

RESOLUTION NUMBER R- 287592

ADOPTED ON JUL 08 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 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 the property of another; and

WHEREAS, the vacation of portions of Harbor Drive and Fifth Avenue has been initiated by the City of San Diego in connection with the Convention Center Expansion; 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 or abandonment 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 portions of Harbor Drive and Fifth Avenue in connection with the Convention Center Expansion, as more particularly shown on Drawing No. 18338-B, on file in the office of the City Clerk as Document No. RR- 287592, which is by this reference incorporated herein and made a part hereof, be, and the same is hereby ordered, vacated.

2. 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 Theresa C. McAteer
Theresa C. McAteer
Deputy City Attorney

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