

(R-88-216)

RESOLUTION NUMBER R- 269405

ADOPTED ON SEP 29 1987

VACATION OF MAXIM STREET BETWEEN DR. MARTIN
LUTHER KING JR. WAY AND INTERSTATE 805.

WHEREAS, it is proposed that a portion of Maxim Street between Dr. Martin L. King Jr. Way and Interstate 805 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 consolidation parcel map and specified public improvements for the affected parcels being approved by Council action; 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 Maxim Street between Dr. Martin L. King Jr. Way and Interstate 805, as more particularly referred to in Resolution of Intention No. R- 269085, adopted by the Council on AUG 10 1987, 1987, is not necessary for present or prospective public street purposes.

2. That Maxim Street between Dr. Martin L. King Jr. Way and Interstate 805, as more particularly shown on Drawing No. 17021-B, on file in the office of the City Clerk as Document No. RR- 269085, 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 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 sewer facilities 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 easements reserved herein are in, under, over, upon, along and across that portion of Maxim Street vacated by this document and as more particularly shown as sewer easement reservation on Drawing No. 17021-B on file in the office of the City Clerk as Document No. RR- 269085.

5. That the resolution shall not become effective unless and until the following conditions have been met:

a. A consolidation parcel map for the affected parcels must be approved and recorded in the Office of the County Recorder.

b. Issuance of permits and bonding for construction of the public improvements to include curb, gutter and sidewalk construction across the vacated area adjacent to Dr. Martin L. King Jr. Way, satisfactory to the City Engineer.

In the event the above items are not completed within two (2) years after adoption, this resolution shall become void and be of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the approval of the aforementioned subdivision map, and required public improvements, 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
07/24/87
Or.Dept:E&D
SA:86-559
WO:120232
DWG:17021-B
R-88-215
Form=r.stve

LEGEND

 STREET VACATION SHOWN THUS

AREA = 0.36 AC.

 SEWER ESMT RESERVATION SHOWN THUS

REFERENCE DWGS

PARCEL MAP 4207 & 4208
CHOLLAS VIEW MAP NO. 3864

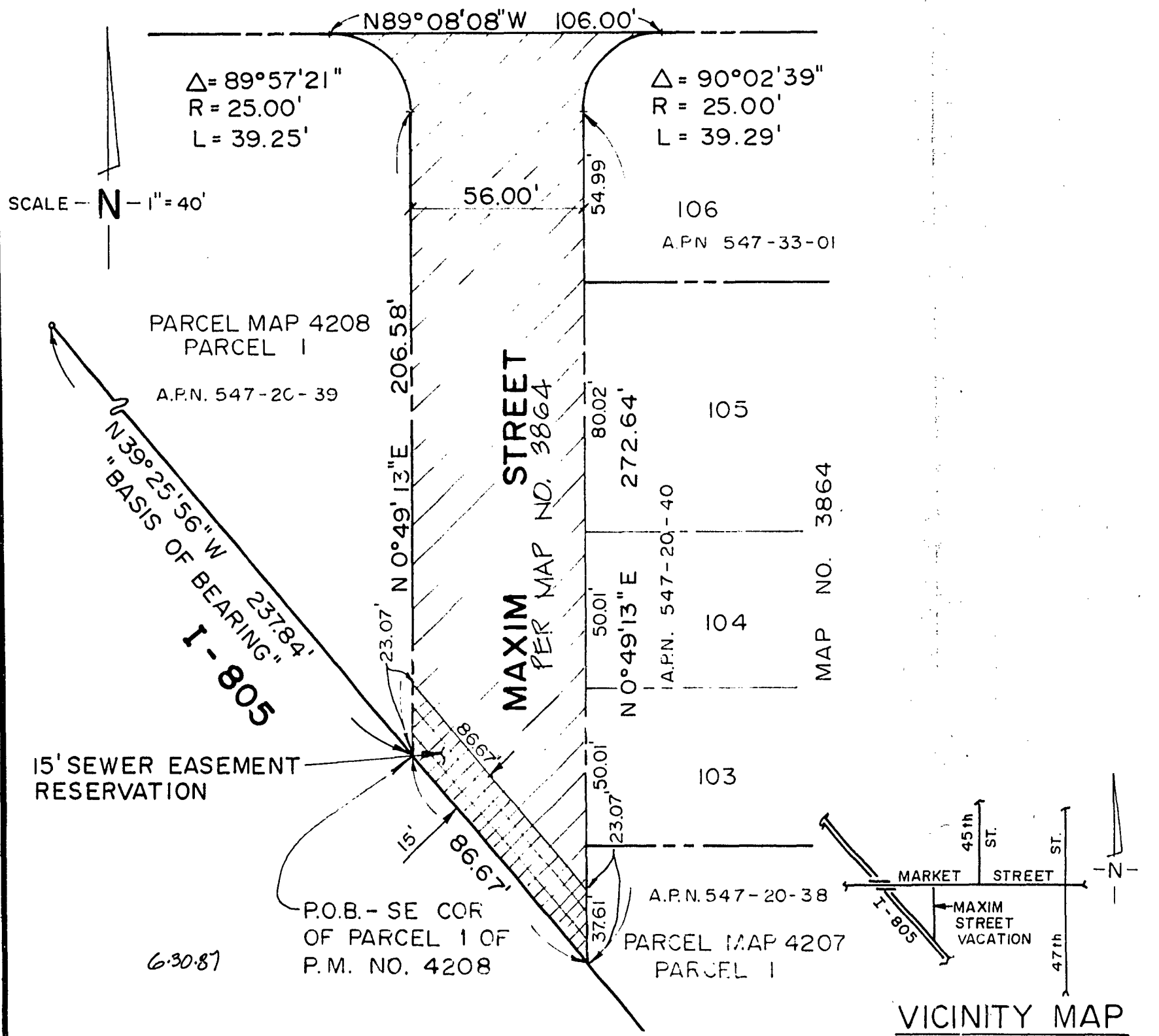
ASSESSOR NO.

SHOWN ON PLAT AS A.P.N.

BASIS OF BEARING

SOUTHWESTERLY LINE OF PARCEL MAP 4208
∴ N 39°25'56" W

MARKET STREET



VICINITY MAP

PREPARED BY:
FOTIADI ENGINEERING, INC.
348 W MARKET ST., STE 205
SAN DIEGO, CA 92101
PH. (619) 234-3775
[Signature] 5/18/87
ERIC FOTIADI R.C.E. 35763 DATE

DOCUMENT NO. MR-269085
FILED AUG 10 1987
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION-MAXIM ST. SOUTH OF MARKET STREET TO I-805 RIGHT-OF-WAY & SEWER EASEMENT RESERVATION

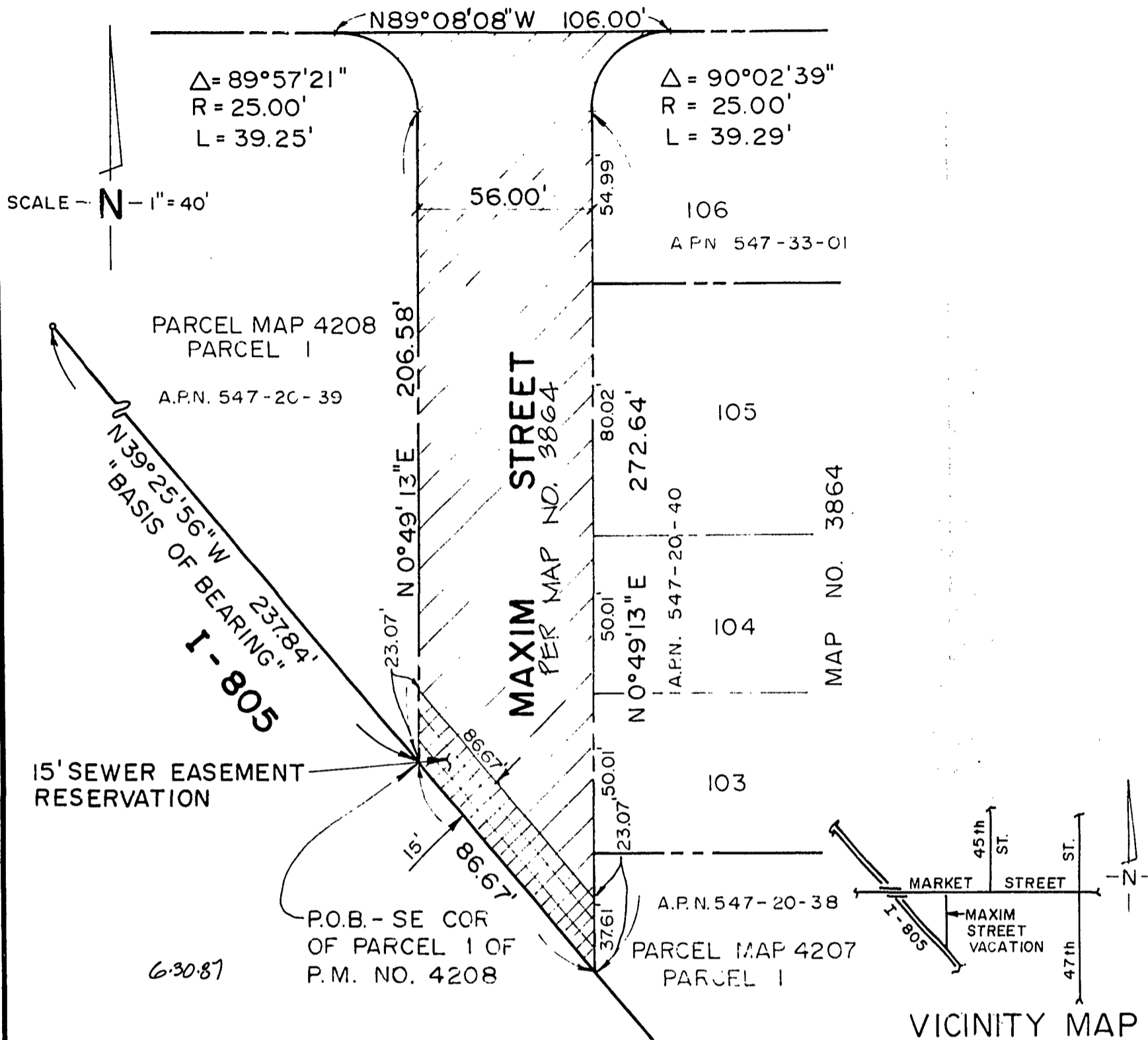
CITY OF SAN DIEGO, CALIFORNIA		120232
		SA 86-559
<i>[Signature]</i>	1-2-87	<i>[Signature]</i>
		198-1739
		17021 -B



SF WER ESMT RESERVATION
SHOWN THUS

SOUTHWESTERLY LINE OF PARCEL MAP 4208
N 39°25'56" W

MARKET STREET



VICINITY MAP

PREPARED BY:
FOTIADI ENGINEERING, INC.
348 W MARKET ST., STE 205
SAN DIEGO, CA 92101
PH. (619) 234-3775

[Signature] 5/10/87
ERIC FOTIADI R.C.E. 35763 DATE

DOCUMENT NO. RR-269085

FILED AUG 10 1987

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**STREET VACATION-MAXIM ST. SOUTH OF MARKET STREET TO
I-805 RIGHT-OF-WAY & SEWER EASEMENT RESERVATION**

DESCRIPTION	BY	APPROVED	DATE	CITY OF SAN DIEGO, CALIFORNIA	NO. 120232
ORIGINAL				SHEET 1 OF 1 SHEETS	SA 86-559
		<i>[Signature]</i>	7-2-87	<i>[Signature]</i>	198-1739
					LAMBERT COORDINATES
					17021 - B

SEP 29 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	<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"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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 *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R* 269405 Adopted SEP 29 1987