(R-86-2309)

RESOLUTION NUMBER R- 266154

ADOPTED ON JUL 1 1986

VACATION OF CALIFORNIA STREET BETWEEN "E" STREET AND "F" STREET AND ADJACENT TO LOTS A-F BLOCK 46 AND LOTS G-L BLOCK 47, ALL WITHIN MAP 456.

WHEREAS, it is proposed that California Street between "E" Street and "F" Street 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 street 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 is not needed for public street, bikeway, 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 California Street between "E" Street and "F" Street, as more particularly referred to in Resolution of Intention No. R-265914, adopted by the Council on June 9, 1986, is not necessary for present or prospective public street purposes.
- 2. That California Street between "E" Street and "F" Street, as more particularly shown on Drawing No. 16608-B, on file in the office of the City Clerk as Document No. RR- 265914, which said drawing is attached hereto and made a part hereof, be and the same is hereby ordered vacated.
- 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 an 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 California Street, vacated by this Document and as more particularly shown on Drawing No. 16608-B, on file in the office of the City Clerk as Document No. RR- **265914**.
- 6. That the resolution shall not become effective unless and until the consolidation parcel map for the affected parcels has been recorded in the office of the County Recorder. In the event the consolidation parcel map is not recorded within one (1) year from the adoption of this resolution, this resolution shall become void and be of no further force or effect.
- 7. That the City Engineer shall advise the City Clerk of the approval of the aforementioned consolidation parcel map, 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

John K. Riess

Deputy City Attorney

JKR:mem 05/22/86

Or.Dept:E&D

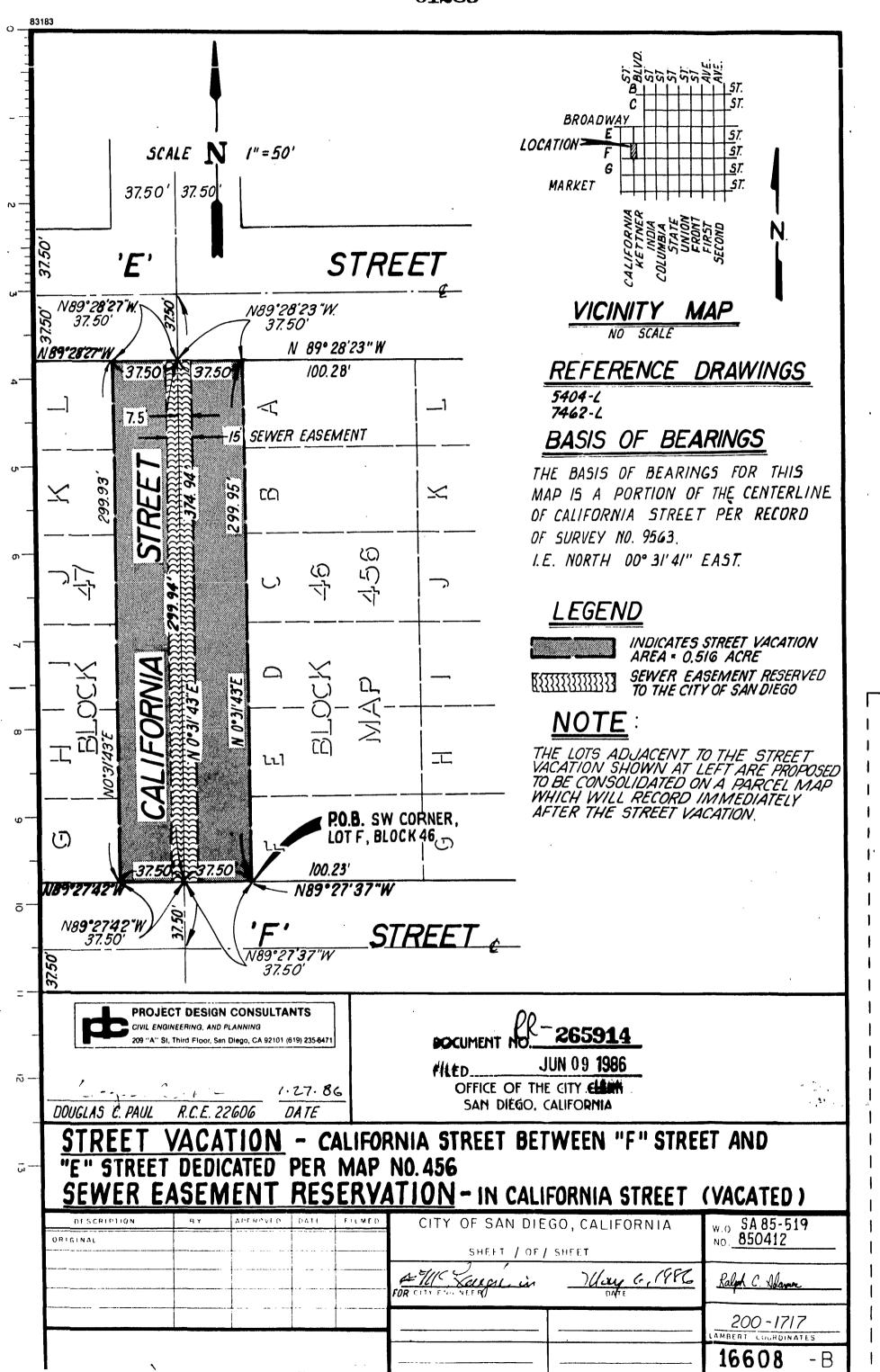
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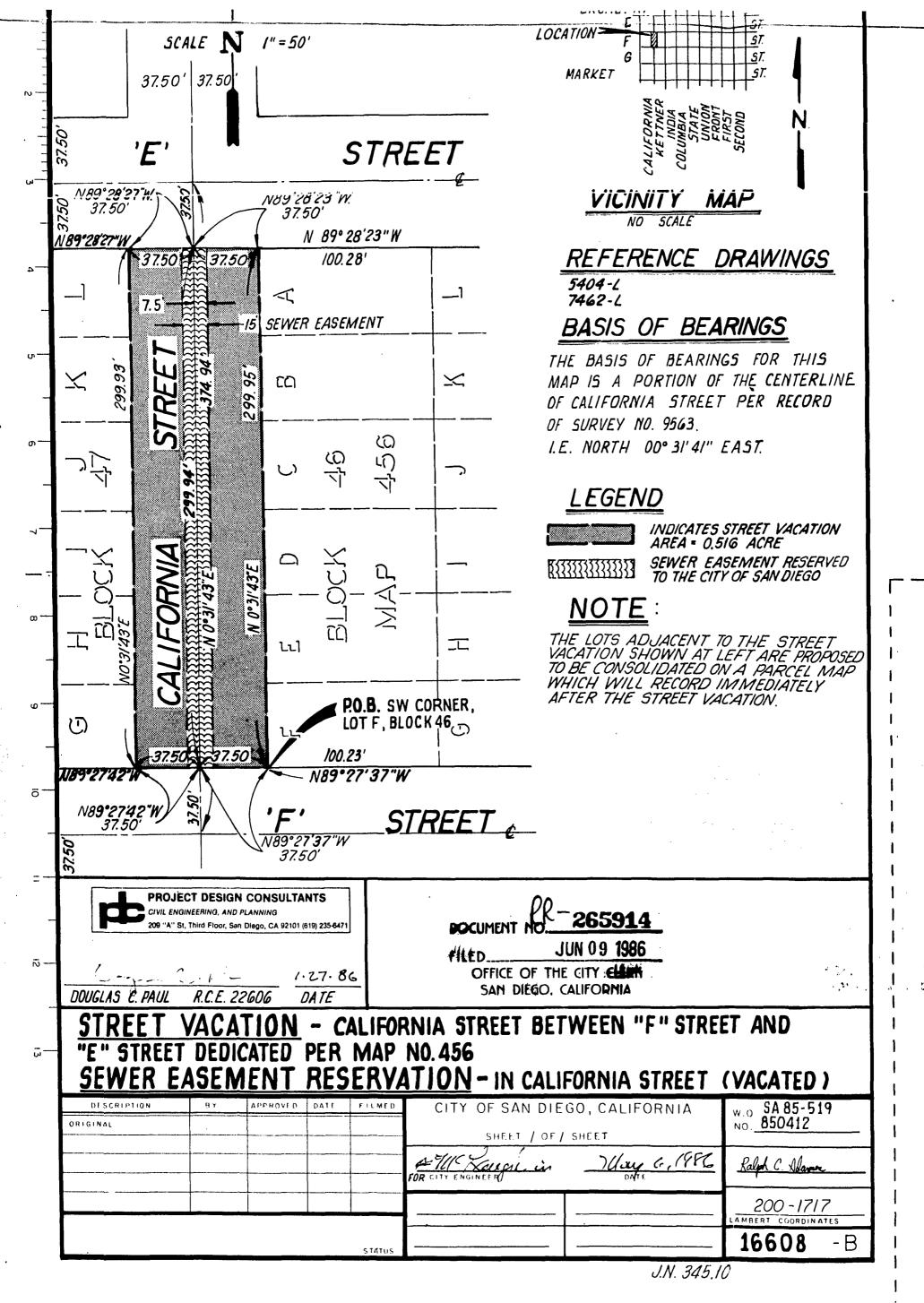
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DWG:16608-B

R-86-2309

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assed and adopted by the Council of The City of San Diego on			JUL 1 1986		
by the following vote:		,,,,,,,,			
Councilmen Abbe Wolfsheimer Bill Cleator Gloria McColl William Jones Ed Struiksma Mike Gotch Judy McCarty Uvaldo Martinez Mayor	Yeas Debed	Nays	Not Present	Ineligible	ACANT
AUTHENT	ICATED BY:				
	ED STRUIKSMA Deputy Mayor of The City of San Diego, California.				
(Seal)	CHARLES G. ABDELNOUR				
)	f The City of San		a . , Deputy.
					 -
	Office of the City Clerk, San Diego, California				
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