(R-87-2205)

## RESOLUTION NUMBER R-268653

VACATION OF "F" STREET EAST OF 33RD STREET AND ADJACENT TO PORTIONS OF BLOCKS 1 AND 6 OF MAP 419.

WHEREAS, it is proposed that "F" Street east of 33rd Street and adjacent to portions of Blocks 1 and 6 of Map 419 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 rights-of-way are 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 and specified certain public improvements 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 "F" Street east of 33rd Street and adjacent to portions of Blocks 1 and 6 of Map 419, as more particularly referred to in Resolution of Intention No. R-262302, adopted by the Council on May 11, 1987, is not necessary for present or prospective public street purposes.
- 2. That "F" Street east of 33rd Street and adjacent to portions of Blocks 1 and 6 of Map 419, as more particularly shown on Drawing No. 16960-B, on file in the office of the City Clerk as Document No. RR-26302, 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 water mains 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

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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. The easement reserved herein is in, under, over, upon, along and across that portion of "F" Street, vacated by this document and as more particularly shown on Drawing No. 16960-B, on file in the office of the City Clerk as Document No. 268302.

- 4. That the resolution shall not become effective unless and until the following conditions, have been met:
- A. A consolidation parcel map must be filed to prevent landlocked parcels.
- B. Construct curb, gutter and sidewalk across the vacated portion of "F" Street adjacent to 33rd Street, satisfactory to the City Engineer.
- C. Dedicate required right-of-way and construction of associated improvements at the easterly terminus of the vacation to the satisfaction of the City Engineer.

In the event the above items are not completed within three (3) years after adoption, this resolution shall become void and be of no further force or effect.

5. That the City Engineer shall advise the City Clerk that the above-mentioned items have been completed, and that the City Clerk shall then cause a certified copy of this resolution,

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attested by him under seal, with drawings, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

John K. Riess

Deputy City Attorney

JKR:mrh:221.1

04/24/87

Or.Dept:E&D

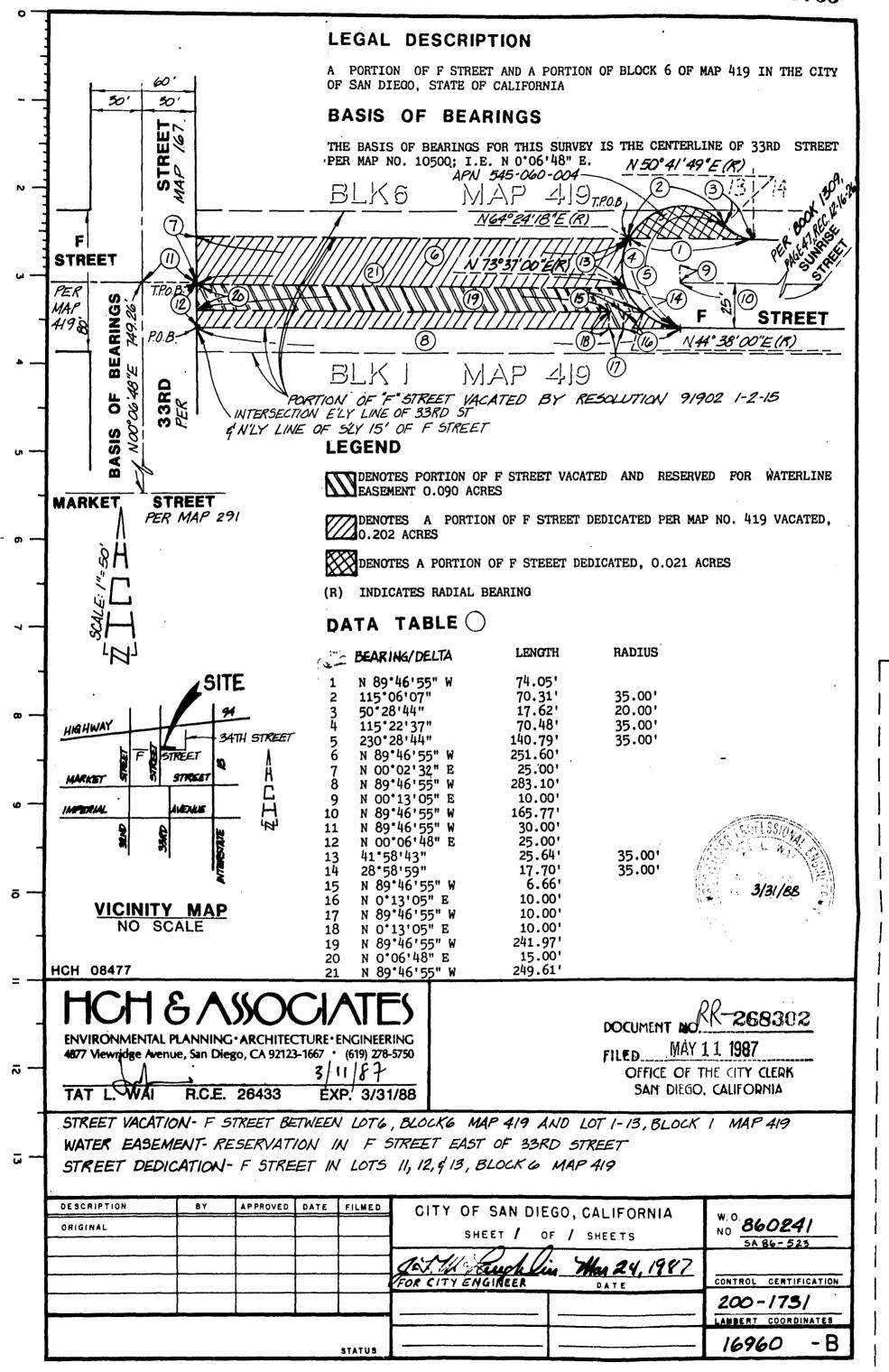
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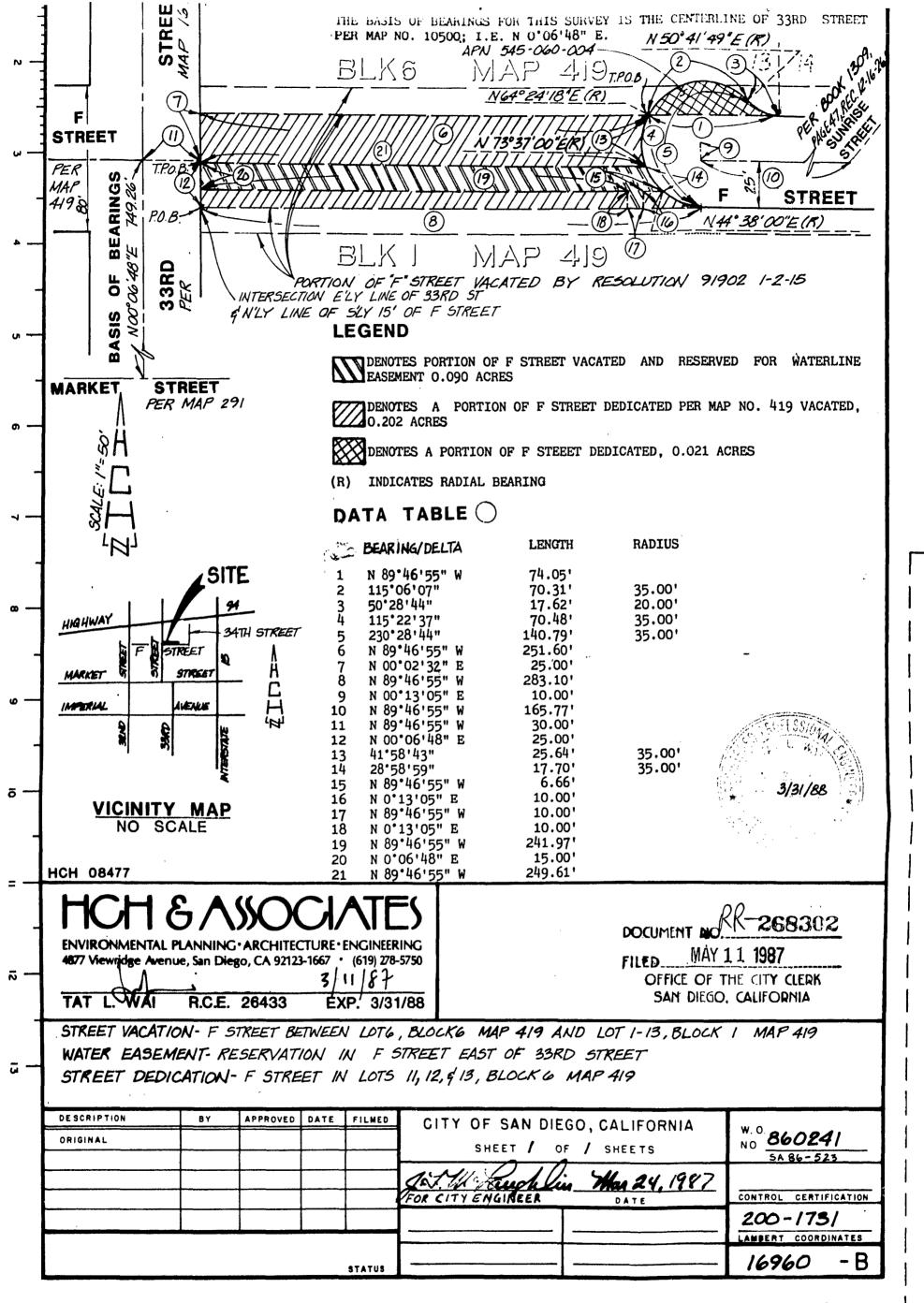
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DWG:16960-B

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JUN 23 1987 Passed and adopted by the Council of The City of San Diego on..... by the following vote: **Council Members** Yeas Nays Not Present Ineligible **Abbe Wolfsheimer Bill Cleator** Gloria McColl William Jones Ed Struiksma Mike Gotch Judy McCarty Celia Ballesteros Mayor Maureen O'Connor MAUREEN O'CONNOR **AUTHENTICATED BY:** Mayor of The City of San Diego, California. CHARLES G. ABDELNOUR (Seal) ty Clerk of The City of San Diego, California. Office of the City Clerk, San Diego, California

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