

(R-93-787)

RESOLUTION NUMBER R- 281195
ADOPTED ON NOV 23 1992

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 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, in connection with said vacation, the City desires to reserve a certain easement; and

WHEREAS, the abutting property owners have requested the vacation of an excess portion of North Torrey Pines Road south of La Jolla Shores Drive in Pueblo Lot 1311, to facilitate development of their property; 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

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LIBRARY

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 an excess portion of North Torrey Pines Road south of La Jolla Shores Drive in Pueblo Lot 1311, as more particularly shown on Drawing No. 17815-B, on file in the office of the City Clerk as Document No. RR-281105, 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, 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

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LIBRARY

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.

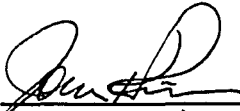
4. That the easement reserved herein is in, under, over, upon, along, and across North Torrey Pines Road and that the easement is more particularly shown on Drawing No. 17815-B on file in the office of the City Clerk as Document No. RR- 281105.

5. That the resolution shall not become effective unless and until a land transfer of the City's title interest has been approved by Council action. In the event the aforementioned land transfer is not completed within 18 months following adoption of this resolution, then this resolution shall become void and of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the completion of the aforementioned land transfer, and 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
11/09/92
Or.Dept:E&D
SA:90-528
WO:120103
Dwg:17815-B
R-93-787
Form=r.sumv3

CORRECTION

THE FOREGOING

DOCUMENT IS

REPHOTOGRAPHED

TO INSURE

LEGIBILITY



CITY OF
SAN DIEGO
CITY CLERK

202 C STREET
San Diego, CA 92101-3860



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4. That the easement reserved herein is in, under, over, upon, along, and across North Torrey Pines Road and that the easement is more particularly shown on Drawing No. 17815-B on file in the office of the City Clerk as Document No.

RR- 281105.

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APPROVED: JOHN W. WITT, City Attorney

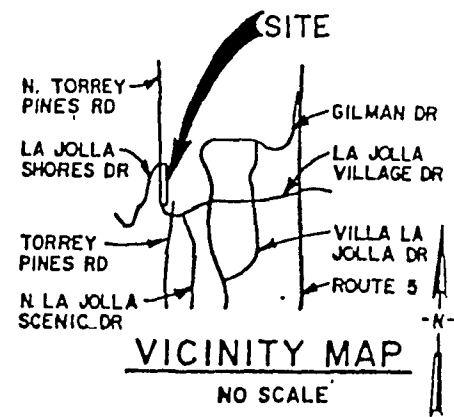
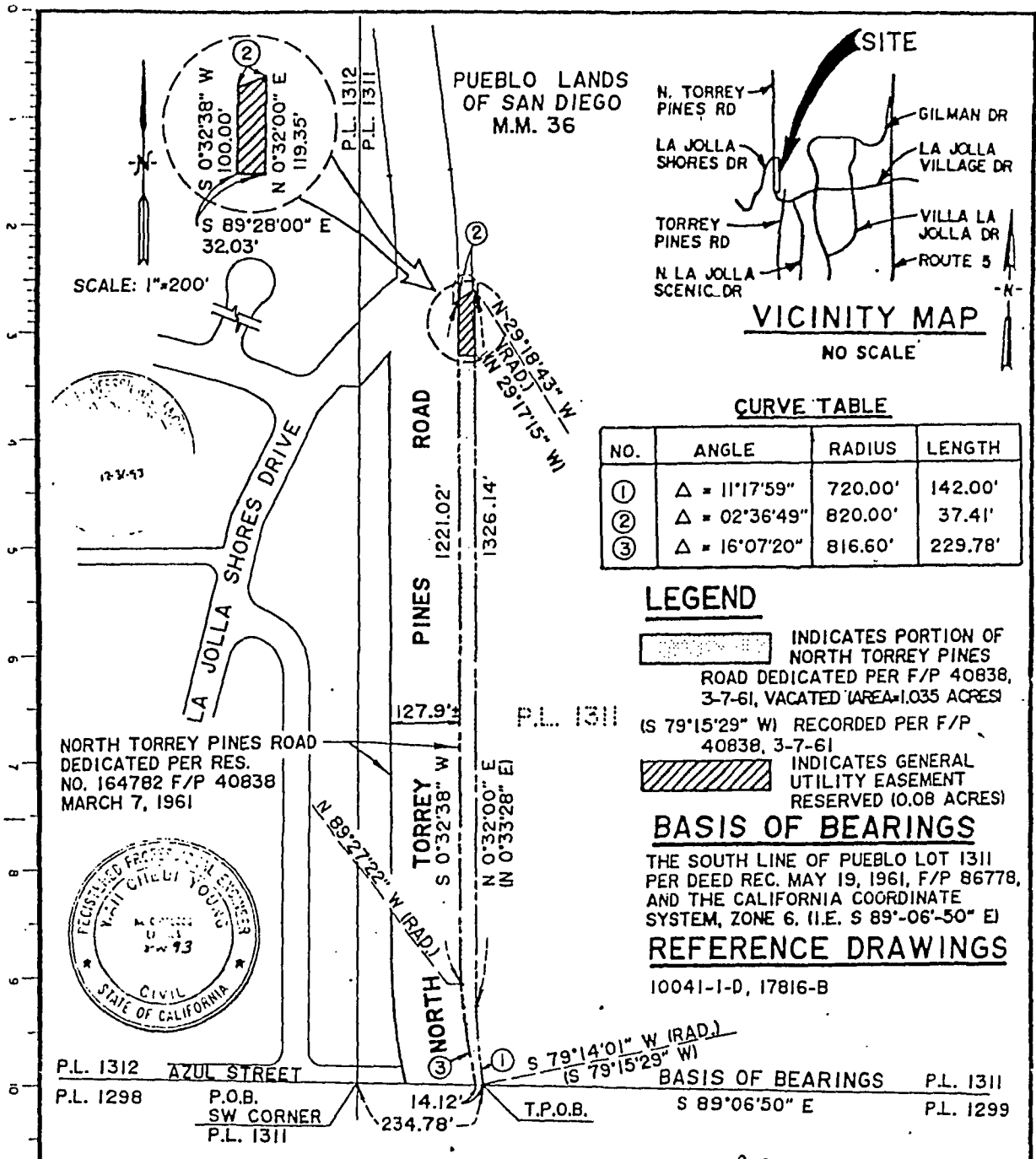
By 

John K. Riess
Deputy City Attorney

JKR:pev
11/09/92
Or. Dept: E&D
SA: 90-528
WO: 120103
Dwg: 17815-B
R-93-787
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101
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CURVE TABLE

NO.	ANGLE	RADIUS	LENGTH
①	Δ = 11°17'59"	720.00'	142.00'
②	Δ = 02°36'49"	820.00'	37.41'
③	Δ = 16°07'20"	816.60'	229.78'

LEGEND

INDICATES PORTION OF NORTH TORREY PINES ROAD DEDICATED PER F/P 40838, 3-7-61, VACATED (AREA=1.035 ACRES) (S 79°15'29" W) RECORDED PER F/P 40838, 3-7-61

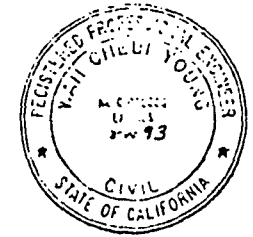
INDICATES GENERAL UTILITY EASEMENT RESERVED (0.08 ACRES)

BASIS OF BEARINGS

THE SOUTH LINE OF PUEBLO LOT 1311 PER DEED REC. MAY 19, 1961, F/P 86778, AND THE CALIFORNIA COORDINATE SYSTEM, ZONE 6, I.I.E. S 89°-06'-50" E

REFERENCE DRAWINGS

10041-I-D, 17816-B



JAYKIM ENGINEERS, INC.
1455 FRAZEE ROAD, SUITE 400
SAN DIEGO, CA. 92108 TEL. 296-5727

Wah Cheui Young DATE: 4-11-91
WAH CHEUI YOUNG R.C.E. CO20686
LICENSE EXPIRES SEPTEMBER 30, 1993

DOCUMENT NO. R-281100

FILED NOV 23 1992

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION AND GENERAL UTILITY EASEMENT RESERVED

PORTION OF NORTH TORREY PINES ROAD
IN PUEBLO LOT 1311

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 of 1 SHEET	120236
					<i>[Signature]</i> 5-6-91 FOR CITY ENGINEER DATE	SA 90-528
						<i>[Signature]</i> CONTROL CERTIFICATION
						256-1695 LAMBERT COORDINATES
						17815 - B

R-281100

#109

Passed and adopted by the Council of The City of San Diego on NOV 23 1992,
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *[Signature]* Deputy.

Office of the City Clerk, San Diego, California

Resolution R-281105 NOV 23 1992
Number Adopted

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