

(R-99-1108)

RESOLUTION NUMBER R- **291598**

ADOPTED ON MAY 18 1999

APPROVING MAP OF FAIRBANKS HIGHLANDS.

BE IT RESOLVED, by the Council of The City of San Diego, that the Council finds that certain map surveyed by John W. Hill, Jr., Licensed Land Surveyor, titled "Fairbanks Highlands" (the "MAP"), being a subdivision of a portion of the Northwest Quarter of Section 12, Township 14 South, Range 3 West, San Bernardino Meridian, and the Northeast Quarter and the East Half of the Northwest Quarter of Section 11, Township 14 South, Range 3 West, San Bernardino Meridian, in The City of San Diego, County of San Diego, State of California, according to Official Plat thereof, lying Southerly of the Northerly line of said Section 11; as said northerly line is shown on Parcel Map 8133, filed in the office of the County Recorder of San Diego County, December 6, 1978, together with Black Mountain Road (Old Road Survey Nos. 80 and 124) and Road Survey No. 451 as dedicated to public use, is made in the manner and form prescribed by law and conforms to the surrounding surveys; that the MAP is in substantial conformance with the approved Tentative Map No. 88-1041; that the MAP and the subdivision of land shown thereon is approved and accepted; and the Council accepts on behalf of the public, the following: a portion of Carmel Valley Road, and the street is declared to be a public street, together with all appurtenances thereto, and dedicated to the public use, as dedicated and shown on the MAP and subject to the conditions set forth on the MAP.

BE IT FURTHER RESOLVED, that the Council rejects those portions of Lots "C" and "E" marked "Irrevocable Offer to Dedicate Public Street", together with the irrevocable offer to

relinquish abutter's rights of access in and to those portions of Lots 94, "C", "E" and "F" so marked by distinctive symbol on MAP. The City reserves the right to accept these offers at any future date and authorizes the City Engineer to so accept them when conditions change to require their usage. The City Engineer is further authorized to revest all or part of said relinquished access rights if there is a change in circumstances making access necessary and safe.

BE IT FURTHER RESOLVED, that the Council finds that Old Road Survey Nos. 80 and 124 as filed in the office of the County Surveyor, as Road Survey No. 451 per document recorded May 28, 1929, in Book 1619, Page 460 of Deeds, are no longer needed for the public purpose for which they were granted and are not shown within this MAP because they are abandoned pursuant to Section 66499.20 ½ of the State Subdivision Map Act.

BE IT FURTHER RESOLVED, that the Council accepts, on behalf of The City of San Diego, any and all abutters' rights of access in and to Carmel Valley Road, adjacent and contiguous to Lots 6, 7, 8, 9, 10, 11, 12, 13, 14, 88, 89 and Lot "B". The City Engineer is authorized to revest all or part of said access rights if there is a change in circumstances making access necessary and safe.

BE IT FURTHER RESOLVED, that the Council accepts on behalf of the City of San Diego, the easements with the right of ingress and egress for the construction and maintenance of drainage, sewer and water facilities, designated as "Drainage Easement Granted Hereon", "Sewer Easement Granted Hereon" or "Water Easement Granted Hereon" as granted and shown on the MAP and subject to the conditions set forth on the MAP.

BE IT FURTHER RESOLVED, that the Council accepts on behalf of The City of San Diego, the open space easement over, upon, or across Lot "B" as granted and shown on the

MAP, and designated "Open Space Easement Granted Hereon" and subject to the conditions set forth on the MAP.


BE IT FURTHER RESOLVED, that the Council accepts on behalf of The City of San Diego, the easements for general utility and access purposes over, under, upon, and across Lots "D", "G", "H", "I", "J", "K", "L", "M", "N" AND "O", as granted and shown on the MAP, and designated "General Utility and Access Easement Granted Hereon" and subject to the conditions set forth on the MAP.

BE IT FURTHER RESOLVED, that the Council accepts on behalf of The City of San Diego, the easement and right-of-way for earth embankment slopes as granted and shown on the MAP, and designated "Slope Easement Granted Hereon" and subject to the conditions set forth on the MAP.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed to endorse upon the MAP, as and for the act of the Council, that the Council has approved the MAP and that the streets are accepted on behalf of the public as stated in this resolution.

BE IT FURTHER RESOLVED, that the City Clerk is directed to transmit the MAP to the County Recorder of the County of San Diego, California, for recordation.

APPROVED: CASEY GWINN, City Attorney

By 
Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
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