

(R-94-319)

RESOLUTION NUMBER R- 282735
ADOPTED ON OCT 04 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 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 for a period of five consecutive years the street or highway has been impassable for vehicular travel and no money was expended for maintenance on the street or highway during such period; 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 the alley in Block 27 of Lexington Park, Map 1696, 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 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 alley in Block 27 of Lexington Park, Map 1696,
as more particularly shown on Drawing No. 18072-B, on file in the
office of the City Clerk as Document No. RR- 282735, 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 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 the alley in Block 27 of Lexington Park, Map 1696, and that easement, as more particularly

shown and delineated on Drawing No. 18072-B on file in the office of the City Clerk as Document No. RR- 282735.

5. 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

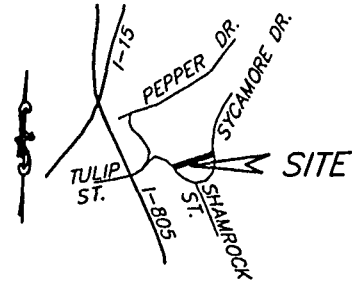
By Ann Y. Moore
Ann Y. Moore
Deputy City Attorney

AYM:pev
Or.Dept:E&D
SA:92-522
WO:120102
Dwg:18072-B
R-94-319
Form=r.sumv3

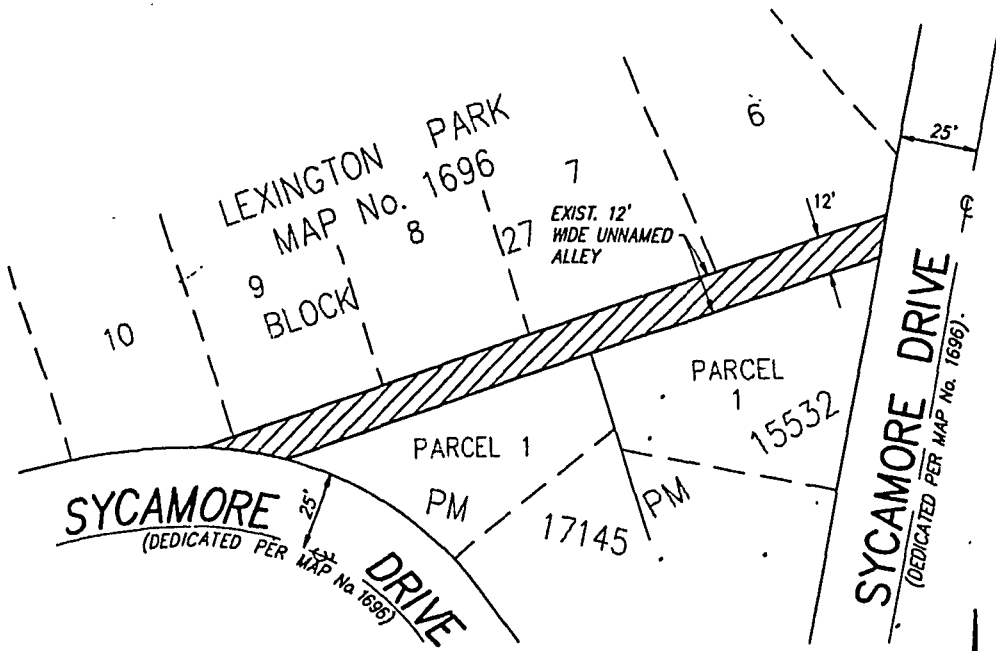
LEGEND



INDICATES ALLEY VACATION AND GENERAL UTILITY EASEMENT RESERVED.



VICINITY MAP
NOT TO SCALE



REFERENCES

MAP No. 1696 AND PARCEL MAP No. 17145



SCALE: 1" = 40'

Franklin Engineering

620 "C" Street, Suite 203
San Diego, CA 92101
(619) 239-5588

• Civil Engineering • Site Planning • Surveying •



Erick L. Ricci DATE: 6-18-93
ERICK L. RICCI RCE 23567 EXP. DATE 12-31-96

ALLEY VACATION AND GENERAL UTILITY EASEMENT RESERVATION - IN UNNAMED ALLEY IN BLOCK 27, OF LEXINGTON PARK, MAP NO. 1696

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA
SHEET 1 OF 1 SHEET
L. Roy Chama 7-6-93
FOR CITY ENGINEER DATE

W.O. SA 92-522
No. 120102
1846-6295
NAD83 COORDINATES
206-1735
LAMBERT COORDINATES
18072-B

R. 282735

200

Passed and adopted by the Council of The City of San Diego on OCT 04 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Linda Luzano, Deputy.

Office of the City Clerk, San Diego, California

Resolution R- 282735 OCT 04 1993
Number..... Adopted.....

RECEIVED
93 SEP 16 PM 3: 11
CITY CLERKS OFFICE
SAN DIEGO, CA