

RESOLUTION NUMBER R- 284656

ADOPTED ON SEP 20 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, the abutting property owners have requested the vacation of the westerly excess portion of Gilman Drive south of Villa La Jolla Drive 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, 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, it is necessary and desirable that the vacation be conditioned upon completion of a consolidation parcel map for the affected parcels; 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 westerly excess portion of Gilman Drive south of Villa La Jolla Drive, as more particularly shown on Drawing No. 17932-B on file in the office of the City Clerk as Document No. RR- 284656 - 1, 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 following conditions have been met:

a. consummation of a land sale for the segment of the vacated right-of-way to be acquired,

b. approval and recordation of a consolidation parcel map in a manner satisfactory to the City Engineer.

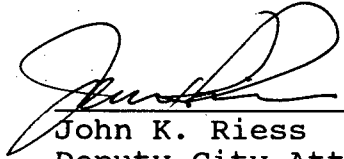
In the event the above conditions are not completed within 18 months following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions 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
08/23/94
Or.Dept:E&D
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