

(R-99-817)

RESOLUTION NUMBER R- 291256

ADOPTED ON FEB 02 1999

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public streets and easements by City Council resolution where the streets and easements are no longer required; and

WHEREAS, the property owners have requested the vacation of Station Village Lane, Station Village Way and an Irrevocable Offer of Dedication, as recorded on September 20, 1994, Map No. 13148, in connection with Tentative Parcel Map No. 98-0678, to facilitate development of their property; and

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

WHEREAS, those properties adjoining the streets 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 streets 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 Station Village Lane, Station Village Way and an Irrevocable Offer of Dedication [IOD] as rendered on Rio Vista West, Unit #1, Map No. 13148, as more particularly shown on Exhibit "A," on file in the office of the City Clerk as Document No. RR-291256, which is by this reference incorporated herein and made a part hereof, is ordered conditionally vacated.

2. That The City of San Diego reserves and excepts the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating utilities of any kind or nature, including, but not limited to, electrical easements, a public pedestrian and non-vehicular access easement and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along, and across the hereinafter-described easement, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easement free and clear of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. Upon acquisition of an encroachment permit from the City Engineer pursuant to the Municipal Code of the City, the owners of the underlying fee may utilize the above-described parcel of land for structures, the planting or growing of trees, or the installation of privately owned pipelines.

3. That the easement reserved herein is in, under, over, upon, along, and across areas as rendered on Rio Vista West, Unit No.1, Map No. 13148, and that the easement is more

particularly shown and delineated on Exhibit "A," on file in the Office of the City Clerk as

Document No. RR- 291256

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

a. Appropriate signage to notify the public that they are entering private property shall be placed at all entrances.

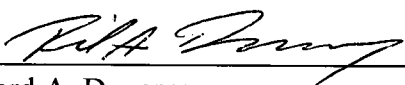
b. Dedicate and improve a public pedestrian access to the MTDB trolley station from Rio San Diego Drive and Camino Del Este, satisfactory to the City Engineer.

c. The recording of the Final Map for Tentative Parcel Map 98-0678.

In the event the above conditions are not completed within three years, and within the time allowance specified under the Tentative Map conditions or any subsequent time extensions allowed following the adoption of this Resolution, then this Resolution shall become void and be of no further force or effect.

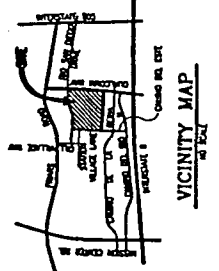
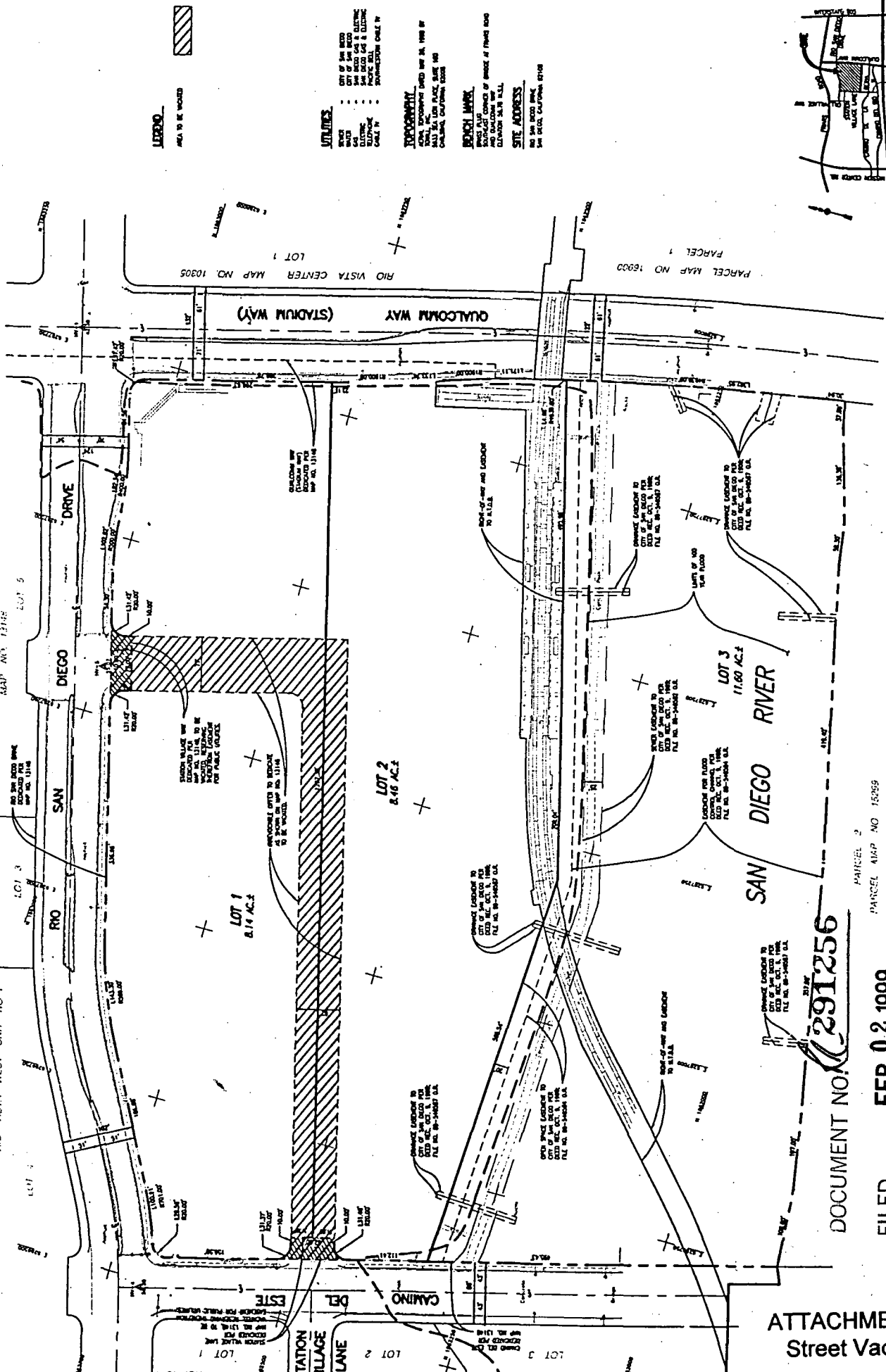
5. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions and the City Clerk shall then cause a certified copy of this Resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By   
Richard A. Duvernay  
Deputy City Attorney

RAD:lc  
01/22/99  
Or.Dept:Dev.Svcs.  
R-99-817  
Form=sumv.frm

**VACATION OF STATION VILLAGE LANE, STATION VILLAGE WAY AND AN I.O.D. WITHIN MAP NO. 13148 PER T.P.M. 98-0678**



**LEGEND**  
AREA TO BE WOODED

**UTILITIES**  
CITY OF SAN DIEGO  
SAN DIEGO GAS & ELECTRIC  
SAN DIEGO WATER  
SAN DIEGO SEWER  
SAN DIEGO RAIL

**PROPOSED**  
CITY OF SAN DIEGO  
SAN DIEGO GAS & ELECTRIC  
SAN DIEGO WATER  
SAN DIEGO SEWER  
SAN DIEGO RAIL

**BEACH WALK**  
BENCH  
SLOPE OF GROUND AT BEACH ROAD  
CITY OF SAN DIEGO  
SAN DIEGO GAS & ELECTRIC  
SAN DIEGO WATER  
SAN DIEGO SEWER  
SAN DIEGO RAIL

**SITE ADDRESS**  
100 SAN DIEGO BLVD.  
SAN DIEGO, CALIFORNIA 92108

PARCEL MAP NO. 16900  
PARCEL 1

PARCEL 2  
PARCEL MAP NO. 15259

DOCUMENT NO. **291256**

FILED **FEB 02 1999**

OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**EXHIBIT "A"**

**ATTACHMENT 6  
Street Vacation**