

RESOLUTION NUMBER R- 286504

ADOPTED ON OCT 31 1995

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 for a period of five consecutive years the street or highway has been impassable for vehicular travel and no money was expended for maintenance on the street or highway during such period; and

WHEREAS, the abutting property owners have requested the vacation of the Unnamed Road Easements within a portion of Section 36, Township 13 South, Range 3 West, S.B.M., Old Road Survey 57, Road Survey 451, Road Survey 451-A, and Road Survey 499, in connection with and within the boundaries of Black Mountain Ranch (VTM 95-0173) to facilitate development of their property; and

WHEREAS, the streets to be vacated are not needed for present or prospective public street purposes; and

WHEREAS, there is no present or prospective use for the streets either for the public street system for which the rights-of-way were originally acquired, or for any other public use of a like nature that can be anticipated in that the rights-of-way are not needed for public street, bikeway, or open space purposes;

and

WHEREAS, those properties adjoining the streets 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 recordation of a final map(s) for Black Mountain Ranch (VTM 95-0173) for the affected parcels; and

WHEREAS, the public street system for which the rights-of-way were 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 Unnamed Road Easements within a portion of Section 36, Township 13 South, Range 3 West, S.B.M., Old Road Survey 57, Road Survey 451, Road Survey 451-A, and Road Survey 499 in connection with and within the boundaries of Black Mountain Ranch (VTM 95-0173), as more particularly shown on Drawing No. 27938-D on file in the office of the City Clerk as Document No. RR- 286504-1, which is by this reference incorporated herein and made a part hereof, be and the same are hereby ordered vacated.

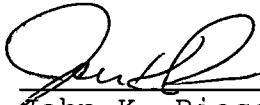
2. That the resolution shall not become effective unless and until the final map(s) for Black Mountain Ranch (VTM 95-0173) has been approved by Council action. In the event that the final

map(s) is not approved within the time allowance specified under the tentative map conditions or any subsequent time extensions allowed, this resolution shall become void and of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned final map(s), and that 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
Senior Deputy City Attorney

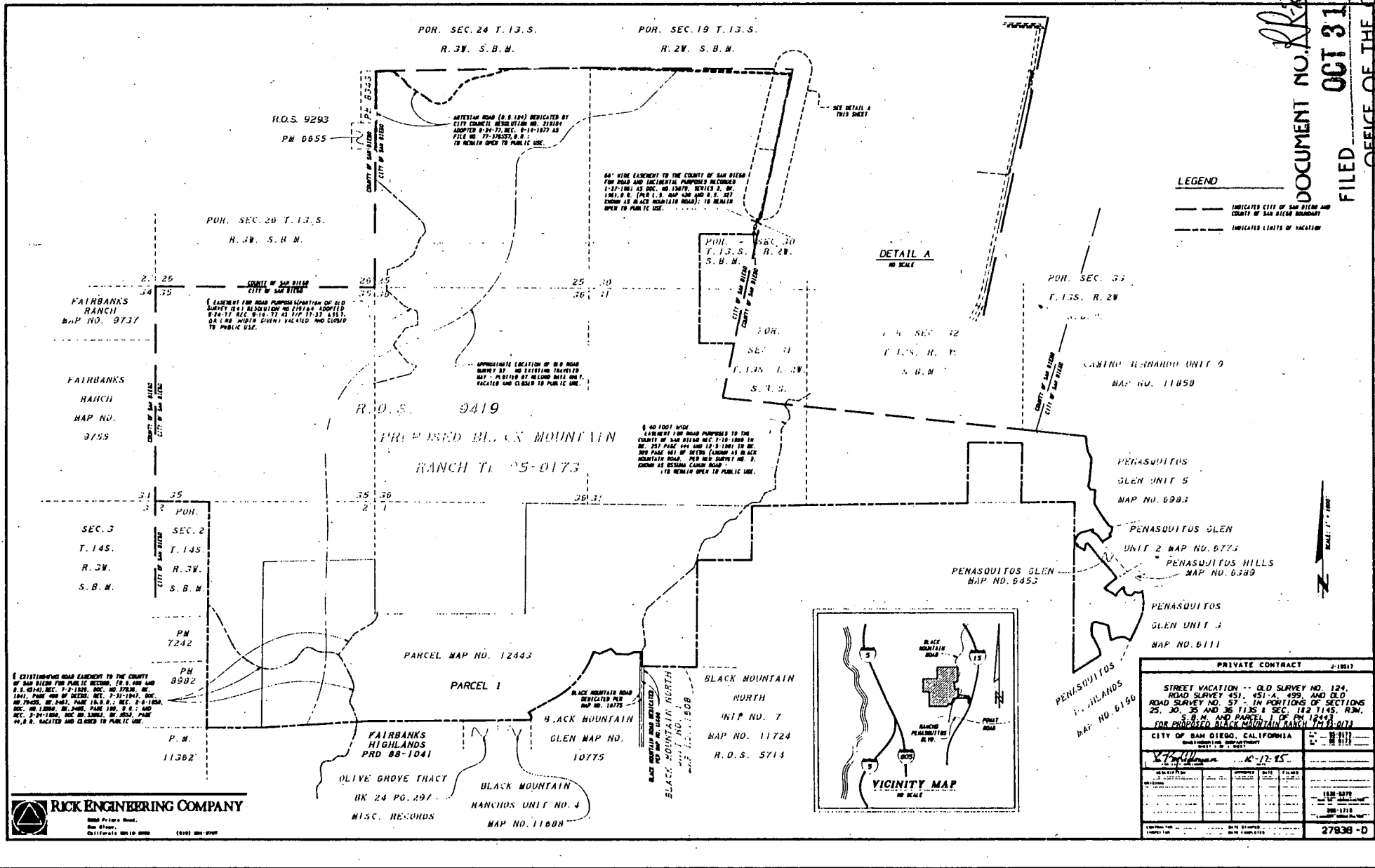
JKR:ps
10/17/95
Or.Dept:Dev.Svcs.
R-96-433
Form=r.sumv3

DOCUMENT NO. ~~R~~ 286504-1

OCT 31 1995

FILED

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

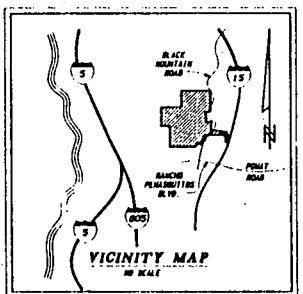


LEGEND

--- INDICATES CITY OF SAN DIEGO AND COUNTY OF SAN DIEGO ROAD

- - - - - INDICATES LIMITS OF VACATION

DETAIL A
NO SCALE



PRIVATE CONTRACT				2-18513
STREET VACATION -- OLD SURVEY NO. 124, ROAD SURVEY 451, 451-A, 455, AND OLD ROAD SURVEY NO. 57 - IN PORTIONS OF SECTIONS 25, 30, 35 AND 36 T145 S. 5. B. M. AND PARCEL 1 OF PM 12443 FOR PROPOSED BLACK MOUNTAIN RANCH TR 05-0173				
CITY OF SAN DIEGO, CALIFORNIA				
<p><i>[Signature]</i> 10-12-95</p>				
DATE	APPROVED	DATE	FILE	FIGURE
				12443-0479
				000-1218
				000-1218
DATE SHIPPED				27838-D

RIEK ENGINEERING COMPANY
 8000 Friars Road,
 San Diego,
 California 92108 (619) 594-0700