

RESOLUTION NUMBER R-283783

ADOPTED ON MAY 02 1994

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 is excess right-of-way which is unimproved and has been impassible to vehicular traffic for the preceding five consecutive years and no money was expended for maintenance on the portion of the street to be vacated for the preceding five years; and

WHEREAS, the abutting property owners have requested the vacation of the easterly portion of Third Avenue between Redwood Street and Quince Street, adjacent to Lots "A" - "F" of Block 353 of Horton's Addition; 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 the easterly excess portion of Third Avenue between Redwood Street and Quince Street, as more particularly shown on Drawing No. 17077-B on file in the office of the City Clerk as Document No. RR-283783-1, 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, 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.

3. That the easement reserved herein is in, under, over, upon, along, and across a portion of Third Avenue vacated by this document and as more particularly shown on Drawing No. 17077-B, on file in the office of the City Clerk as Document No. RR- 283783-1.

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

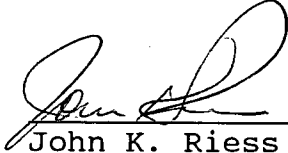
Relocation of the water meter serving 3065 Third Avenue into the public right-of-way.

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

5. That the City Engineer shall advise the City Clerk of the completion of the aforementioned condition, and the City Clerk shall then 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

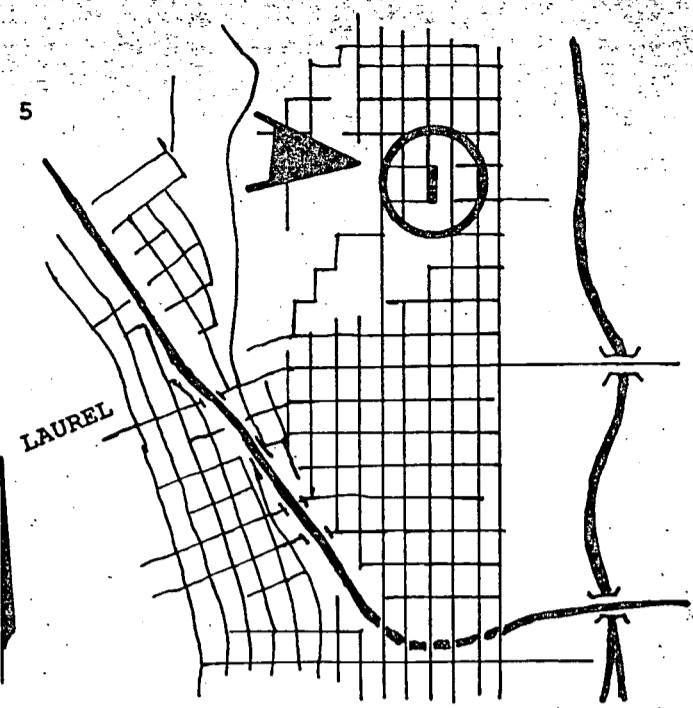
JKR:pev
04/04/94
Or.Dept:E&D
SA:87-516
WO:120103
Dwg:17077-B
R-94-1450
Form=r.sumv3

SCALE: 1" = 50'

REDWOOD STREET

BOOK 13, PAGE 522 OF DEEDS

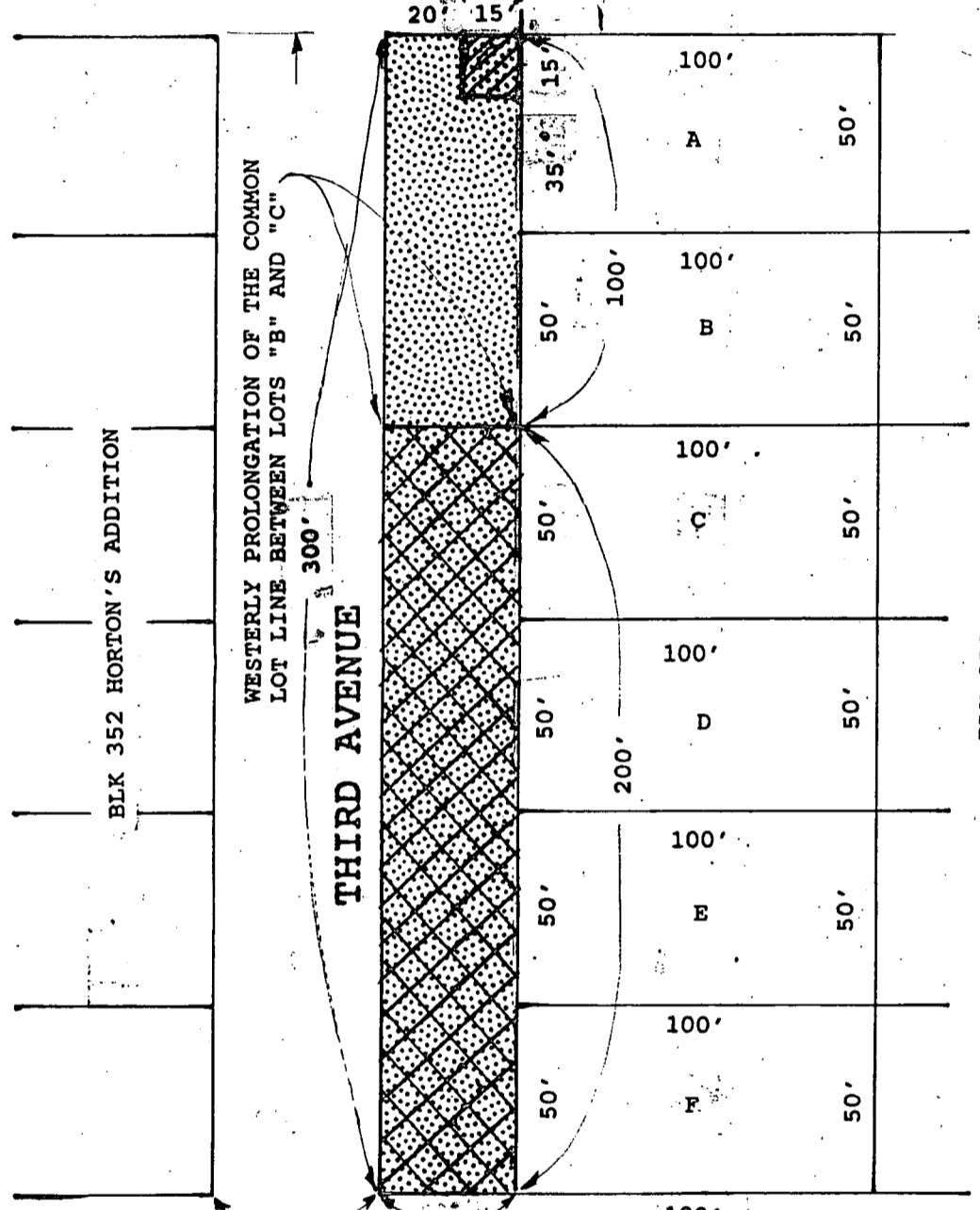
REDWOOD STREET CLOSED AND VACATED TO PUBLIC USE PER CITY COUNCIL RESOLUTION NO. 189406 ADOPTED 1-24-67 (SEE CITY DWG. NO. 11138-B)



VICINITY MAP NO SCALE

FIRST AVE.
SIXTH AVE.

163



WESTERLY PROLONGATION OF THE COMMON LOT LINE BETWEEN LOTS "B" AND "C"

BLK 352 HORTON'S ADDITION

THIRD AVENUE

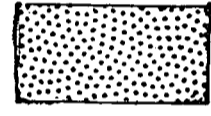
BLK 353 HORTON'S ADDITION

BOOK 13, PAGE 522 OF DEEDS

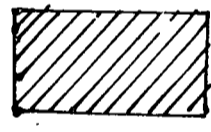
QUINCE STREET

BOOK 13, PAGE 522 OF DEEDS

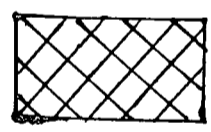
INDICATES THIRD AVE. VACATED SHOWN THUS: (AREA: 0.241 ACRES)



INDICATES GENERAL UTILITY EASEMENT RESERVED SHOWN THUS:



INDICATES SLOPE EASEMENT RESERVED SHOWN THUS:



FOR THE CITY OF SAN DIEGO
PARK AND RECREATION
DEPARTMENT

DOCUMENT NO. BB-283783-1
FILED MAY 02 1994
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

STREET VACATION THIRD AVE./GENERAL UTILITY EASEMENT AND SLOPE EASEMENT RESERVATION - BETWEEN QUINCE ST. AND REDWOOD ST.

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	J.M.B.		7-87		SHEET 1 OF 1 SHEET	
					 FOR CITY ENGINEER DATE: 12-14-93	
					CONTROL CERTIFICATION NAD83C: 848-6279 208-1719 LAMBERT COORDINATES 17077 -B	
STATUS:						