

(R-87-2033)

RESOLUTION NUMBER R- 268643

ADOPTED ON JUN 22 1987

VACATION OF THE ALLEY WITHIN BLOCK 209 OF MISSION BEACH, MAP 1809, AND BOUNDED BY BAYSIDE LANE, BAYSIDE WALK, SEAGIRT COURT AND SUNSET COURT.

WHEREAS, it is proposed that the alley within Block 209 of Mission Beach, Map 1809 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 right-of-way was originally acquired or for any other public use of a like nature that can be anticipated in that the right-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 the alley within Block 209 of Mission Beach, Map 1809, as more particularly referred to in Resolution of Intention No. R- 268278, adopted by the Council on May 4, 1987, is not necessary for present or prospective public street purposes.

2. That the alley within Block 209 of Mission Beach, Map 1809, as more particularly shown on Drawing No. 16756-B, on file in the office of the City Clerk as Document No. RR- 268278, 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 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

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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.

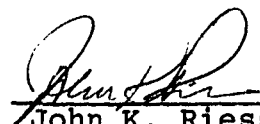
5. That the easements reserved herein are in, under, over, upon, along and across that portion of the alley within Block 209 of Mission Beach, Map 1809, vacated by this Document and as more particularly shown on Drawing No. 16756-B, on file in the office of the City Clerk as Document No. RR- 268278

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.

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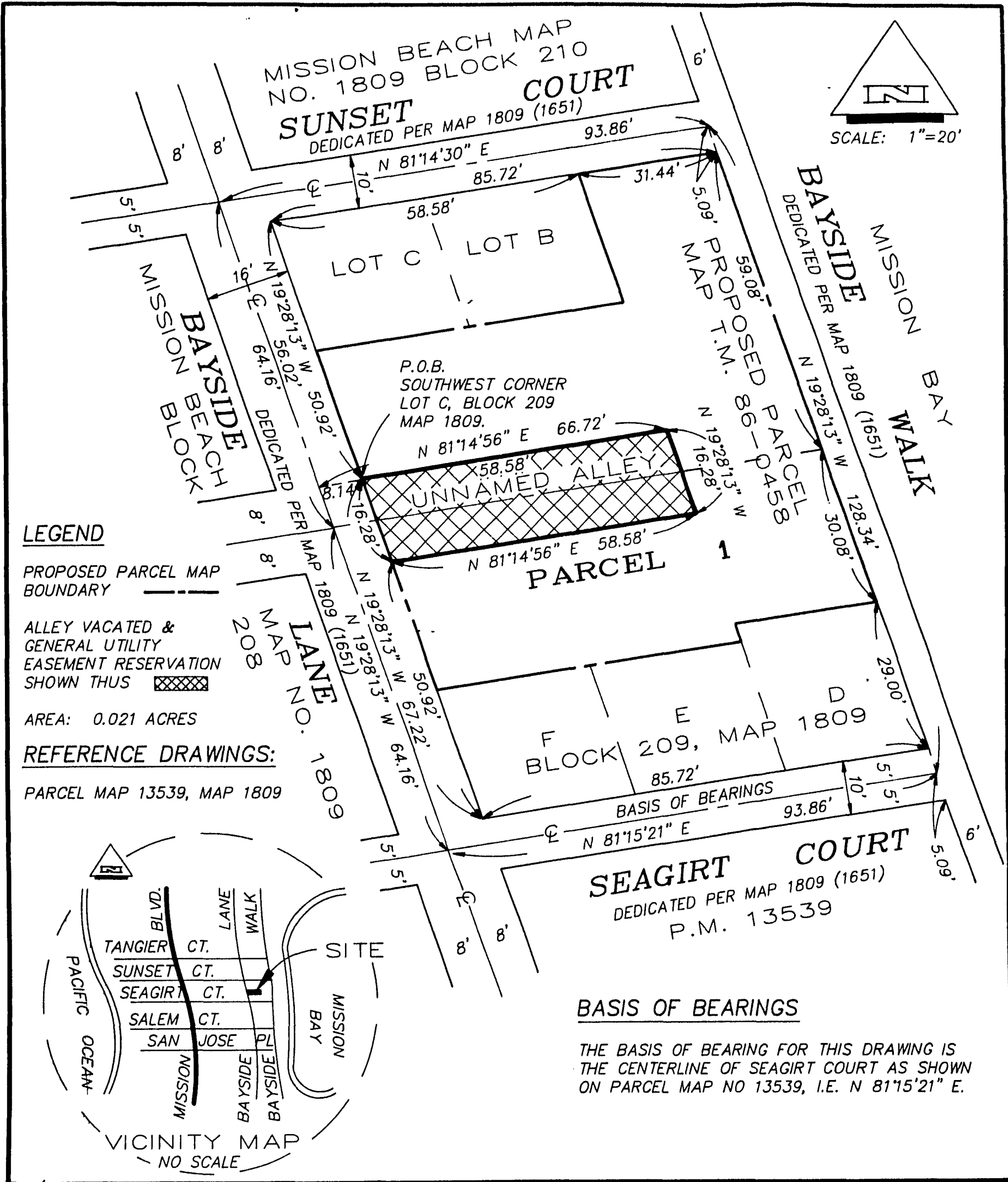
7. That the City Engineer shall advise the City Clerk of the approval of the aforementioned consolidation parcel map, and that the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, with drawings, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By 
John K. Riess
Deputy City Attorney

JKR:mrh:221.1
04/01/87
Or.Dept:E&D
SA:85-523
WO:120232
DWG:16756-B
R-87-2033
Form=r.stve

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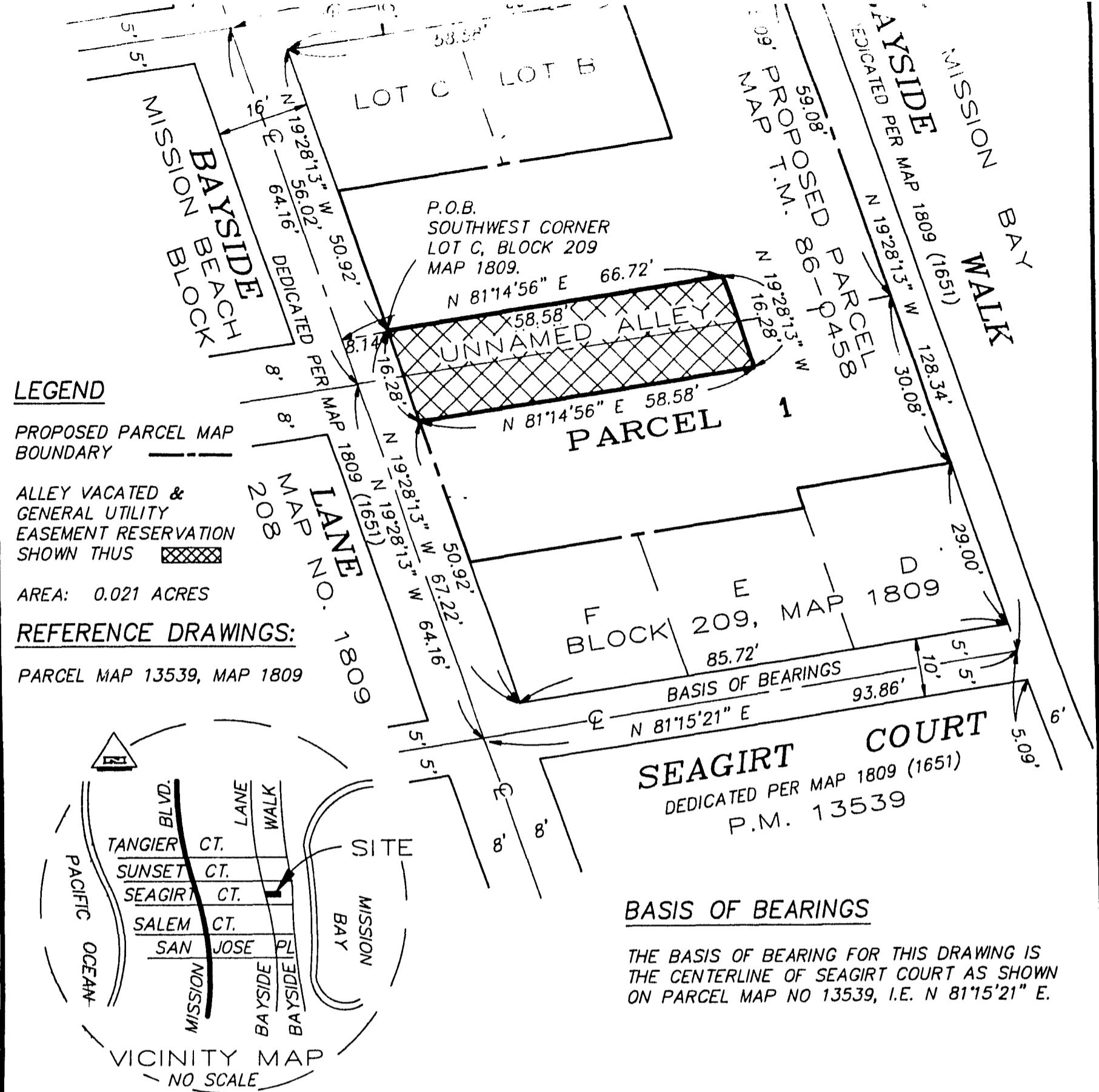


Herman W. Bateman DATE 2-23-87
 HERMAN W. BATEMAN L.S. 4605
 EXPIRES: SEPTEMBER 30, 1990
 SAN DIEGO LAND SURVEYING & ENG. INC.
 9520 CHESAPEAKE DRIVE, SUITE 603
 SAN DIEGO, CA 92123
 (619) 565-8362

DOCUMENT NO. PP-268278
 FILED MAY 4 1987
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

ALLEY VACATION & GENERAL UTILITY EASEMENT RESERVATION
 EAST OF BAYSIDE LANE FOR PROPOSED PARCEL MAP (T.M. 86-0458)

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL					SHEET 1 OF 1 SHEET	
					W.O. NO. <u>120232</u> SA <u>85-523</u>	
					<i>J. L. McLaughlin</i> <u>2/23/87</u> FOR CITY ENGINEER DATE	
					<i>Ralph C. Adams</i> CONTROL CERTIFICATION	
					226-1691 LAMBERT COORDINATES	
					STATUS 16756 - B	



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					STATUS	

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Passed and adopted by the Council of The City of San Diego on JUN 22 1987,
by the following vote:

Council Members	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"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

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

By Barbara Bayler, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-268643 Adopted JUN 22 1987

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