

RESOLUTION NUMBER R- 292238

ADOPTED ON SEP 27 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 a portion of Northside Drive and of certain public service easements to unencumber this property and facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the street and alleys, 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) those properties adjoining the street and alleys to be vacated will continue to have access; and

(c) the public will benefit from the vacation through improved utilization of land; and

(d) the vacation is not inconsistent with the General Plan or an approved Community Plan; and

(e) 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 Northside Drive southeast of Friars Road, as shown on Drawing No. 19110-1-B, and described in the legal description marked as Exhibit "A", which are attached hereto and made a part hereof, is ordered vacated.

2. The drainage easement and building restricted easement, as shown on Drawing No. 19110-2-B, and described in the legal description marked as Exhibit "A-1", which are attached hereto and made a part hereof, are ordered vacated.

3. That the resolution shall not become effective unless and until:

(a) the City Engineer approves the proposed Parcel Map, (Tentative Parcel Map 95-0544) for this site, including the dedication of a right-of-way for a cul-de-sac on Northside Drive; and

(b) assurance is obtained through permit and bond, the construction of the cul-de-sac on Northside Drive as required by the City Engineer; and

(c) the drainage system within the subject drainage easement is converted into a private drainage system maintained by the property owner as required by the City Engineer; and

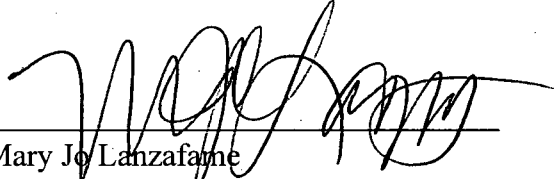
(d) the water and sewer facilities within the vacated portion of Northside Drive are relocated as required by the City Engineer.

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

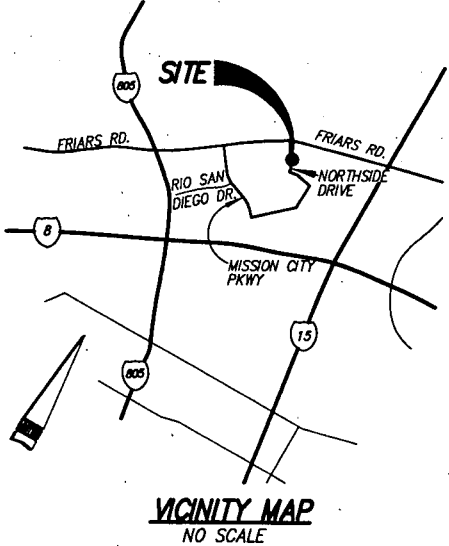
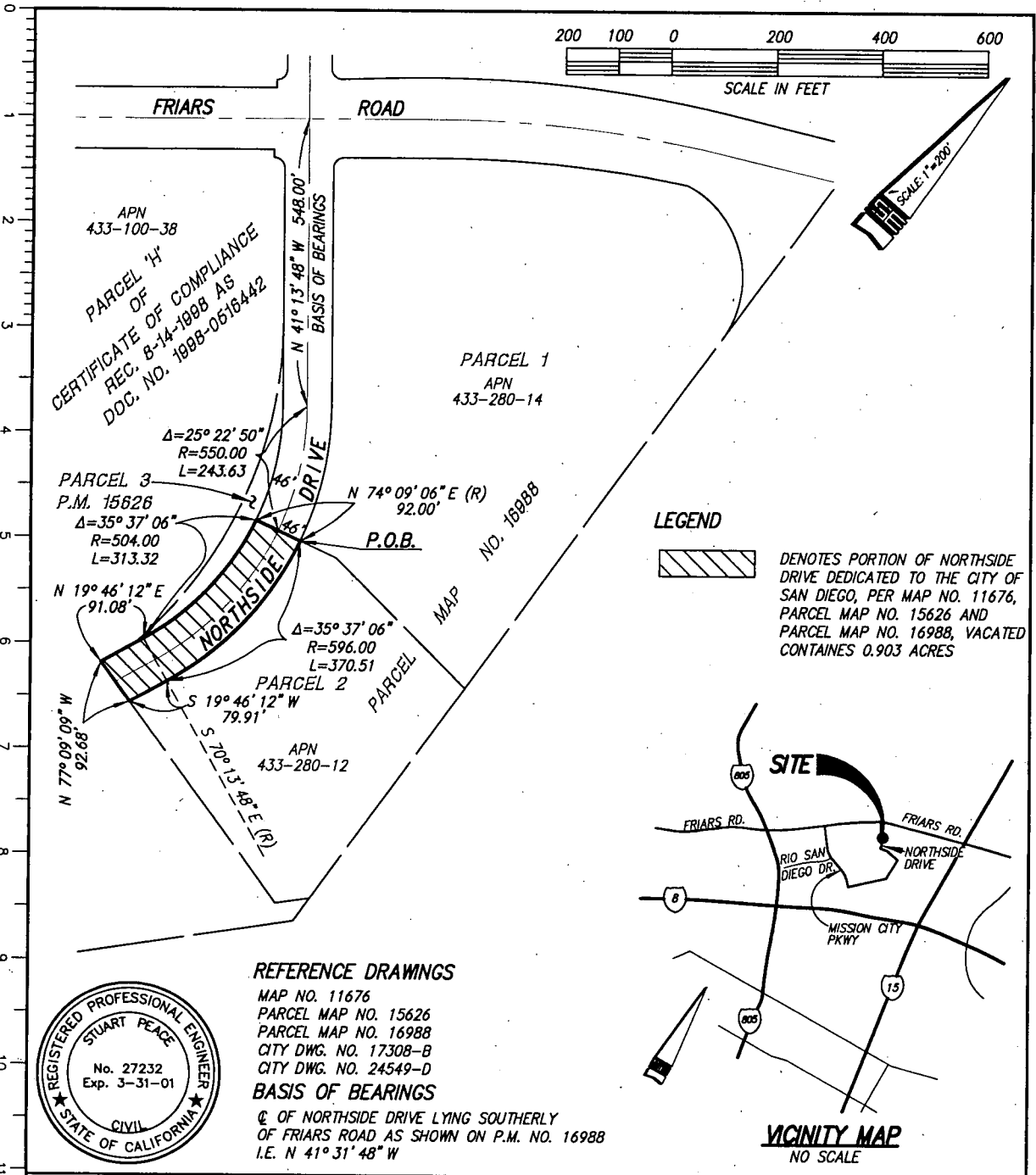
4. In the event the above conditions are not completed within twelve months following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

APPROVED: CASEY GWINN, City Attorney

By

  
Mary Jo Lanzafame  
Deputy City Attorney

MJL:cdk  
09/16/99  
Or.Dept:PDRD  
SA:98-524  
WO:990607  
R-2000-314  
Form=sumv.frm



**SE** CIVIL ENGINEERING/SURVEYING/PLANNING  
**STUART ENGINEERING**  
 7525 METROPOLITAN DR., STE. 308  
 SAN DIEGO, CALIFORNIA 92108  
 (619) 296-1010  
 FAX (619) 296-9276  
*Stuart Peace* 9-16-99  
 STUART PEACE R.C.E. 27232 DATE  
 REGISTRATION EXPIRES: 3-31-01

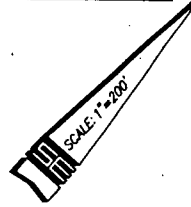
**STREET VACATION**  
**PORTION OF NORTHSIDE DRIVE SOUTH OF FRIARS ROAD**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.G. NO.
ORIGINAL	SE				SHEET 1 OF 2 SHEETS	990607
					<i>Lee Haines</i> FOR CITY ENGINEER	1864-6289 NAD83
					9-16-99 DATE	224-1729 LAMBERT COORDINATES
					STATUS	19110-1-B

R-292238

200 100 0 200 400 600

SCALE IN FEET



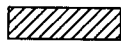
FRIARS ROAD

ROAD

**LEGEND**



**PARCEL A**  
BUILDING RESTRICTED EASEMENT  
GRANTED TO THE CITY OF SAN  
DIEGO, OVER ALL OF PARCEL 3,  
P.M. NO. 15626, ABANDONED.



**PARCEL B**  
DRAINAGE EASEMENT GRANTED  
TO THE CITY OF SAN DIEGO,  
PER DEED RECORDED SEPTEMBER  
11, 1986 AS FILE NO. 86-  
398920 OF OFFICIAL RECORDS,  
ABANDONED. (CITY DWG.  
NO. 16647-B)

PARCEL 1  
APN  
433-280-14

PARCEL 'H'  
OF  
CERTIFICATE OF COMPLIANCE  
REC. 8-14-1998 AS  
DOC. NO. 1998-0516442

PARCEL A  
PARCEL 3  
P.M. 15626

APN  
433-100-38

MAP NO. 1998B

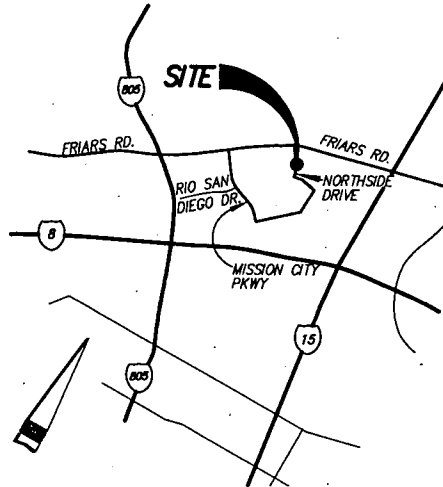
PARCEL 2

APN  
433-280-12

PARCEL B

NORTHSIDE DRIVE

PARCEL MAP



**VICINITY MAP**  
NO SCALE



**REFERENCE DRAWINGS**  
PARCEL MAP NO. 15626  
CITY DWG NO. 16647-B

**SE** CIVIL ENGINEERING/SURVEYING/PLANNING  
**STUART ENGINEERING**  
7525 METROPOLITAN DR., STE. 308  
SAN DIEGO, CALIFORNIA 92108  
(619) 296-1010  
FAX (619) 296-9276  
*Stuart Peace* 9-16-99  
STUART PEACE R.C.E. 27232 DATE  
REGISTRATION EXPIRES: 3-31-01

**EASEMENT ABANDONMENT**

THE BUILDING RESTRICTED EASEMENT OVER PARCEL 3 OF P.M. NO. 15626  
AND THE DRAINAGE EASEMENT IN PARCEL H OF CERTIFICATE OF COMPLIANCE REC. 8-14-1998 AS  
DOC. NO. 1998-0516442

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.G. NO.
ORIGINAL	SE				SHEET 2 OF 2 SHEETS	990607
					<i>Lu Henno</i> FOR CITY ENGINEER	1864-6289 NAD83
					9-16-99 DATE	224-1729 LAMBERT COORDINATES
					STATUS	19110-2-B

R. 292238

EXHIBIT "A"  
LEGAL DESCRIPTION  
STREET VACATION

A PORTION OF NORTHSIDE DRIVE AS DEDICATED TO PUBLIC USE ACCORDING TO MAP THEREOF NO. 11676, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 12, 1986, AS FILE NO. 86-584009, TOGETHER WITH A PORTION OF NORTHSIDE DRIVE AS DEDICATED TO PUBLIC USE ACCORDING TO PARCEL MAP THEREOF NO. 15626, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 5, 1989 AS FILE NO. 89-176146, TOGETHER WITH THAT PORTION OF NORTHSIDE DRIVE DEDICATED FOR PUBLIC STREET BY CITY COUNCIL RESOLUTION R-273111, ADOPTED APRIL 3, 1989, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, ON MAY 3, 1989 AS FILE NO 89-232426, ALL OF OFFICIAL RECORDS, ALL IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE NORTHWEST CORNER OF PARCEL 2 OF PARCEL MAP NO. 16988, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO ON NOVEMBER 3, 1992 AS FILE NO. 92-0703338 OF OFFICIAL RECORDS, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY LINE OF NORTHSIDE DRIVE AS SHOWN ON SAID PARCEL MAP NO. 16988 AND BEING A POINT ON THE ARC OF A 596.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A RADIAL BEARING TO SAID POINT BEARS NORTH 74°09'06" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND EASTERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 35°37'06", 370.51 FEET; THENCE TANGENT TO SAID CURVE SOUTH 19°46'12" WEST, 79.91 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 2; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE, NORTH 77°09'09" WEST, 92.68 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID NORTHSIDE DRIVE; THENCE NORTH 19°46'12" EAST, 91.08 FEET TO THE BEGINNING OF A TANGENT 504.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 70°13'48" EAST; THENCE NORTHERLY ALONG SAID CURVE AND WESTERLY RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 35°37'06", 313.32 FEET TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF PARCEL 2 OF SAID PARCEL MAP NO. 16988; THENCE ALONG SAID SOUTHWESTERLY PROLONGATION OF THE NORTHWESTERLY LINE OF SAID PARCEL 2 AND RADIAL TO SAID CURVE, NORTH 74°09'06" EAST, 92.00 FEET TO THE POINT OF BEGINNING.

(CONTAINS 0.903 ACRES MORE OR LESS)

*Stuart Peace 9-16-99*

STUART PEACE, R.C.E. 27232  
DWG NO. 19110-1-B  
W.O. NO. 990607



EXHIBIT "A-1"  
LEGAL DESCRIPTION  
EASEMENT ABANDONMENT

PARCEL A:

ALL OF THE BUILDING RESTRICTED EASEMENT GRANTED TO THE CITY OF SAN DIEGO OVER ALL OF PARCEL 3, ACCORDING TO PARCEL MAP THEREOF NO. 15626, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 5, 1989 AS FILE NO. 89-176146 OF OFFICIAL RECORDS.

PARCEL B:

ALL OF THE DRAINAGE EASEMENT GRANTED TO THE CITY OF SAN DIEGO IN PARCEL H OF THE CERTIFICATE OF COMPLIANCE RECORDED AUGUST 14, 1998 AS DOCUMENT NO. 1998-0516442 OF OFFICIAL RECORDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, PER DEED FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, RECORDED SEPTEMBER 11, 1986 AS FILE NO. 86-398920 OF OFFICIAL RECORDS.

*Stuart Peace 9-16-99*

STUART PEACE, R.C.E. 27232  
DWG NO. 19110-2-B  
W.O. NO. 990607

