

RESOLUTION NUMBER R- 288627

ADOPTED ON MAY 06 1997

VACATION OF PEDESTRIAN ALLEY IN BLOCK 12, MAP
478 AS PART OF THE SHERMAN HEIGHTS
NEIGHBORHOOD REVITALIZATION PROGRAM.

WHEREAS, the vacation of the City's interest in an unneeded pedestrian alley located within Block 12, Map 478, as more particularly shown on Drawing No. 18510-B, attached hereto and made a part hereof, has been requested by the affected property owners; and

WHEREAS, in connection with said vacation, the City desires to reserve a public services easement for public utilities and drainage; 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 a pedestrian alley in Block 12, Map 478, as more particularly shown on Drawing No. 18510-B, on file in the office of the City Clerk as Document No. RR- 288627-1, which said drawing is attached hereto and made a part hereof, be and the same is hereby ordered vacated.

2. That The City of San Diego 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 sanitary sewer and storm drainage 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 an 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 easements reserved herein are in, under, over, upon, along and across the entire vacated area of the pedestrian alley in Block 12, Map 478 and that the easement is more particularly shown and delineated on Drawing No. 18510-B, on file in the office of the City Clerk as Document No. RR- 288627-1.

4. That the City Clerk shall cause a certified copy of this resolution, attested by him

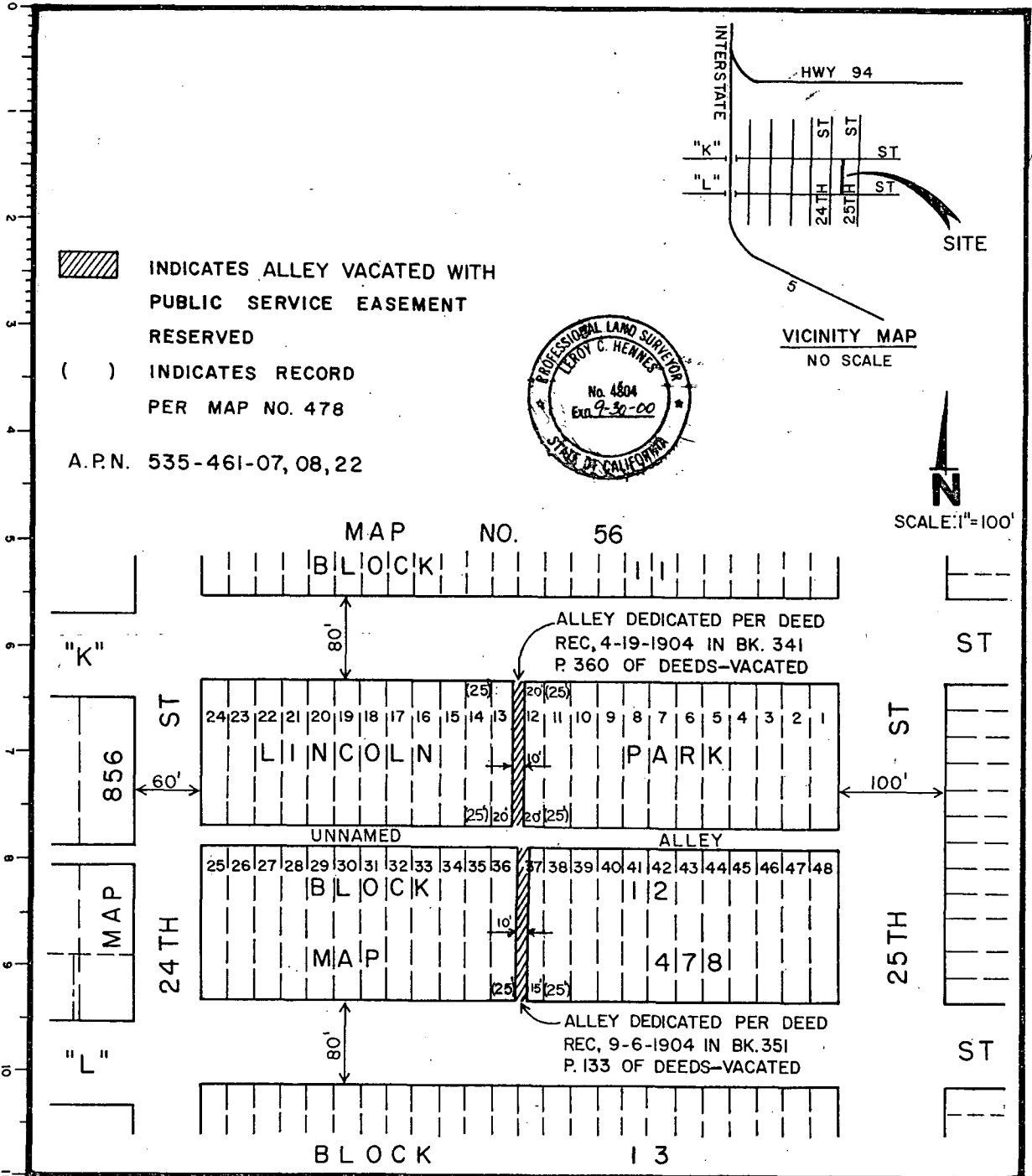
under seal, with drawing, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard
Prescilla Dugard
Deputy City Attorney

PD:cdk
04/10/97
Or.Dept:Dev.Svcs.
SA:96-0519
WO:120102
DWG:18510-B
R-97-1044
Form=stve.res

DOCUMENT NO. RR 288627-1
 FILED MAY 06 1997
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA



Leroy Hennes
 LEROY HENNES L.S. 4804
 CITY OF SAN DIEGO
 DEVELOPMENT SERVICES DEPT.

ALLEY VACATION WITH PUBLIC SERVICE EASEMENT RESERVED
 IN LOTS 12, 13 AND 37 BLOCK 12 LINCOLN PARK MAP NO. 478

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL					SHEET OF SHEET	
					<i>Leroy Hennes</i> FOR CITY ENGINEER	11-20-96 DATE
						1836-6285 NAD 83 COORDINATES
						196-1725 LAMBERT COORDINATES
						18510-B