

RESOLUTION NUMBER R- 289098

ADOPTED ON AUG 12 1997

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 property of another; and

WHEREAS, the abutting property owners have requested the vacation of the alley east of Oregon Street and north of Lincoln Avenue, in block 168 of University Heights D'Hemecourt Map Amended in order to facilitate development of their property; and

WHEREAS, the provisions of Council Policy No. 600-15 require that a noticed public hearing be conducted before the City Council prior to the vacations of City streets and easements; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the streets or easement, 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; and
- (b) the public will benefit from the vacation through improved utilization of land; and
- (c) the vacation is not inconsistent with the General Plan or an approved Community

Plan; and

(d) those properties adjoining the street to be vacated will continue to have access;

and

(e) 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:

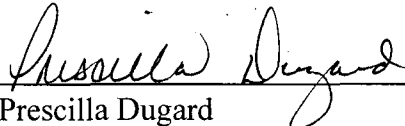
1. That the alley east of Oregon Street and north of Lincoln Avenue, in block 168 of University Heights D'Hemecourt Map Amended, as more particularly shown on Drawing No. 18579-B (herein referred to as Exhibit "A") on file in the office of the City Clerk as Document No. RR- 289098, which is attached hereto and made a part hereof, be and the same is hereby ordered vacated.

2. That the vacation shall be conditioned upon and not become effective unless and until a 15-foot driveway along Lincoln Avenue at the southernmost part of the alley is constructed, satisfactory to the City Engineer. In the event that the driveway is not constructed within one year following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

3. That the City Clerk shall 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 
Prescilla Dugard
Deputy City Attorney

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07/14/97
Or.Dept:Dev.Svcs.
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