

(R-89-227)

RESOLUTION NUMBER R- 271748

ADOPTED ON SEP 06 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 money was expended for maintenance on the street during such period; and

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

WHEREAS, the abutting property owner has requested the vacation of an excess portion of Broadway west of 31st Street and adjacent to the portion of Broadway vacated by City Council Resolution R-222716, adopted January 30, 1979, to facilitate development of his adjacent 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, it is necessary and desirable that the vacation be conditioned upon the recordation of a consolidation parcel map encompassing the adjacent properties; and

WHEREAS, the vacation or abandonment 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 excess portion of Broadway west of 31st Street, as more particularly shown on Drawing No. 16428-B, on file in the office of the City Clerk as Document No. RR-271748, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

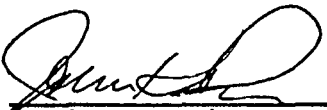
2. That The City of San Diego hereby reserves and excepts the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating water facilities of any kind or nature, including all necessary and proper fixtures and equipment for use in connection therewith, 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 water easement reserved herein is in, under, over, upon, along, and across a portion of Broadway as vacated by this document and that the easement is more particularly shown and delineated on Drawing No. 16428-B, on file in the office of the City Clerk as Document No. RR-271748.

4. That the resolution shall not become effective unless and until the approval and recordation of a consolidation parcel map to include Lots 43-48, Block 94, Map 547, the vacated portion of Broadway per Council Resolution No. R-222716, and the portion of Broadway vacated by this document. In the event that the required parcel map is not recorded within two (2) years after adoption of this resolution, this resolution shall become void and of no further force or effect.

6. 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, 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
08/11/88
Or.Dept:E&D
SA:83-526
WO:120232
Dwg:16428-B
R-89-227
Form=r.sumv3

E.W. MORSE'S SUBDIVISION

BLOCK 94

MAP 547

40

45

43

(RAD.)
N14°35'36"E

(RAD.)
N12°20'47"E

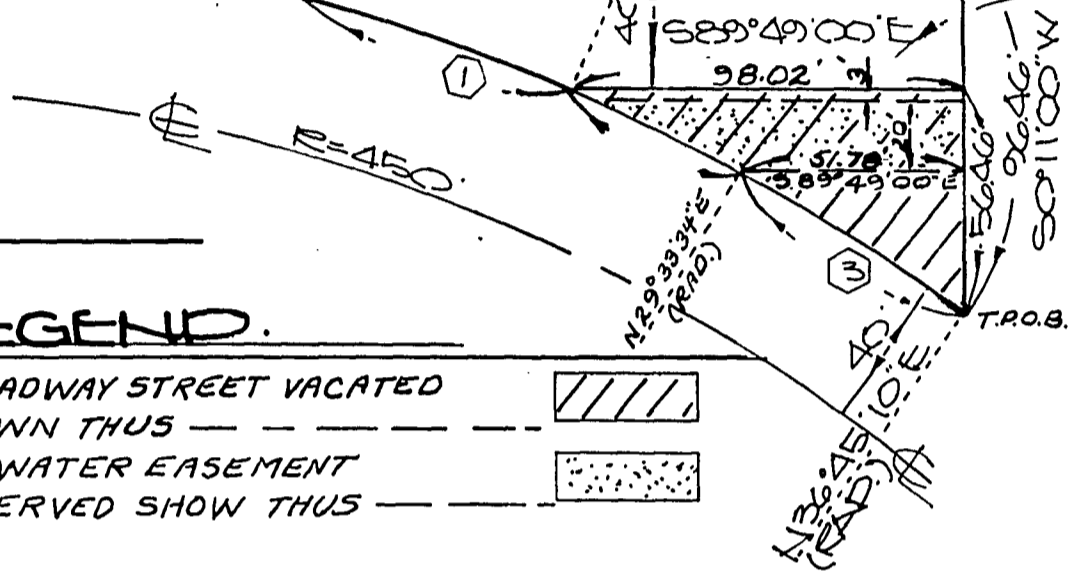
STREET

31 ST


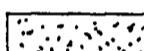
EXIST. 20' STREET VACATION PER RESOLUTION # 194856 DATED APRIL 5, 1915

BROADWAY

EXISTING STREET VACATION PER 14407-B DATED SEPT. 7, 1978



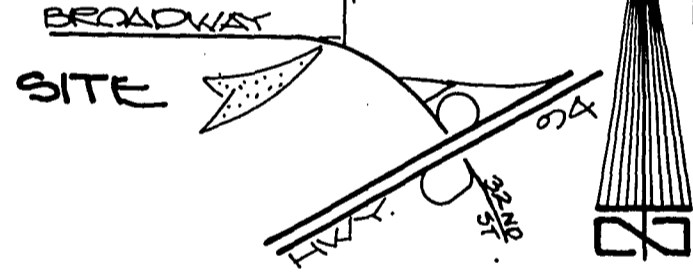
LEGEND.

- BROADWAY STREET VACATED SHOWN THUS 
- 20' WATER EASEMENT RESERVED SHOW THUS 

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS MAP IS THE CENTERLINE OF 31ST STREET AS SHOWN ON ST. VAC. PLAT 14407-B

AREA. 0.058 ACRES

- ① R=490'
Δ=8°54'11"
L=76.14'
- ② R=490'
Δ=6°03'47"
L=51.85'
- ③ R=490'
Δ=7°11'36"
L=61.52'



VICINITY MAP:
NO SCALE

REFERENCES:

14407-B; R/W MAP 37508, MAP 547

ASSESSOR'S PARCEL NO. 539-542-27+28

ENGINEER:

PHILLIPS-REYNOLDS ENGR
71 N. 4TH AVE.
CHULA VISTA CA 92010
(714)-426-5400
Ronald Parker
R.C. PARKER LS 4312

STREET VACATION & WATER EASEMENT RESERVATION
A PORTION OF BROADWAY AT 31ST ST.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO. 120232
ORIGINAL					SHEET 1 OF 1 SHEETS	SA 83-526
					<i>J. F. McLaughlin</i> June 22, 1983 CITY ENGINEER DATE	<i>Robert G. Wenzel</i> CONTROL CERTIFICATION
						200-1729
						LAMBERT COORDINATES
						16428 - B

3556

DOCUMENT NO. *RR-271748-1*
FILED SEP 06 1988
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

E.W. MORSE'S SUBDIVISION

BLOCK 94

MAP 547

EXIST. 20' STREET VACATION PER RESOLUTION # 104836 DATED APRIL 5, 1915

40

45

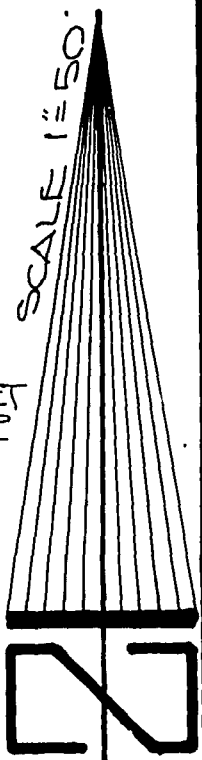
48

STREET

ST

BROADWAY

EXISTING STREET VACATION PER 14407-B DATED SEPT. 7, 1978

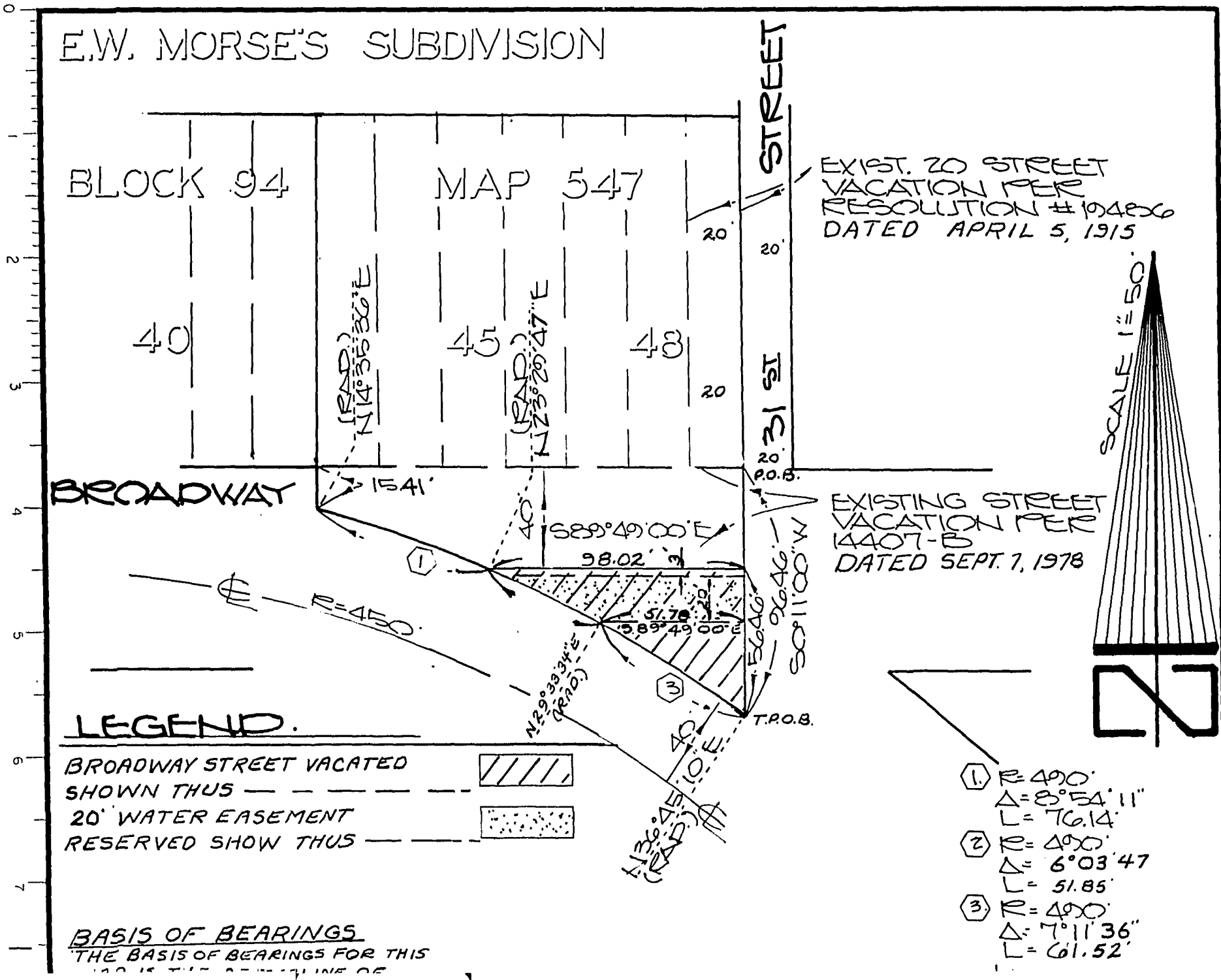


LEGEND.

- BROADWAY STREET VACATED SHOWN THUS
- 20' WATER EASEMENT RESERVED SHOW THUS

BASIS OF BEARINGS
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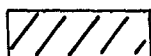
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L=76.14'
- ② R=490'
Δ=6°03'47"
L=51.85'
- ③ R=490'
Δ=7°11'36"
L=61.52'



LEGEND.

BROADWAY STREET VACATED
SHOWN THUS ————

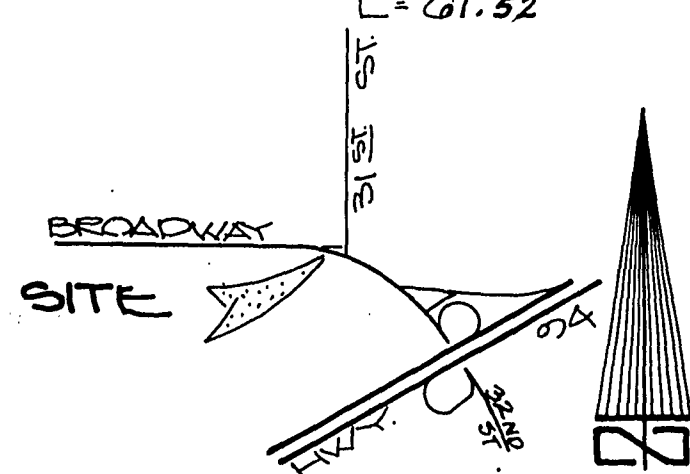
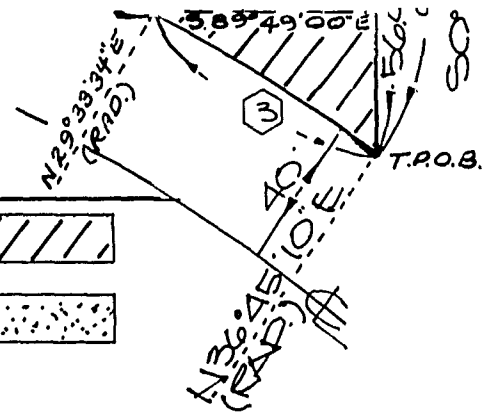
20' WATER EASEMENT
RESERVED SHOW THUS ————



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS
MAP IS THE CENTERLINE OF
31ST STREET AS SHOWN
ON ST. VAC. PLAT 14407-B

AREA. 0.058 ACRES



REFERENCES:

14407-B; R/W MAP 37508, MAP 547

ASSESSOR'S PARCEL NO. 539-542-27425

ENGINEER:

PHILLIPS-REYNOLDS ENGR
71 N. 4TH AVE.
CHULA VISTA CA 92010
(714)-426-5400

Ronald Parker
R.C. PARKER LS4312

STREET VACATION & WATER EASEMENT RESERVATION A PORTION OF BROADWAY AT 31ST ST.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA		W.O.
ORIGINAL					SHEET 1 OF 1 SHEETS		NO. 120232
					<i>J. F. McLaughlin</i> June 23, 1988 CITY ENGINEER DATE		SA 83-526
							<i>Robert G. Vegeles</i> CONTROL CERTIFICATION
							200-1729
							LAMBERT COORDINATES
							16428 - B
STATUS							

3556

DOCUMENT NO. RR-271748-1
FILED SEP 06 1988
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

#125
2-11

SEP 06 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 Struiksmas	<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 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 *Jana M. Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R* **271748** Adopted SEP 06 1988

RECEIVED
CITY CLERK'S OFFICE

1988 AUG 23 PM 1:30

SAN DIEGO, CALIF.



5-10-88