

RESOLUTION NUMBER R- 293986

ADOPTED ON OCT 17 2000

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

WHEREAS, the affected property owner has requested the vacation of a portion of Linwood Street, 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 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 for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

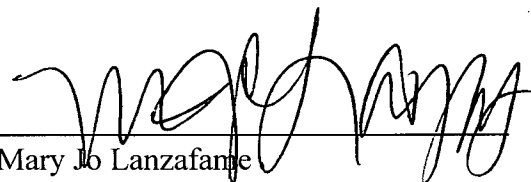
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That Lowell Street, as more particularly shown on Drawing No. 19117-B, and described in the legal description marked as Exhibit "A1," on file in the office of the City Clerk as Document No. RR- 293986 /, which is by this reference incorporated herein and made

a part hereof, is ordered vacated; excepting that the area shown on Drawing No. 19117-B, as described in legal description marked as Exhibit "A3," on file in the office of the City Clerk as Document No. RR- 293986-0, which is by this reference incorporated herein and made a part hereof, designated as a general utilities and access easement, is reserved as a general utilities easement for the construction and maintenance of public utilities and appurtenances thereto with the right of ingress and egress for such purposes.

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 Lanzafante
Deputy City Attorney

MJL:cdk:pev:lc:mm
08/08/00
08/22/00 Cor.Copy
09/07/00 Cor.Copy
09/28/00 Cor.Copy
Or.Dept:PDR
SA:99-516
WO:120102
Dwg:19117-B
R-2001-214
Form=sumv.frm

EXHIBIT "A1"

STREET VACATION

That portion of Lowell Street and Lowell Way in Lot 1 Los Ranchitos of Map No. 2213, recorded on April 22, 1937, City of San Diego, County of San Diego, State of California more particularly described as follows:

Beginning at the easterly corner of Lot 1 Los Ranchitos of Map No. 2782, recorded on May 8, 1951, and also being at the intersection of the northeasterly line of said Map No. 2782 and the northerly line of Lowell Street; thence North $72^{\circ}51'20''$ East, a distance of 20.26 feet along said northerly line of Lowell Street to the beginning of a curve concave northwesterly having a radius of 47.70 feet from which a radial line bears North $17^{\circ}08'40''$ West; thence northeasterly and northerly 61.95 feet along said curve through a central angle of $74^{\circ}24'42''$ to a non tangent curve concave northwesterly having a radius of 25.00 feet from which a radial line bears North $71^{\circ}27'40''$ West, said point being on the southwesterly line of Lowell Way as dedicated per Map No. 2213 ; thence southwesterly and westerly 37.54 feet along said curve and said line through a central angle of $86^{\circ}01'25''$ to the beginning of a reverse curve concave southerly having a radius of 835.00 feet from which a radial line bears South $14^{\circ}33'45''$ West; thence westerly 95.41 feet along said curve and said line through a central angle of $6^{\circ}32'48''$ to a point on a non-tangent line from which a radial line bears South $8^{\circ}00'57''$ West, said point being on the northeasterly line of said Lot 1 of Map No. 2782, said line is common with the southwesterly line of said Lot 1 of Map No. 2213; thence along said lot line South $51^{\circ}55'00''$ East, a distance of 89.60 feet to the Point of Beginning.

Containing 0.07 ACRES, more or less.

End of Description.

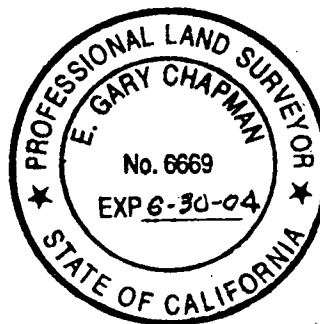


Prepared by E. Gary Chapman, PLS

DRAWING NO. 19117-B

SA NO. 99-516

W.O. 120102



R- 293986

EXHIBIT "A3"

GENERAL UTILITY AND ACCESS EASEMENT RESERVATION

That portion of Lowell Street in Lot 1 of Map No. 2213, recorded on April 22, 1937, City of San Diego, County of San Diego, State of California more particularly described as follows:

Beginning at the easterly corner of Lot 1 of Map No. 2782, recorded on May 8, 1951, and also being at the intersection of the northeasterly line of said Map No. 2782 and the northerly line of Lowell Street as dedicated per Map No. 2782; thence North $72^{\circ}51'20''$ East 4.87 feet; thence North $51^{\circ}55'00''$ West 85.39 feet to the southerly line of Lot 1 Map No. 2213 and a point on a non-tangent curve concave southerly having a radius of 835.00 feet from which a radial line bears South $8^{\circ}34'06''$ West; thence westerly along said line 8.05 feet along said curve through a central angle of $0^{\circ}33'09''$ to a point on a non-tangent line from which a radial line bears South $8^{\circ}00'57''$ West, said point being on the northeasterly line of said Lot 1 of Map No. 2782 which is common with the southwesterly line of said Lot 1 of Map No. 2213; thence along said lot line South $51^{\circ}55'00''$ East 89.60 feet to the Point of Beginning.

Containing 0.01 ACRES, more or less.

End of Description.

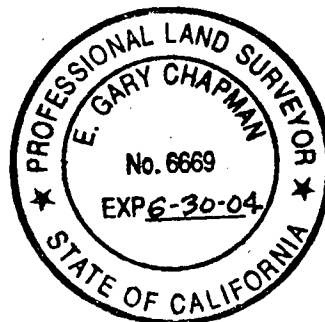


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DRAWING NO. 19117-B

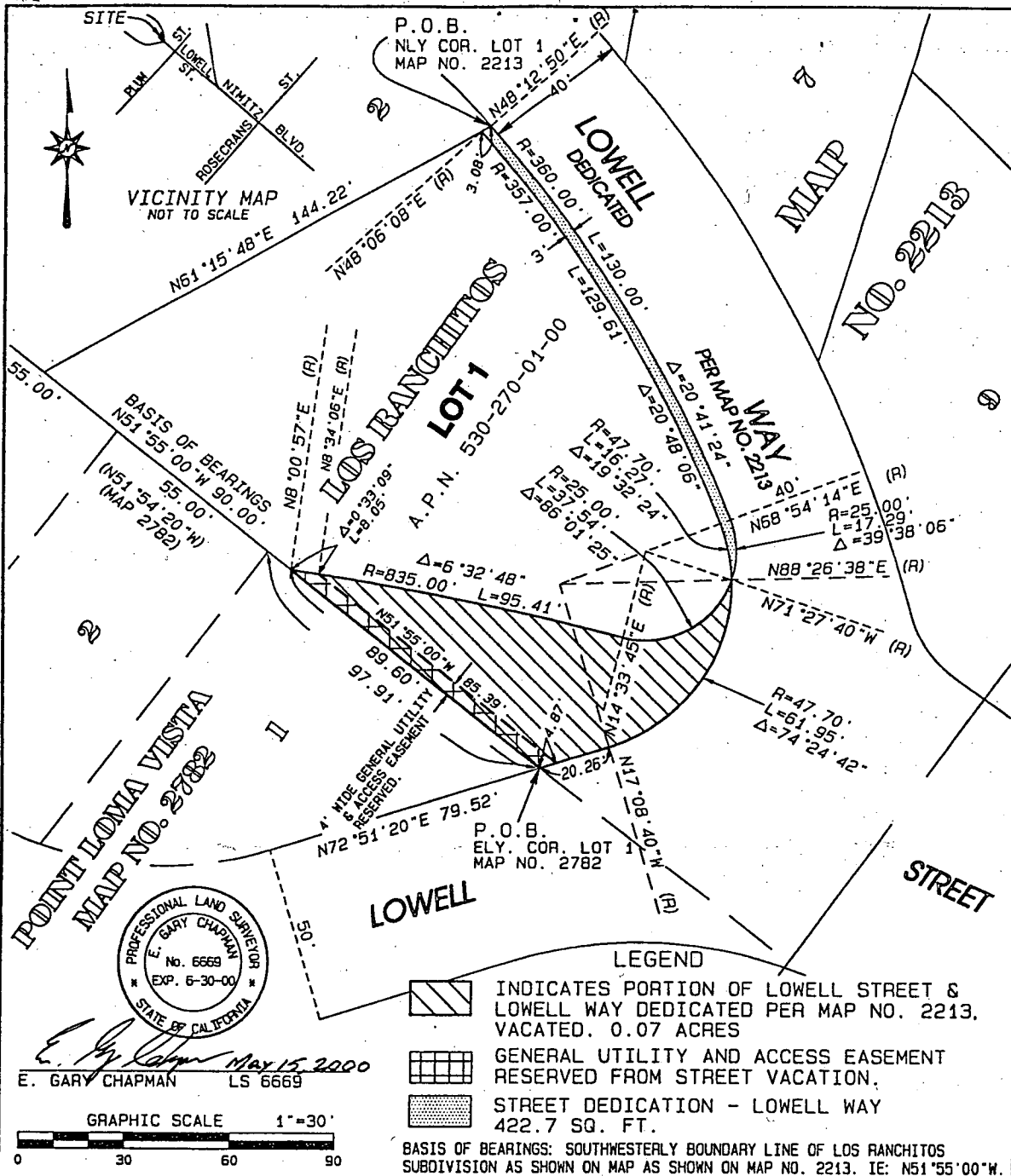
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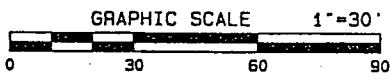


R. 293986

EXHIBIT "B"



E. Gary Chapman May 15, 2000
 E. GARY CHAPMAN LS 6669



STREET VACATION - LOWELL STREET AND LOWELL WAY
 LOT 1 OF MAP 2213

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | |
|-------------|-----|----------|--------|--------|-------------------------------|---------------------|
| ORIGINAL | AEA | | 6-7-00 | | SHEET 1 OF 1 SHEET | |
| | | | | | <i>Re Herrera</i> | 6-5-00 |
| | | | | | FOR CITY ENGINEER | DATE |
| | | | | | | 1642 - 6257 |
| | | | | | | NAD 83 COORDINATES |
| | | | | | | 202 - 1697 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 19117 - B |

R. 293986