

RESOLUTION NUMBER R- 277064

ADOPTED ON DEC 11 1990

WHEREAS, the provisions of Council Policy No. 600-15 require that a noticed public hearing be conducted before the City Council prior to the vacation of a City Street; and

WHEREAS, Section 66499.20-1/2 of the California Government Code provides that the filing of the map shall constitute abandonment of all streets and easements not shown on said map; and

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 the portion of the street to be vacated is excess to the City's right-of-way needs and is no longer required for street or highway purposes; and

WHEREAS, the abutting property owners have requested the vacation of excess portions of Lea Street and Chollas Parkway southwest of University Avenue in connection with a tentative parcel map for University Plaza (TM 89-1096) to facilitate development of their property; and

WHEREAS, the portion of streets to be vacated are not needed for present or prospective public street purposes; and

WHEREAS, there is no present or prospective use for the streets either for the public street system, for which the rights-of-way were originally acquired, or for any other public use of a like nature that can be anticipated in that the rights-

of-way are not needed for public street, bikeway, or open space purposes; and

WHEREAS, those properties adjoining the streets 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 consummation of a land sale and approval of a parcel map for the affected parcels; and

WHEREAS, the public street system for which the rights-of-way were 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 the excess portions of Lea Street and Chollas Parkway southwest of University Avenue in connection with the tentative parcel map for University Plaza (TM 89-1096), as more particularly shown on Exhibit "A," on file in the Office of the City Clerk as Document No. RR-277064⁻¹, which is by this reference incorporated herein and made a part hereof, be, and the same are hereby ordered vacated.

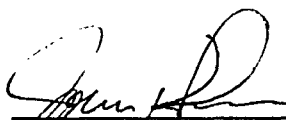
2. That the resolution shall not become effective unless and until the following conditions have been met:

- a. Consummation of the required land sale.
- b. Approval of a final map for the tentative parcel map for University Plaza (TM 89-1096).

In the event the above conditions are not completed within six years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, and the City Clerk shall then cause a certified copy of the 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
11/13/90
Or. Dept: E&D
R-91-825
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DEC 11 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-277064 Adopted DEC 11 1990

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