

RESOLUTION NUMBER R- 294968

ADOPTED ON JUN 5 2001

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 affected property owner has requested the vacation of a portion of La Jolla Scenic Drive to facilitate development of the site; and

WHEREAS, in connection with said vacation, the City desires to reserve a general utility and access easement; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the right-of-way, either for the facility for which it was originally acquired, or for any other public use of a like nature that can be anticipated; 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, an approved Community Plan, or local Coastal Program; and

(d) the facility for which the easement 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 the street vacation, as more particularly described in the legal description marked

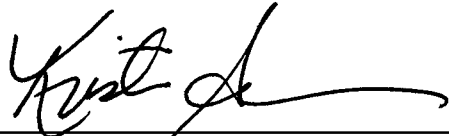
Exhibit "A1", and shown on Drawing No. 19376-B marked Exhibit "B", attached hereto and by this reference made a part hereof, is ordered vacated.

2. That the general utility and access easement, as more particularly described in the legal description marked Exhibit "A", attached hereto and by this reference made a part hereof; is reserved.

3. That 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.

APPROVED: CASEY GWINN, City Attorney

By



Kristin Schenone
Deputy City Attorney

KS:cdk
04/24/01
05/01/01 COR. COPY
Or.Dept:P&DR
WO:120102
R-2001-1432
Form=sumv.frm

EXHIBIT "A"

LEGAL DESCRIPTION

GENERAL UTILITY & ACCESS EASEMENT RESERVATION

THAT PORTION OF LA JOLLA SCENIC DRIVE AS DEDICATED PER BOOK TERRACE, ACCORDING TO THE MAP THEREOF NO. 4829 RECORDED AUGUST 16, 1961 IN THE OFFICE OF THE COUNTY RECORDER, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE SOUTHERLY 8.00 FEET OF THE WESTERLY 144.00 FEET OF THE PORTION OF LA JOLLA SCENIC DRIVE AS DEDICATED PER BOOK TERRACE, ACCORDING TO THE MAP THEREOF NO. 4829, TOGETHER WITH THE EASTERLY 6.00 FEET OF THE WESTERLY 144.00 FEET OF SAID PORTION OF LA JOLLA SCENIC DRIVE AS DEDICATED PER SAID MAP NO. 4829.

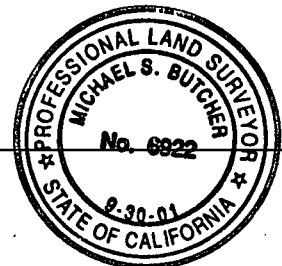
THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



MICHAEL S. BUTCHER, PLS 6922

4/9/01

DATE



S.A. NO. 00-506
W.O. NO. 120102
DWG. NO. 19376-B

R-294968

EXHIBIT "A 1"

LEGAL DESCRIPTION

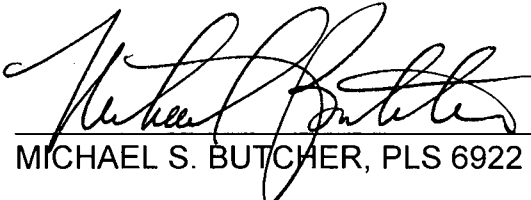
STREET VACATION LA JOLLA SCENIC DRIVE

THAT PORTION OF LA JOLLA SCENIC DRIVE AS DEDICATED PER BOOK TERRACE, ACCORDING TO THE MAP THEREOF NO. 4829 RECORDED AUGUST 16, 1961 IN THE OFFICE OF THE COUNTY RECORDER, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

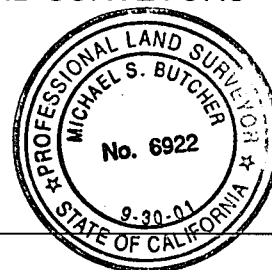
BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF MAP NO. 4829;
THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1 NORTH 74°36'40" EAST,
144.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE SOUTH 15°23'20" EAST, 20.00 FEET;
THENCE SOUTH 74°36'40" WEST, 143.89 FEET TO THE WEST LINE OF SAID MAP
NO. 4829;
THENCE NORTH 15°42'00" WEST, 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.0661 ACRES MORE OR LESS.

THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.


MICHAEL S. BUTCHER, PLS 6922

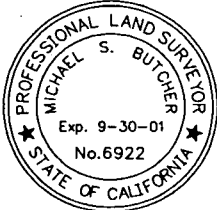
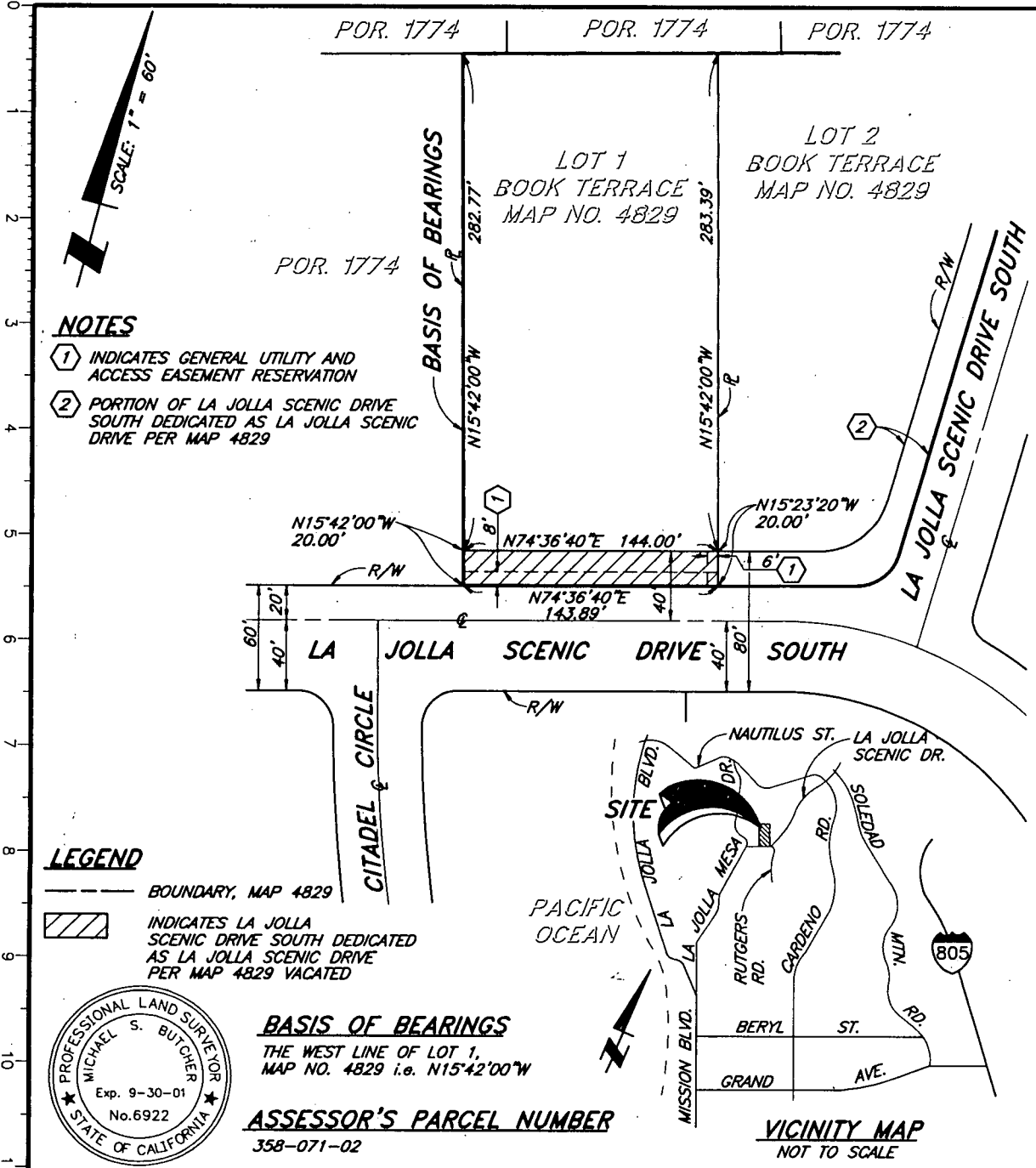
12/29/00
DATE



SA. No 00-506
W.O. NO. 120102
DWG. NO. 19376-B

R-294968

EXHIBIT "B"



SB & O PLANNING DESIGN CONSULTATION
 Land Planning
 Civil Engineering
 Land Surveying

Michael S. Butcher 1/29/01
 MICHAEL S. BUTCHER L.S. 6922 DATE

SB&O, Inc.
 3615 Kearny Villa Road, Suite 201
 San Diego, California 92123 (858)560-1141

**STREET VACATION ~ W/GENERAL UTILITY AND ACCESS EASEMENT RESERVATION
 LA JOLLA SCENIC DRIVE SOUTH—WEST OF RUTGERS ROAD**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	DT				SHEET 1 OF 1 SHEET	120102
					<i>Lee Hennessy</i>	00-506
					FOR CITY ENGINEER	1880-6251
					DATE	CCS 83
						240-1691
						LAMBERT COORDINATES
						19376-B

R-294968