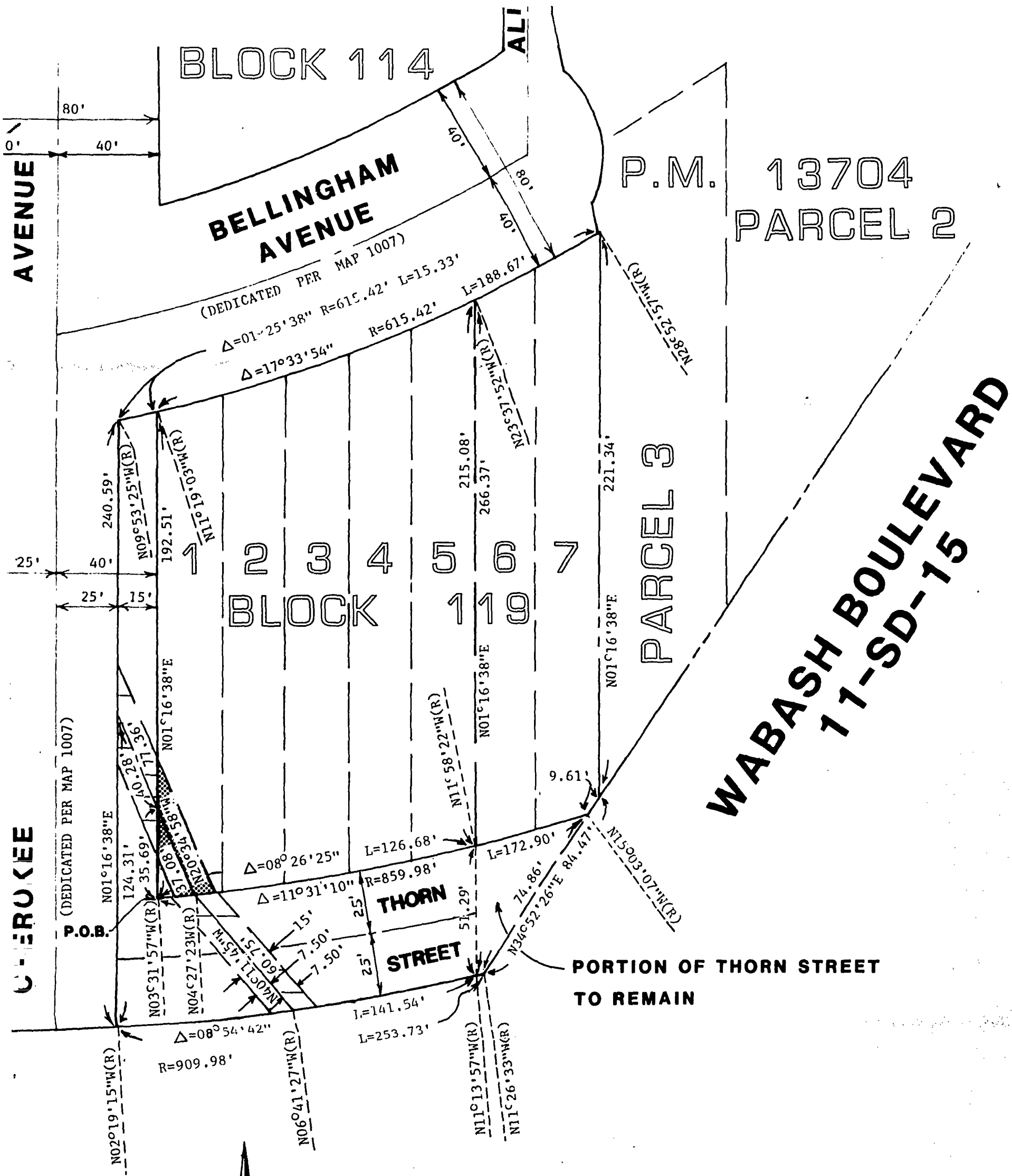
ENGINEER OF WORK:
J. H. Palacios
J.H. PALACIOS, RCE 32031
12-31-85
DATE

FILE CODE:
35-85

PREPARATION AND REVISION LOG



SCALE: 1" = 100'



SCALE: 1"=40'

13704
PARCEL 2

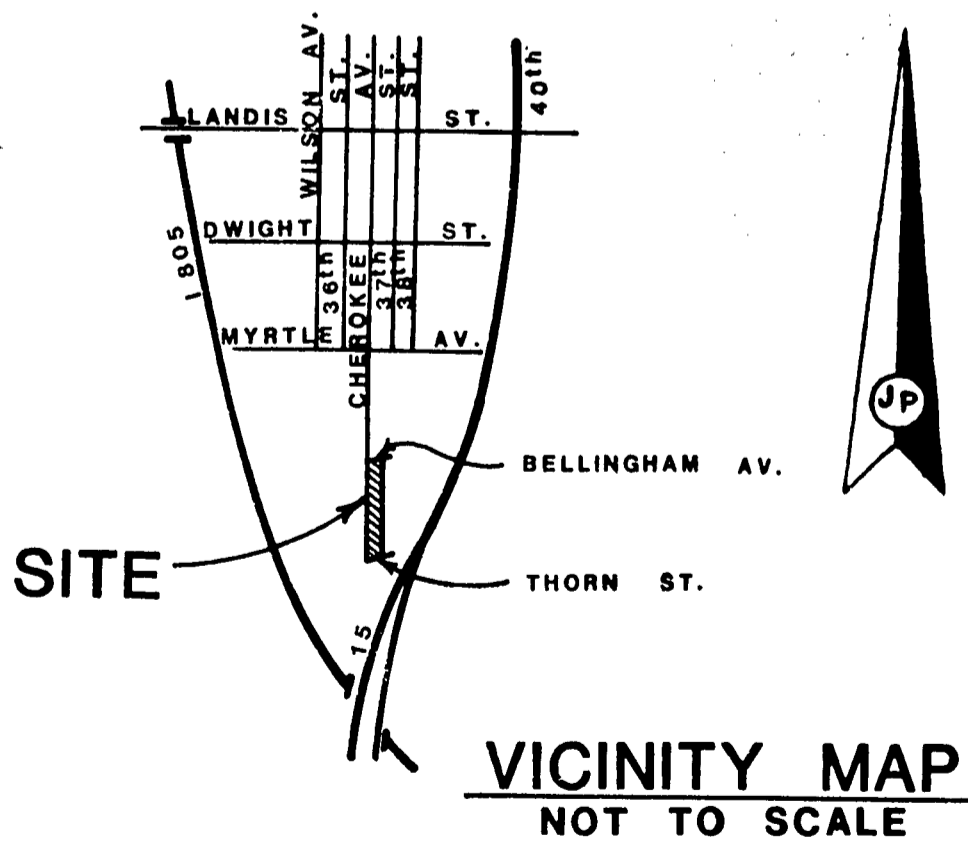
REFERENCE D

12316-8-D
20192-4-D
20335-D
MAP NO. 10452
P.M. NO. 13704

BASH BOULEVARD
11-SD-15

AREA OF STREE

ORN STREET



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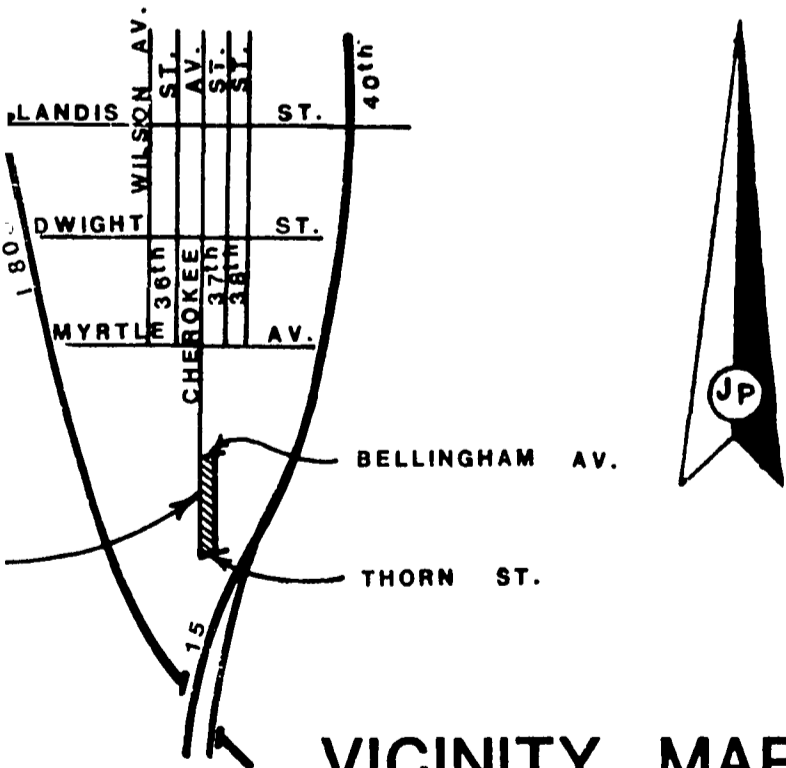
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DOCUMENT NO. RR-265165-1 F/P 86-105112 3-19-86

FILED MAR 3 1986

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



VICINITY MAP
NOT TO SCALE

STREET VACATION AND SEWER EASEMENT RESERVATION

CHEROKEE AVENUE

EASTERLY 15 FEET SOUTH OF SOUTHERLY BELLINGHAM AVENUE RIGHT OF WAY LINE TO NORTHERLY I-805 RIGHT OF WAY

THORN STREET

WEST OF WABASH BOULEVARD RIGHT OF WAY LINE TO EASTERLY CHEROKEE AVENUE RIGHT OF WAY LINE

SEWER EASEMENT

IN LOT 1, BLOCK 119 OF CITY HEIGHTS, IN THE CITY OF SAN DIEGO, ACCORDING TO AMENDED MAP THEREOF NO. 1007.

(FOR PROPOSED STREET VACATION SA 85-510)

| | | | | |
|-------------------------------------------------------------------------------|--------------|------------------------------|--------|------------------------------------------------|
| CITY OF SAN DIEGO, CALIFORNIA ENGINEERING DEPARTMENT SHEET 1 OF 1 SHEET | | | | W.O. NO. 120232 SA 85-510 |
| <i>J. T. McLaughlin</i> FOR CITY ENGINEER | | <i>Jan. 22, 1986</i> DATE | | |
| DESCRIPTION | BY | APPROVED | DATE | FILMED |
| ORIGINAL | | | | |
| COMPLETED | | RCA | 5-2-86 | |
| | | | | |
| | | | | <i>Ralph C. Adams</i> CONTROL CERTIFICATION |
| | | | | 208-1733 LAMBERT COORDINATES |
| CONTRACTOR | DATE STARTED | INSPECTOR | | DATE COMPLETED |
| | | | | |

22584 -D

VACATED

01571

CORRECTED COPY

#103 (1)
(u-v)

MAR 3 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265165 Adopted MAR 3 1986

RECEIVED
CITY CLERK'S OFFICE
1986 FEB 19 PM 3: 50
SAN DIEGO, CALIF.

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