

(R-90-1014)

RESOLUTION NUMBER R- 275157

ADOPTED ON FEB 13 1990

A RESOLUTION ELECTING TO PROCEED UNDER THE PROVISIONS OF THE PUBLIC STREETS, HIGHWAYS, AND SERVICE EASEMENTS VACATION LAW, DECLARING VACATION OF SYCHAR ROAD SOUTH OF PETER PAN AVENUE.

WHEREAS, it is proposed that Sychar Road south of Peter Pan Avenue be vacated; and

WHEREAS, in connection with said vacation, the City desires to reserve general utility and drainage easements; and

WHEREAS, there is no present or prospective use for the street either for the public street system, for which the right-of-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space 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, it is necessary and desirable that the vacation be conditioned upon the completion of the required public improvements; 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 Sychar Road south of Peter Pan Avenue, as more particularly referred to in Resolution of Intention No. R-274974, adopted by the Council on JAN 16 1990, 1990, is not necessary for present or prospective public street purposes.

2. That Sychar Road south of Peter Pan Avenue, as more particularly shown on Drawing No. 17493-B, on file in the office of the City Clerk as Document No. RR- 274974, which said drawing is attached hereto and made a part hereof, be and the same is hereby ordered vacated.

3. That The City of San Diego reserves and excepts the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to general utilities, 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 an 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.

4. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, easement, 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.

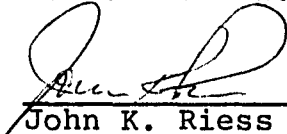
5. That the easements reserved herein are in, under, over, upon, along and across that portion of Sychar Road vacated by this Document and that the easement is more particularly shown and delineated on Drawing No. 17493-B, on file in the office of the City Clerk as Document No. RR- 274974

6. That this resolution shall not become effective unless and until the required public improvements have been constructed. In the event the above items are not completed by July 6, 1992, this resolution shall become void and be of no further force or effect.

7. That the City Engineer shall advise the City Clerk of the completion of the required public improvements, and that the City Clerk shall then cause a certified copy of this resolution, with drawing, attested by him under seal, with drawings, to be recorded in the office of the County Recorder.

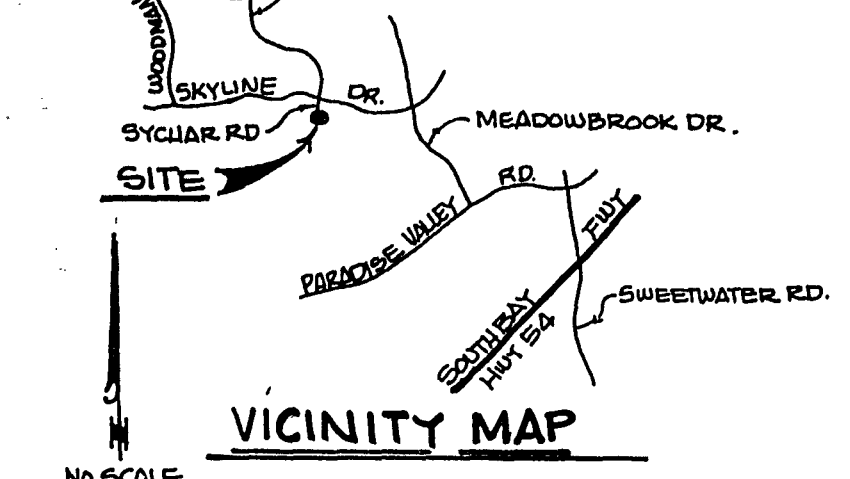
APPROVED: JOHN W. WITT, City Attorney


By




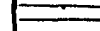
John K. Riess
Deputy City Attorney

JKR:pev
12/20/89
Or.Dept:E&D
SA:89-525
WO:87-0700
DWG:17493-B
R-90-1014
Form=r.stve



 10' WIDE DRAINAGE EASEMENT
RESERVED

 AREA VACATED (0.128 AC.)

 17' WIDE GENERAL UTILITY
EASEMENT RESERVED



OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

SYCHAR ROAD SOUTHERLY OF PETER PAN AVENUE FOR PROPOSED
VIEW RIDGE ANNEX (T.M. NO. 87-0700)

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET <u>C.R. Laelled</u> 12-4-89 FOR CITY ENGINEER DATE	W.O. NO. <u>870700</u>
ORIGINAL						SA 89-525
						CONTROL CERTIFICATION
						104-1755 LAMBERT COORDINATES
STATUS						17493 -B

#200

FEB 13 1990

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<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"/>
Linda Bernhardt	<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 *Jena Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution
Number

R 275157

Adopted.....

FEB 13 1990

RECEIVED

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CITY CLERKS OFFICE
SAN DIEGO, CA

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