(R-94-130)

## RESOLUTION NUMBER R- 282508 ADOPTED ON AUG 10 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 66499.20½ 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 the excess portion of Oceanview Boulevard, in connection with King's Row (TM 92-0442), to facilitate development of their property; and

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

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 the excess portion of Oceanview Boulevard in connection with King's Row (TM 92-0442), as more particularly shown on Exhibit "A," on file in the office of the City Clerk as Document No. RR- $\frac{28250}{8}$  which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.
- 2. That the resolution shall not become effective unless and until the final map for King's Row (TM 92-0442) has been approved and recorded by Council action. In the event that the final map is not approved within six years after adoption of this resolution, this resolution shall become void and of no further force or effect.
- 3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned final map for King's Row (TM 92-0442), and that the City Clerk shall then cause a

282508

certified copy of this resolution, with Exhibit "A," attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

By

ohn K. Riess

Deputy City Attorney

JKR:pev 07/23/93 Or.Dept:E&D SA:90-509 WO:930320 Exhibit "A" R-94-130

Form=r.sumv3

FINTATIVE MAP NO.900442 ACTIS BIRDIS FORM LETS of - 84 Th '4' SIMIE' WILL ME MLIB-Guilbrib AL MATERIES THE MELICITY WORKSHOW. CONTACTORS WE S. 65100. D.S.L. INDUCTIONS AND COLOR MATERIAL MATERIAL SERVICES OF STANKING OF List birganites and Milbach distincts passes of this and Pag-Listean and Badadil 18 and Fillelings at First, Philips ELEMENTAT - 3-m 97880 JM1718 SCHOOL 87301070 8759 SCHOOL - 3-m 57880 JM1718 SCHOOL 9731070 GADINE DOWN WILLIAM IS PALIFIANT AND IS DANACT TO NO CITIN AT PINK WISTON and filtrate - has bifes tes a fifting come. KingsRow Prode Mala Church Engineering, Inc. HEEFWARE - PACTURE HEEFWARE EDWARF. Mett de titfe City & bu tifte 1874, alfa silnin Samp'vision Bole REPLACEMENT KINGOROW DEVELOPMENT LEDNA ANDERSON, PRESIDENT HALIMITE ..... OWNER / SUBDIVIDER FING. CITY B' 344 Brilles C'OR BISTRICE. MINE PLEATING Mute sata Mattitud saffa sain Geibfliet INTERNITY BERT DESTRUCTIONS ---÷ Manual Ma AMBERT COORDINATES: OCEANVIEW BLVD VICINITY MA 194.000 - 1.7JJ.000 arıona YNENNE. (D) 2 A. . . \$ <u>1</u> EXHIBIT "A" PORTION OF OCEAN DEDICATED HEREON H 89'48'47' 50 STREET VACATION SHOWN THUS: 49 Ę , (R) 3"11"45"4C H STREET VACATION 107 DOCUMENT NO. 22 8 2 5 0 8 AUG 10 1993 BOULEVARD 8 OFFICE OF THE CITY CLERK 46 7. CSB78" VIEW BOULEVARD ₹ OCEAN VIEW BOULEVARD PER IMP 4792 ZEX 45 335.44 73.00 NE 69-18-47" OCEAN VE \$ OCEAN 44 FILED R-28 2508

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Passed and adopted by the Council of The City of San Diego on by the following vote:			AUG 1 0 1993		
Council Members Abbe Wolfsheimer Ron Roberts John Hartley George Stevens Tom Behr Valerie Stallings Judy McCarty Juan Vargas Mayor Susan Golding	Yeas	Nays	Not Present	Ineligible	
AUTHENTICATED BY:		SUSAN GOLDING  Mayor of The City of San Diego, California.			
(Seal)		**************************	CHARLES G. AB	•·····································	Deputy.

Office of the City Clerk, San Diego, California

Resolution 2 8 2 5 0 8 AUG 10 1993
Number 2 8 2 5 0 8 Adopted

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CITY CLERKS OFFICE SAN DIEGO, CA