

RESOLUTION NUMBER R- 283224

ADOPTED ON JAN 10 1994

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 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 Bangor Street, north of Charles Street, 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

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 Bangor Street, north of Charles Street, as more particularly shown on Drawing No. 17851-B on file in the office of the City Clerk as Document No. RR-283224, 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, 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, natural gas and for the transportation of communication signals, 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.

3. That the easement reserved herein is in, under, over, upon, along, and across Bangor Street and that the easement is more particularly shown on Drawing No. 17851-B on file in the

office of the City Clerk as Document No. RR-283224-1.

4. That the resolution shall not become effective unless and until the following condition has been met:

The property owner has entered into an agreement with The City of San Diego waiving the right to oppose special assessment proceedings initiated for any future street improvements.

In the event that the above condition is not completed within eighteen (18) months following the adoption of this resolution, then this resolution shall become void and of no further force or effect.

5. That the City Engineer shall advise the City Clerk of the approval of the aforementioned 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.

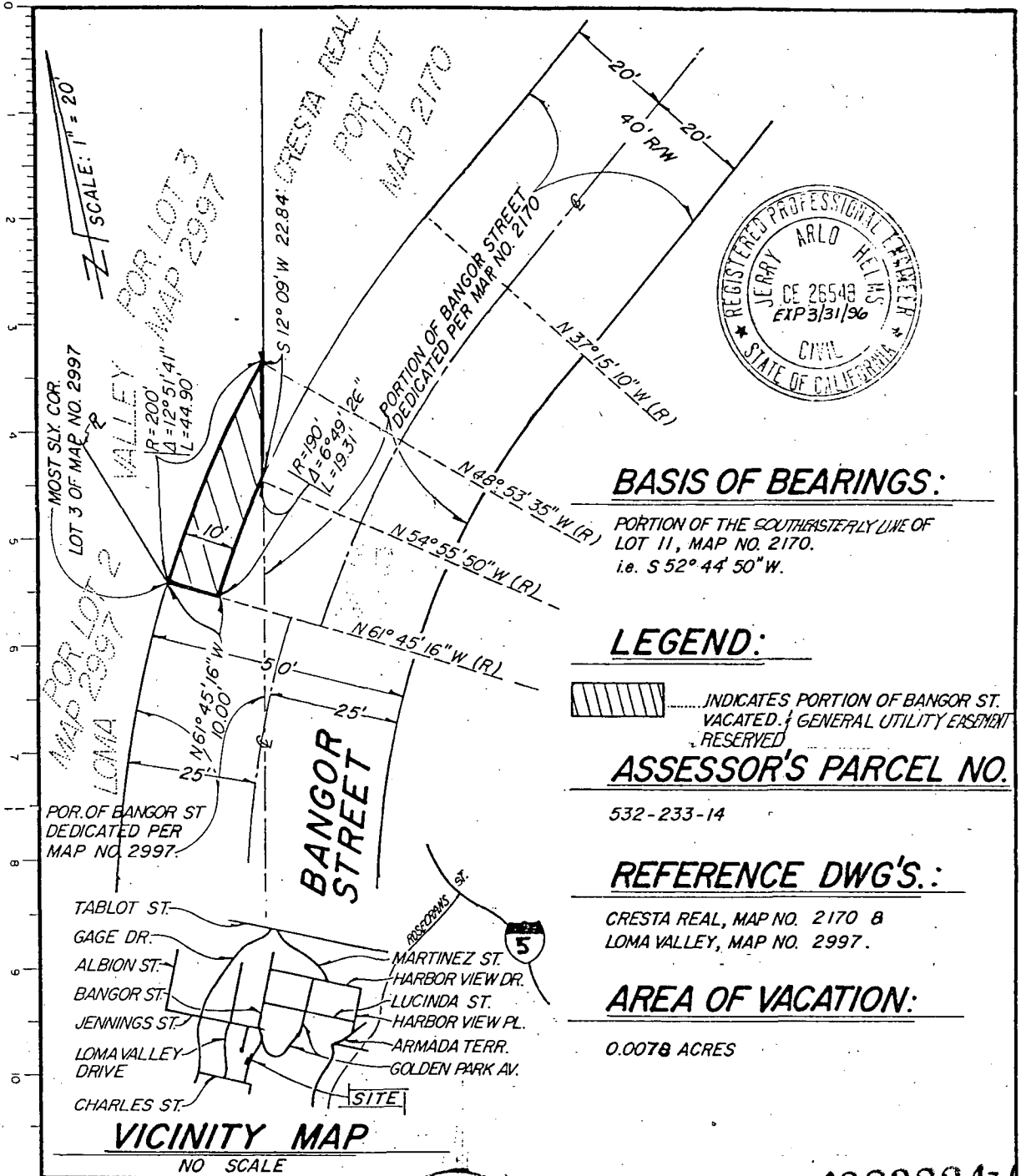
APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess  
Deputy City Attorney

JKR;pev  
11/10/93  
Or.Dept:E&D  
SA:90-518  
WO:120102  
Dwg:17851-B  
R-94-788  
Form=r.sumv3



DOCUMENT NO. **R-283224-1**  
 FILED **JAN 10 1994**  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

**STREET VACATION-BANGOR STREET AND GENERAL UTILITY EASEMENT RESERVATION-BETWEEN CHARLES STREET AND GOLDEN PARK AVENUE IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. 120102
ORIGINAL					SHEET 1 OF 1 SHEET	NO. SA 90-518
					<i>Jerry A. Helms</i> FOR ENGINEER	1840-6255 MAD 83 COORDINATES
					9-17-93 DATE	200-1695 LAMBERT COORDINATES
						17851 -B

R-283224