

(R-97-1421)

RESOLUTION NUMBER R- 288965

ADOPTED ON JUL 15 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, California Government Code section 66499.20 1/2 provides that the filing of the map shall constitute abandonment of all streets and easements not shown on the map; and

WHEREAS, the abutting property owners have requested the vacation of Bethesda Way in the Cypress Valley Subdivision, Tentative Map No. 96-0315, all within or adjacent to the Cypress Valley Subdivision (TM 96-0315) boundaries, to facilitate development of their properties; 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 that the vacation be conditioned upon completion of a final
map for Cypress Valley (TM 96-0315); 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:

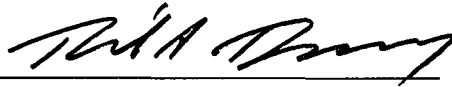
1. That Bethesda Way, all within or adjacent to the Cypress Valley Subdivision
(TM 96-0315) boundaries, as more particularly shown on Exhibit A, on file in the office of the
City Clerk as Document No. RR- 288965-1, which is by this reference incorporated
herein and made a part hereof, be and the same is hereby ordered vacated.

2. That the resolution shall not become effective unless and until the final subdivision
map for Cypress Valley Subdivision (TM 96-0315) has been approved by Council action. In the
event that the final map is not approved within the time allowance specified under the tentative
map conditions or any subsequent time extensions allowed, 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 completion of the
aforementioned final map for Cypress Valley (TM 96-0315), and that the City Clerk shall then
cause a certified copy of this resolution with Exhibit A, attested by him under seal, to be recorded
in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By



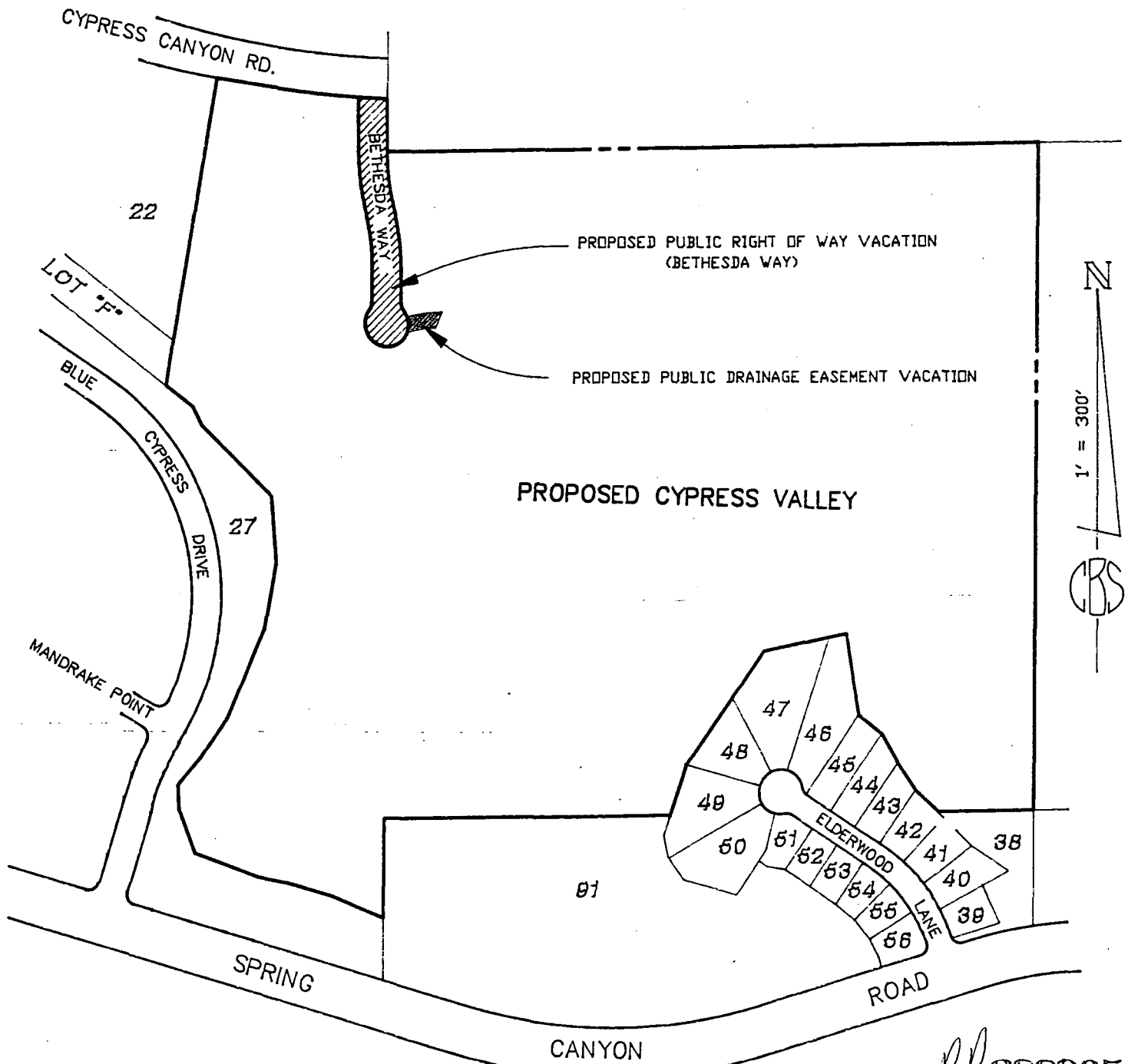
Richard A. Duvernay
Deputy City Attorney

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07/02/97
Or.Dept:Dev.Svcs.
DWG:B-4036
R-97-1421
Form=sumv2.frm

PROPOSED PUBLIC ROAD RIGHT OF WAY
AND PUBLIC DRAINAGE EASEMENT VACATION

SAID STREET AND DRAINAGE EASEMENT ARE PROPOSED TO BE ABANDONED BY EXCLUSION FROM THE PROPOSED FINAL MAP IN ACCORDANCE WITH PROCEDURE OUTLINED BY SECTION 6649.20 1/2 OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA.

EXHIBIT "A"



DOCUMENT NO. RR-288965-1

FILED JUL 15 1997

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA