

RESOLUTION NUMBER R- 285220

ADOPTED ON JAN 17 1995

VACATION OF CARRARA PLACE, SOUTH OF RENAISSANCE AVENUE.

WHEREAS, it is proposed that Carrara Place, south of Renaissance Avenue be vacated; and

WHEREAS, in connection with said vacation, the City desires to reserve general utility easements; 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 Carrara Place is a short, dead-end street providing access to only the homes with the La Florentine at Renaissance at La Jolla condominiums. It does not provide access to any public place, such as a park or shopping center, nor does it serve as a thoroughfare or collector street within the community; and

WHEREAS, the public will benefit from the vacation through the City's reduced maintenance and liability responsibilities for the street. Costs for the conversion of the area-of-vacation to a private driveway and its future maintenance costs will be the responsibility of the homeowner's association(s); and

WHEREAS, the vacation or abandonment is not inconsistent with the General Plan or an approved Community Plan in that the vacation is neither shown nor identified as part of the circulation element or as part of the Urban Node Pedestrian Network of the University 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 since access to the existing residential units will be retained in the form of a private easement and that the right-of-way is not an essential part of the community's street or pedestrian network; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Carrara Place, south of Renaissance Avenue, as more particularly referred to in Resolution of Intention No. R- 284898, adopted by the Council on November 14, 1994, is not necessary for present or prospective public street purposes.

2. That Carrara Place, south of Renaissance Avenue, as more particularly shown on Drawing No. 18149-B, on file in the office of the City Clerk as Document No. RR- 284898, 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 HEREBY 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 of any kind or nature 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 of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells 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, 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 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.

5. That the easement reserved herein is in, under, over, upon, along and across Carrara Place, and that the easement is more particularly shown and delineated on Drawing No. 18149-B, on file in the office of the City Clerk as Document No. RR- 284898.

6. That the resolution shall not become effective unless and until the following conditions have been met:

a. The issuance of permits for the required public improvements and installation of improvements, in a manner satisfactory to the City Engineer.

b. Recordation of a mutual-access agreement allowing each unit that utilizes and requires access through the vacated right-of-way and readdressing the units with a Carrara Place address, and changing the address to Renaissance Avenue.

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.

7. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, and that the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, with drawing, 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
09/15/94
Or.Dept:E&D
SA:93-510
WO:120102
DWG:18149-B
R-95-446
Form=r.stve

LEGEND



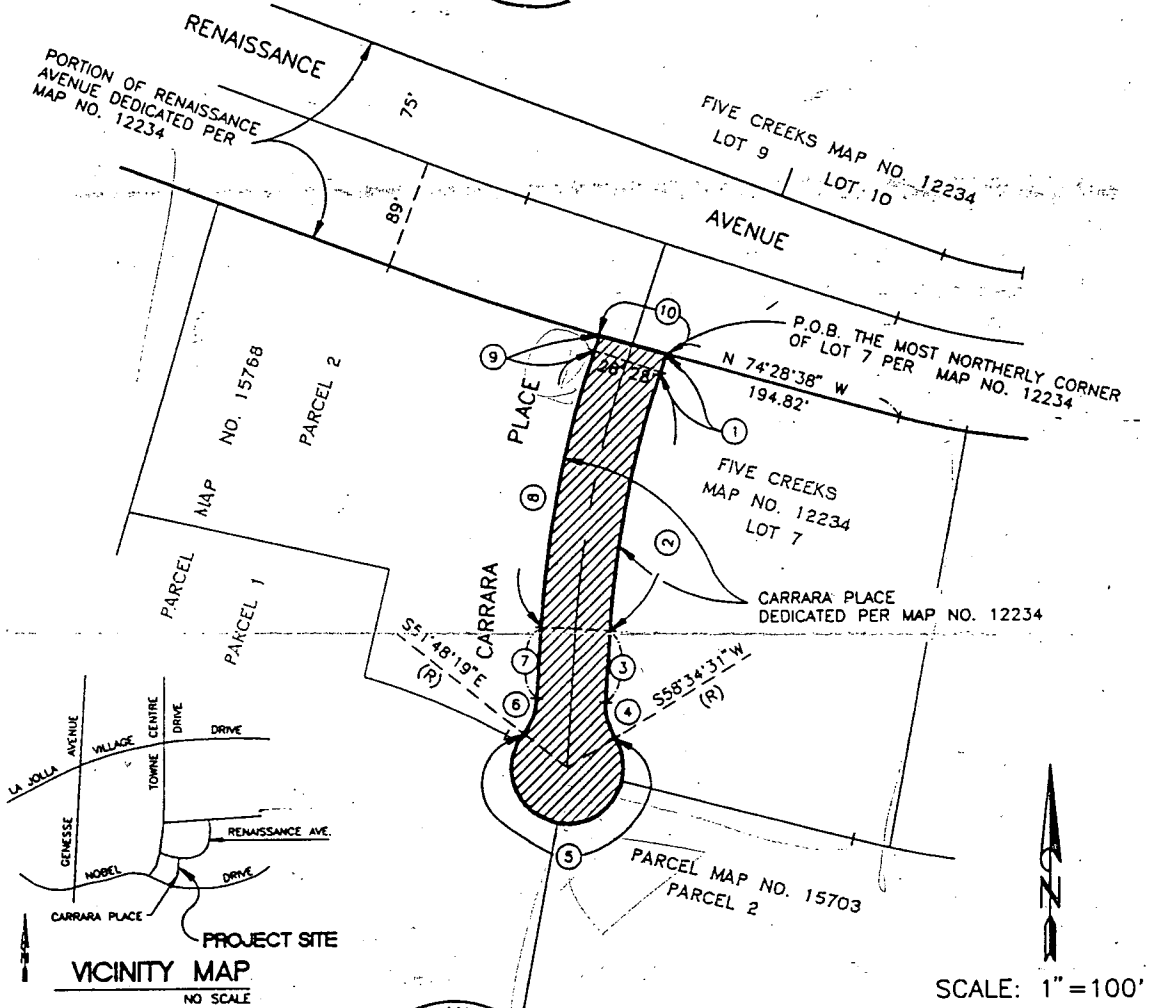
INDICATES CARRARA PLACE VACATED AND GENERAL UTILITY EASEMENT RESERVATION AREA = 0.54 ACRES

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THE MAP IS THE NORTHERLY LINE OF LOT 7 PER MAP NO. 12234 i.e. N 74°28'38" W

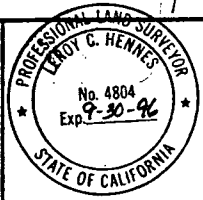


TABULATED DATA			
NO.	DELTA/BEARING	RADIUS	LENGTH
(1)	S 18°12'10" W	---	15.23
(2)	14°49'04"	822.00	212.58
(3)	N 03°23'06" E	---	57.93
(4)	34°48'35"	50.00	30.38
(5)	249°37'09"	45.00	196.05
(6)	34°48'35"	50.00	30.38
(7)	S 03°23'06" W	---	57.93
(8)	14°49'04"	878.00	227.07
(9)	S 18°12'10" W	---	12.62
(10)	S 74°27'48" E	---	56.06



Nieto Consulting Engineers, Inc.
 Civil Engineers • Planners • Surveyors
 9675 Business Park Avenue Suite 110
 San Diego, Ca. 92131 Ph. 536-5622

Alfonso Nieto 1-24-94
 ALFONSO NIETO RCE 29537 DATE
 Expires 3-31-96



STREET VACATION AND SEWER, WATER AND GENERAL UTILITY EASEMENT RESERVATION for CARRARA PLACE BETWEEN NOBEL DRIVE AND RENAISSANCE AVENUE IN THE CITY OF SAN DIEGO, STATE OF CALIFORNIA

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO. 120102
ORIGINAL					SHEET 1 OF 1 SHEET	SA 93-510
					<i>Leroy C. Hennes</i> 1-31-94 CITY ENGINEER DATE	1894-6265 NAD 83 COORDINATES
						254-1705 -LAMBERT COORDINATES
						18149-B
STATUS						

R-285220