

(R-94-52)

RESOLUTION NUMBER R- 282430

ADOPTED ON AUG 07 1993

BE IT RESOLVED, by the Council of The City of San Diego, that Resolution No. R-261766, adopted on October 22, 1984, be, and it is, hereby amended to read as follows:

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Council resolution where the portion of street to be vacated consists of a portion of a street or highway that has been superseded by relocation; and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 Kearny Villa Road, Aero Drive, and Aero Court between Kearny Villa Road and Aero Court adjacent to Lot 9 of New Riverside Map 679 and Lot "A" of Research Park Map 3568, to facilitate development of their property; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation is not inconsistent with the General Plan or an approved Community Plan; and

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

WHEREAS, those properties adjoining the street to be vacated will continue to have access; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That those portions of Kearny Villa Road, Aero Drive, and Aero Court between Kearny Villa Road and Aero Court adjacent to Lot 9 of New Riverside Map 679 and Lot "A" of Research Park Map 3568, as more particularly shown on Drawing No. 15886-B, on file in the office of the City Clerk as Document No. RR-261766-1, 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 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.

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 that portion of Kearny Villa Road, Aero Drive and Aero Court between Kearny Villa Road and Aero Court adjacent to Lot 9 of New Riverside Map 679 and Lot "A" of Research Park Map 3568, vacated by this document and as more particularly shown and delineated on Drawing No. 15886-B, on file in the office of the City Clerk as Document No. RR-261766-1.

5. That the resolution shall not become effective unless and until the completion of a land sale for those

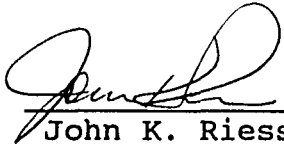
portions of excess right-of-way which are owned in fee by
The City of San Diego.

6. That in the event the above condition cannot be met
by August 1, 1995, this resolution shall become void and be
of no further force or effect.

7. That the City Engineer shall advise the City Clerk
of the approval of the aforementioned land sale, and that
the City Clerk shall then cause a certified copy of this
resolution, attested by him under seal, to be recorded in
the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney


By



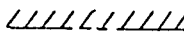
John K. Riess
Deputy City Attorney

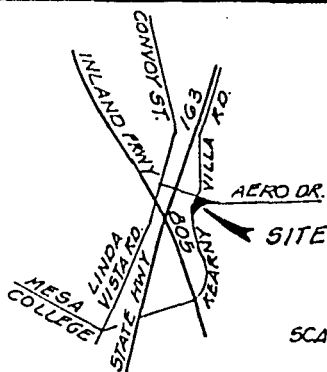
JKR:pev
07/08/93
Or.Dept:E&D
R-94-52
Form=r-t

LEGEND

 Indicates right of way acquired by Deeds rec. 1-2-48 in Book 2599 Pg. 486 & Pg. 489 & relinquished by California Highway Commission by deed rec. 10-5-56 as doc. NO. 140634 in Book G285, Pg. 57, all of O.R., vacated. - Area = 2.407 AC.

 Indicates General Utility, Drainage & Access Easement reserved.

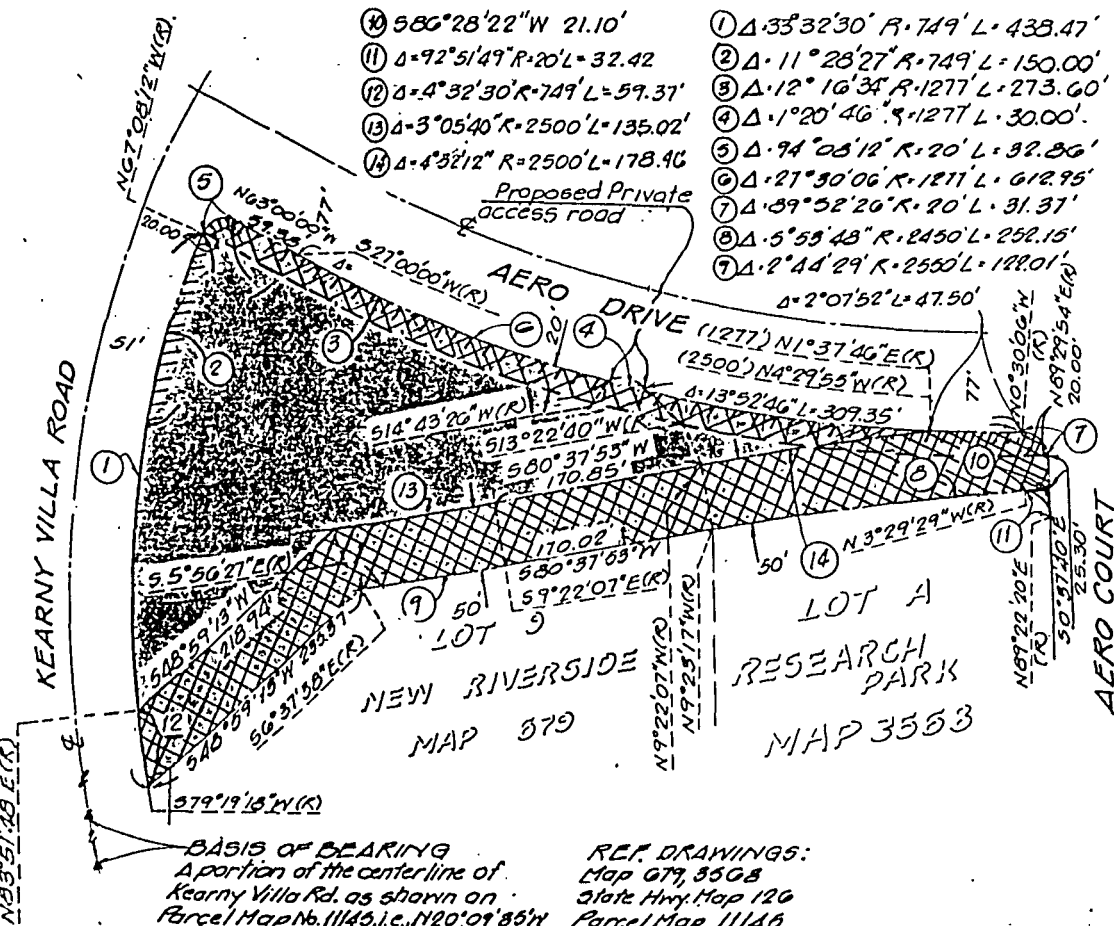
 Indicates abutter's rights of access relinquished in and to Aero Drive and Kearny Villa Road.



VICINITY MAP
No Scale

SCALE 1"=100'

- ⑩ 586°28'22"W 21.10'
- ⑪ Δ=92°51'49"R=20'L=32.42
- ⑫ Δ=4°32'30"R=749'L=59.37'
- ⑬ Δ=3°05'40"R=2500'L=135.02'
- ⑭ Δ=4°32'12"R=2500'L=178.96
- ① Δ=33°32'30"R=749'L=433.47'
- ② Δ=11°28'27"R=749'L=150.00'
- ③ Δ=12°16'34"R=1277'L=273.60'
- ④ Δ=1°20'46"R=1277'L=30.00'
- ⑤ Δ=74°08'12"R=20'L=32.86'
- ⑥ Δ=27°30'06"R=1277'L=612.95'
- ⑦ Δ=39°52'26"R=20'L=31.37'
- ⑧ Δ=5°53'48"R=2450'L=252.15'
- ⑨ Δ=2°44'29"R=2550'L=122.01'



BASIS OF BEARING
A portion of the center line of
Kearny Villa Rd. as shown on
Parcel Maps 11145, i.e., N20°09'85"W

REF. DRAWINGS:
Map 679, 3508
State Hwy. Map 120
Parcel Map 11146

PLANNING · DESIGN · CONSULTATION

Samuel F. Satino
Samuel F. Satino RCB 13,177
3615 Kearny Villa Road, Suite 201
San Diego, California · 92123 · (714) 560-1141

STREET VACATION-PORTIONS OF KEARNY VILLA ROAD, AERO DRIVE AND AERO COURT BETWEEN KEARNY VILLA ROAD & AERO COURT AND GENERAL UTILITY EASEMENTS RESERVED

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	SA 81-635-1 W.O. NO. 120102
ORIGINAL					SHEET 1 OF 1 SHEET	
					<i>William Rausch</i> FOR CITY ENGINEER	8-2-84 <i>[Signature]</i>
					Aug. 2, 1984 DATE	234-1723 LAMBERT COORDINATES
						15886 - B

30450.20.

R-282430

#108

Passed and adopted by the Council of The City of San Diego on AUG 02 1993
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"/>
Juan Vargas	<input checked="" 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.

(Seal)

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

By Blenda B. Barnes, Deputy.

Office of the City Clerk, San Diego, California

Resolution R282430 AUG 02 1993
Number..... Adopted.....

RECEIVED
CITY OF SAN DIEGO
93 JUL 21 PM 3:55
SAN DIEGO, CALIF.