

RESOLUTION NUMBER R-295882

ADOPTED ON DEC 11 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 Bird Rock Avenue, to facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public street easement, 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 or service easement system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

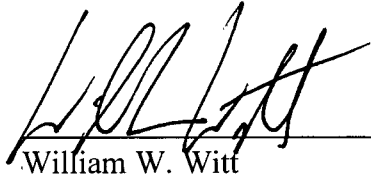
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the street vacation, as more particularly described in the legal description marked as Exhibit "A" and as shown on Drawing No. 19489-B marked as Exhibit "B", on file in the office of the City Clerk as Document No. RR-295882, is 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



William W. Witt
Deputy City Attorney

WWW:cdk
10/31/01
Or.Dept:Dev. Svcs.
WO:400030 & 400258
Dwg:19289-B
R-2002-629
Form=sumv.frm

EXHIBIT "A"

LEGAL DESCRIPTION STREET VACATION BIRD ROCK AVENUE

BEING A PORTION OF LAND DESCRIBED IN "BIRD ROCK CITY BY THE SEA" ACCORDING TO MAP THEREOF NO. 975, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 13, 1906 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A":

BEGINNING AT THE NORTHERLY RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE AS DEDICATED PER SAID MAP NO. 975, 60.00 FEET IN WIDTH, WITH THE INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BELLEVUE AVENUE, 60.00 FEET IN WIDTH AS SHOWN AND DEDICATED ON SAID MAP THEREOF NO. 975; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE, NORTH 76°43'50" EAST A DISTANCE OF 97.88 FEET TO THE BEGINNING A 32.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54°08'47" AN ARC LENGTH OF 30.24 FEET; THENCE SOUTH 64°25'52" WEST A DISTANCE OF 25.92 FEET; THENCE SOUTH 76°43'50" WEST A DISTANCE OF 44.31 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE AVENUE; THENCE NORTH 26°41'40" WEST A DISTANCE OF 24.67 FEET TO THE **POINT OF BEGINNING**.

SAID LAND CONTAINS 0.045 MORE OR LESS.

PARCEL "B":

BEGINNING AT THE NORTHERLY RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE AS DEDICATED PER SAID MAP THEREOF NO. 975, 60.00 FEET IN WIDTH, WITH THE INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BELLEVUE AVENUE, 60.00 FEET IN WIDTH AS SHOWN AND DEDICATED ON SAID MAP THEREOF NO. 975; THENCE ALONG THE EAST RIGHT-OF-WAY LINE OF BELLEVUE AVENUE, SOUTH 26°41'40" EAST A DISTANCE OF 45.24 FEET TO **THE TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 76°53'40" EAST A DISTANCE OF 41.69 FEET; THENCE NORTH 64°25'52" EAST A DISTANCE OF 65.70 FEET TO THE WEST LINE OF AN UN-NAMED 15.00 FEET WIDE ALLEY AS SHOWN AND DEDICATED PER SAID MAP THEREOF NO. 975; THENCE ALONG SAID LINE, SOUTH 26°41'40" EAST A DISTANCE OF 30.84 FEET; THENCE LEAVING SAID LINE, SOUTH 76°43'50" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BIRD ROCK AVENUE A DISTANCE OF 109.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF BELLEVUE AVENUE; THENCE ALONG SAID LINE NORTH 26°41'40" WEST A DISTANCE OF 16.45 FEET TO THE **TRUE POINT OF BEGINNING**.

SAID LAND CONTAINS 0.051 MORE OR LESS.

PARCEL "C":

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BEGINNING AT THE NORTHERLY RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE AS DEDICATED PER SAID MAP THEREOF NO. 975, 60.00 FEET IN WIDTH, WITH THE INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BELLEVUE AVENUE, 60.00 FEET IN WIDTH AS SHOWN AND DEDICATED ON SAID MAP THEREOF NO. 975; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE, NORTH 76°43'50" EAST A DISTANCE OF 62.88 FEET TO THE BEGINNING OF A 36.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY AND THE **TRUE POINT OF BEGINNING**;

THENCE IN A NORTHERLY DIRECTION ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 94°04'57" AN ARC LENGTH OF 59.11 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE OF BIRD ROCK AVENUE, NORTH 17°21'07" WEST A DISTANCE OF 23.56 FEET TO THE BEGINNING OF A TANGENT, 32.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 81°46'59" AN ARC LENGTH OF 45.68 FEET; THENCE SOUTH 64°25'52" WEST A DISTANCE OF 25.92 FEET; THENCE SOUTH 76°43'50" WEST A DISTANCE OF 44.31 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF BELLEVUE AVENUE; THENCE NORTH 26°41'40" WEST A DISTANCE OF 24.67 FEET TO THE **TRUE POINT OF BEGINNING**.

SAID LAND CONTAINS 0.007 MORE OR LESS.

LATITUDE 33



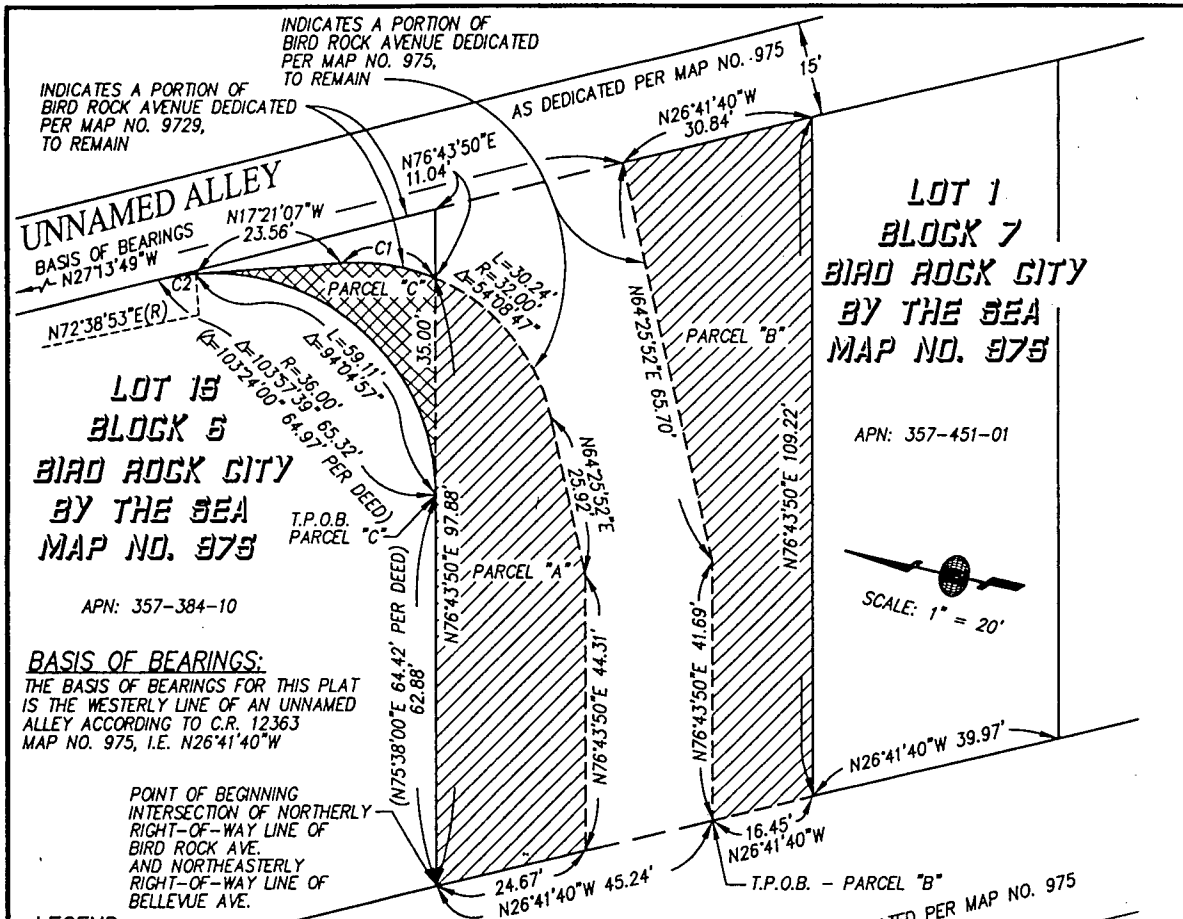
CLIFFORD JOHN EARDENSOHN II
L.S. 5278 EXPIRES 12/31/03

8.17.01
DATE



W.O. NO. 991162
DWG. NO. 19489-B

EXHIBIT "B"

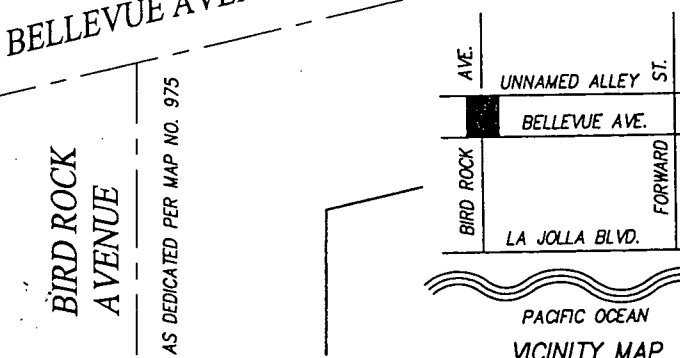


LEGEND:

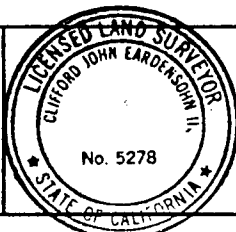
- INDICATES A PORTION OF BIRD ROCK AVENUE DEDICATED PER MAP NO. 975 VACATED
- INDICATES A PORTION OF BIRD ROCK AVENUE DEDICATED PER MAP NO. 9729 RECORDED 07/25/80, VACATED

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	32.00'	27°38'12"	15.44'
C2	36.00'	09°52'42"	6.21'

STVAC&BLDGESMT2.DWG
Latitude 33
 Planning and Engineering
 4180 La Jolla Village Dr., Ste. 330
 La Jolla, CA 92037
 858-761-0633 Fax 858-761-0634



C. John Eardensohn 7.18.01
 C. JOHN EARDENSOHN L.S. 5278
 REGISTRATION EXPIRES 12-30-2003



DOCUMENT NO. **R-295882**
DEC 11 2001
 FILED
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

STREET VACATION IN A PORTION OF BIRD ROCK AVENUE

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 1 OF 1 SHEET	S.A. NO. 99-538
ORIGINAL	LAT33				<i>Joe Steiner</i> 8/21/01 FOR CITY ENGINEER DATE	W.O. NO. 991162
						1876-6247 CCS '83 COORDINATES
						236-1687 LAMBERT COORDINATES
						19489-B

R-295882