

(R-90-1927 REV. 1)

RESOLUTION NUMBER R-276676

ADOPTED ON OCTOBER 9, 1990

VACATION OF BANCROFT STREET BETWEEN NUTMEG
STREET AND PALM STREET AND ADJACENT TO BLOCKS
5 AND 6 OF CARMEL HEIGHTS, MAP 1736.

WHEREAS, it is proposed that Bancroft Street between Nutmeg Street and Palm Street and adjacent to Blocks 5 and 6 of Carmel Heights, Map 1736, be vacated; and

WHEREAS, in connection with said vacation, the City desires to reserve a general utility easement; 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, 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 issuance of permits for 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 Bancroft Street between Nutmeg Street and Palm Street and adjacent to Blocks 5 and 6 of Carmel Heights, Map 1736, as more particularly referred to in Resolution of Intention No. R-276537, adopted by the Council on September 17, 1990, is not necessary for present or prospective public street purposes.

2. That Bancroft Street between Nutmeg Street and Palm Street and adjacent to Blocks 5 and 6 of Carmel heights, Map 1736, as more particularly shown on Drawing No. 17610-B, on file in the office of the City Clerk as Document No. RR-276537, 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.

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 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 Bancroft Street and that the easement is more particularly shown on Drawing No. 17610-B, on file in the office of the City Clerk as Document No. RR-276537.

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

a. Approval and recordation of a consolidation parcel map to prevent landlocking.

b. Issuance of permits for the required public improvements.

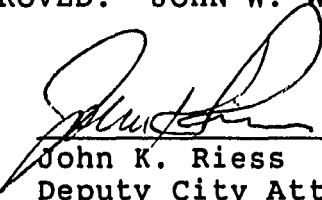
In the event the above items are not completed within 18 (eighteen) months, this resolution shall become void and be of no further force or effect.

7. That the Conditional Use Permit for the applicant's property be revised to reflect the addition of this right of way with an indication thereon that the vacated right of way of Bancroft Street shall be used only for institutional purposes.

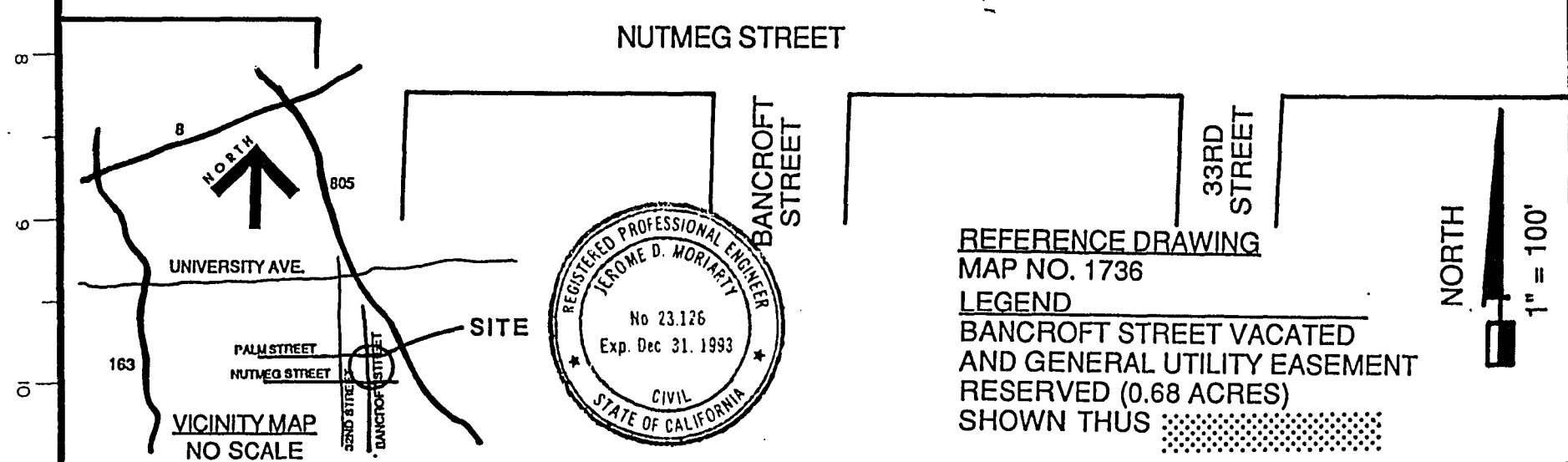
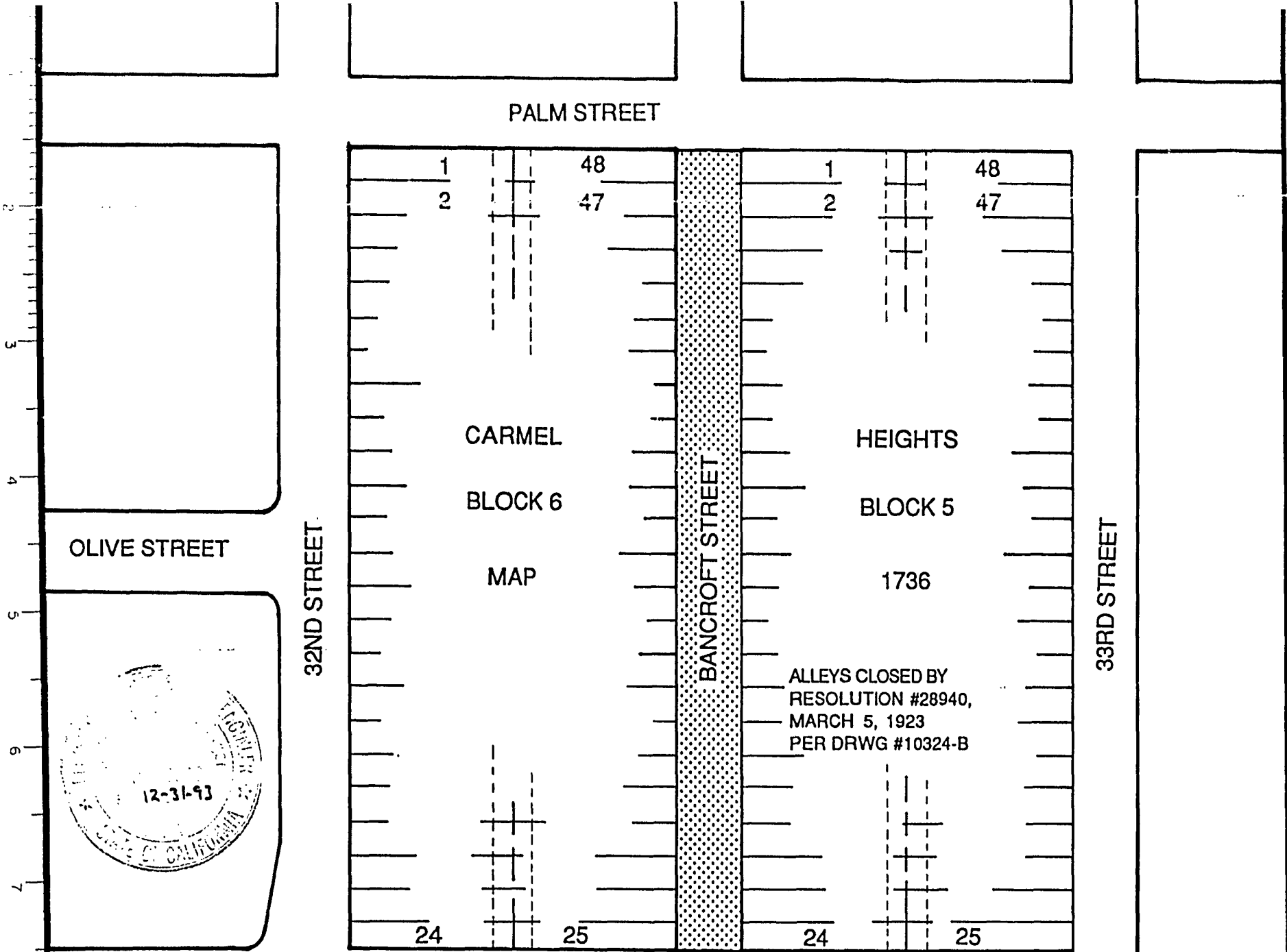
8. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, and that the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, with drawing, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

By


John K. Riess
Deputy City Attorney

JKR:pev
05/16/90
10/17/90 REV. 1
Or.Dept:E&D
SA:89-632
WO:230343
Dwg:17610-B
R-90-1927
Form=r.stve



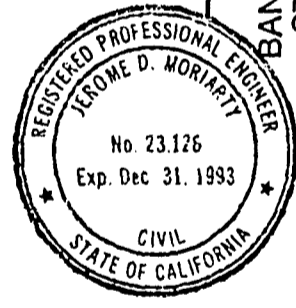
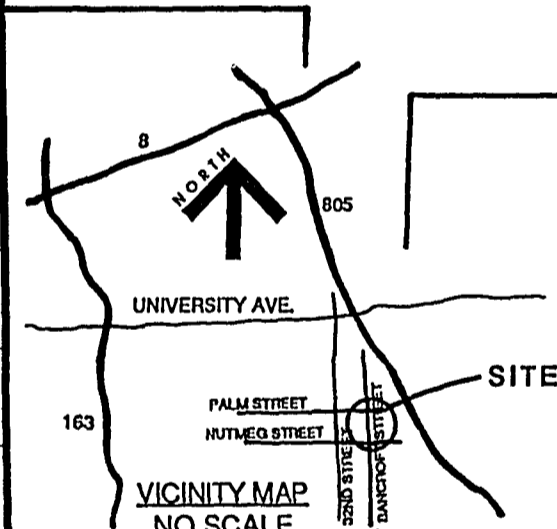
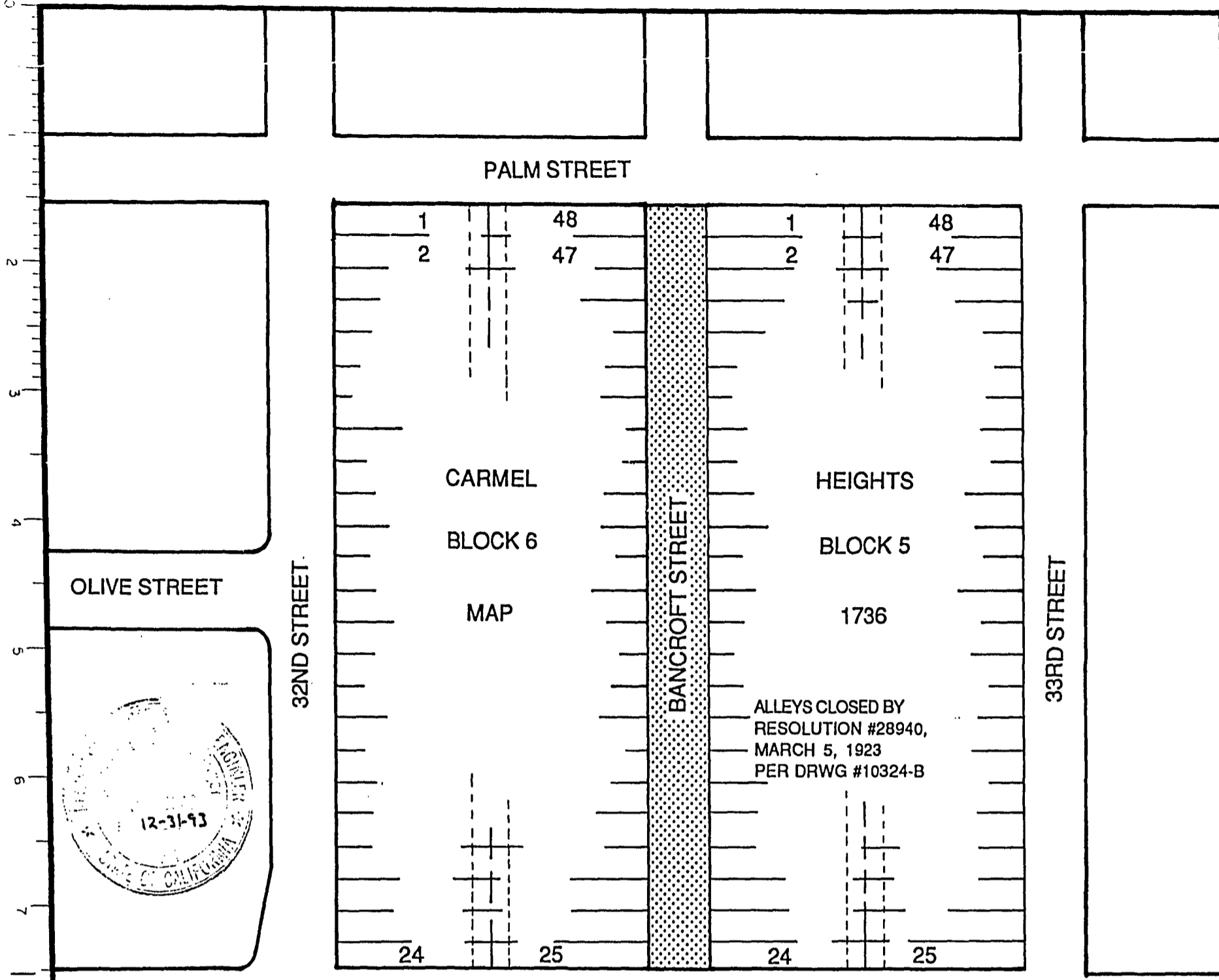
CUTRI ARCHITECTS
 1847 INDIA STREET
 SAN DIEGO, CA 92101
 PH. 619 / 234-5164

J. Moriarty
 ENGINEER OF WORK R.C.E. 23126
 DATE 1-20-90 EXP 12-31-93

DOCUMENT NO. RE-276537
 FILED SEP 17 1990
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

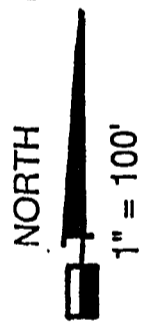
STREET VACATION BANCROFT STREET, BETWEEN PALM STREET AND NUTMEG STREET

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA		W.O. NO. 120232
ORIGINAL					SHEET 1 OF 1 SHEETS		SA89 - 521
					<i>Jeff O. Stuchlik</i> CITY ENGINEER	2-26-90 DATE	<i>Ralph C. Delaney</i> CONTROL CERTIFICATION
					DIVISION HEAD		206 - 1731 LAMBERT COORDINATES
					SECTION HEAD		17610 - B



REFERENCE DRAWING
MAP NO. 1736

LEGEND
BANCROFT STREET VACATED
AND GENERAL UTILITY EASEMENT
RESERVED (0.68 ACRES)
SHOWN THUS



CUTRI ARCHITECTS
1847 INDIA STREET
SAN DIEGO, CA 92101
PH. 619 / 234-5164

ENGINEER OF WORK R.C.E. 23126
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					2-26-90 CITY ENGINEER DATE	 CONTROL CERTIFICATION
					DIVISION HEAD	206 - 1731 LAMBERT COORDINATES
					SECTION HEAD	17610 - B
				STATUS		

333

OCT 09 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 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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input checked="" 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 Sugano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-276676* Adopted *OCT 09 1990*
Number Adopted.....