

RESOLUTION NUMBER R- 293931

ADOPTED ON OCT 3 2000

WHEREAS, Section 66434(g) of the California Government Code provides that the filing of the map shall constitute abandonment of all streets and easements not shown on said map; and

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 abutting property owners have requested the vacation of:

- a portion of an Irrevocable Offer of Dedication and adjacent slope easements granted on Map 13826; and
- an Irrevocable Offer of Dedication and adjacent slope easements granted on Map 13980; and
- two Irrevocable Offer of Dedications and adjacent slope easements granted on Map 13827.

all in connection with SAN DIEGO SPECTRUM VTM 99-1269 to facilitate development of their property; and

WHEREAS, the portion of street to be vacated is not needed for present or prospective public street purposes; and

WHEREAS, 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

WHEREAS, those properties adjoining the street to be vacated will continue to have access; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation of the Irrevocable Offers of Dedications and adjacent slope easement abandonments are not inconsistent with the General Plan or an approved Community Plan; and

WHEREAS, 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 an Irrevocable Offer of Dedication and adjacent slope easements granted on Map 13980; in connection with SAN DIEGO SPECTRUM VTM 99-1269, as more particularly shown on Drawing Titled Exhibit "A," on file in the Office of the City Clerk as Document No. RR- 293931-1, which is by this reference incorporated herein and made a part hereof, be, and the same is hereby ordered, conditionally vacated per California Government Code section 66434(g).

2. That a portion of an Irrevocable Offer of Dedication and adjacent slope easements granted on Map 13826; and two Irrevocable Offers of Dedication and adjacent slope easements granted on Map 13827, in connection with SAN DIEGO SPECTRUM VTM 99-1269, as more particularly shown on Drawing Nos. 19336-B and 19335-B, respectively, on file in the Office of the City Clerk as Document Nos. RR- 293931-2 and RR- 293931-3, which are by

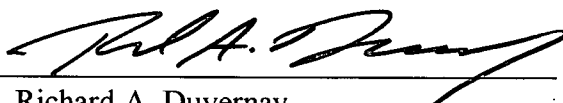
this reference incorporated herein and made a part hereof, be, and the same is hereby ordered, conditionally vacated per California Street and Highways Code section 8330 et seq.

3. That the Irrevocable Offer of Dedication and slope easements in item one above shall not become effective unless and until the final map for SAN DIEGO SPECTRUM VTM 99-1269 has been approved by Council action. In the event that the final map is not approved within the time allowance specified under the tentative map conditions or any subsequent time extensions allowed, this Resolution shall become void and be of no further force or effect.

4. That the Irrevocable Offers of Dedication and slope easements in item two above shall not become effective unless SAN DIEGO SPECTRUM VTM 99-1269 has been approved by Council action. In the event the Vesting Tentative Map is not approved, 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 City Council approval of the final map, 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

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09/18/00
10/02/00 COR.COPY
Or.Dept:P&DR
Aud.Cert:N/A
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