RESOLUTION NUMBER R- 289937

ADOPTED ON APR 07 1998

WHEREAS, the abutting property owner has requested the vacation of a portion of Shady Oak Road and the abandonment of a slope easement abutting Shady Oak Road in order to facilitate the development of the 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, Section 66499.20-1/2 of the California Government Code provides that the filing of the map shall constitute abandonment of all streets and easements not shown on the map; and

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

WHEREAS, the public will benefit from the vacations through improved utilization of the 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 the street or easement, 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 system for which the right-of-way was originally acquired will not be detrimentally affected by the street vacation; NOW, THEREFORE,
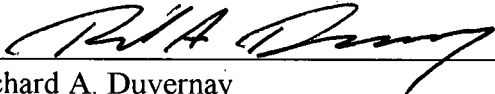
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1.   That Shady Oak Road and the abutting slope easement, as more particularly shown on Exhibit A, on file in the office of the City Clerk as Document No. RR-__289937-1__, which is attached hereto and made a part hereof, are ordered vacated.

2.   That the vacation shall be conditioned upon and not become effective unless Tentative Parcel Map No. 96-0462 is recorded.

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.
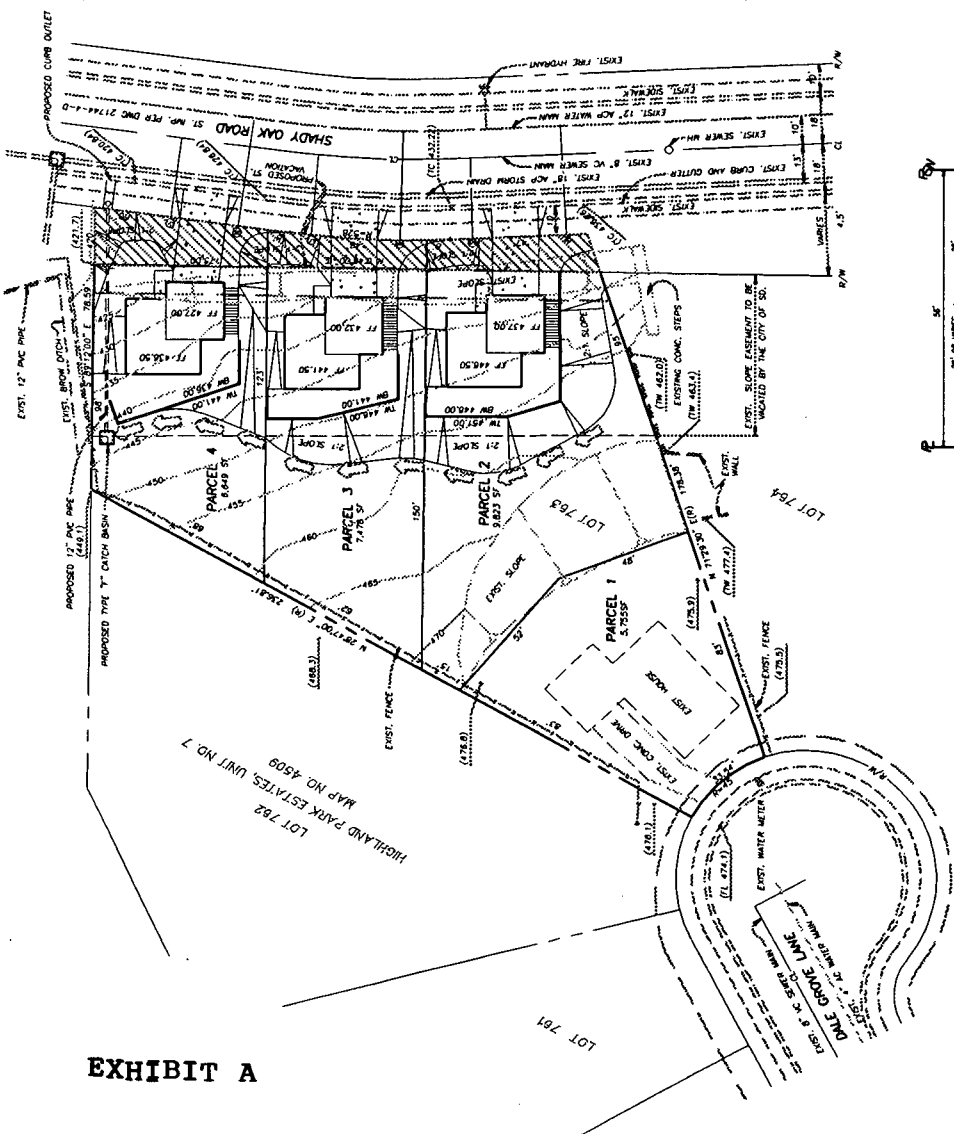

APPROVED: CASEY GWINN, City Attorney

By _____

Richard A. Duvernay
Deputy City Attorney

RAD:lc
03/24/98
Or.Dept:Dev.Svcs.
R-98-1035
Form=r-t.frm

R-289937

TENTATIVE PARCEL MAP

EXHIBIT A

LEGAL DESCRIPTION

LOT 763 OF HIGHLAND PARK ESTATES UNIT NO. 7 IN THE CITY OF
SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING
TO MAP THEREOF NO. 5509, FILED IN THE OFFICE OF THE COUNTY
RECORDER OF SAN DIEGO COUNTY, APRIL 14, 1960.

OWNER / APPLICANT:

ETHEL BETHEA, OWNER
302 DALE GROVE LANE
SAN DIEGO, CALIFORNIA 92114

ASSESSOR'S PARCEL NO:
582-151-08

CALIFORNIA COORDINATE INDEX:
192-1755

PROPOSED USEAGE:
SINGLE FAMILY RESIDENCES

SEWAGE DISPOSAL:
CITY OF SAN DIEGO

ZONING:
EXISTING: R-1, 5000
PROPOSED: R-1, 5000

AREA:
LOT 763 = 0.632 ACRES
ST. VACATION = 0.051 ACRES
TOTAL SITE = 0.683 ACRES

FIRE PROTECTION:
CITY OF SAN DIEGO

WATER SUPPLY:
CITY OF SAN DIEGO

MAP PREPARED BY:

SAN DIEGO LAND SURVEYING & ENGINEERING, INC.
9474 CHESAPEAKE DRIVE, SUITE 801
SAN DIEGO, CALIFORNIA 92123   (619) 565-8362
PROJECT NO. 562-151-08, DWG NO. DALE-TPI.DWG

HERMAN E. BATEMAN, L.S. 4605
REGISTRATION EXPIRES SEPTEMBER 30, 1998

LEGEND:

PROPERTY LINE
SETBACK LINE
BUILDING PAD
DRIVEWAY
EXISTING RETAINING WALL
CONC. BROW DITCH
EXISTING FENCE
EXISTING SIDEWALK
EXISTING ELEVATION
TOP OF CURB
TOP OF PAVING
TOP OF WALL
BOTTOM OF WALL
FINISH FLOOR
SEWER LATERAL
WATER SERVICE
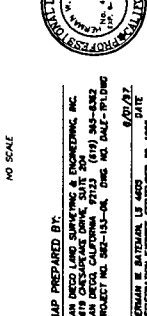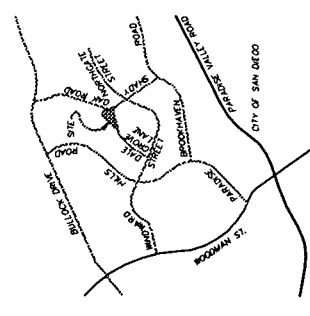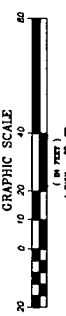
GRADING TABULATION:

ITEM		AREA	%
TOTAL AMOUNT OF SITE TO BE GRADED	29,750 SF (0.683 AC)		

NOTE:

VICINITY MAP
NO SCALE

GRAPHIC SCALE

TYPICAL STREET SECTION OF
SHADY OAK ROAD
NO SCALE

SHADY OAK ROAD

PARCEL 4
PARCEL 3
PARCEL 1

LOT 763
LOT 764
LOT 762

HIGHLAND PARK ESTATES, UNIT NO. 7
MAP NO. 4509

LOT 13
MAP NO. 11182

DALE GROVE LANE