

RESOLUTION NUMBER R- 286759

ADOPTED ON DEC 05 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 City streets; and

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provide 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 Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451, located in the east 1/2 of the NW 1/4, and the NE 1/4 of Section 11, T14S, R3W, SBBM, and the NW 1/4 of Section 12, T14S, R3W, SBBM, in connection with Fairbanks Highlands (TM 88-1041), to facilitate development of their property, and those rights-of-way previously stated, have been impassable for vehicular travel and no money was expended for maintenance on the street or highway during such period; and

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provide a procedure for the summary vacation of streets and public service easements by City Council resolution

where the street or highway has been superseded by relocation;
and

WHEREAS, the abutting property owners have requested the traveled way known as Black Mountain Road, located in the east 1/2 of the NW 1/4, and the NE 1/4 of Section 11, T14S, R3W, SBBM, and the NW 1/4 of Section 12, T14S, R3W, SBBM, in connection with Fairbanks Highlands (TM 88-1041) to facilitate development of their property, and the previously stated right-of-way will be superseded by relocation through the construction of Carmel Mountain Road;

WHEREAS, the portion of streets to be vacated is 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 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 the final map 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,

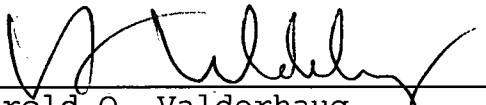
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451, and the public travel way known as Black Mountain Road, in the east 1/2 of the NW 1/4, and the NE 1/4 of Section 11, T14S, R3W, SBBM, in connection with Fairbanks Highlands (TM 88-1041), as more particularly shown on Drawing No. 25048-D, on file in the office of the City Clerk as Document No. RR- 286759, which is by this reference incorporated herein and made a part hereof, be and the same are hereby ordered vacated.

2. That this resolution shall not become effective unless and until the final map for Fairbanks Highlands (TM 88-1041) has been approved by Council action. In the event that the final map 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 be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the approval of the aforementioned final map, 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.

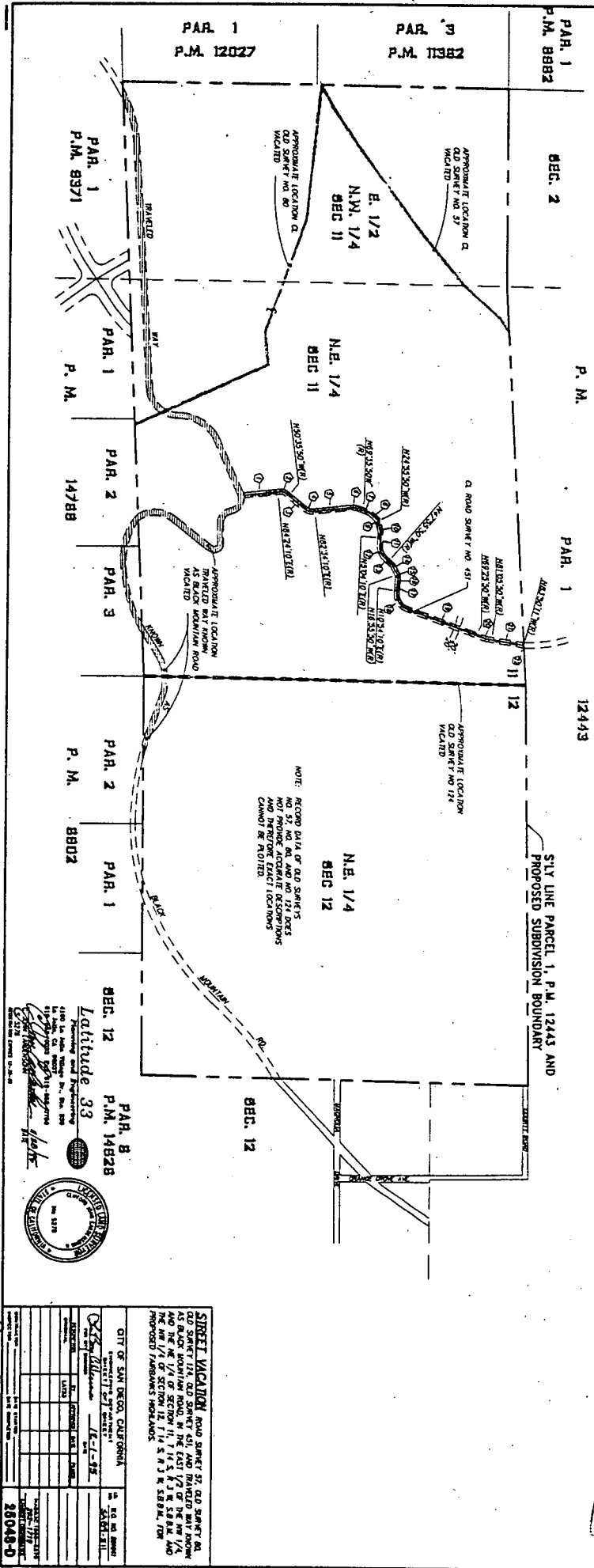
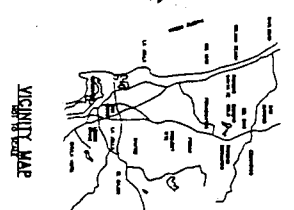
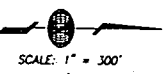
APPROVED: JOHN W. WITT, City Attorney

By 
Harold O. Valderhaug
Chief Deputy City Attorney

HOV:ps
02/01/96
Or.Dept:Clerk
TM 88-1041
25048-D
R-96-721
Form=r.sumv2

DATA

BEARING	LENGTH	AREA	PERCENT
N 35° 30' W	100.00	78.54	41.42
S 70° 00' W	100.00	122.19	43.31
N 72° 10' E	100.00	81.77	43.31
S 20° 00' W	300.00	81.12	43.52
N 20° 00' E	100.00	77.96	41.06
N 40° 00' E	100.00	15.18	5.35
N 30° 00' E	200.00	45.34	48.96
N 83° 50' W	100.00	82.50	55.48
S 10° 00' W	200.00	100.21	55.48
N 10° 00' E	100.00	21.18	31.12
N 70° 00' W	100.00	29.18	84.41
N 20° 00' E	100.00	502.29	31.00
N 70° 00' W	300.00	101.81	21.00
N 30° 00' E	100.00	215.91	2.18
N 44° 31' E	100.00	4.78	



NOTE: RECORD DATA OF OLD SURVEYS NOS. 57, NO. 80, AND NO. 124 DOES NOT PRESENT ACCURATE DIMENSIONS AND THEREFORE LOCATIONS CANNOT BE PLOTTED.

LEGEND
 ROAD IS EXISTING STREET KNOWN AS ROAD IN PLANS NOS. 1, 4, AND 31 VACATED
 ROAD IS EXISTING STREET KNOWN AS ROAD IN PLANS NOS. 1, 4, AND 31 VACATED
 AS BLDG. HOUSING ROAD VACATED

ASSESSOR'S PARCEL NO.
 304-010-1112
 304-020-1112

BASIS OF BEARINGS
 THE BASIS OF BEARINGS FOR THIS MAP IS THE NORTH LINE OF SECTION 11 AS SHOWN ON N.O.S. 5711, 11, AND 11010101

REFERENCE DRAWINGS
 ROAD SURVEY NO. 431, O.S. NO. 57, O.S. NO. 80
 O.S. NO. 124

Latitude 33
 City of San Diego, California
 Planning and Engineering
 1410 La Jolla Village Drive, San Diego, CA 92161
 619-494-1111
 11/11/1995
 [Signature]

STREET VACATION ROAD SURVEY 32, OLD SURVEY 80, OLD SURVEY 124, OLD SURVEY 431, AND TRAILHEAD, BAYVIEW AND THE NE 1/4 OF SECTION 12, T14 S, R13 E, S88 BM, AND THE NE 1/4 OF SECTION 12, T14 S, R13 E, S88 BM, AND PROPOSED PARABOLIC HOUSING.

NO.	SECTION	AREA	DATE
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100	12	1.00	11/11/1995

DOCUMENT NO. **11-286759**
 FILED **DEC 05 1995**
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

R-286759