

RESOLUTION NUMBER R- 283317

ADOPTED ON JAN 31 1994

WHEREAS, the provisions of Council Policy No. 600-15 require that a noticed public hearing be conducted before the City Council ("Council") prior to the vacation of a City street; and

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provide a procedure for the summary vacation of streets by City Council resolution where a street has been superseded by relocation; and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 the excess portion of Outer Road, between Coronado Avenue and Outer Road, to facilitate development of their properties; 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 Outer Road, between Coronado Avenue and Outer Road, as more particularly shown on Drawing No. 17424-B on file in the office of the City Clerk as Document No. RR- 283317-1, 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, sewer and water 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; reserving to the owner(s) of the fee under and over said easement

herein reserved the continued use of the surplus of said real property; and subject to the following being prohibited unless an encroachment removal agreement is first obtained from the City Engineer, pursuant to the Municipal Code:

- * the erecting of buildings, masonry walls, masonry fences, and other structures;
- * the planting or growing of trees or shrubs;
- * or changing the surface grade or the installation of privately owned pipelines.

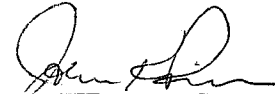
3. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, general utility easements, and rights of any public utility, pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and for the transportation of communication signals, 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 Outer Road and that the easements are more particularly shown and delineated on Drawing No. 17424-B, on file in the office of the City Clerk as Document No. RR- 283317-1

5. That the City Clerk shall cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

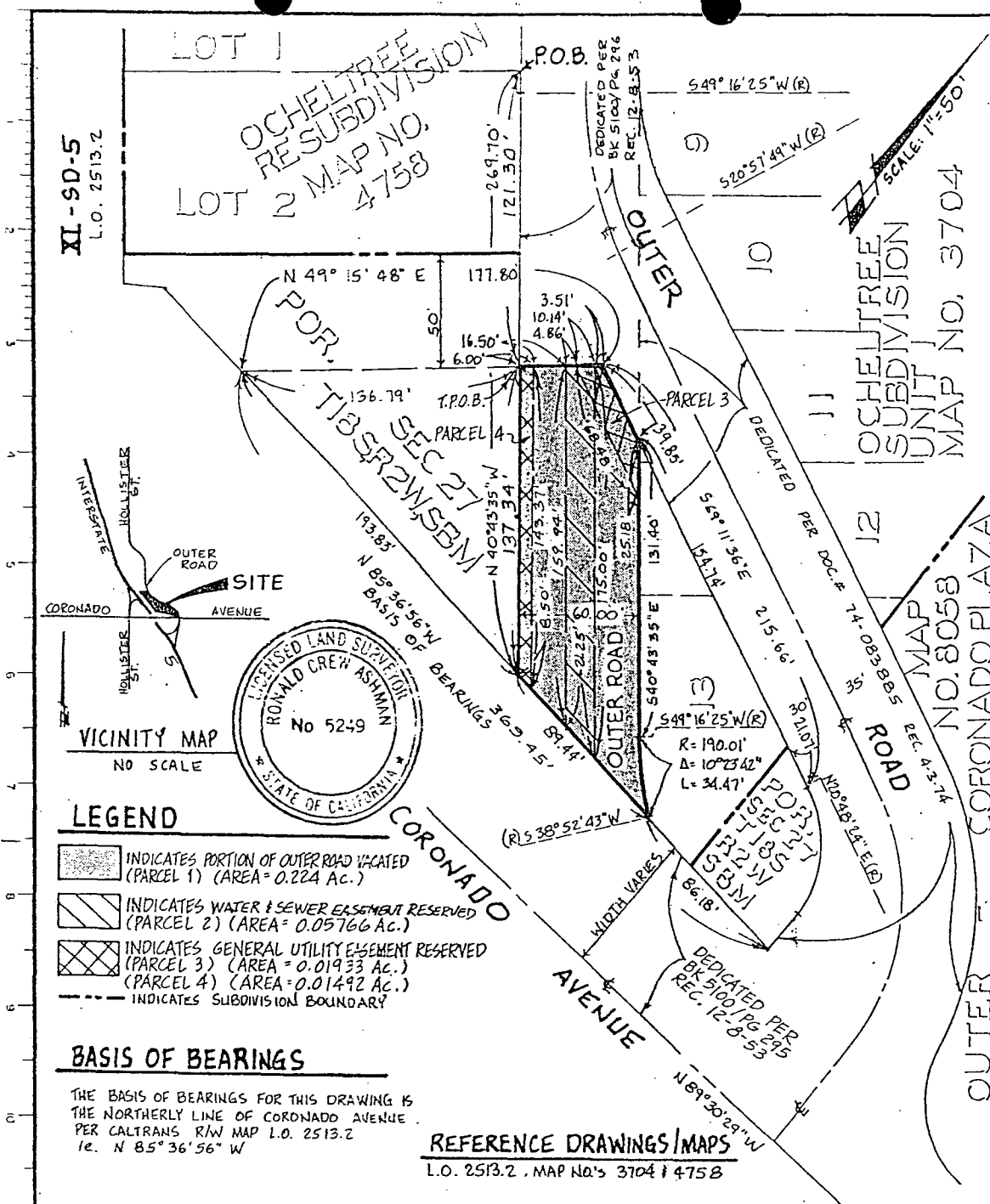
APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:pev
12/21/93
Or.Dept:E&D
SA:88-529
WO:120102
DWG:17424-B
R-94-929
Form=r.sumv2



PREPARED BY
 CREW ENGINEERING & SURVEYING
 5715 KEARNY VILLA RD. STE "C"
 SAN DIEGO, CA. 92123
Ronald C. Ashman 3-28-89
 RONALD C. ASHMAN L.S. 5249 DATE
 EXPIRES 12-31-95

PROFESSIONAL LAND SURVEYOR
 RYAN C. HEPTLES
 No. 4804
 Exp. 9-30-96
 STATE OF CALIFORNIA

DOCUMENT NO. RR-283317-1
FILED JAN 31 1994
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION- OUTER ROAD BETWEEN CORONADO AVENUE AND OUTER ROAD
SEWER & WATER EASEMENT RESERVATION-WITHIN OUTER ROAD
GENERAL UTILITY EASEMENT RESERVATION- WITHIN OUTER ROAD
 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL				

CITY OF SAN DIEGO, CALIFORNIA

SHEET 1 OF 1 SHEET

Debra Colman 10-25-93
 CITY ENGINEER DATE

W.O. NO. 120102
 SA 88-579
Paul J. Smith
 CONTROL CERTIFICATION
 NAD 83C. 1790-2303
 150-1743
 LAMBERT COORDINATES
 17424 -B

R-283317