

RESOLUTION NUMBER R- 288259

ADOPTED ON JAN 14 1997

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 and public service easements by City Council resolution where the portion of 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, in connection with said vacation, the City desires to reserve a certain easement; and

WHEREAS, the abutting property owners have requested the vacation of an excess portion of Gilman Drive, adjacent to Pueblo Lot 1291 in connection with the development of La Jolla Serena (LJS 96-0145), 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, 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 an excess portion of Gilman Drive, adjacent to Pueblo Lot 1291 in connection
with the development of La Jolla Serena (LJS 96-0145), as more particularly shown on Drawing
No. 18474-B on file in the office of the City Clerk as Document No. RR- 288259-1, 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 water
utilities of any kind or nature, including, but not limited to, 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 easement reserved herein is in, under, over, upon, along, and across that portion of Gilman Drive and that the easement is more particularly shown on Drawing No. 18474-B on file in the office of the City Clerk as Document No. RR- 288259-1.

4. 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 Ted Bunnfield for
Keri G. Katz
Head Deputy City Attorney

KGK:pev
12/09/96
Or.Dept:DSD
SA:89-520
WO:120102
Dwg:18474-B
R-97-660
Form=sumv3.res

LEGEND



INDICATES STREET VACATION



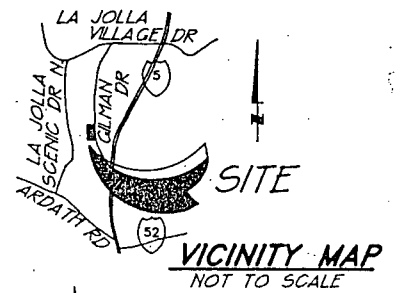
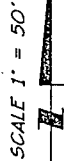
INDICATES WATER EASEMENT RESERVED FROM STREET VACATION



INDICATES REC. PER DEED REC. 11-19-1952 BK 4659 P. 440. QR.

BASIS OF BEARING

THE BASIS OF BEARING IS A PORTION OF THE WESTERLY LINE OF PUEBLO LOT NO. 1291 AS SHOWN ON R.O.S. NO. 3417. i.e. N14°41'02"W



LA JOLLA SCENIC KNOLLS UNIT NO. 3
MAP NO. 6731
(N76°22'28"E PER MAP 6731)
40.60' J
[N75°02'50"E N 85°42'28" E (R)

PROPOSED P.M.
W.O. NO. 960498
P.L. 1291
MISC. MAP NO. 36

EXISTING 40' WIDE POR. GILMAN DR.
DEDICATED PER DEED RECORDED
NOVEMBER 19, 1952 BK. 4659,
Pg. 440 OF O.R. - VACATED

ASSESSOR'S PARCEL NUMBER

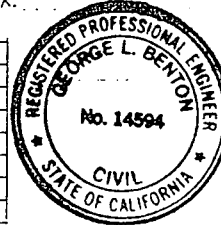
346-750-03, 346-750-04

REFERENCE DRAWINGS

MAP NO. 6731, MAP NO. 7174, MISCELLANEOUS MAP NO. 36

GILMAN DR. (FORMERLY PACIFIC HWY.) DEDICATED PER DOCUMENT REC. 8-19-38 AS FILE NO. 45351 IN BOOK 814, PAGE 247, O.R.

CURVE	RADIUS	LENGTH	DELTA
C1	3090.00'	54.04'	01°00'07"
C2	3090.00'	15.03'	00°16'43"
C3	3090.00'	62.75'	01°09'49"
C4	3050.00'	62.49'	01°10'26"
C5	3050.00'	15.02'	00°16'56"
C6	3050.00'	54.34'	01°01'15"
C7	3090.00'	131.82'	02°26'39"



George L. Benton 10/15/96
GEORGE L. BENTON, P.C.E. 14594 DATE
LICENSE EXPIRES 3/31/97

CROSBY MEAD BENTON & ASSOCIATES Engineers • Planners • Surveyors
5650 El Camino Real, Suite 200
Carlsbad, California 92008
(819) 438 - 1210

STREET VACATION - PORTION OF GILMAN DRIVE SOUTH OF VILLA LA JOLLA DRIVE

FOR PROPOSED P.M. W.O. 960498

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	120102
		<i>Joe Hernandez</i>	10-29-96			SA 89-520
		FOR CITY ENGINEER	DATE			1890-6255
		DIVISION HEAD				250-1695
		SECTION HEAD				18474-B
		STATUS				

FILED
DOCUMENT NO. **RR-288259-1**
JAN 14 1997
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA