

RESOLUTION NUMBER R- **291460**

ADOPTED ON **APR 12 1999**

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of streets and public service easements by City Council resolution where the portion of the street to be vacated is excess to the City's right-of-way needs and is no longer required for street or highway purposes; and

WHEREAS, the adjacent property owner has requested the vacation of the street which is the southerly excess portion of Palm Avenue, east of Interstate 805, to unencumber this property and facilitate development of the site in order to eliminate excess right-of-way of Palm Avenue; and

WHEREAS, the City Council finds that:

- (a) in connection with the vacation, the City desires to reserve a certain easement; and
- (b) 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 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
- (c) those properties adjoining the street to be vacated will continue to have access; and
- (d) the public will benefit from the vacation through improved utilization of land; and
- (e) the vacation is not inconsistent with the General Plan or an approved Community Plan; and
- (f) 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 the southerly excess portion of Palm Avenue, east of Interstate 805, as more particularly shown on Drawing No. 18144-B, on file in the office of the City Clerk as Document No. RR- 291460-1, which drawing is attached hereto and made a part hereof, is ordered vacated.

2. That The City of San Diego reserves and excepts the right, from vacation, 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.

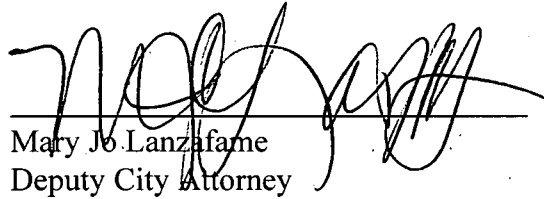
3. That the easement reserved herein is in, under, over, upon, along, and across Palm Avenue and that the easement is more particularly shown and delineated on Drawing No. 18144-B, on file in the office of the City Clerk as Document No. RR- 291460-1.

4. That the City Clerk shall cause a certified copy of this resolution, attested by him under

seal, with drawing, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By



  
Mary Jo Lanzafame  
Deputy City Attorney

MJL:cdk  
03/24/99  
Or.Dept:PDRD  
SA:94-508  
WO:930248  
Dwg:18144-B  
R-99-1057  
Form=sumv.frm

INTERSTATE 805  
(MISC. SURVEY 772)

SCALE: 1 IN. = 100 FT.

**LEGEND**

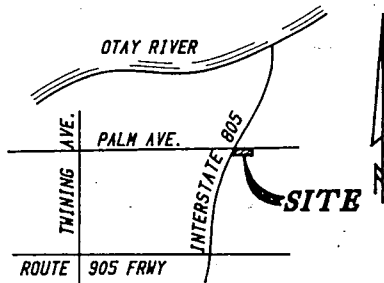
-  INDICATES PORTION OF PALM AVENUE TO BE VACATED - 0.126 ACRES
-  INDICATES MAP BOUNDARY
- (R) INDICATES RADIAL BEARING
- P.O.B. INDICATES POINT OF BEGINNING
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING

**BASIS OF BEARINGS**

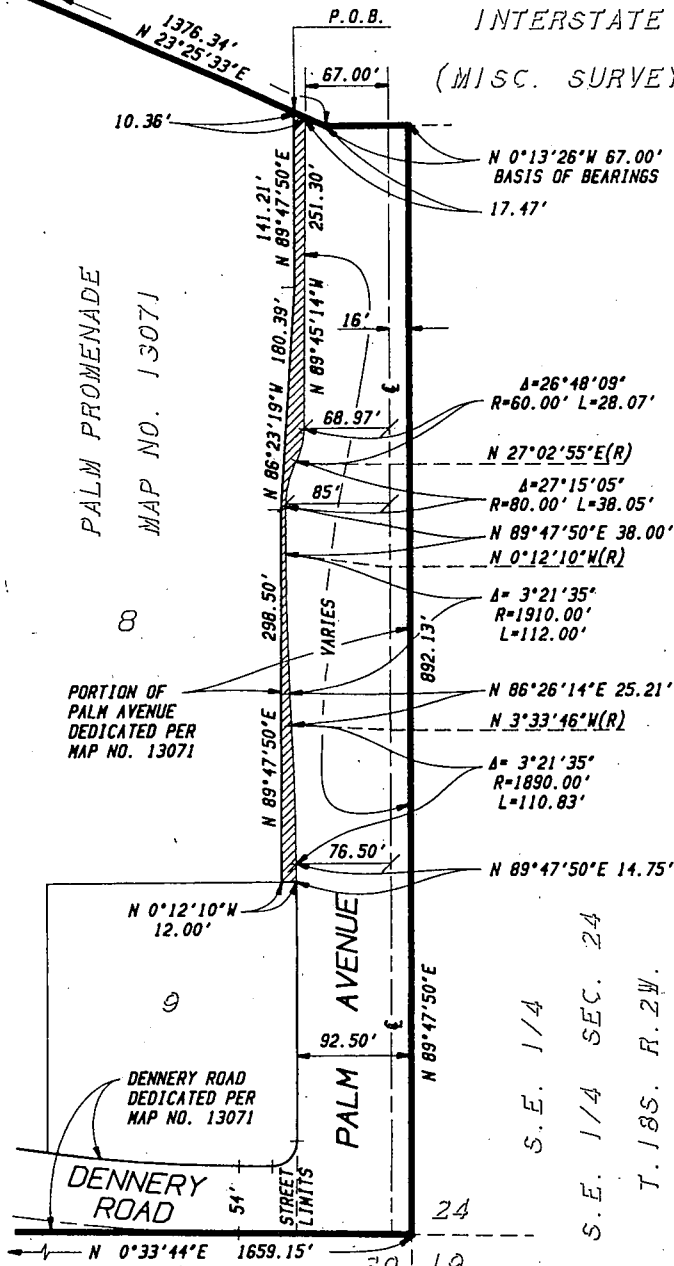
THE BASIS OF BEARINGS FOR THIS MAP IS THE WEST LINE OF PALM AVENUE PER MAP NO. 13071  
I. E. N 0°13'26"W

**REFERENCE DRAWINGS**

MAP NO. 13071  
PARCEL MAP NO. 17082  
MISCELLANEOUS SURVEY NO. 772



**VICINITY MAP**  
NO SCALE



R.O.S. 10518 SEC. 30 T.18S. R.1W, S.B.W.

**RICK ENGINEERING COMPANY**  
5820 Friars Road,  
San Diego,  
California 92110-2586 (619) 291-0707  
*Chris D. Ciemele*  
CHRIS D. CIEMELE L.S. 5267  
DATE 2-13-95



DOCUMENT NO. **R-291460-1**  
FILED **APR 12 1999**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

**STREET VACATION - PALM AVENUE**  
BETWEEN I-805 AND DENNERLY ROAD

J-12242

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	930248
		<i>Chris D. Ciemele</i>	2-23-95		FOR CITY ENGINEER	1792-6317 NAD 83 COORDINATES
						152-1757 LAMBERT COORDINATES
						18144-B

STREET VACATION

R-291460