

RESOLUTION NUMBER R- 287283

ADOPTED ON MAY 07 1996

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, the abutting property owners have requested the vacation of Bolton Hall Road west of Border Village Drive and the alley adjacent to Lots 11, 12, 13 and 15 of Schulz Addition San Ysidro, Map 1758, to facilitate development of their property; and

WHEREAS, the portion of street to be vacated is not needed for present or prospective public street purposes; 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, it is necessary and desirable that the vacation be conditioned upon completion of a certificate of compliance for the affected parcels; and

WHEREAS, in connection with said vacation, the City desires to reserve a certain easement; 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 Bolton Hall Road west of Border Village Drive and the alley adjacent to Lots 11, 12, 13 and 15 of Schulz Addition San Ysidro, Map 1758, as more particularly shown on Drawing No. 27915-D, on file in the office of the City Clerk as Document No. RR- 287283 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, 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 the transportation and distribution of communication signals 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 that portion of Bolton Hall Road and adjoining alley and that the easement is more particularly shown

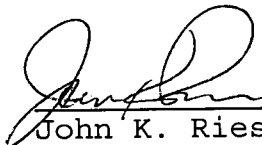
on Drawing No. 27915-D on file in the office of the City Clerk as Document No. RR- 287283.

5. That the resolution shall not become effective unless and until the approval and filing of a certificate of compliance in a manner satisfactory to the City Engineer. In the event that the certificate of compliance is not filed within three (3) years following the adoption of this resolution, this resolution shall become void and of no further force or effect.

6. That the City Engineer shall advise the City Clerk of the completion of the aforementioned certificate of compliance, and the City Clerk shall then cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

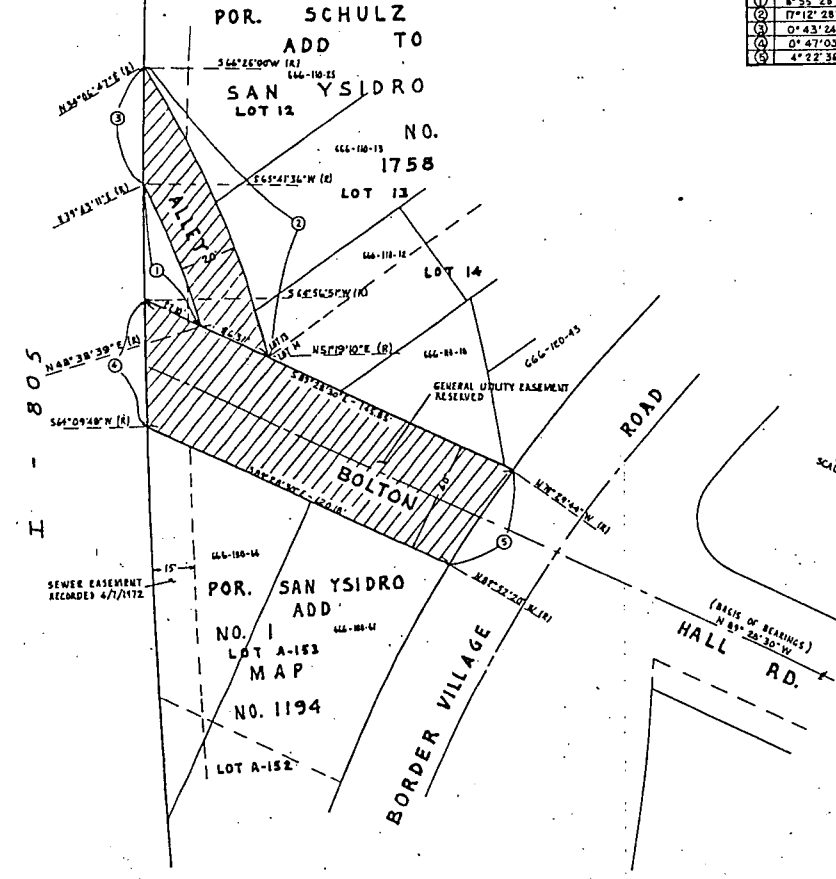
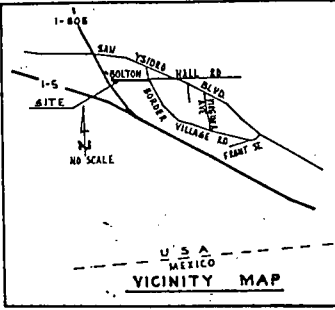
By



John K. Riess  
Senior Deputy City Attorney

JKR:pev  
03/06/96  
Or. Dept: E&D  
SA: 95-528  
WO: 119176  
Dwg: 27915-D  
R-96-1024  
Form=r.sumv3

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
(1)	8°55'28"	256.34'	55.50'
(2)	17°12'28"	376.34'	113.02'
(3)	0°43'24"	3250'	41.03'
(4)	0°47'03"	2250'	44.48'
(5)	4°22'36"	620.00'	40.49'



**LEGEND**

AREA TO BE VACATED AND RESERVED FOR GENERAL UTILITY EASEMENT 7009 SQ/FOOT/AC

**REFERENCE DRAWINGS**

R05 9158, LD 25041, 13779-B, 26606-D, SUB'D MAP 1194, 1758

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS IS THE CENTER LINE OF BOLTON HALL RD. AS SHOWN ON DRAWING 26606-2-D, IC N89°28'30\"/>

**NOTE:**  
ALL INFORMATION SHOWN HEREON IS CALCULATED USING THE STREET DEDICATION DRAWINGS, EGLOM-D FOR LOCATIONS AND BEARINGS OF ALL EXISTING STREET CENTERLINES.



**STREET VACATION  
BOLTON HALL ROAD-BETWEEN  
I-805 AND BORDER VILLAGE RD.**

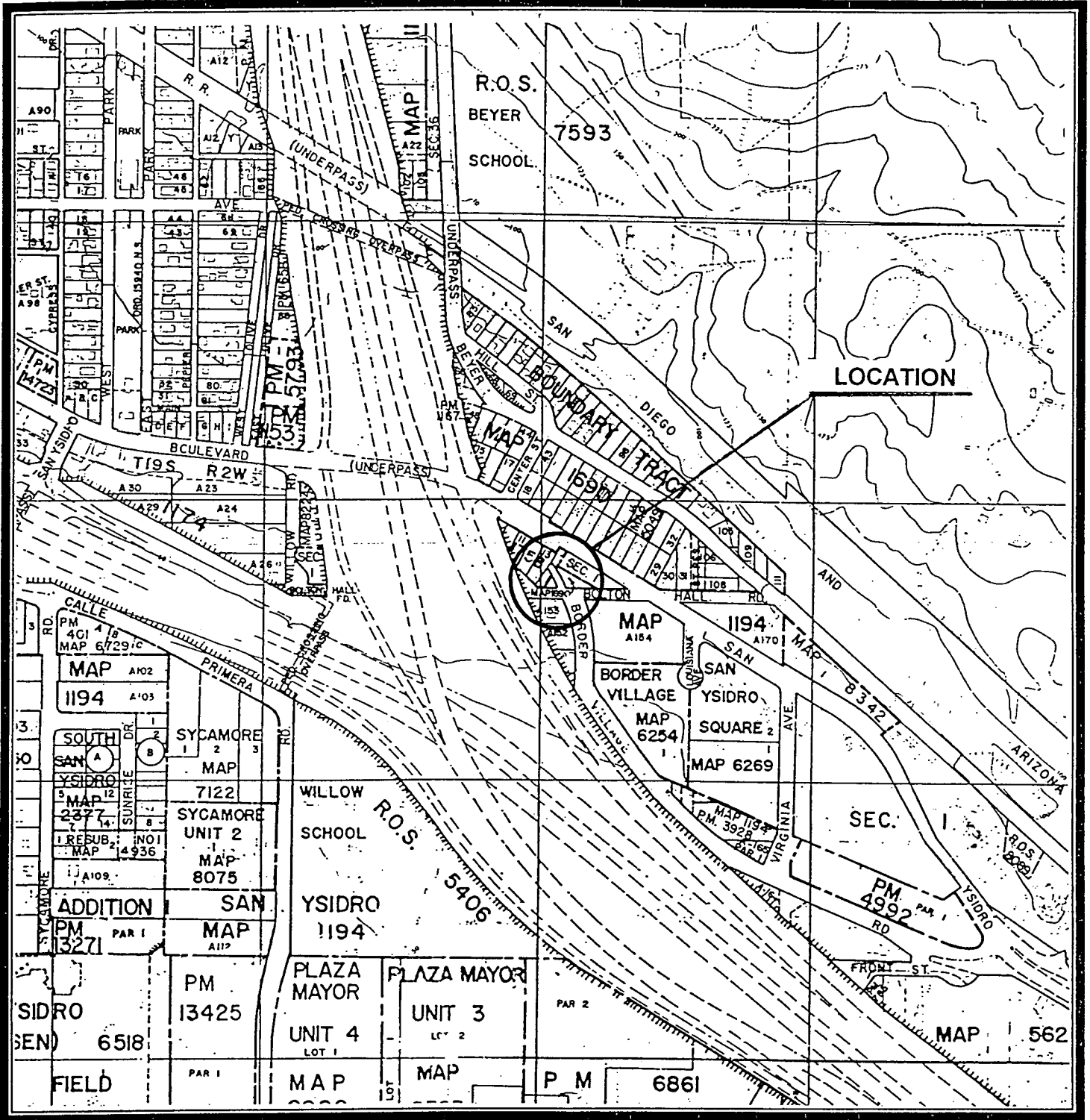
CITY OF SAN DIEGO, CALIFORNIA		WA	119176
ENGINEERING DEPARTMENT		NO.	2450
SHEET 1 OF 1 SHEETS		DATE	11/11/96
DESIGNED BY	APPROVED BY	DATE	11/11/96
DR	MSB		
DRAWN BY		DATE	11/11/96
CHECKED BY		DATE	11/11/96
SCALE		160 = 1\"/>	
DATE PLOTTED		27915 -D	

R-287283

DOCUMENT NO. RR-287283

FILED MAY 07 1996

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA



THE CITY OF  
**SAN DIEGO**  
 DEVELOPMENT SERVICES DEPARTMENT  
 LAND DEVELOPMENT REVIEW DIVISION  
 LOCATION MAP

R-287283