

(R-89-1131)

RESOLUTION NUMBER R-272611

ADOPTED ON JAN 9 1989

WHEREAS, Section 8330, et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of streets and public service easements by City Council resolution where for a period of five (5) consecutive years the street or highway has been impassable for vehicular travel and no money was expended for maintenance on the street or highway during such period; 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 Beech Street east of Parrot Street and adjacent to Blocks 28 and 31 of Marilou Park, Map 517, 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 or abandonment 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 Beech Street east of Parrot Street, as more particularly shown on Drawing No. 17351-B, on file in the office of the City Clerk as Document No. RR-272611, 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 lines 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 easement reserved herein is in, under, over, upon, along, and across that portion of Beech Street, and that the easement is more particularly shown and delineated on Drawing No. 17351-B, on file in the office of the City Clerk as Document No. RR- 272611.

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

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Or.Dept:E&D
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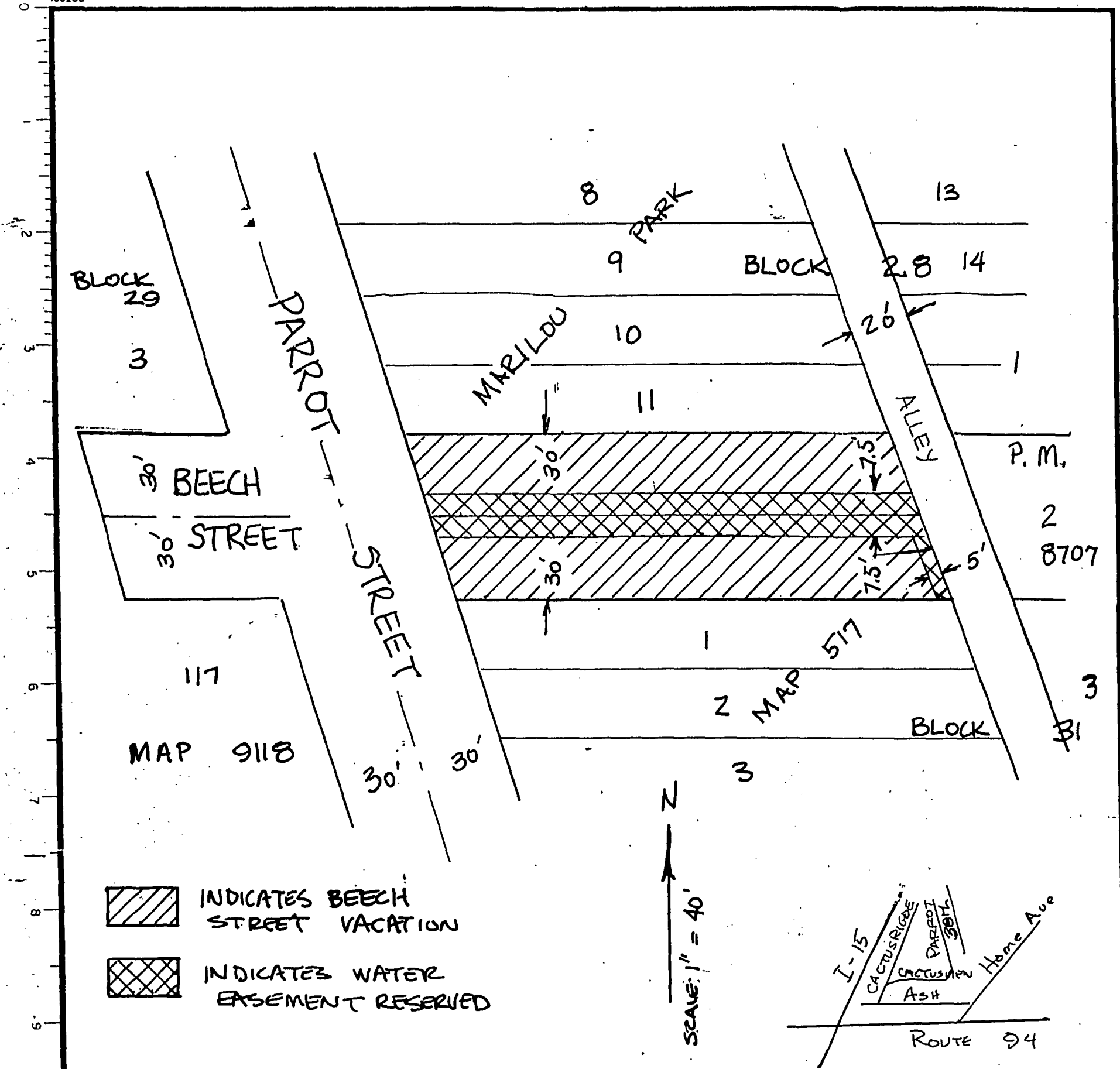
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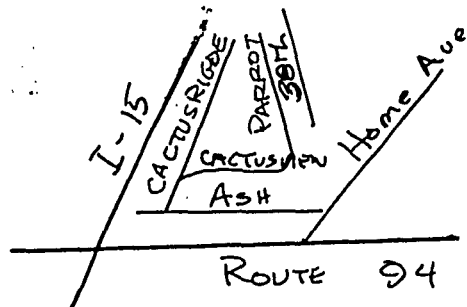
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 INDICATES BEECH STREET VACATION
 INDICATES WATER EASEMENT RESERVED

N
SCALE: 1" = 40'



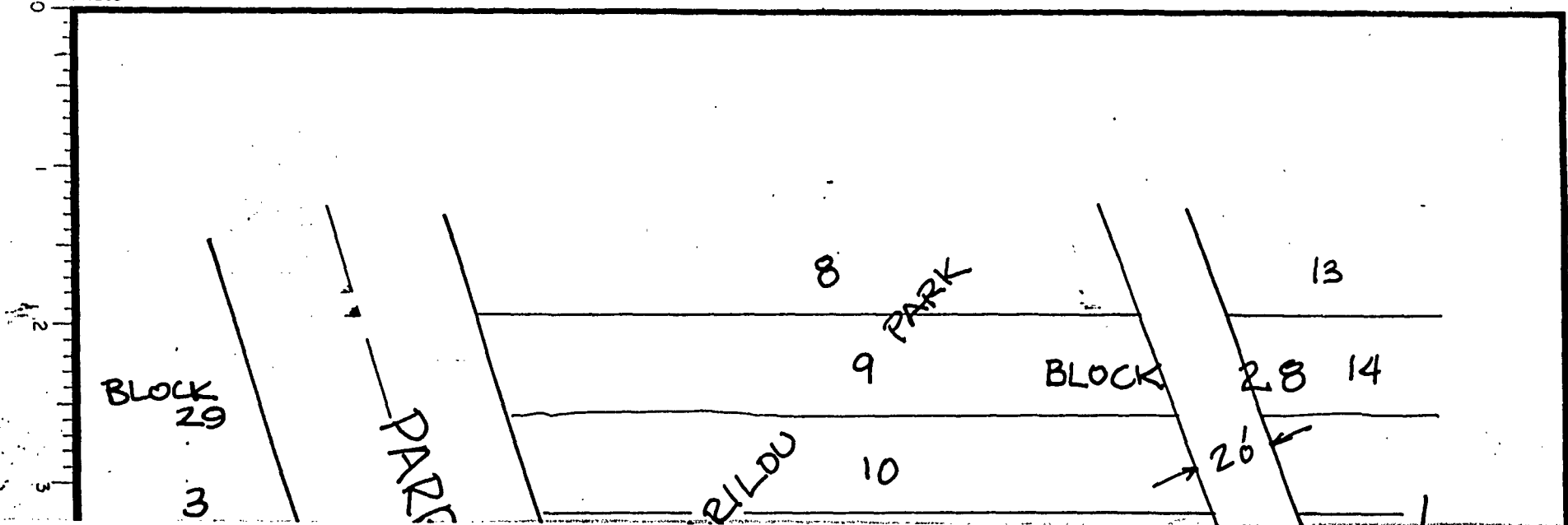
MAP BY:
 CHARLIE SCHMERBACH
 5869 MARKET ST.
 SAN DIEGO 92114
 9/18/88 619-264-4242
Charlie Schmerbach



REFERENCES:
 SUB MAPS. 918, 517
 P. MAPS 8707, 3473

STREET VACATION & WATER EASEMENT RESERVATION - PORTION OF BEECH STREET EAST OF PARROT STREET.

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | |
|-------------|----|----------|------|--------|---|---|
| ORIGINAL | | | | | SHEET 1 OF 1 SHEETS | |
| | | | | | <i>C.R. Lochhead</i> FOR CITY ENGINEER | 11-14-88 DATE |
| | | | | | | W.O. NO. 120232 SABB-521 <i>Ralph C. Adams</i> CONTROL CERTIFICATION |
| | | | | | | 202-1737 LAMBERT COORDINATES |
| | | | | | | 17351-B |



DOCUMENT NO. RR-272611
 FILED JAN 9 1989
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

JAN 9 1989

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 Struiksmma | <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.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

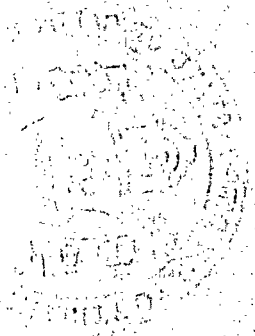
By *Blenda R. Barner*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-272611 Adopted JAN 9 1989

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CITY CLERK

DEPUTY CITY CLERK

MEMORANDUM FOR

- Mr. [Name]
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- Mr. [Name]
- Mr. [Name]
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