

RESOLUTION NUMBER R- 287764

ADOPTED ON AUG 06 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 or public service easement; 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 the street to be vacated consists of a portion of 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, Section 8334(a) of the California Streets and Highways Code allows the summary vacation of streets and public service easements by City Council resolution where the portion of the street to be vacated is excess to the City's right-of-way needs and is no longer required for street or highway purposes; and

WHEREAS, Section 8333(c) of the California Streets and Highways Code permits the summary vacation of streets by City Council resolution where a street or public service easement has been superseded by relocation; and

WHEREAS, the abutting property owners have requested the vacation of Hoss Court and Masher Court north of Sequence Drive within property under one ownership; an excess portion of

Sequence Drive adjacent to Lots 10, 11, 13, 14, and 17 of Lusk Mira Mesa Business Park East II, Map 12642; a Pedestrian Non-motor Vehicular Right-of-way, and Sewer and Drainage Easements subject to relocation, to facilitate development of their properties; and

WHEREAS, the City Engineer has developed a single-loaded design for Sequence Drive which meets all traffic engineering and safety standards; and

WHEREAS, the City Engineer's revised plans and designs reduce the needed width of the road; and

WHEREAS, the portion of streets or public service easements to be vacated, are therefore not needed for present or prospective public street purposes or utility purposes; and

WHEREAS, there is no present or prospective use for the streets or public service easements either for the public street or utility 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 street to be vacated will continue to have access; and

WHEREAS, the public will benefit from the street and public service easement vacations 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 and utility systems 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 Hoss Court and Masher Court north of Sequence Drive, the excess portion of Sequence Drive adjacent to Lots 10, 11, 13, 14, and 17 of Lusk Mira Mesa Business Park East II, Map 12642, a Pedestrian Non-motor Vehicular Right-of-way, and Sewer and Drainage Easements, as more particularly shown on Drawing No. 28296-D, on file in the office of the City Clerk as Document No. RR-287764, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

2. That this resolution shall not become effective unless and until the filing of a consolidation map or other appropriate map to eliminate the landlocked parcels which will exist upon vacation of the rights-of-way. The City Engineer is authorized to approve and record said map without further hearing before the City Council. In the event that the above map is not filed within three (3) years following the adoption of this resolution, 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 parcel map, and that 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.

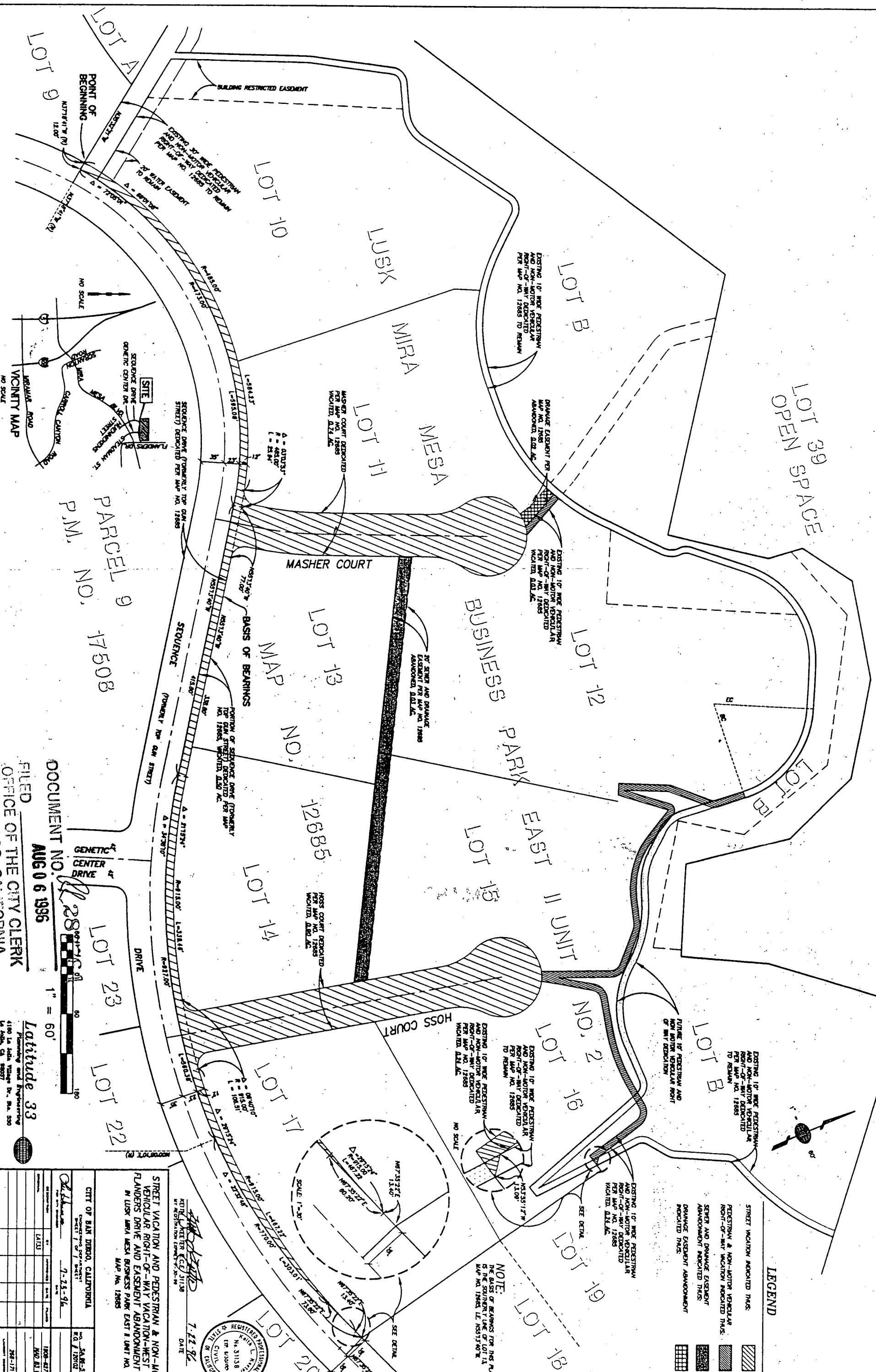
APPROVED: JOHN W. WITT, City Attorney

By



John K. Riess
Deputy City Attorney

JKR:pev
07/23/97
Or.Dept:DSD
SA:96-515
WO:120102
DWG:28696-D
R-97-152
Form=r.sumv2



PARCEL NO. 17508
P.M. ROAD

GENETIC CENTER DRIVE

FILED
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

DOCUMENT NO. 28
AUG 06 1996

1" = 60'

Latitude 33

Planning and Engineering
4100 LA JOLLA VILLAGE Dr., Bldg. 500
San Diego, CA 92122
619-594-0000 Fax: 619-488-0704

CITY OF SAN DIEGO, CALIFORNIA	
Engineering Department	7-22-96
Project No.	17508
Sheet No.	1
Scale	1" = 60'
Drawn by	MD/BJC
Checked by	MD/BJC
Approved by	MD/BJC
Date	7-22-96
Project Name	STREET VACATION AND PEDESTRIAN & NON-MOTOR VEHICULAR RIGHT-OF-WAY VACATION-WEST OF FLANDERS DRIVE AND EASEMENT ABANDONMENT PLAT IN LUSK MIRA MESA BUSINESS PARK EAST 11 UNIT NO. 2 MAP NO. 12885
City Engineer	282996-D

REGISTERED PROFESSIONAL ENGINEER
KEITH L. KEENER
No. 31138
Exp. 06/30/00
CITY OF SAN DIEGO
7-22-96
DATE

LEGEND

- STREET WALKWAY INDICATED THUS: [Symbol]
- PEDESTRIAN & NON-MOTOR VEHICULAR RIGHT-OF-WAY INDICATED THUS: [Symbol]
- STREET AND DRAINAGE EASEMENT ABANDONMENT INDICATED THUS: [Symbol]
- DRAINAGE EASEMENT ABANDONMENT INDICATED THUS: [Symbol]

NOTE:
THE BASIS OF BEARINGS FOR THIS PLAN IS THE SOUTHERLY LINE OF LOT 11 MAP NO. 12885 (E. 105319072)