

(R-93-936 Cor.Copy)

RESOLUTION NUMBER R-281473

ADOPTED ON FEBRUARY 9, 1993

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, the abutting property owners have requested the vacation of portions of El Camino Real in connection with the Torrey Reserve Subdivision (VTM 85-0824), 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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DEC 13 11:08 AM
SAN JOSE, CALIF.

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 El Camino Real, in connection with the Torrey Reserve Subdivision (VTM 85-0824), as more particularly shown on Exhibit "A," on file in the office of the City Clerk as Document No. RR-28173-1, which is by this reference incorporated herein and made a part hereof, be and the same are hereby ordered vacated.

2. That this resolution shall not become effective unless and until the final map for Torrey Reserve Subdivision (TM 85-0824) has been approved by Council action. In the event that the final map is not approved within the time allowance specified under the tentative map conditions or any subsequent time extensions, this resolution shall become void and be of no further force or effect.

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

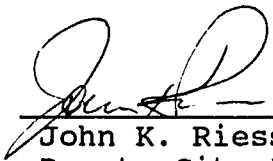
a. Easements must be provided for all existing public utilities and franchise facilities within the right-of-way or the facilities must be relocated, in a manner satisfactory to the affected utility companies.

b. The new alignment for El Camino Real must be dedicated and open for public use in a manner satisfactory to the City Engineer.

c. Consummation of a land sale, at fair-market value, for those portions of the right-of-way to be vacated which are owned in fee by the City.

4. 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 exhibit, 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
11/23/92
12/10/93 Cor. Copy
Or. Dept: E&D
SA: 90-524
WO: 850824
R-93-936
Form=r.sumv2

FEB 09 1993

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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
District 8 - VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Glenda B. Bernard Deputy.

Office of the City Clerk, San Diego, California

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