

RESOLUTION NUMBER R- 290616

ADOPTED ON AUG 04 1998

WHEREAS, Section 66499.201/2 of the California Government Code provides for the filing of a map; and

WHEREAS, the abutting property owners have requested the vacation of portions of unnamed streets and water easements and revestment of access rights in connection with the Mira Mesa MarketCenter project (TM 96-7371) to facilitate development of their property; and

WHEREAS, the segment of streets 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 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 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 Mira Mesa MarketCenter (TM 96-7371); 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 portions of unnamed streets and water easements and revestment of access rights in connection with the Mira Mesa MarketCenter project (TM No. 96-7371), as more particularly shown on Exhibit "A," on file in the Office of the City Clerk as Document No. RR- **290616**, which is by this reference incorporated herein and made a part hereof, are ordered vacated, in accordance with California Government Code section 66499.201/2.

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

a. The final subdivision map for Mira Mesa MarketCenter 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.

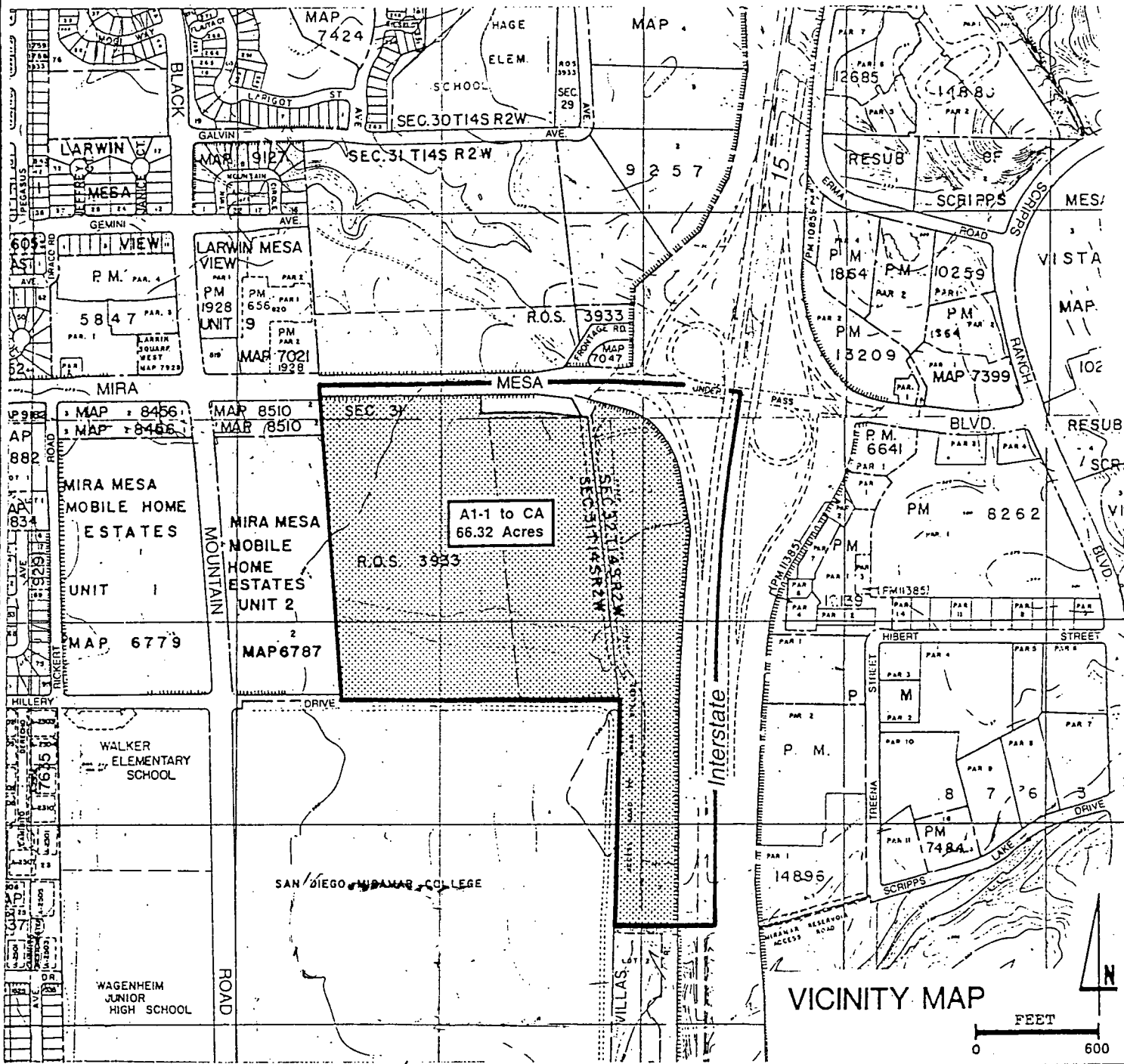
APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc
07/27/98
Or.Dept.Dev.Svcs.
R-98-1588
Form=r-t.frm



PROPOSED REZONING



Por. of SEC. 31 & 32 T14S R2W

ORDINANCE NO. _____
 EFF. DATE ORD. _____
 ZONING SUBJ. TO _____
 BEFORE DATE _____
 EFF. DATE ZONING _____
 MAP NAME & NO. _____

REQUEST CA
 PLAN. COMM. RECOMMENDATION
 CITY COUNCIL ACTION

CASE NO. 96-7371

B - 4073

APN: 318-042-07, 08, -111-04 thru 07, 10, -120-05, 06

(272-1732) 6-11-97 bf. REV. 6-25-98 bf.

290616