

RESOLUTION NUMBER R- 291038

ADOPTED ON DEC 07 1998

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of a public street by City Council resolution where a street has been superseded by relocation; and

WHEREAS, in connection with the vacation, the City desires to reserve a certain easement; and

WHEREAS, the portion of street to be vacated is not needed for present or prospective public street purposes; and

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

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the 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 that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; 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) 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 Ranger Road east of Angelo Drive, as more particularly shown on Drawing No. 28496-D, on file in the Office of the City Clerk as Document No. RR- 291038 - / which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That The City of San Diego hereby reserves and excepts the right, from vacation and abandonment, general utility easements, and rights of any public utility, pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew, and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and for the transportation of communication signals, and for fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and for incidental purposes, including access to the property from all hazards in, upon, over, and across the above-described portions of streets to be vacated and abandoned.

3. That the easement reserved herein is in, under, over, upon, along, and across Ranger Road and that the easement is more particularly shown and delineated on Drawing No. 28496-D, on file in the Office of the City Clerk as Document No. RR- 291038 - /

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

PD:lc
11/23/98
Or.Dept.Dev.Svcs.
SA:96-527
WO:120102
Dwg:28496-D, 28272-D & 18850-B
R-99-631
Form=sumv.frm

R - 291038