

(R-88-714)

RESOLUTION NUMBER R- **269551**

ADOPTED ON OCT 26 1987

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 is excess right-of-way and is in excess of what is required for present or prospective street purposes; 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 the northerly and southerly excess segments of Winder Street between India Street and Columbia Street to facilitate development of their property; and

WHEREAS, the portions of street to be vacated are 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 the northerly and southerly segment of Winder Street between India Street and Columbia Street, as more particularly

shown on Drawing No. 17084-B, on file in the office of the City Clerk as Document No. RR-269551-1, 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

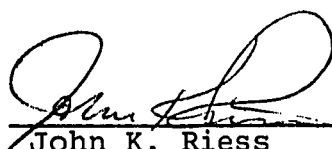
construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and for incidental purposes 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 those portions of Winder Street vacated by this document and as more particularly shown on Drawing No. 17084-B on file in the office of the City Clerk as Document No. RR-**269551**-!

5. That the City Clerk shall 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

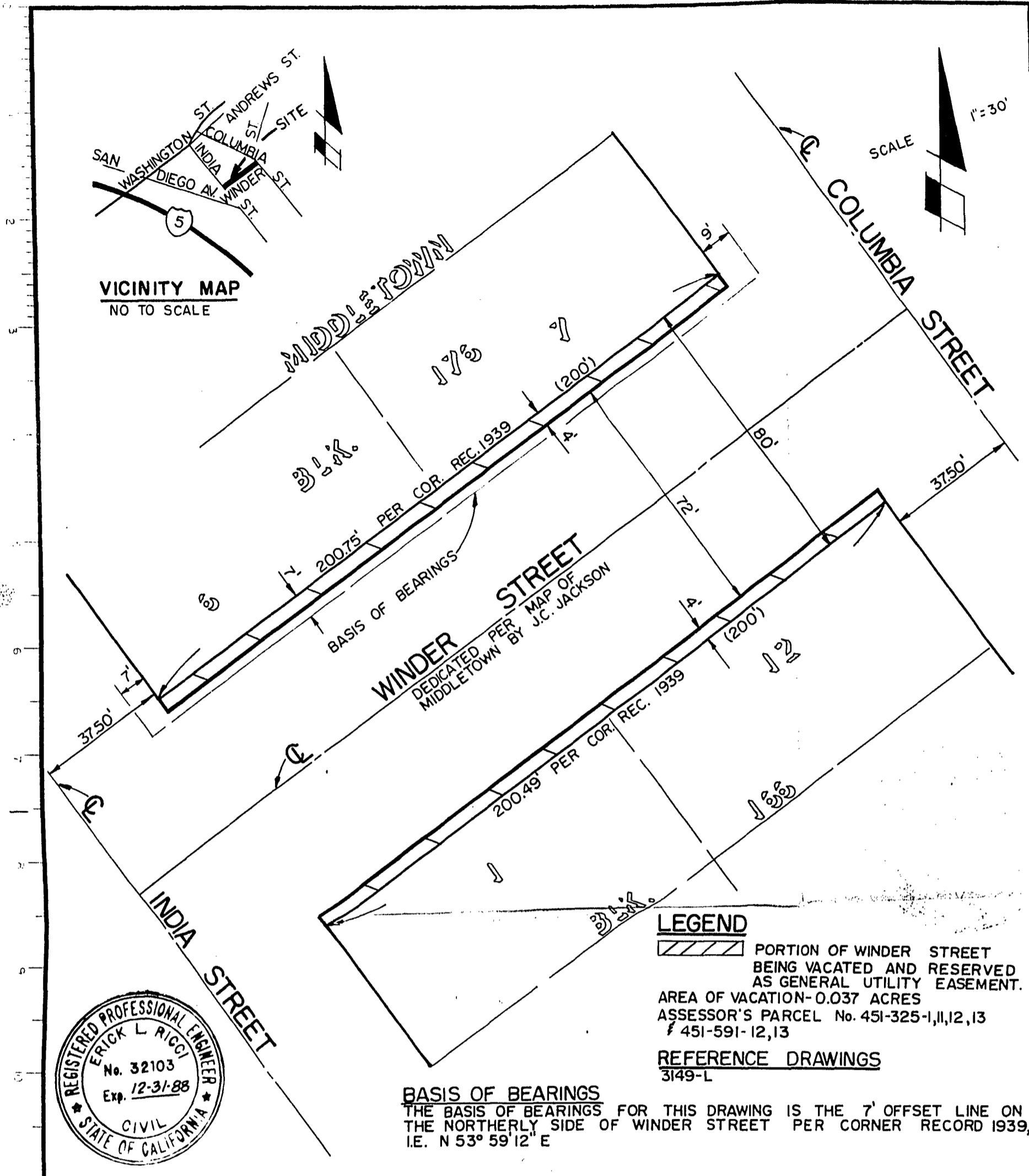
By



John K. Riess
Deputy City Attorney

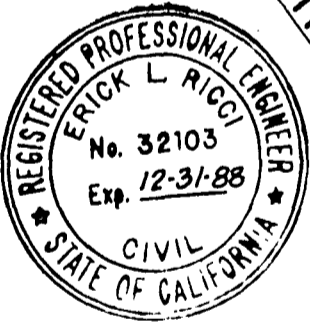
JKR:wk:221.1
10/05/87
Or.Dept:E&D
SA:86-555
SA:87-503
WO:120232
Dwg:17084-B
R-88-714
Form=r.sumv3

R 269551



VICINITY MAP
NO TO SCALE

SCALE 1" = 30'



LEGEND

PORTION OF WINDER STREET BEING VACATED AND RESERVED AS GENERAL UTILITY EASEMENT.
AREA OF VACATION-0.037 ACRES
ASSESSOR'S PARCEL No. 451-325-1,II,12,13 & 451-591-12,13

REFERENCE DRAWINGS
3149-L

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE 7' OFFSET LINE ON THE NORTHERLY SIDE OF WINDER STREET PER CORNER RECORD 1939, I.E. N 53° 59' 12" E

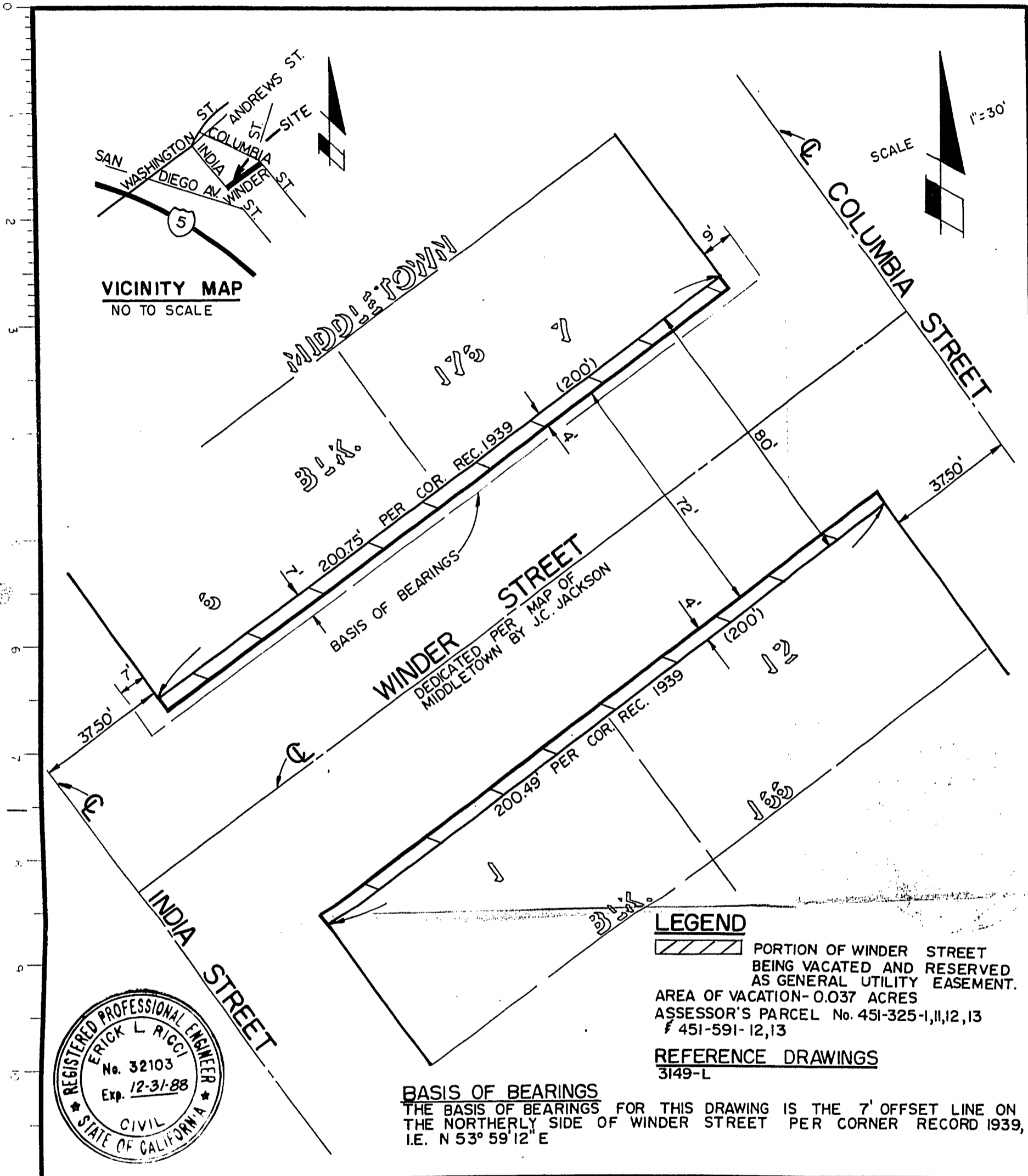
PLANS PREPARED BY:
SRT ENGINEERING Inc.
1014 W. WASHINGTON St.
SAN DIEGO, CALIF. 92103-1874
(619) 296-3183
Erick L. Ricci 7-21-87
ERICK L. RICCI RCE.32103

DOCUMENT NO. RR-269551-1
FILED OCT 26 1987
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA


**STREET VACATION AND GENERAL UTILITY EASEMENT RESERVATION-
NORTHERLY 4 FEET AND SOUTHERLY 4 FEET WINDER STREET-
BETWEEN INDIA AND COLUMBIA STREETS**

DESCRIPTION	BY	APPROVED	DATE	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL				SHEET 1 OF 1 SHEET	
				<i>R. E. Lockwood</i>	8-25-87
				FOR CITY ENGINEER	DATE
					CONTROL CERTIFICATION
					210-1713
					LAMBERT COORDINATES
					17084-B

00439



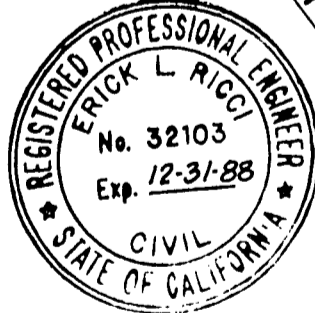
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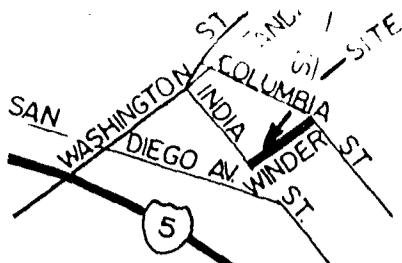


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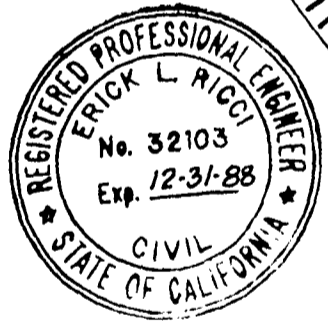
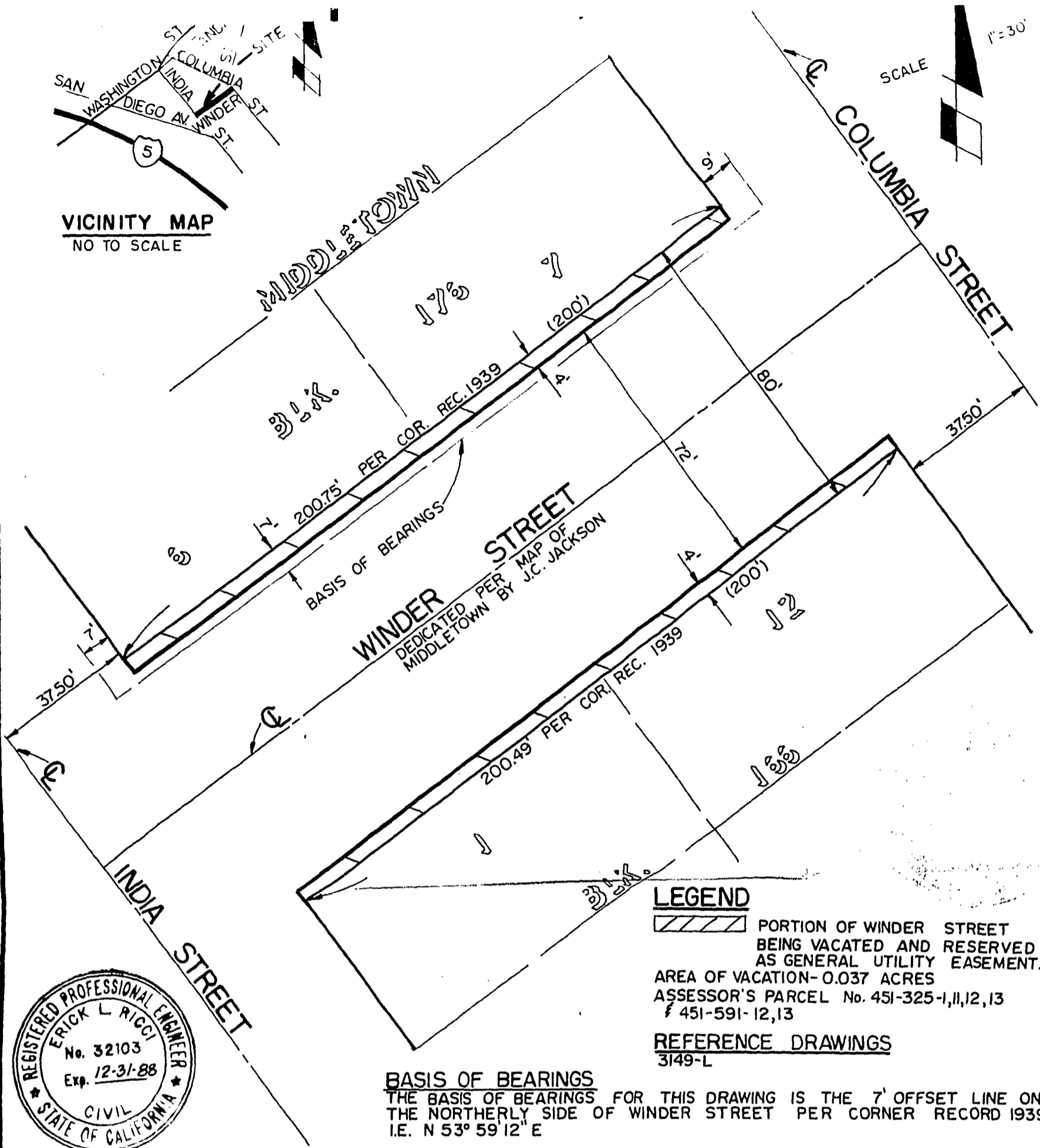
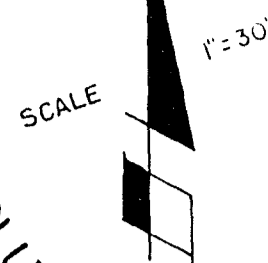
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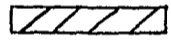
<p>ORIGINAL</p>	<p>CITY OF SAN DIEGO, CALIFORNIA</p> <p><i>Referred</i> 8-25-87</p>	<p>SA 86-555 Wb. SA 87-503 No. 120232</p>
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VICINITY MAP
NO TO SCALE



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			17084-B																

Passed and adopted by the Council of The City of San Diego on OCT 26 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"/>	
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Vacant
Ed Struiksm	<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-269551 Adopted OCT 26 1987