

(R-89-607)

RESOLUTION NUMBER R- 272092

ADOPTED ON OCT 11 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 the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; 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 43rd Street south of "K" Street 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; 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 43rd Street south of "K" Street, as more particularly shown on Drawing No. 17288-B, on file in the office of the City Clerk as Document No. RR-272092¹, 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 water facilities, 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.

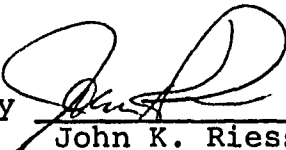
3. That the water easement reserved herein is in, under, over, upon, along, and across a portion of 43rd Street, vacated

by this document and as more particularly shown on Drawing No.
17288-B, on file in the office of the City Clerk as Document No.

RR- ~~272092~~ - |

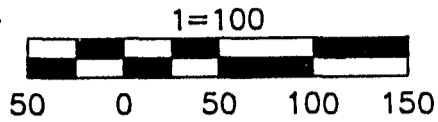
4. That the City Clerk shall then cause a certified copy of
this resolution, attested by him under seal, to be recorded in
the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

By 

John K. Riess
Deputy City Attorney

JKR:wk:221.1
09/19/88
Or.Dept:E&D
SA:85-548
WO:120232
Dwg:17288-B
R-89-607
Form=r.sumv3

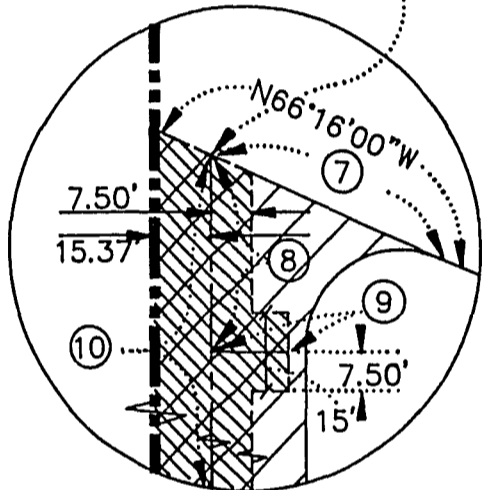
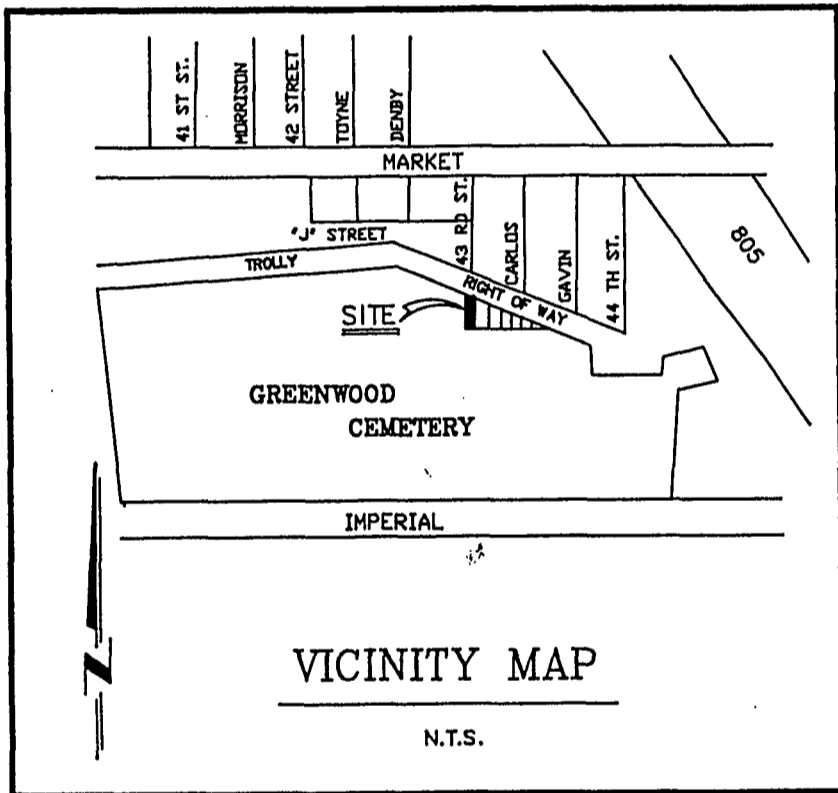


SEE DETAIL BELOW

LEGEND

- = INDICATES 43RD STREET VACATED. AREA= 0.172 ACRES
- = INDICATES WATER EASEMENT ACQUIRED. AREA= 0.101 ACRES

LOT 46
GREENWOOD MEMORIAL CEMETERY



DATA TABLE

NO.	BEARING	DELTA	RADIUS	LENGTH
①	N00°13'00"E			81.79'
②	N66°16'00"W			75.05'
③	Δ=113°31'00"	25.00'		49.33'
④	N00°13'00"E			131.69'
⑤	N89°47'30"W			40.00'
⑥	N00°13'00"E			192.70'
⑦	N66°16'00"W			65.00'
⑧	N00°13'00"E			50.00'
⑨	N89°47'30"W			20.00'
⑩	N00°13'00"E			180.55'

Prepared By :
KELTNER & ASSOCIATES
605 THIRD STREET
ENCINITAS, CA 92024
(619) 942-8829



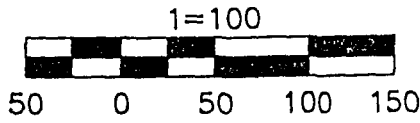
DOCUMENT NO. RR-272092-1
FILED OCT 11 1988
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION - 43rd STREET
South of "K" Street.

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA		W.O. NO. <u>120232</u>
SHEET 1 OF 1 SHEET		<u>SA 85-548</u>
<i>John M. ...</i> FOR CITY ENGINEER	<u>Aug. 22, 1988</u> DATE	<i>Ralph C. ...</i> CONTROL CERTIFICATION
		<u>196-1737</u> LAMBERT COORDINATES
		<u>17288-B</u>



R-272092

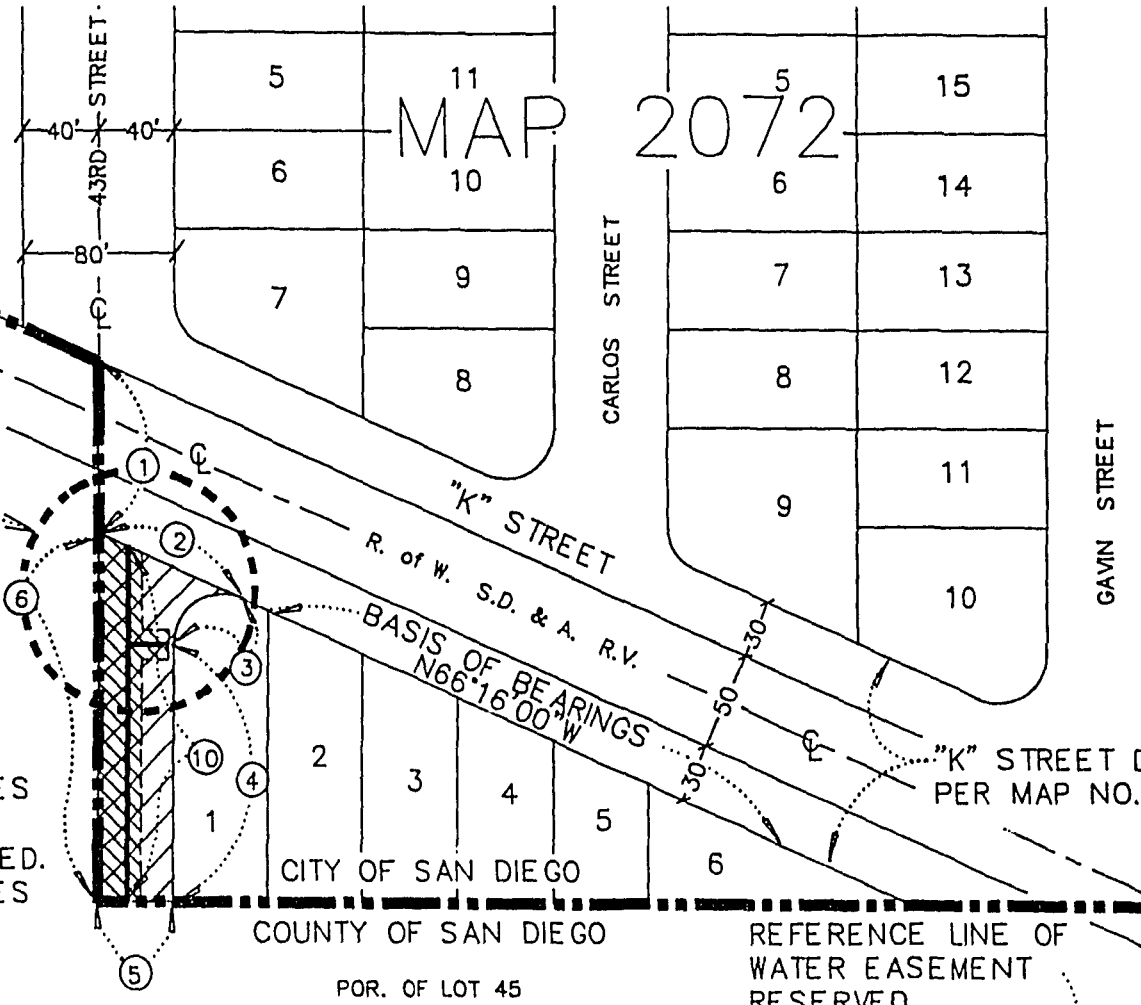


MAP 2072

SEE DETAIL BELOW

LEGEND

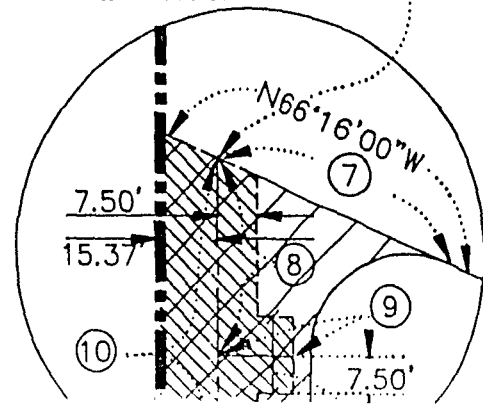
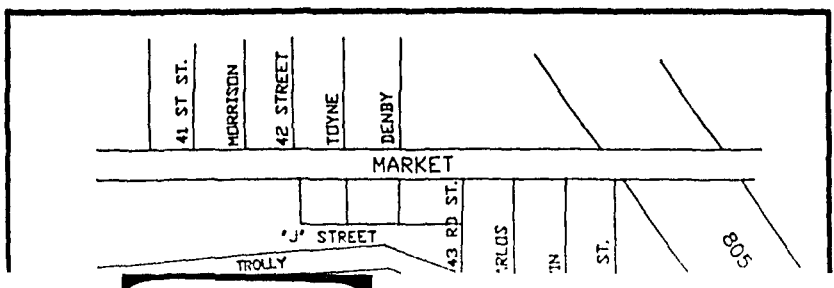
-  = INDICATES 43RD STREET VACATED. AREA= 0.172 ACRES
-  = INDICATES WATER EASEMENT ACQUIRED. AREA= 0.101 ACRES



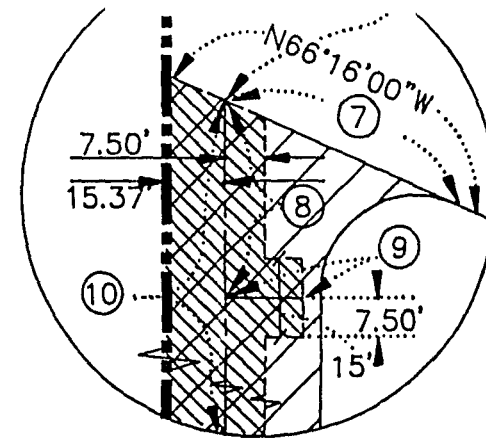
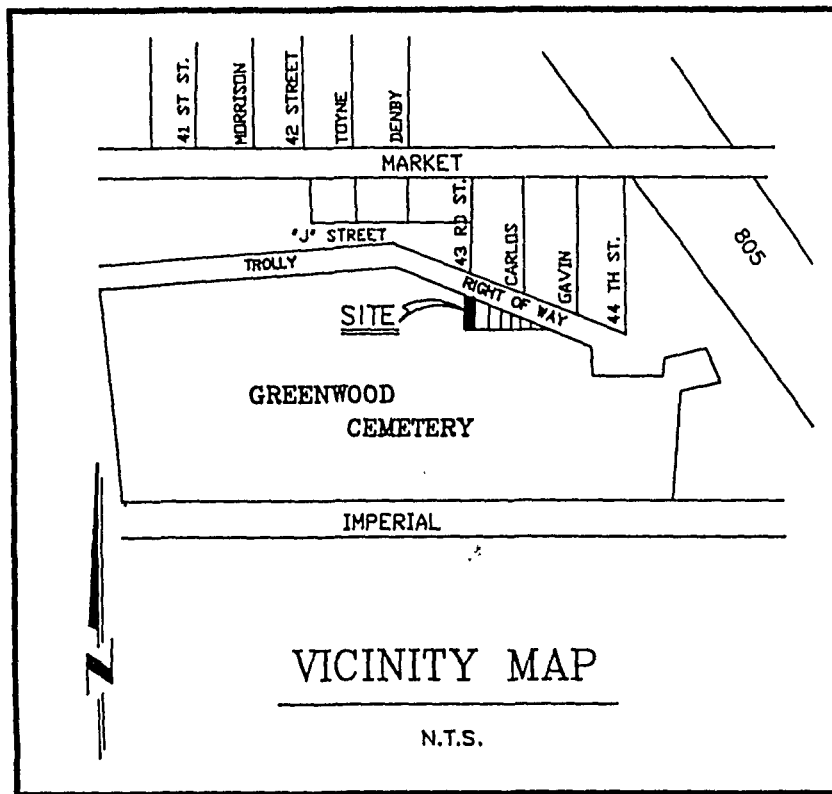
"K" STREET DEDICATION PER MAP NO. 2072

REFERENCE LINE OF WATER EASEMENT RESERVED

LOT 46
GREENWOOD MEMORIAL CEMETERY



GREENWOOD MEMORIAL CEMETERY

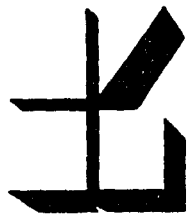


DETAIL

N.T.S.

DATA TABLE

NO.	BEARING	DELTA	RADIUS	LENGTH
①	N00°13'00"E			81.79'
②	N66°16'00"W			75.05'
③	$\Delta=113°31'00"$	25.00'		49.33'
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Prepared By :
**KELTNER
& ASSOCIATES**
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ENCINITAS, CA 92024
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OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION — 43rd STREET
South of "K" Street.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL					SHEET 1 OF 1 SHEET	
					<i>John M. [Signature]</i> FOR CITY ENGINEER	<u>Aug. 22, 1988</u> DATE
						W.O. NO. <u>120232</u> <u>SA 85-548</u>
						<i>Ralph C. [Signature]</i> CONTROL CERTIFICATION
						<u>196-1737</u> LAMBERT COORDINATES
						<u>17288-B</u>

R-272092

OCT 11 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struikma	<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 *Maureen G. Filner*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-272092** **OCT 11 1988**
Number Adopted

RECEIVED
88 SEP 29 AM 8:16
CITY CLERKS OFFICE
SAN DIEGO, CA