

RESOLUTION NUMBER R- 292788

ADOPTED ON FEB 22 2000

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

WHEREAS, the affected property owner has requested the vacation of Eastgate Mall and electrical easement within, 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 or electrical 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 and service easement 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 Eastgate Mall and the electrical easement located within the University Community Planning Area, in Parcel 1 of Parcel Map No. 18278, as more particularly described in the legal description marked as Exhibit "A," and more particularly shown on Drawing No.

19013-B, marked as Exhibit "B," on file in the office of the City Clerk as Document Nos.

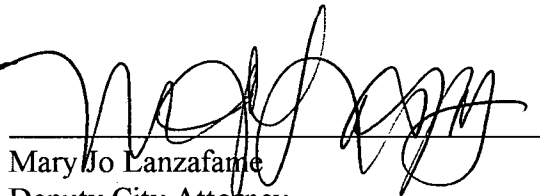
RR- 292788-1 and RR- 292788-2, which are by this reference incorporated herein

and made a part hereof, are ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

MJL:pev
12/2/99
2/8/2000 Cor.Copy
Or.Dept:PDR
SA:98-516
WO:99-0223
Dwg:19013-B
R-2000-717
Form=sumv.frm

R. 292788

J-13192

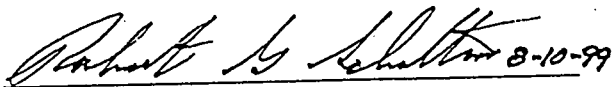
EXHIBIT "A"
STREET VACATION - EASTGATE MALL

Parcel "A"

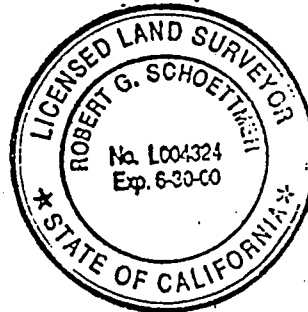
That portion of Eastgate Mall as dedicated per Map 3803 in the City of San Diego, County of San Diego, State of California, recorded February 10, 1958 in the Office of the Recorder of San Diego County, being more particularly described as follows:

Beginning at the most Northeasterly corner of Parcel 1 as shown on Parcel Map 18278 in the City of San Diego, County of San Diego, State of California, recorded June 6, 1999 in the Office of the Recorder of San Diego County; thence Westerly along the common boundary of said Parcel 1 and the Southerly Right-of-way of Eastgate Mall as shown on said Parcel Map 18278, North 89°06'53" West 7.05 feet; thence continuing along said common boundary South 72°29'02" West 387.18 feet to the TRUE POINT OF BEGINNING; thence South 17°30'58" East 20.00 feet; thence South 72°29'02" West 98.46 feet; thence North 17°30'58" West 20.00 feet; thence leaving said common boundary North 72°29'02" East 98.46 feet to the TRUE POINT OF BEGINNING.

Containing 0.045 acres more or less.

 8-10-99

Robert G. Schoettmer L.S. 4324



W.O. No. 990223
Dwg. No. 19013-B

jb/13192.001

R- 292788

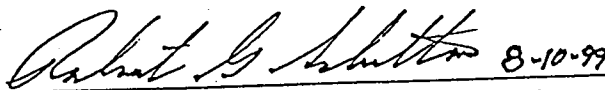
EXHIBIT "A"
ELECTRICAL EASEMENT ABANDONMENT

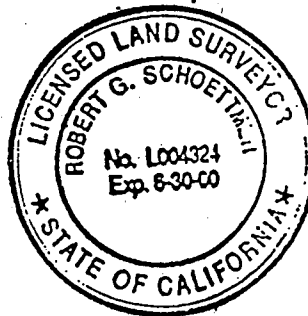
Parcel "B"

All of that certain electrical easement granted in Lot 2 of Map 12743 in the City of San Diego, County of San Diego, State of California, recorded November 15, 1990 in the Office of the Recorder of San Diego County, being more particularly described as follows:

Beginning at the most Northeasterly corner of Parcel 1 as shown on Parcel Map 18278 in the City of San Diego, County of San Diego, State of California, recorded June 6, 1999, in the Office of the Recorder of San Diego County; thence Westerly along the Northerly boundary of said Parcel 1, North 89°06'53" West 7.05 feet; thence South 72°29'02" West 387.18 feet; thence South 17°30'58" East 20.00 feet; thence South 72°29'02" West 24.00 feet to the TRUE POINT OF BEGINNING, said TRUE POINT OF BEGINNING being common to the Easterly boundary of said electrical easement; thence Southerly along the Easterly boundary of said electrical easement South 17°30'58" East 4.44 feet to the beginning of a tangent 71.00 foot radius curve concave Westerly; thence Southerly along the arc of said curve through a central angle of 42°46'09" a distance of 53.00 feet; thence North 64°44'49" West 25.00 feet to the beginning of a non-tangent 46.00 foot radius curve concave Westerly to which a radial line bears South 64°44'49" East; thence Northerly along the arc of said curve through a central angle of 42°46'09" a distance of 34.34 feet; thence North 17°30'58" West 4.44 feet to the Northerly boundary of said Parcel 1; thence Easterly along said Northerly boundary North 72°29'02" East 25.00 feet to the TRUE POINT OF BEGINNING.

Containing 0.028 acres more or less.


Robert G. Schoettmer L.S. 4324





W.O. No. 990223
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L-292788

EXHIBIT "B"

LEGEND

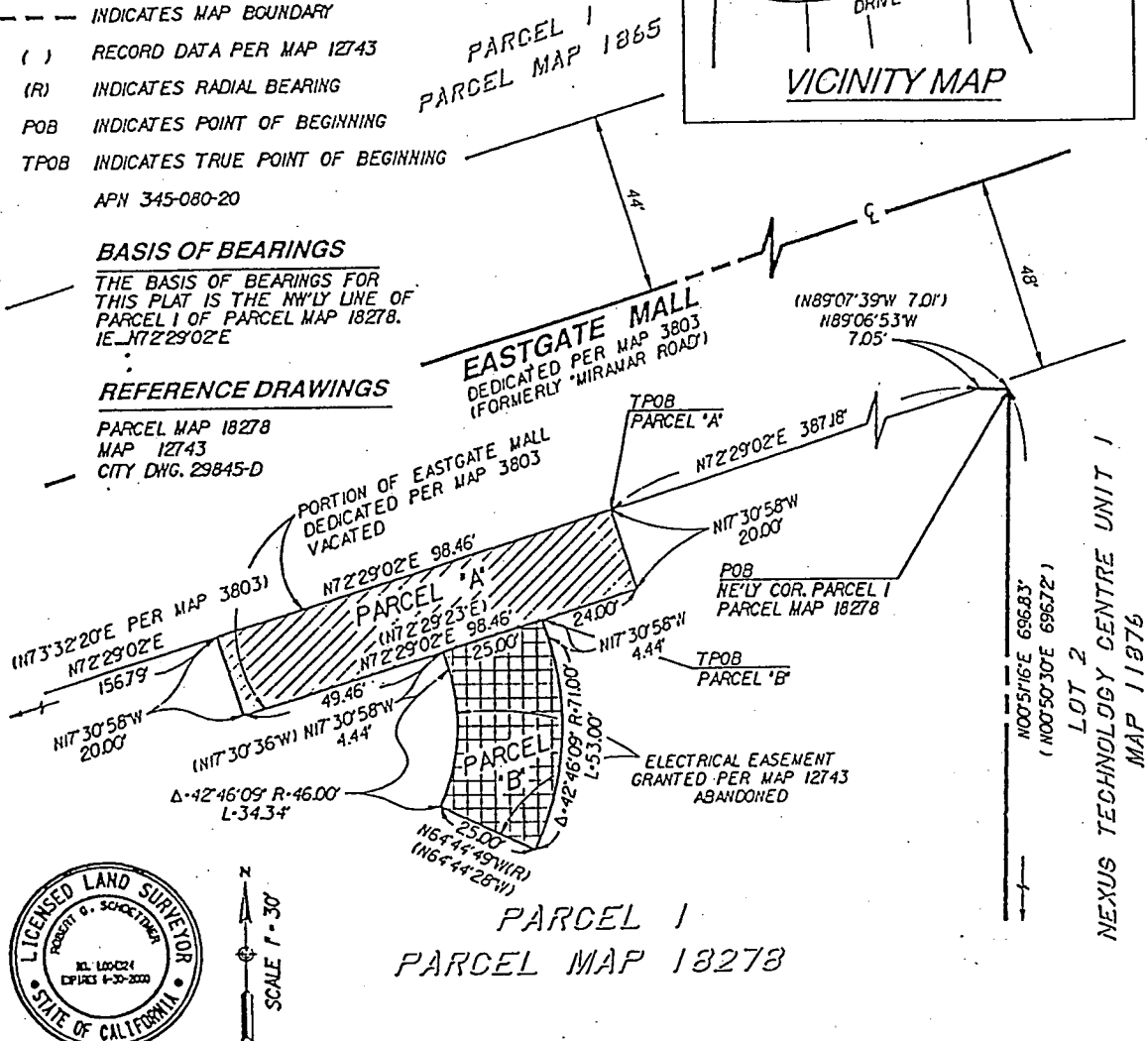
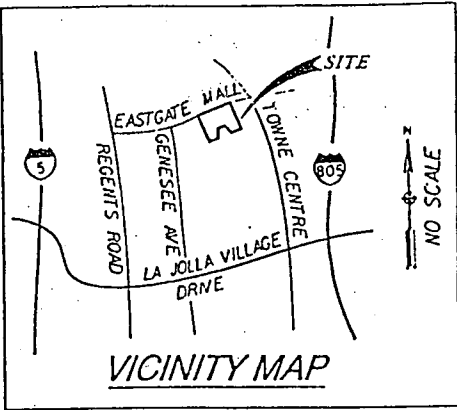
-  INDICATES PARCEL 'A' STREET VACATION A PORTION OF EASTGATE MALL CONTAINING 0.045 ACRES
-  INDICATES PARCEL 'B' ELECTRICAL EASEMENT ABANDONMENT CONTAINING 0.028 ACRES
- INDICATES MAP BOUNDARY
- () RECORD DATA PER MAP 12743
- (R) INDICATES RADIAL BEARING
- POB INDICATES POINT OF BEGINNING
- TPOB INDICATES TRUE POINT OF BEGINNING

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE NW'LY LINE OF PARCEL 1 OF PARCEL MAP 18278. IE N72°29'02"E

REFERENCE DRAWINGS

PARCEL MAP 18278
MAP 12743
CITY DWG. 29845-D



PARCEL 1
PARCEL MAP 18278

RICK ENGINEERING COMPANY
5620 FRIARS ROAD,
SAN DIEGO,
CA 92110 Ph. (619) 291-0707
Robert G. Schoettmer
ROBERT G. SCHOETTNER L.S. 4324
DATE 11-5-99

STREET VACATION
EASTGATE MALL, WEST OF TOWNE CENTRE DRIVE
ELECTRICAL EASEMENT ABANDONMENT
PARCEL 1 OF PARCEL MAP 18278

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	SA 98-516 R.O. NO. 990223
ORIGINAL	REC				SHEET 1 OF 1 SHEET	
					<i>Schoettmer</i> FOR CITY ENGINEER	1898-6265 CCS NAD 83 COORDINATES
					11-5-99 DATE	258-1705 LAMBERT COORDINATES
						19013-B
STATUS						

R- 292788