

RESOLUTION NUMBER R- **286534**  
ADOPTED ON NOV 06 1993

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 by City Council resolution where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; and

WHEREAS, in connection with said vacation, the City desires to reserve certain easements; and

WHEREAS, the abutting property owners have requested the vacation of an excess portion of Alemania Road north of Mercy Road to accommodate the Penasquitos Trunk Sewer Relief Project; 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, 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, 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 excess portion of Alemania Road north of Mercy Road in connection with the Penasquitos Trunk Sewer Relief Project, as more particularly shown on Drawing No. 18225-B on file in the office of the City Clerk as Document No.

**286534**  
RR-\_\_\_\_\_, 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, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature, including, but not limited to, general 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, 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 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.

3. 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.

4. That the easement reserved herein is in, under, over, upon, along, and across Alemania Road and that the easement is more particularly shown on Drawing No. 18225-B on file in the office of the City Clerk as Document No. RR-286534.

5. That the City Clerk shall 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  
10/16/95  
Or.Dept:REA  
Job:521618  
R-96-425  
Form=r.sumv3

NO.	DELTA	RADIUS	LENGTH
C1	49°23'30"	58.00'	50.00'
C2	51°41'50"	20.00'	18.05'
C3	14°57'35"	1000.00'	261.10'
C4	90°07'24"	58.01'	91.25'
C5	13°50'49"	970.00'	234.42'
C6	04°27'10"	980.00'	76.16'
C7	07°57'54"	60.00'	8.34'

**BASIS OF BEARING**


BASIS OF BEARING IS THE RANCHO LOS PENASQUITOS BDRY AS SHOWN ON PM 14491, I.E. N45°33'52"E

NO.	DISTANCE	BEARING
T1	34.76'	S85°20'14"W
T2	81.68'	S25°42'04"W
T3	161.23'	S63°14'00"E
T4	211.15'	N63°14'00"W
T5	132.15'	S63°14'00"E
T6	121.56'	N25°42'04"E
T7	79.00'	S63°14'00"E
T8	223.41'	S14°43'16"W
T9	59.31'	S85°20'14"W
T10	94.07'	S85°20'14"W
T11	99.93'	N17°07'22"E
T12	49.93'	N27°35'10"W
T13	56.14'	N10°44'19"E
T14	119.71'	N10°44'19"E
T15	53.73'	N14°43'16"E
T16	47.10'	S75°16'44"E

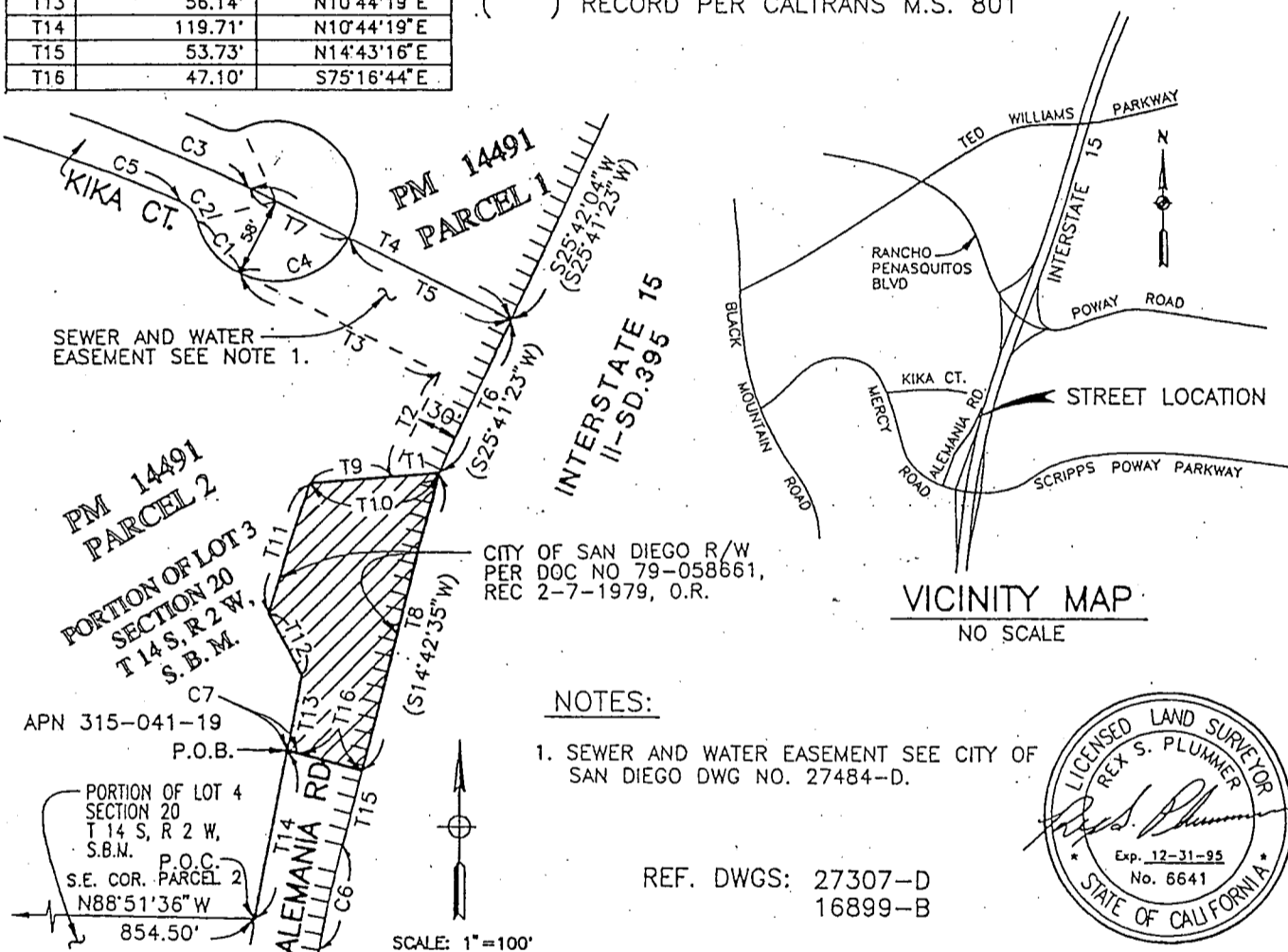
**LEGEND**

 INDICATES STREET VACATION—ALEMANIA ROAD WITH RESERVATION OF EASEMENT FOR PUBLIC UTILITIES

AREA = 16447 SQ. FT. / 0.38 ACRES

 ACCESS RIGHTS RELINQUISHED TO THE STATE OF CALIFORNIA PER DOC. NO 79-058661 RECORDED FEB. 7, 1979 O.R.

( ) RECORD PER CALTRANS M.S. 801

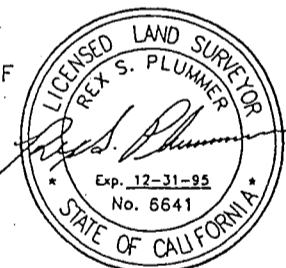


**VICINITY MAP**  
NO SCALE

**NOTES:**

- SEWER AND WATER EASEMENT SEE CITY OF SAN DIEGO DWG NO. 27484-D.

REF. DWGS: 27307-D  
16899-B



**BOYLE ENGINEERING CORPORATION**

7807 Convoy Court, Suite 200, San Diego, Ca. 92111  
Telephone 619/268-8080

L.S. 6641

REX S. PLUMMER

DATE NOVEMBER, 1994

**STREET VACATION  
ALEMANIA ROAD - NORTH OF MERCY ROAD**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
					SHEET 1 OF 1 SHEET	171981
						SA94-512
					<i>Roy C. Hennes</i> FOR CITY ENGINEER	1922-6295
					DATE 1-9-95	NAD83 COORDINATES
						282-1735
						LAMBERT COORDINATES
						18225-B

STATUS

DOCUMENT NO. **RR-286534**

FILED **NOV 06 1995**

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA