

(R-98-478)

RESOLUTION NUMBER R- 289390

ADOPTED ON NOV 04 1997

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO VACATING A PORTION OF WEST ELM STREET  
BETWEEN PACIFIC HIGHWAY AND CALIFORNIA STREET.

WHEREAS, the Redevelopment Agency of The City of San Diego (the "Agency") is engaged in activities necessary to carry out and implement the Redevelopment Plan for the Centre City Redevelopment Project (the "Plan"); and

WHEREAS, the Agency recommends the vacation of that portion of West Elm Street between Pacific Highway and California Street to facilitate the development of property pursuant to the Plan; and

WHEREAS, Centre City Development Corporation, Inc., is the agent of the Agency in the implementation of activities pursuant to the Plan; 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 vacation of City streets and easements; and

WHEREAS, the vacation of West Elm Street between Pacific Highway and California Street is not inconsistent with the General Plan or the approved Community Plan; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, those properties adjoining the street to be vacated will continue to have access; and

WHEREAS, there is no present or prospective use for West Elm Street between Pacific Highway and California Street, either for the public street system, for which the right-of-way was acquired, or for any other public use of like nature; 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 Elm Street, as more particularly shown on Drawing No. 18689-B (herein referred to as Exhibit A), on file in the office of the City Clerk as Document No. RR- 289390-1, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

2. That franchised utility companies are to be notified by Centre City Development Corporation to remove and relocate (as necessary) all utilities and appurtenant facilities located within vacated Elm Street.


3. That the vacation shall be conditioned upon and not become effective unless and until arrangements have been completed for (a) the relocation of the franchise facilities and any City facilities in vacated Elm Street and (b) the closure of the vacated area, all satisfactory to the City Engineer. In the event that these arrangements are not completed within one year following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

4. That the vacation shall be further conditioned upon and not become effective unless and until the building permit for the project which is the subject of Centre City Development Permit No. 96-7330 and Coastal Development Permit No. 96-7330 is ready to be issued (with the only contingencies being payment of fees and this vacation of West Elm Street),

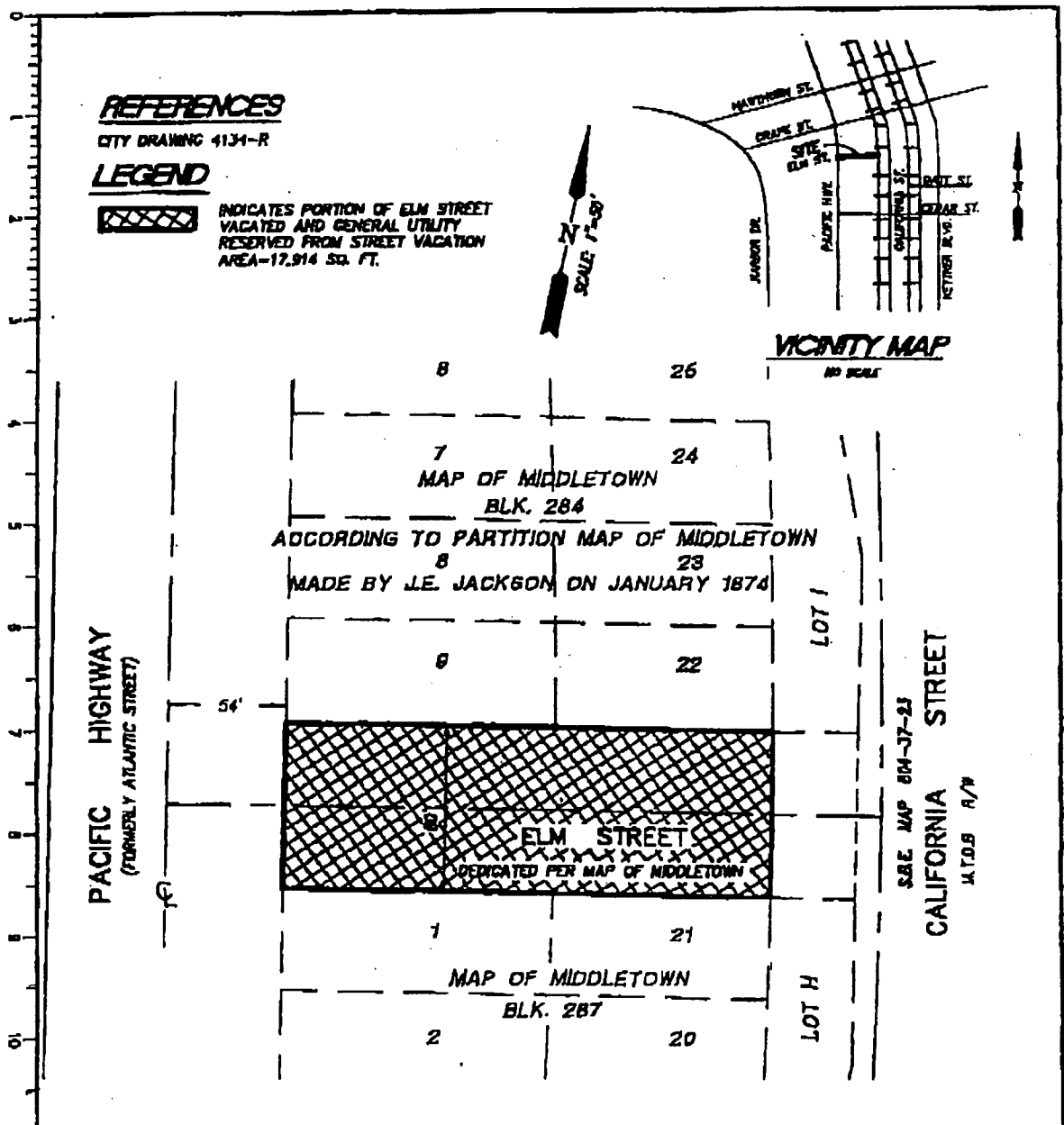
and the developer of the project has demonstrated, to the satisfaction of the Centre City Development Corporation, that the project is financed and ready to proceed. In the event that the building permit is not ready for issuance and financing has not been secured to the satisfaction of the Centre City Development Corporation within one year following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

5. That upon notification from the City Engineer of the satisfactory completion of the arrangements as described in paragraph 3 above, and upon notification from the Centre City Development Corporation of the project's satisfactory compliance with paragraph 4 above, 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   
Allisyn L. Thomas  
Deputy City Attorney

ALT:lc  
10/21/97  
Or.Dept:CCDC  
R-98-478  
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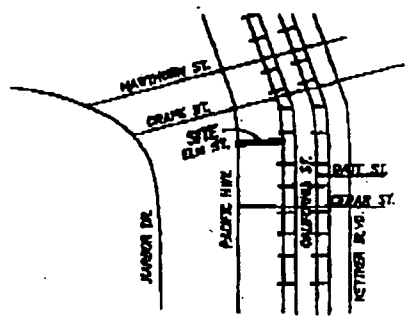
**REFERENCES**

CITY DRAWING 4134-R

**LEGEND**



INDICATES PORTION OF ELM STREET VACATED AND GENERAL UTILITY RESERVED FROM STREET VACATION AREA-17,914 SQ. FT.



**VICINITY MAP**

NO SCALE

PACIFIC HIGHWAY  
(FORMERLY ATLANTIC STREET)

CALIFORNIA STREET  
S.B.E. MAP 614-37-23  
M.T.O.B. A/W

**Project Design Consultants**  
 PLANNING ENGINEERING SURVEYING  
 701 "B" Street, Suite 202, San Diego, Ca. 92101  
 619-586-6671 FAX 619-586-6649

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DOUGLAS C. PAUL R.C.E. 92606 DATE  
 MY REGISTRATION EXPIRES 12-31-97

**STREET VACATION**  
 BETWEEN PACIFIC HIGHWAY & CALIFORNIA STREET

DESCRIPTION	BY	APPROVED	DATE	PLN-ED	CITY OF SAN DIEGO, CALIFORNIA	EXP. 120102
ORIGINAL	PDC				SHEET 1 OF 1 SHEET	1842-6278
						202-1710
						18689-B

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DOCUMENT NO. RR-289390-1

FILED NOV 04 1997

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA