

(R-91-109)

RESOLUTION NUMBER R- 276228

ADOPTED ON JUL 30 1990

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Code provides a procedure for the summary vacation of streets by City Council resolution where a street has been superseded by relocation; and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 portions of Galvin Avenue and Samoa Avenue in connection with proposed Westview Unit 1 (TM 86-0969) 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, 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 completion of a consolidation parcel map for the affected parcels and the dedication and construction of Westview Parkway; 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 portions of Galvin Avenue and Samoa Avenue in connection with Westview Unit 1 (TM 86-0969), as more particularly shown on Drawing No. 17274-3-B, on file in the office of the City Clerk as Document No. RR-276228-1, which said drawing is attached hereto and made a part hereof, 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 utilities 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 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 easements reserved herein are in, under, over, upon, along and across those portions of Galvin Avenue and Samoa Avenue and that the easements are more particularly shown and delineated on Drawing No. 17274-3-B, on file in the office of the City Clerk as Document No. RR-276228-1.

5. That the resolution shall not become effective unless and until the following conditions have been met:

a. The approval of a consolidation parcel map to prevent landlocking of the affected parcels.

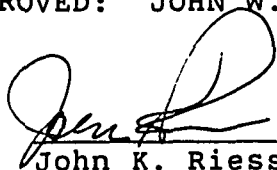
b. The dedication and construction of the related improvements for Westview Parkway between Capricorn Way and Galvin Avenue.

In the event that the final map is not approved within one (1) year after adoption of this resolution, then this resolution shall become void and be of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, 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:pev  
07/17/90  
Or.Dept:E&D  
SA:90-0501  
WO:86-0969  
DWG:17274-3-B  
R-91-91-109  
Form=r.sumv2

WESTVIEW  
T.M. 86-0969

MESA RIDGE MAP NO. 10366

LEGEND



INDICATES PARCELS 3, 4 & 5 GALVIN AND SAMOA AVENUES TO BE VACATED AND GENERAL UTILITY EASEMENT RESERVED SHOWN THUS. (1.854 ACRES)

[A] GALVIN & SAMOA AVENUES AND DRAINAGE EASEMENT PER DEED RECORDED SEPT. 17, 1974, FILE NO. 74-250360, BK. 1974, O.R. AND RELINQUISHED TO THE CITY OF SAN DIEGO PER DEED RECORDED FEB. 7, 1979 FILE NO. 79-058661, O.R.

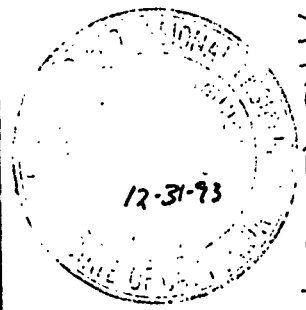
[B] GALVIN AVENUE PER DEED REC. SEPT. 12, 1973 FILE NO. 73-255963, BK. 1973 O.R. AND RELINQUISHED TO THE CITY OF SAN DIEGO PER DEED REC. FEB. 7, 1979 FILE NO. 79-058661, O.R.

[C] DRAINAGE EASEMENT PER DEED REC. JAN. 2, 1974 FILE NO. 74-000200, O.R. AND RELINQUISHED TO THE CITY OF SAN DIEGO PER DEED RECORDED FEB. 7, 1979 FILE NO. 79-058661, O.R.

TABULATED DATA

NO.	DELTA	RADIUS	LENGTH
C1	90° 00' 00"	20.00'	31.42'
C2	2° 26' 17"	1970.00'	83.83'
C3	6° 56' 30"	970.00'	117.52'
C4	4° 49' 21"	1146.00'	96.46'
C5	15° 05' 28"	60.00'	15.80'
C6	8° 47' 37"	970.00'	148.87'
C7	9° 50' 32"	1030.00'	176.93'
C8	105° 16' 57"	85.00'	156.19'
C9	16° 08' 49"	521.67'	165.23'

NO.	BEARING	DISTANCE
T1	N88° 15' 41" E	113.10'
T2	N01° 44' 19" W	74.23'
T3	N05° 13' 31" W	352.61'
T4	N14° 01' 08" W	245.69'
T5	N88° 15' 41" E	69.37'
T6	N07° 25' 14" W	60.30'
T7	N88° 15' 58" E	149.14'
T8	N31° 35' 22" E	71.81'
T9	N88° 15' 58" E	103.72'
T10	N88° 15' 58" E	320.54'
T11	N88° 15' 58" E	127.89'



**WILLIAM G. CLARKE**  
Land Planning  
Civil Engineering  
Land Surveying  
1-17-90  
Associated Professional Engineering Corporation  
2341 Fifth Avenue, San Diego, CA 92101-1610  
(619) 239-7501

DOCUMENT NO. **RR-276228-1**  
FILED **JUL 30 1990**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**STREET VACATION** GALVIN AVENUE AND SAMOA AVENUE SOUTHERLY OF CAPRICORN WAY  
FOR PROPOSED WESTVIEW UNIT 1, TM 86-0969

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	J.C.		15 DEC '87	
CITY OF SAN DIEGO, CALIFORNIA				
SHEET 3 OF 3 SHEETS				
				W.O. <b>86-0969</b> <b>SA 90-501</b>
				<b>274-1733</b> LAMBERT COORDINATES
				<b>17274-3-B</b>

2290-W

PROPOSED  
WESTVIEW  
T.M. 86-0969

MESA RIDGE MAP NO. 10366

LEGEND



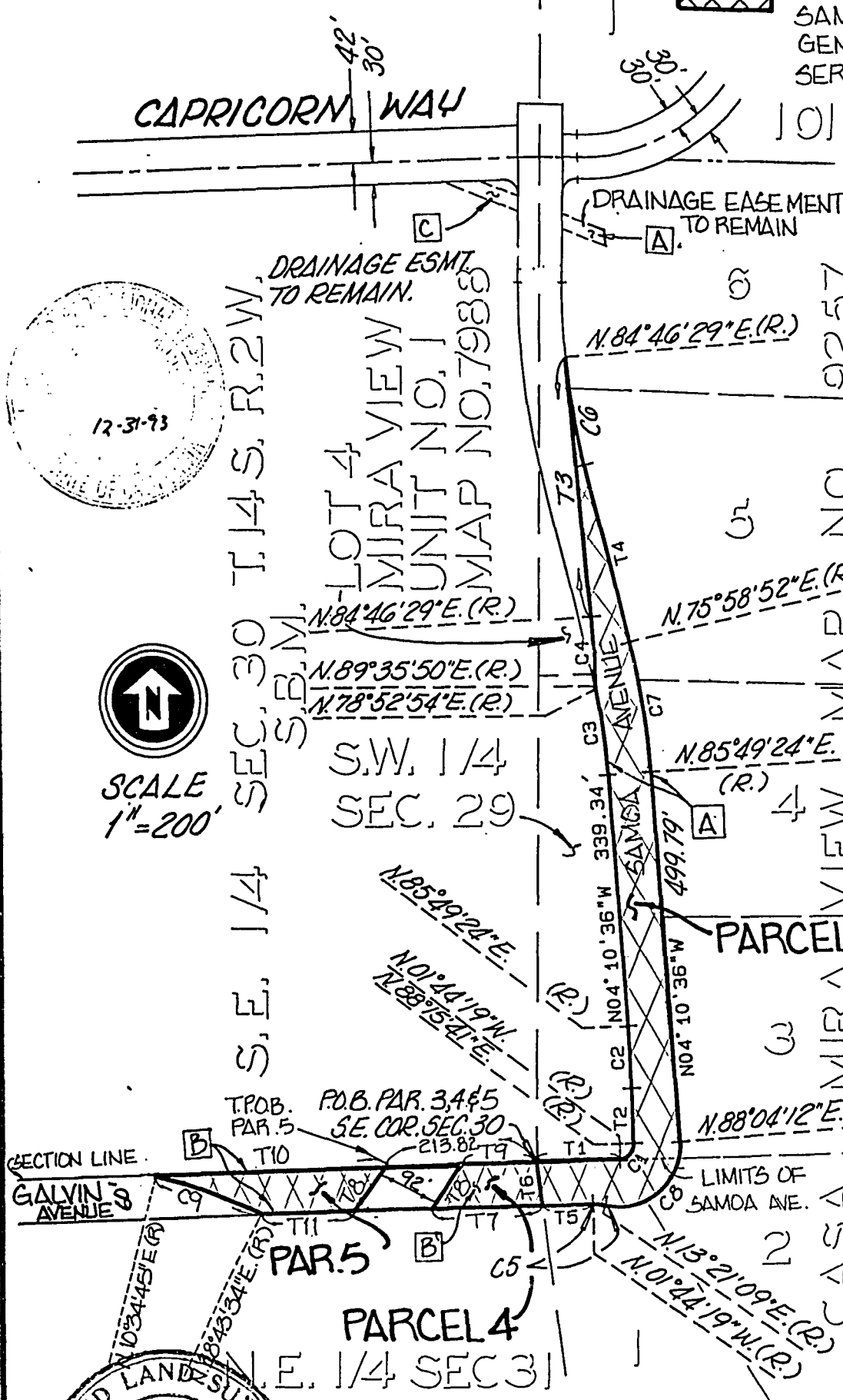
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ORIGINAL	J.C.		15 DEC 87		SHEET 3 OF 3 SHEETS	
					<i>J.H.D. Stank</i> CITY ENGINEER	
					4-24-90 DATE	
						274-1733 LAMBERT COORDINATES
						17274-3-B

#107

JUL 30 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 *Linda Luzano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-276228** JUL 30 1990

Number ..... Adopted.....

RECEIVED  
90 JUL 18 PM 2:11  
CITY CLERK'S OFFICE  
SAN DIEGO, CA

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