

(R-89-1642)

RESOLUTION NUMBER R- 273049

ADOPTED ON MAR 20 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 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 a certain easement; and

WHEREAS, the abutting property owners have requested the vacation of Benicia Street north of Friars Road and adjacent to Parcel 2 of Parcel Map 10993 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 portion of street is no longer required for present or prospective public street purposes; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Benicia Street north of Friars Road adjacent to Parcel 2 of Parcel Map 10993, as more particularly shown on Drawing No. 17260-B, on file in the office of the City Clerk as Document No. RR- 273049 -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 sewer and drainage facilities 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

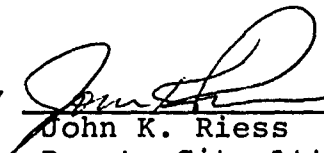
drilling or digging of any well or wells thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. Upon acquisition of encroachment permit from the City Engineer pursuant to the Municipal Code of the City, the owners' underlying fee may 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 Benicia Street and that the easement is more particularly shown and delineated on Drawing No. 17260-B, on file in the Office of the City Clerk as Document No. RR-273049-1.

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:sko:221.1  
02/23/89  
Or.Dept:E&D  
SA:84-550  
WO:120232  
Dwg:17260-B  
R-89-1642  
Form=r.sumv


**REFERENCE DRAWINGS**


MAP NO. 1654  
 MAP NO. 6855  
 14351-2-D

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS PLAT IS THE WEST LINE OF LOT 2 MAP NO. 6855 I.E. N 14° 14' 31" W

**LEGEND:**

 INDICATES BENICIA STREET VACATED AND GENERAL UTILITY EASEMENT RESERVED.

 INDICATES ABUTTERS' RIGHT OF ACCESS RELINQUISHED

NE COR.  
 PL. 1101

POR. P.L. 1101

BENICIA STREET

50' GAINES STREET

BAY VIEW QUARTER  
 ACRES MAP 1654  
 POR. BLK. D

N 75° 43' 31" E (MAP 6855)

100.00'

LOT 1

COLUSA PARK

3'LY LINE LOT 1 (MAP 6855)

MAP 6855  
 LOT 2

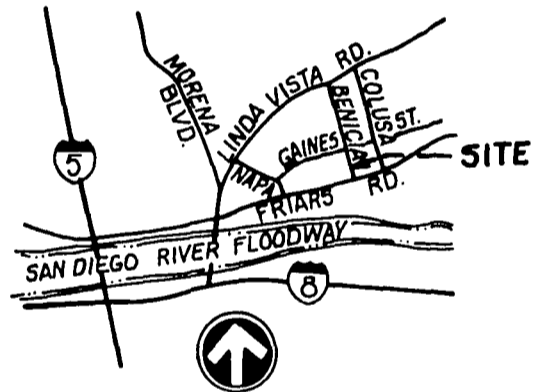
3'LY LINE (MAP 6855)

COLUSA STREET

71' FRIARS ROAD



SCALE: 1" = 100'



**VICINITY MAP**  
 NO SCALE

**RICK ENGINEERING COMPANY**  
 5620 FRIARS ROAD  
 SAN DIEGO, CA. 92110  
 Ph. (619) 291-0707

RR-273049-1  
 DOCUMENT NO. 273049 - 1  
 FILED MAR 20 1989  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

*[Signature]*  
 R.C.E. 1874  
 ENGINEER OF WORK  
 DATE 9/7/88

**STREET VACATION**  
 BENICIA STREET NORTHERLY OF FRIARS ROAD

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA  
 SHEET 1 OF 1 SHEET  
*[Signature]*  
 FOR CITY ENGINEER  
 DATE 11-4-88

W.O. NO. 120232  
 SAB4-550  
 218-1709  
 LAMBERT COORDINATES  
 17260-B

R- 273049

#119 (r)  
(a-b)

MAR 20 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 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 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 *Raymond L. McLean*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-273049 Adopted MAR 20 1989

RECEIVED

89 MAR -8 PM 12: 25

CITY CLERKS OFFICE  
SAN DIEGO, CA

*[Handwritten signature]*

COMMUNITY DEVELOPMENT  
CITY OF SAN DIEGO

COMMUNITY DEVELOPMENT  
CITY OF SAN DIEGO

YOU PARTICIPATED BY

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