

RESOLUTION NUMBER R- 297707

ADOPTED ON MAR 04 2003

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, 4S Kelwood G.P., the developer and applicant, has requested the vacation of a portion of Bernardo Center Drive and a portion of Camino Crisalida to facilitate development of the road re-alignment; and

WHEREAS, in connection with the vacation, the City will reserve a general utility and access easement over the area that will be vacated; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public 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 or bikeway purposes;

(b) the public will benefit from the vacation through improved utilization of land;

(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 the portions of Bernardo Center Drive and Camino Crisalida, reserving out a general utility and access easement, as more particularly described in the legal description marked as Exhibit "A" and as shown on Drawing No. 19799-B marked as Exhibit "B", on file in the office of the City Clerk as Document No. RR-297707, are ordered vacated.

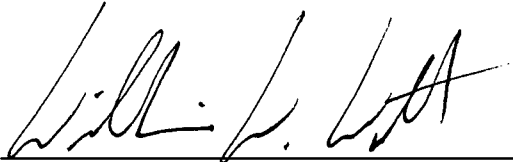
2. That the resolution shall not become effective unless and until the following conditions have been met:

- (a) The applicant relocates and constructs a new storm drain inlet satisfactorily to the City Engineer.
- (b) The applicant shall cut and plug the existing public 12-inch water facilities, located within Bernardo Center Drive right-of-way to be vacated, in a manner satisfactory to the City Engineer.
- (c) The 36-inch Rancho Bernardo Pipeline, located within Bernardo Center Drive right-of-way to be vacated, shall be out of service and abandoned in a manner satisfactory to the City Engineer.
- (d) Public water improvements, as shown on improvement drawing numbers 31546-D and 31999-D, shall be complete and operational in a manner satisfactory to the City Engineer.

In the event the above conditions are not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the
aforementioned public improvements, and the City Clerk shall then 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
01/30/03
Orig.Dept.:Dev.Svcs.
W.O. 120102
Drawing No. 19799-B
R-2003-955

EXHIBIT 'A'

STREET VACATION WITH A GENERAL UTILITY
AND ACCESS EASEMENT RESERVATION

BEING PORTIONS OF BERNARDO CENTER DRIVE AND CAMINO CRISALIDA, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, PER DEED RECORDED FEBRUARY 11, 1987 AS FILE/PAGE NO. 87-076042 OF OFFICIAL RECORDS, AND AS SHOWN ON CAMINO BERNARDO UNIT NO. 5 MAP THEREOF NO. 11853, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, JULY 15, 1987, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

(BERNARDO CENTER DRIVE)

BEGINNING AT THE INTERSECTION OF THE MOST NORTHEASTERLY CORNER OF LOT 57 OF SAID MAP NO. 11853 STREET LIMIT OF CAMINO CRISALIDA AND BERNARDO CENTER DRIVE AS DEDICATED PER DEED RECORDED FEBRUARY 11, 1987 AS FILE NO. 87-076042 OF OFFICIAL RECORDS; SAID INTERSECTION ALSO BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAMINO CRISALIDA; THENCE ALONG THE PROLONGATION OF SAID STREET LIMIT LINE OF SAID CAMINO CRISALIDA AND BERNARDO CENTER DRIVE AS DEDICATED PER SAID DEED; THENCE ALONG SAID STREET LIMIT LINE NORTH 30°42'32" EAST, 20.89 FEET TO A POINT ON THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAMINO CRISALIDA; SAID POINT ALSO BEING A POINT ON A NON-TANGENT 226.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, TO WHICH A RADIAL LINE BEARS SOUTH 35°47'10" WEST;

THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE
04°52'15" A DISTANCE OF 19.21 FEET, TO THE BEGINNING OF A TANGENT
CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 20.00 FEET; THENCE
WESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 29.86 FEET
THROUGH A CENTRAL ANGLE OF 85°33'00"; THENCE SOUTH 45°06'25" WEST,
184.87 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE
NORTHWESTERLY, HAVING A RADIUS OF 1261.00 FEET; THENCE
SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 4.22 FEET
THROUGH A CENTRAL ANGLE OF 00°11'30" TO THE CITY OF SAN DIEGO
BOUNDARY AS SHOWN ON SAID MAP; THENCE ALONG SAID BOUNDARY LINE
SOUTH 12°50'15" WEST, 289.66 FEET (SOUTH 12°50'16" WEST PER SAID
MAP) TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF
SAID BERNARDO CENTER DRIVE AS SHOWN ON SAID MAP; THENCE ALONG SAID
SOUTHERLY RIGHT-OF-WAY LINE NORTH 30°42'32" EAST, 450.16 FEET
(NORTH 30°42'25" EAST, 450.32 FEET PER SAID MAP NO. 11853) TO THE
POINT OF BEGINNING.

CONTAINING 0.568 ACRES MORE OR LESS.

PARCEL B

(BERNARDO CENTER DRIVE)

COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 1 OF SAID MAP NO.
11853, ALSO BEING A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE
OF AFOREMENTIONED BERNARDO CENTER DRIVE, ALSO BEING A POINT ON A
NON-TANGENT 939.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, TO

WHICH A RADIAL LINE TO SAID POINT BEARS NORTH $51^{\circ}22'38''$ WEST;
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL
ANGLE OF $06^{\circ}29'03''$ A DISTANCE OF 106.27 FEET; THENCE LEAVING SAID
RIGHT-OF-WAY LINE SOUTH $45^{\circ}06'25''$ WEST, 194.54 FEET TO THE
BEGINNING OF A 20.00 FOOT RADIUS ~~REVERSE~~ CURVE CONCAVE EASTERLY,
TO WHICH A RADIAL LINE BEARS NORTH $44^{\circ}53'35''$ WEST; THENCE
SOUTHWESTERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE
THROUGH A CENTRAL ANGLE OF $97^{\circ}07'11''$ A DISTANCE OF 33.90 FEET TO A
REVERSE 174.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY TO WHICH A
RADIAL LINE BEARS NORTH $37^{\circ}59'14''$ EAST; THENCE SOUTHEASTERLY ALONG
THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF THROUGH A CENTRAL
ANGLE OF $00^{\circ}44'54''$ A DISTANCE OF 2.27 FEET TO THE BEGINNING OF A
NON-TANGENT 939.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, TO
WHICH A RADIAL LINE BEARS NORTH $58^{\circ}04'21''$ WEST; THENCE
NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE
OF $01^{\circ}12'13''$ A DISTANCE OF 19.73 FEET TO THE SOUTHEASTERLY RIGHT-
OF-WAY LINE OF SAID BERNARDO CENTER DRIVE; THENCE CONTINUING
NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY
RIGHT-OF-WAY LINE 90.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.039 ACRES MORE OR LESS.

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PARCEL C

(CAMINO CRISALIDA)

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF THE ABOVE MENTIONED LOT 57, ALSO BEING A POINT OF THE NORTHWESTERLY BOUNDARY LINE OF LOT 56 OF SAID MAP NO. 11853 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ABOVE SAID CAMINO CRISALIDA; THENCE ALONG THE STREET LIMIT LINE OF SAID CAMINO CRISALIDA AND BERNARDO CENTER DRIVE AS DEDICATED PER DEED RECORDED FEBRUARY 11, 1987 AS FILE NO. 87-076042 OF OFFICIAL RECORDS NORTH $30^{\circ}42'32''$ EAST, 20.89 FEET TO A POINT; SAID POINT BEING A POINT ON A NON-TANGENT 226.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, TO WHICH A RADIAL LINE BEARS SOUTH $35^{\circ}47'10''$ WEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE $05^{\circ}04'38''$ A DISTANCE OF 20.03 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAMINO CRISALIDA AND THE BEGINNING OF A TANGENT 20.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, TO WHICH A RADIAL LINE BEARS NORTH $30^{\circ}42'32''$ EAST; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAMINO CRISALIDA ALONG THE ARC OF SAID 20.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ 31.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.002 ACRES MORE OR LESS.

R-297707

PARCEL D

(CAMINO CRISALIDA)

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 1 OF MAP NO. 11853; THENCE SOUTHERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF CAMINO CRISALIDA AND THE SOUTHWESTERLY LINE OF SAID LOT 1, 32.26 FEET THROUGH A CENTRAL ANGLE OF 92°25'20" [92°25'19" PER MAP NO. 11853]; THENCE NORTH 59°17'28" WEST A DISTANCE OF 0.83 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 174.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 30°42'32" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 19.82 FEET THROUGH A CENTRAL ANGLE OF 06°31'48" TO THE INTERSECTION WITH THE AFOREMENTIONED STREET LIMIT LINE OF SAID CAMINO CRISALIDA AND BERNARDO CENTER DRIVE AS DEDICATED PER DEED RECORDED FEBRUARY 11, 1987 AS FILE NO. 87-076042 OF OFFICIAL RECORDS, ALSO BEING A POINT ON AFOREMENTIONED NON-TANGENT 939.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, TO WHICH A RADIAL LINE BEARS NORTH 58°04'21" EAST; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY STREET LIMIT LINE OF SAID BERNARDO CENTER DRIVE AND ALONG THE ARC OF SAID CURVE A DISTANCE OF 19.73 FEET THROUGH A CENTRAL ANGLE OF 01°12'13" TO THE TRUE POINT OF BEGINNING.

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CONTAINING 0.002 ACRES MORE OR LESS.



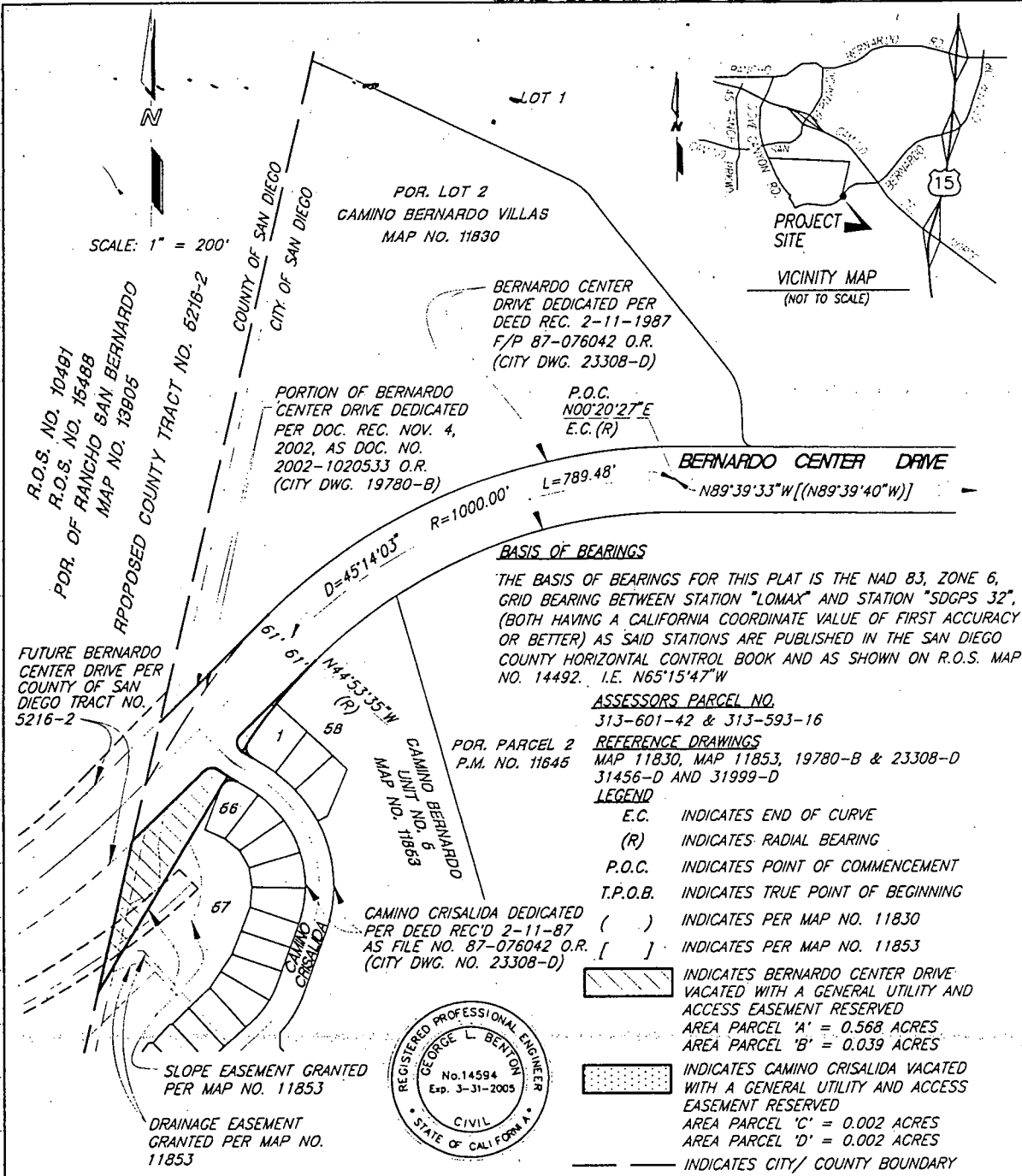
George L. Benton 12/19/02

GEORGE L. BENTON
R.C.E. 14594
LICENSE EXP. DATE MARCH 31, 2005

W.O. No. R0102
DWG. No. 19799-B

R. 297707

EXHIBIT B



The Keith Companies **TKC**
engineers and consultants www.keithco.com

5650 El Camino Real,
Suite 100
Carlsbad, CA 92008
P: (760) 438-1210
F: (760) 438-2765

George L. Benton
GEORGE L. BENTON P.E. 14594
LICENSE EXP. DATE: 03-31-2005

12/19/02 DATE

STREET VACATION - BERNARDO CENTER DRIVE AND CAMINO CRISALIDA AT THE INTERSECTION OF BERNARDO CENTER DRIVE AND CAMINO CRISALIDA. GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM STREET VACATION

DESCRIPTION	DATE	BY	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 2 SHEETS	120102 SA 02-520
ORIGINAL				1944-6299
				304-1739
				19799-1-B

Lu... 1-3-02

R-297707

R.O.S. NO. 10491
R.O.S. NO. 15488

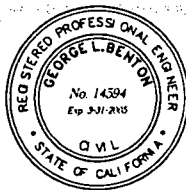
POR. OF RANCHO
SAN BERNARDO
MAP NO. 13805

PORTION OF BERNARDO
CENTER DRIVE DEDICATED
PER DOC. REC. NOV. 4,
2002, AS DOC. NO.
2002-1020533 O.R.
(CITY DWG. 19780-B)

SCALE:
1" = 60'

R.O.S. NO. 10491
R.O.S. NO. 15488
POR. OF RANCHO
SAN BERNARDO
MAP NO. 13805

EXIST. 20' WIDE SDG&E EASEMENT
PER D.C. RECORDED 9-29-1987
AS FILE/PAGE NO. 149737, O.R.
[N12°50'15"E] 289.66'
[N12°50'15"E] 289.66'



DETAIL 'B'
NOT TO SCALE

DETAIL 'A'
NOT TO SCALE

LINE DATA

NO.	BEARING	DISTANCE
L1	N44°53'35"W	61.91'
L2	N59°17'28"W [N59°17'35"W]	24.12'
L3	N59°17'28"W [N59°17'35"W]	23.30'
L4	N59°17'28"W [N59°17'35"W]	23.30'
L5	N59°17'28"W	0.82'

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	14°23'52"	200.00'	50.26'
C2	85°33'00"	20.00'	29.86'
C3	01°12'13"	939.00'	19.73'
C4	97°07'11"	20.00'	33.90'
C5	90°00'00"	20.00'	31.42'
C6	92°25'20" [92°25'19"]	20.00'	32.26'
C7	05°29'30"	939.00'	90.00'
C8	04°52'15"	226.00'	19.21'
C9	05°04'38"	226.00'	20.03'
C10	00°44'54"	174.00'	2.27'
C11	06°31'48"	174.00'	19.83'

5650 El Camino Real,
Suite 100
Carlsbad, CA 92008
P: (760) 438-1210
F: (760) 438-2765
www.keithco.com

TKC
engineers and consultants

George L. Benton 12/19/02
GEORGE L. BENTON P.E. 14594 DATE
LICENSE EXP. DATE: 03-31-2005

CITY OF SAN DIEGO, CALIFORNIA
SHEET 2 OF 2 SHEETS

120102
SA 02-520

1944-6299
304-1739

19799-2-B

STREET VACATION - BERNARDO CENTER DRIVE AND CAMINO CRISALIDA AT THE INTERSECTION OF BERNARDO CENTER DRIVE AND CAMINO CRISALIDA. GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM STREET VACATION

DESCRIPTION	DATE	BY	FOR
ORIGINAL			
AGA	12-3-02		

1-3-02

297707