

RESOLUTION NUMBER R- 289511

ADOPTED ON DEC 02 1997

VACATION OF A PORTION OF ALEMANIA ROAD.

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 66499.20½ of the California Government Code provides that the filing of the map shall constitute abandonment of all streets and easements not shown on said map; and

WHEREAS, the abutting property owners have requested the vacation of a segment of Alemania Road in connection with Mercy Road Homes (TM 96-7108) to facilitate development of their property; and

WHEREAS, the entire segment 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 as a public street system, for which the right-of-way was originally acquired, except for a portion for a public pedestrian access way which will be granted to the City on the final map; 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 an improved pedestrian access way; and

19:05:05

WHEREAS, the vacation is not inconsistent with the General Plan or an approved Community Plan; and

WHEREAS, it has been determined that the City has a fee interest in the street to be vacated; and

WHEREAS, it is necessary and desirable that the vacation be conditioned upon completion of a final map for Mercy Road Homes (TM 96-7108); 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 Alemania Road in connection with Mercy Road Homes (TM 96-7108), as more particularly shown on Exhibit "A," on file in the Office of the City Clerk as Document No. RR- **289511**, which is by this reference incorporated herein and made a part hereof, is ordered vacated, in accordance with California Government Code section 66499.20½ .

2. That the Resolution shall not become effective unless and until the following conditions have been met:

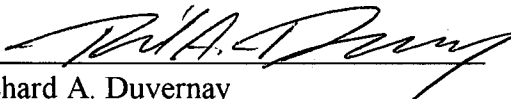
a. The final subdivision map for Mercy Road Homes has been approved by City Council action; and

b. That the City has been compensated, for the vacations, at the fair market value as determined by Real Estate Assets.

In the event the above conditions are not completed within the time allowance specified under the tentative map conditions or any subsequent time extensions allowed, then 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 conditions, and the City Clerk shall then 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: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

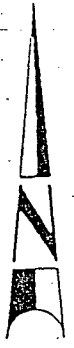
RAD:lc
11/04/97
Or.Dept:Dev.Svcs.
R-98-539
Form=stv.frm

BASIS OF BEARING

BASIS OF BEARING IS THE
 RANCHO LOS PENASQUITOS BDRY
 AS SHOWN ON PM 14491,
 E. N45°33'52"E

REFERENCE DRAWINGS

STATE HIGHWAY MAP NO. 184
 (RELINQUISHMENT NO. 24039)
 MAP NO. 11833
 P.M. NO. 14491
 18224-B
 18225-B



SCALE: 1" = 50'

LEGEND

INDICATES CITY OF SAN DIEGO RIGHT-OF-WAY
 PER DOC. NO. 70-058661, REC.
 FEBRUARY 7, 1979, O.R.

PORTION OF ALEMANIA ROAD
 TO BE VACATED PER FINAL MAP
 AREA = 5,912 S.F./0.136 AC

() RECORD PER STATE HWY. MAP, NO. 184

< > RECORD PER DEED REC. 12-12-95 AS
 DOC. NO. 1995-0530858, O.R.
 SEE CITY DWG. NO. 18225-B)

TTTTTT ACCESS RIGHTS RELINQUISHED TO
 STATE OF CALIFORNIA PER DOC.
 NO. 79-058661 REC. 2-7-79, O.R.

EASEMENT FOR PUBLIC UTILITIES
 AND INCIDENTAL PURPOSES IN
 FAVOR OF THE CITY OF
 SAN DIEGO, RECORDED
 NOVEMBER 21, 1995 AS
 FILE NO. 1995-0530858
 OF RECORDS.

NOTE:
 TO BE ABANDONED WITH
 RECORDATION OF FINAL MAP
 AND GRANTING OF NEW EASEMENT
 AS SHOWN ON THE TENTATIVE MAP.

PM 14491
 PARCEL 2

STREET DEDICATION
 (ALEMANIA ROAD)
 PER DEED, RECORDED
 DECEMBER 12, 1995
 AS FILE NO. 1995-0564552
 OF RECORDS.

NOTE:
 TO BE VACATED CONCURRENT
 WITH THE FINAL MAP.

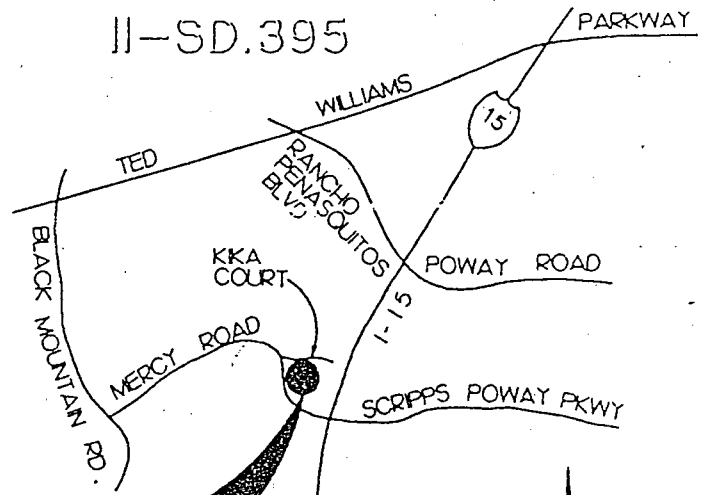
NO.	DISTANCE	BEARING
T1	47.10'	N75°16'36"W <N75°16'44"W>
T2	53.73'	N14°43'24"E <N14°43'16"E>
T3	50.02'	N88°51'28"W
T4	119.71'	N10°44'27"E <N10°44'19"E>
		(N10°44'35"E)

NO.	DELTA	RADIUS	LENGTH
C1	07°57'54"	60.00'	8.34'
C2	03°11'23"	980.00'	54.56'

CANYON HILLS
 MAP NO. 11833
 LOT 124

P.O.B.

INTERSTATE 15
 II-SD.395



PROJECT SITE
VICINITY MAP
 NO SCALE



LUNDSTROM & ASSOC.
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 SAN DIEGO, CA 92121 (619) 450-1445

JEFFREY R. LUNDSTROM RCE 21245
 EXHIBIT 2.DWG JULY 15, 1997

**STREET VACATION - ALEMANIA ROAD
 NORTH OF MERCY ROAD**

EXHIBIT "A"