

(R-2002-466 COR.)

RESOLUTION NUMBER R- 295562

ADOPTED ON OCT 09 2001

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 Beech Street to facilitate development of the site as conditioned in "Site Development Permit No. 40-0158"; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the street 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; and

(e) a covenant and agreement to hold property as one parcel shall be recorded to prevent land-locked parcels upon vacation of the street; and

WHEREAS, section 8330 *et seq.* of the California Streets and Highways Code provides a procedure for the vacation of public service easements by City Council resolution where the easement does not have in-place public utility facilities that are in use and would be affected by the vacation; and

WHEREAS, the affected property owner has requested the vacation of the drainage easement within Lot 1 of Broadcast City Re-subdivision No.1, Map 4853, to unencumber this property; and

WHEREAS, the drainage easement to be vacated is not needed for present or prospective drainage purposes; and

WHEREAS, the vacation is not inconsistent with the General Plan or an approved Community Plan; and

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

WHEREAS, the drainage system for which the right-of-way was originally acquired will become a private drainage system and will not be detrimentally affected by this vacation; and

WHEREAS, an access easement to the remaining off-site public drainage facility shall be granted; NOW, THEREFORE,

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

1. That the portion of Beech Street as more particularly shown on Drawing 19529 - B, labeled Exhibit "B", and on Exhibit "C" on file in the Office of the City Clerk as Document No. RR- 295562 - 1, which said exhibits are attached hereto and made a part hereof, be, and the same is hereby ordered, vacated.

2. That the drainage easement located within Lot 1 of Broadcast City Re-subdivision No.1, Map 4853, as more particularly shown on drawing No. 19569-B, labeled Exhibit "E", and on Exhibit "F", on file in the office of the City Clerk as Document No. RR- 295562 - 2, which is by this reference incorporated herein as made as part hereof, be and the same is hereby ordered vacated.

3. That this Resolution shall not become effective unless and until the "Covenant and Agreement to Hold as One Parcel", marked Exhibit "D", is recorded in the Office of the County Recorder.

4. That this Resolution shall not become effective unless and until an access easement to the off-site public drainage facility is granted by the property owner as required by the City Engineer and is recorded in the office of the County Recorder.

5. That the City Engineer shall advise the City Clerk of the satisfaction of the aforementioned conditions and the City Clerk shall then cause a certified copy of this Resolution, Exhibit "B", Exhibit "C", Exhibit "E" and Exhibit "F" 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

RAD:lc
09/25/01
10/05/01:ai
Or.Dept:Dev.Svcs.
SA: 00-523
WO: 400158
Dwg: 19529-B
R-2002-466 COR.
Form=sumv.frm

REFERENCES:

MAP 3048
MAP 4853
ROS 811

LEGEND:

PARCEL "A": INDICATES A PORTION OF BEECH STREET DEDICATED PER MAP 4853, VACATED. CONTAINS 0.051 ACRES.



PARCEL "B": INDICATES A PORTION OF BEECH STREET DEDICATED PER MAP 3048, VACATED. CONTAINS 0.379 ACRES.

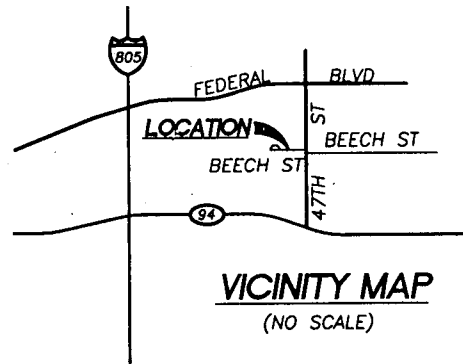


PARCEL "C": INDICATES A PORTION OF BEECH STREET DEDICATED PER CITY DWG NO. 10692-1-D, VACATED. CONTAINS 0.004 ACRES.



POINT OF BEGINNING
TRUE POINT OF BEGINNING
RIGHT OF WAY LINE

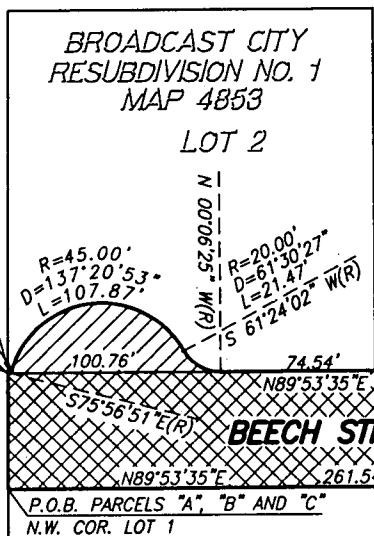
P.O.B.
T.P.O.B.



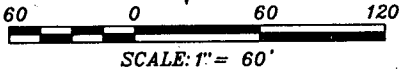
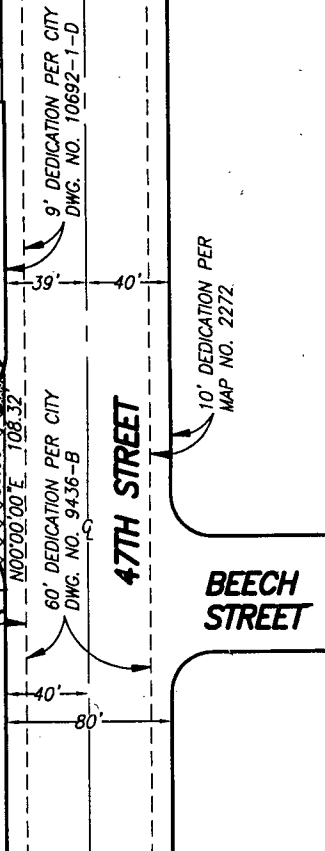
ASSESSOR'S PARCEL NUMBER:
APN 449-865-13 THRU 449-865-17

BASIS OF BEARING:
THE BASIS OF BEARINGS FOR THIS MAP IS THE WESTERLY LINE OF MAP 3048 17, I.E. N00°01'40"W

BROADCAST CITY RESUBDIVISION NO. 1
MAP NO. 4853
LOT 1



FOR LOT 18
HORTON'S
PURCHASE
MAP 283



Norman S. Kasubuchi 8-13-01
NORMAN S. KASUBUCHI, RCE 31829 DATE
EXP. 12/31/04

Leppert Engineering
CORPORATION
5190 Governor Drive, Suite 205
San Diego, Ca. 92122-2848
Phone: (858) 597-2001

**STREET VACATION-BEECH STREET
WEST OF 47TH STREET**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	LEC				SHEET 1 OF 1 SHEETS	400158
					<i>Lee Hanks</i> FOR CITY ENGINEER	SA 01-541 202-1739 NAD 83 COORDINATES
					10-4-01 DATE	1842-6299 LAMBERT COORDINATES
					STATUS	19529 -B

EXHIBIT "C"
LEGAL DESCRIPTION
Beech Street Vacation

PARCEL "A":

A portion of Beech Street in the City of San Diego, County of San Diego, State of California, dedicated per Map No. 4853, more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of Fairmont Gardens, according to Map thereof No. 3048, said point being on the Easterly line of Lot 1 of Broadcast City Re-subdivision No. 1 according Map thereof No. 4853, said Easterly line being common with the Westerly line of Beech Street; thence proceeding Northerly along said Westerly line North 00°01'40" West, 56.00 feet; thence leaving said Westerly line and proceeding Easterly North 89°53'35" East, 1.37 feet to a point on a 45.00 foot radius curve concave southerly, said point having a radial bearing of South 75°56'51" East to the center of said curve, said point being the True Point of Beginning; thence proceeding Easterly along said curve through a central angle of 137°20'53" an arc distance of 107.87 feet to the beginning of a tangent 20.00 foot radius reverse curve concave Northeasterly; thence proceeding Southeasterly along said curve through a central angle of 61°30'27", an arc distance of 21.47 feet; thence proceeding South 89°53'35" West, 100.76 feet to the True Point of Beginning.

Said parcel containing 0.051 acres, more or less.

LEPPERT ENGINEERING CORPORATION



Norman S. Kasubuchi

Date: 8-13-01

By: Norman S. Kasubuchi, RCE 31829
Exp. 12/31/04

W.O. No. 400158
Dwg. No. 19529-B
SA 01-541

"EXHIBIT "C"

LEGAL DESCRIPTION
Beech Street Vacation

PARCEL "B"

A portion of Beech Street in the City of San Diego, County of San Diego, State of California, dedicated per Map No. 3048, more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of Fairmont Gardens, according to Map thereof No. 3048, said point being on the Easterly line of Lot 1 of Broadcast City Re-subdivision No. 1 according Map thereof No. 4853, said Easterly line being common with the Westerly line of Beech Street; thence proceeding Northerly along said Westerly line North 00°01'40" West, 56.00 feet; thence leaving said Westerly line and proceeding Easterly North 89°53'35" East, 291.62 feet; thence proceeding South 00°00'00" East, 86.06 feet to the beginning of a 30.00 foot radius curve concave Southwesterly, said point having a radial bearing of South 90°00'00" West to the center of said curve; thence proceeding Northwesterly along said curve through a central angle of 90°06'25" an arc distance of 47.18 feet; thence proceeding tangent South 89°53'35" West, 261.54 feet to the **Point of Beginning**.

Said parcel containing 0.379 acres, more or less.

LEPPERT ENGINEERING CORPORATION

Norman S. Kasubuchi
By: Norman S. Kasubuchi, RCE 31829
Exp. 12/31/04

Date: 8-13-01

W.O. No. 400158
Dwg. No. 19529-B
SA 01-541



EXHIBIT "C"

LEGAL DESCRIPTION
Beech Street Vacation

PARCEL "C"

A portion of Beech Street in the City of San Diego, County of San Diego, State of California, dedicated per City Dwg. No. 10692-1-D, more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of Fairmont Gardens, according to Map thereof No. 3048, said point being on the Easterly line of Lot 1 of Broadcast City Re-subdivision No. 1 according Map thereof No. 4853, said Easterly line being common with the Westerly line of Beech Street; thence proceeding Northerly along said Westerly line North 00°01'40" West, 56.00 feet; thence leaving said Westerly line and proceeding Easterly North 89°53'35" East, 262.68 feet to the beginning of a tangent 30.00 foot radius curve concave Northwesterly; said point being the **True Point of Beginning**; thence proceeding Northeasterly along said curve through a central angle of 75°03'29" and arc distance of 39.30 feet; thence proceeding South 00°00'00" East, 22.26 feet; thence proceeding South 89°53'35" West, 28.94 feet to the **True Point of Beginning**.

Said parcel containing 0.004 acres, more or less.

LEPPERT ENGINEERING CORPORATION

Norman S. Kasubuchi

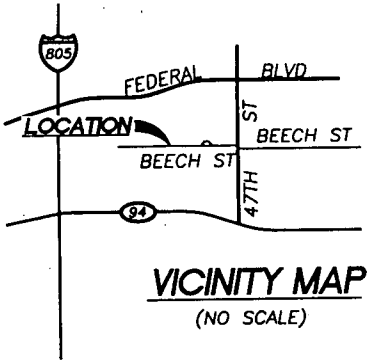
Date: 8-13-01

By: Norman S. Kasubuchi, RCE 31829
Exp. 12/31/04

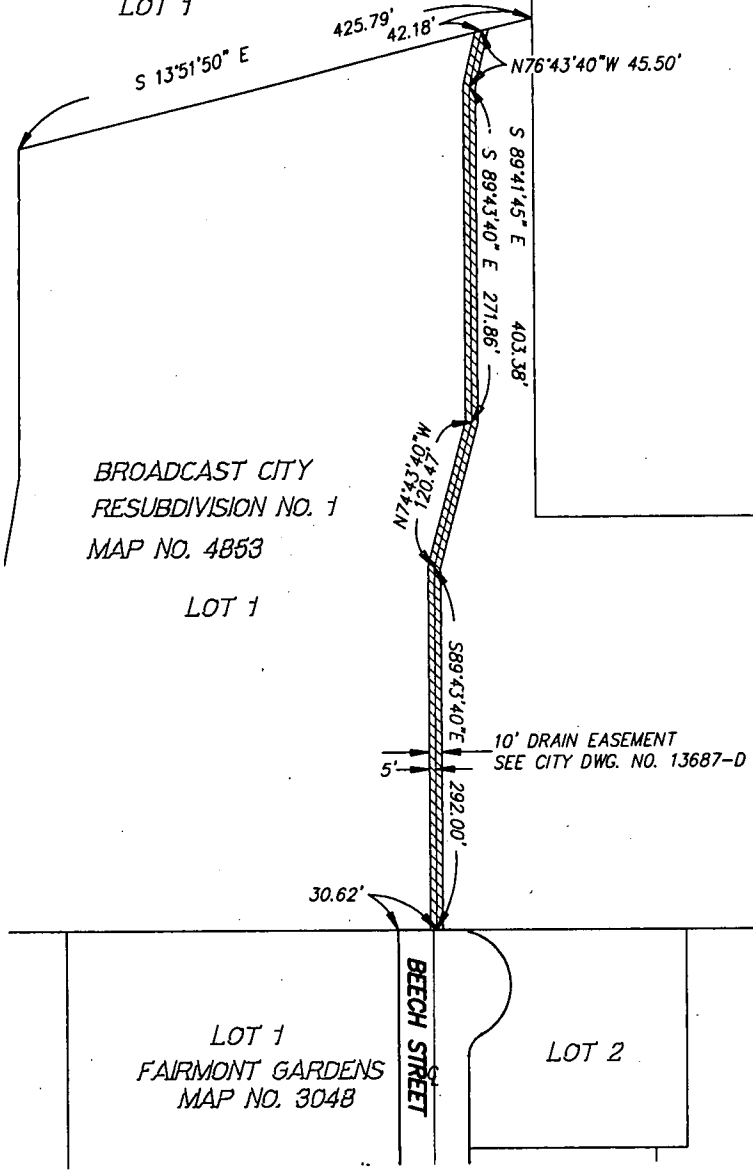
W.O. No. 400158
Dwg. No. 19529-B
SA 01-541



EXHIBIT "E"



BROADCAST CITY
MAP NO. 3854
LOT 1



REFERENCES:

MAP 4853
DWG. NO. 13687-D

ASSESSOR'S PARCEL NUMBER:

APN 541-611-16

LEGEND:

INDICATES 10' WIDE DRAIN EASEMENT ACQUIRED PER PORT PROPERTIES INC. DRAIN EASEMENT DONATION CCD 728884, REC. 8/4/69 AS F/P 141350, RESOLUTION 197598, 7/29/69, SEE CITY DWG. NO. 13687-D, ABANDONED.

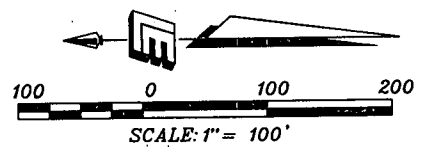


BROADCAST CITY
RESUBDIVISION NO. 1
MAP NO. 4853

LOT 1

10' DRAIN EASEMENT
SEE CITY DWG. NO. 13687-D

Norman S. Kasubuchi
NORMAN S. KASUBUCHI, RCE 31829
EXP. 12/31/04



8-13-01
DATE

Leppert Engineering
CORPORATION
5190 Governor Drive, Suite 205
San Diego, Ca. 92122-2848
Phone: (858) 597-2001

DRAINAGE EASEMENT ABANDONMENT
IN LOT 1 OF BROADCAST CITY RE-SUBDIVISION NO. 1, MAP NO. 4853

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	LEC				SHEET 1 OF 1 SHEETS	400158
					<i>Lee Dennis</i> FOR CITY ENGINEER	SA 01-541 202-1739 NAD 83 COORDINATES
					10-4-01 DATE	1842-6299 LAMBERT COORDINATES
						19569 - B
STATUS						

R-295562

EXHIBIT "F"

LEGAL DESCRIPTION
Drain Easement Abandonment

That Portion of Lot 1 of Broadcast City Resubdivision No. 1, according to map thereof No. 4853, more particularly described as follows:

That certain 10' wide drain easement acquired per Port Properties, Inc. drain easement donation CCD 728884 recorded on August 4, 1969 as F/P 141350, Resolution No. 197598, dated July 29, 1969.

LEPPERT ENGINEERING CORPORATION

Norman S. Kasubuchi

Date: 8-13-01

By: Norman S. Kasubuchi, RCE 31829

Exp. 12/31/04

W.O. No. 400158

SA 01-541

Dwg. No. 19569-B

