

(R-88-2572)

RESOLUTION NUMBER R- 271322

ADOPTED ON JUL 05 1988

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 for a period of five (5) consecutive years the street has been impassable for vehicular travel and no public money was expended for maintenance on the street during such period; and

WHEREAS, in connection with said vacation, the City desires to reserve a certain easement; and

WHEREAS, the abutting property owners have requested the vacation of a portion of Bay View Court south of Lyndon Road, adjacent to Lot 83 of Mission Hills, Map 1115, to facilitate development of their property; and

WHEREAS, the portion of street to be vacated is 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 a portion of Bay View Court south of Lyndon Road, adjacent to Lot 83 of Mission Hills, Map 1115, as more particularly shown on Drawing No. 17173-B, on file in the office of the City Clerk as Document No. RR-~~271322~~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 drainage 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 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.

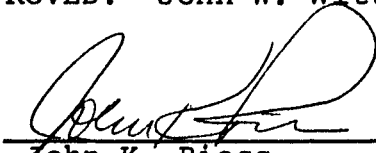
3. That the drainage easement reserved herein is in, under, over, upon, along, and across that portion of Bay View Court vacated by this document and as more particularly shown on

Drawing No. 17173-B, on file in the office of the City Clerk as
Document No. RR-~~271322~~!

4. 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.

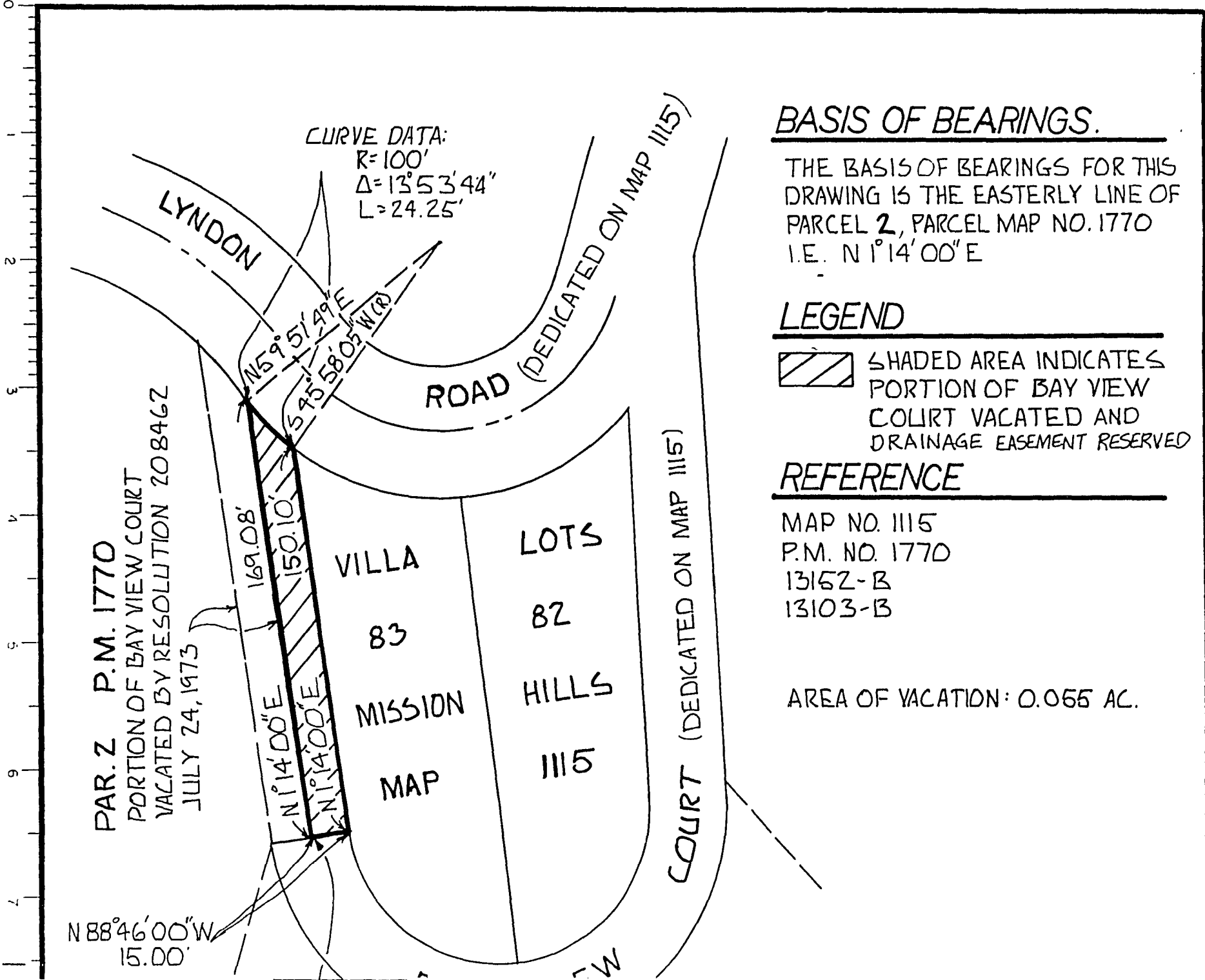
APPROVED: John W. Witt, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:wk:221.1
06/20/88
Or.Dept:E&D
SA:86-549
WO:120232
Dwg:17173-B
R-88-2572
Form=r.sumv3



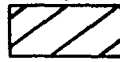
CURVE DATA:
 R=100'
 $\Delta=13^{\circ}53'44''$
 L=24.25'

PAR. 2 P.M. 1770
 PORTION OF BAY VIEW COURT
 VACATED BY RESOLUTION 20846Z
 JULY 24, 1973

BASIS OF BEARINGS.

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE EASTERLY LINE OF PARCEL 2, PARCEL MAP NO. 1770 I.E. N 14° 00' E

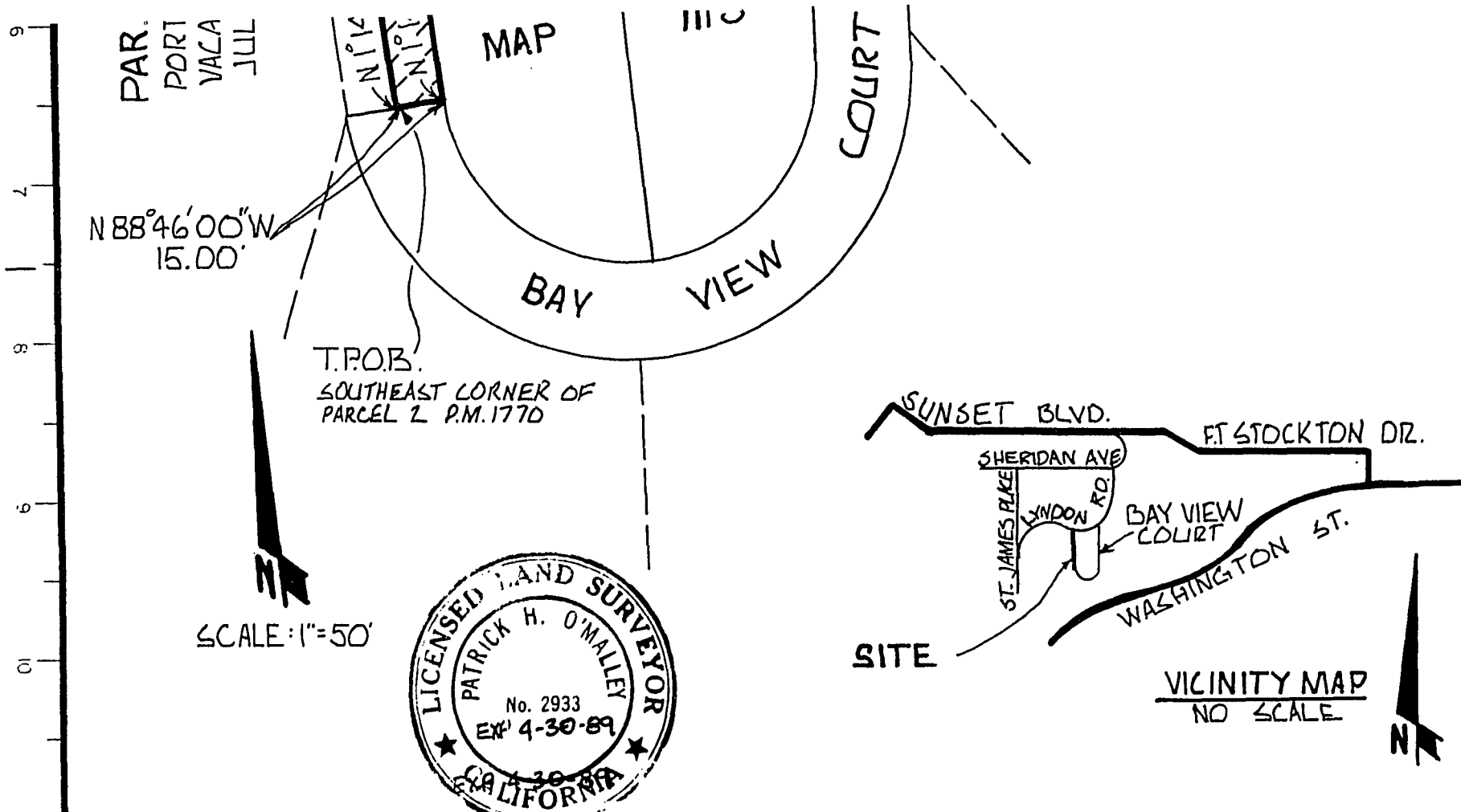
LEGEND

 SHADED AREA INDICATES PORTION OF BAY VIEW COURT VACATED AND DRAINAGE EASEMENT RESERVED

REFERENCE

MAP NO. 1115
 P.M. NO. 1770
 1315Z-B
 13103-B

AREA OF VACATION: 0.055 AC.



ENGINEER OF WORK

O'MALLEY & ASSOCIATES
3410 PERSHING AVE.

SAN DIEGO CA. 92104 295-6676

Patrick H. O'Malley 12-1-87

PATRICK H. O'MALLEY L.S. 2933

STREET VACATION AND DRAINAGE EASEMENT RESERVATION -

THE EASTERLY HALF OF BAY VIEW COURT - ADJACENT TO LOT 83, MISSION HILLS, MAP 1115

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	D. HORST				SHEET 1 OF 1 SHEET	
					<i>J. F. McLaughlin</i>	W.O. NO. 170232
					FOR CITY ENGINEER	DATE May 9, 88
						CONTROL CERTIFICATION
						212-1713
						LAMBERT COORDINATES
						17173 - B

DOCUMENT NO. 17-271322-1

STATUS

FILED JUL 05 1988
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

1.3

JUL 05 1988

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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Luna M. Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-271322* Adopted *JUL 05 1988*

RECEIVED
CITY CLERK'S OFFICE
1989 JUN 22 AM 11:28
SAN DIEGO, CALIF.

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