

RESOLUTION NUMBER R- 285178

ADOPTED ON JAN 10 1995

VACATION OF ESTUDILLO STREET SOUTH OF HANCOCK STREET, ADJACENT TO LOTS 1 AND 12, BLOCK 199, AND LOTS 6 AND 7, BLOCK 208, OF MIDDLETOWN MAP 4134-R.

WHEREAS, it is proposed that Estudillo Street, south of Hancock Street, be vacated; and

WHEREAS, in connection with said vacation, the City desires to reserve a general easement; 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, 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, 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 Estudillo Street, south of Hancock Street, as more particularly referred to in Resolution of Intention No.

R- ~~285012~~ adopted by the Council on DEC 05 1994, 199\_\_, is not necessary for present or prospective public street purposes.

2. That Estudillo Street, south of Hancock Street, as more particularly shown on Drawing No. 17729-B, on file in the office of the City Clerk as Document No. RR- 285012, which said drawing is attached hereto and made a part hereof, be and the same is hereby ordered vacated.

3. That The City of San Diego reserves and excepts from the foregoing vacation the permanent easement as more particularly described hereinafter: Reserving and excepting to The City of San Diego the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public 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 an 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.

4. 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 for 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.

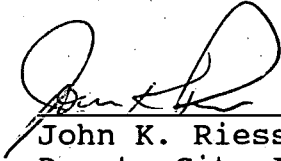
5. That the easement reserved herein is in, under, over, upon, along and across Estudillo Street and that the easement is more particularly shown and delineated on Drawing No. 17729-B, on file in the office of the City Clerk as Document No. RR- 285012

6. That, upon approval of this legislative body and prior to the recordation of this resolution, the developer shall commence processing of an engineering permit to construct curb, gutter, and sidewalk across the Hancock Street opening, providing a continuous curbline on the western portion of Hancock Street, in a manner satisfactory to the City Engineer.

7. That the City Engineer shall advise the City Clerk of the approval of the aforementioned consolidation parcel map, and that the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, with drawings, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

By

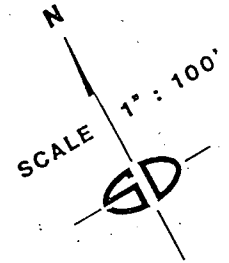


John K. Riess  
Deputy City Attorney

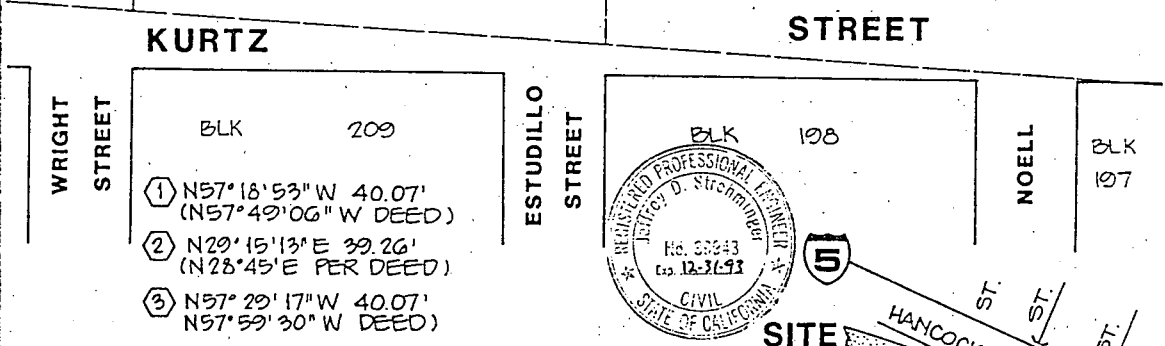
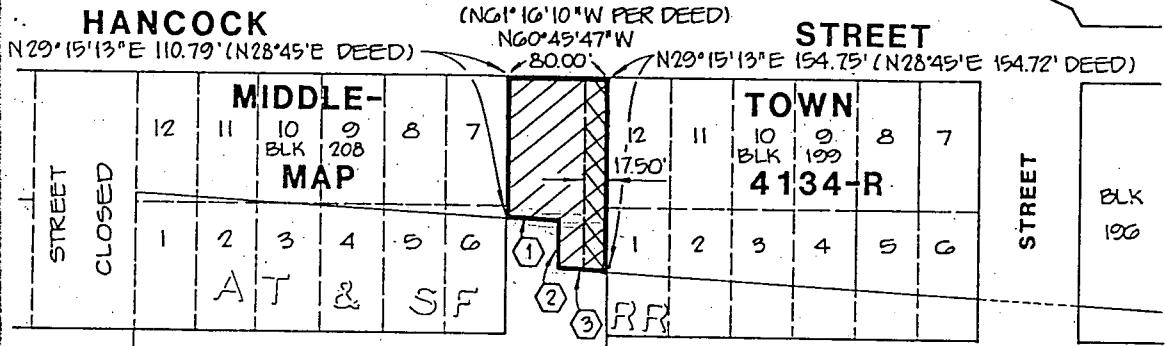
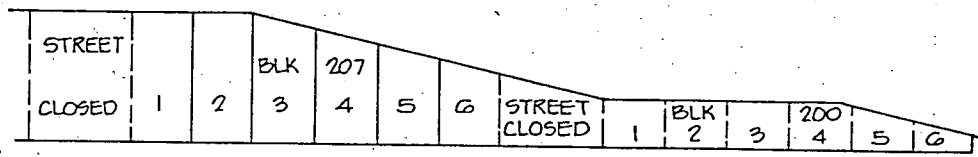
JKR:pev  
10/31/94  
Or.Dept:E&D  
SA:89-539  
WO:120102  
DWG:17729-B  
R-95-718  
Form=r.stve

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS A RANDOM LINE AS SHOWN ON STATE HIGHWAY MONUMENTATION MAP ROUTE 11-50-5, SURVEY OF 1975, M.S. 705, ROS 10773 AND 12000. I.E. N57°31'59"W.

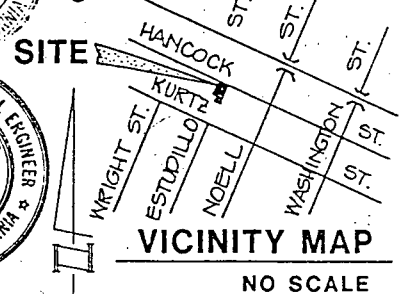
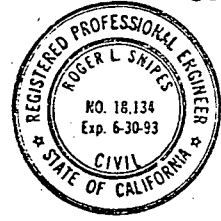
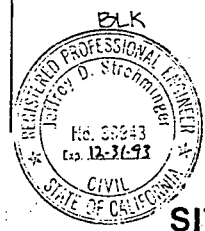


## INTERSTATE 5



### LEGEND

- INDICATES ESTUDILLO STREET DEDICATED PER MAP 4134-R; VACATED (AREA = 0.244 AC.)
- INDICATES GENERAL UTILITY EASEMENT RESERVED



ENGINEER IN CHARGE  
**SNIPES-DYE ASSOCIATES**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 3552 GROVE STREET, LEVON GROVE, CA 92046  
 TELEPHONE (619) 697-0234

*Roger L. Snipes* 8-7-90

ROGER L. SNIPES, P.E. 18134

## STREET VACATION & GENERAL UTILITY RESERVATION ESTUDILLO STREET-SOUTH OF HANCOCK STREET

|                               |        |                       |
|-------------------------------|--------|-----------------------|
| CITY OF SAN DIEGO, CALIFORNIA |        | 120232                |
| SHEET 1 OF 1                  |        | SA89-539              |
| FOR                           | 5-7-91 | <i>Ralph C. Adams</i> |
|                               |        | 210-1711              |
|                               |        | 17729-B               |

DOCUMENT NO. **R-285012**  
 FILED **DEC 05 1994**  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

R-285178