

RESOLUTION NUMBER R- 297994 (R-2003-1174)

ADOPTED ON MAY 20 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, the affected property owner has requested the vacation of a portion of Union Street to facilitate development of the site; and

WHEREAS, in connection with said vacation, the City will reserve a general utility and access easement over a portion of 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 system, either for the facility 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;

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

(c) the vacation does not adversely affect the General Plan or an approved Community Plan;

and

(d) the public facility 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 a portion of Union Street, reserving out a general utility and access easement, as

more particularly described in the legal description, attached hereto as Exhibit "A" and as shown on Drawing No. 19883-B, attached hereto as Exhibit "B", is ordered vacated.

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

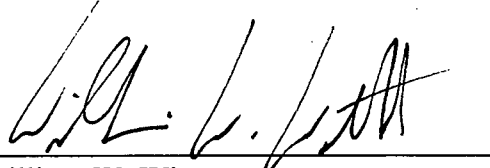
- a. The installation of curb, gutter and sidewalk on Redwood Street adjacent to the vacated street.

In the event the above conditions are not completed within thirty-six months 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 advise the City Clerk of the completion of the aforementioned conditions, and the City Clerk shall then cause a certified copy of this resolution with attached exhibits, 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

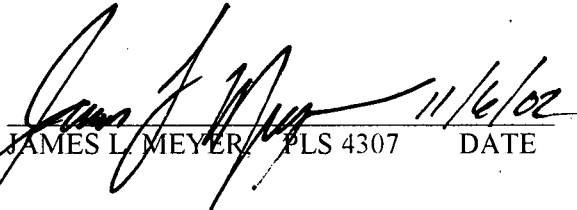
WWW:cdk  
03/28/03  
Orig.Dept.:Dev.Svcs.  
SA: 02-501  
WO: 120102  
Drawing No. 19883-B  
R-2003-1174

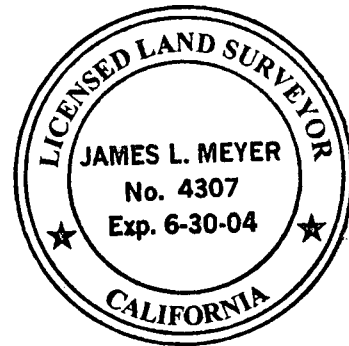
EXHIBIT 'A'  
LEGAL DESCRIPTION

UNION STREET VACATION

THAT PORTION OF UNION STREET NORTHERLY OF REDWOOD STREET AS DEDICATED PER MAP OF MIDDLETOWN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. CC1-1874, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON OCTOBER 19, 1874, ADJOINING LOTS 7 AND 8 OF BLOCK 123 AND LOTS 5 AND 6 OF BLOCK 124, ALL OF THE MAP OF MIDDLETOWN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. CC1-1874, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON OCTOBER 19, 1874.

EXCEPTING THAT PORTION OF UNION STREET CLOSED BY RESOLUTION NO. R-251437 ADOPTED MARCH 24, 1980 OF THE COUNCIL OF THE CITY OF SAN DIEGO, RECORDED MARCH 27, 1980 AS FILE NO. 1980-105640 OF OFFICIAL RECORDS.

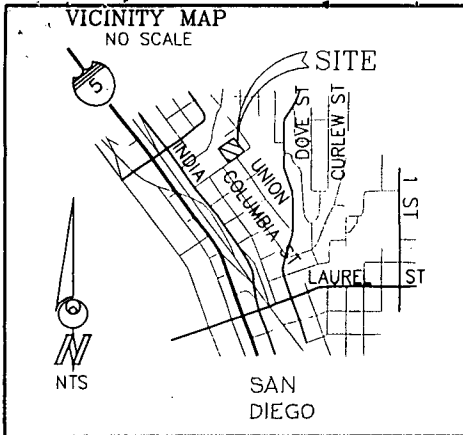
  
JAMES L. MEYER, PLS 4307      DATE 11/6/02



W.O. NO. 120102  
DWG NO. 19883-B  
SA NO. 02-501

R - 297994

# EXHIBIT 'B'



### ASSESSOR'S PARCEL NO.

541-544-05 & 451-543-05

### REFERENCE DRAWINGS

#### MAP 14413

CC1-1874 MIDDLETOWN RE-SUBDIVISION.

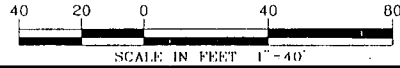
INDICATES PORTION OF UNION STREET DEDICATED PER CC1-1874 MIDDLETOWN RE-SUBDIVISION VACATED.  
AREA = 0.15 ACRES



INDICATES GENERAL UTILITY AND ACCESS EASEMENT RESERVED FROM STREET VACATION.  
AREA = 0.06 ACRES

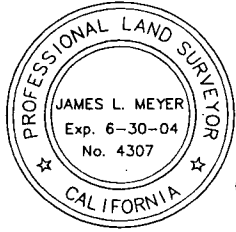
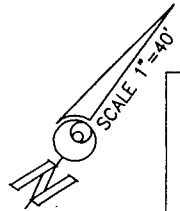
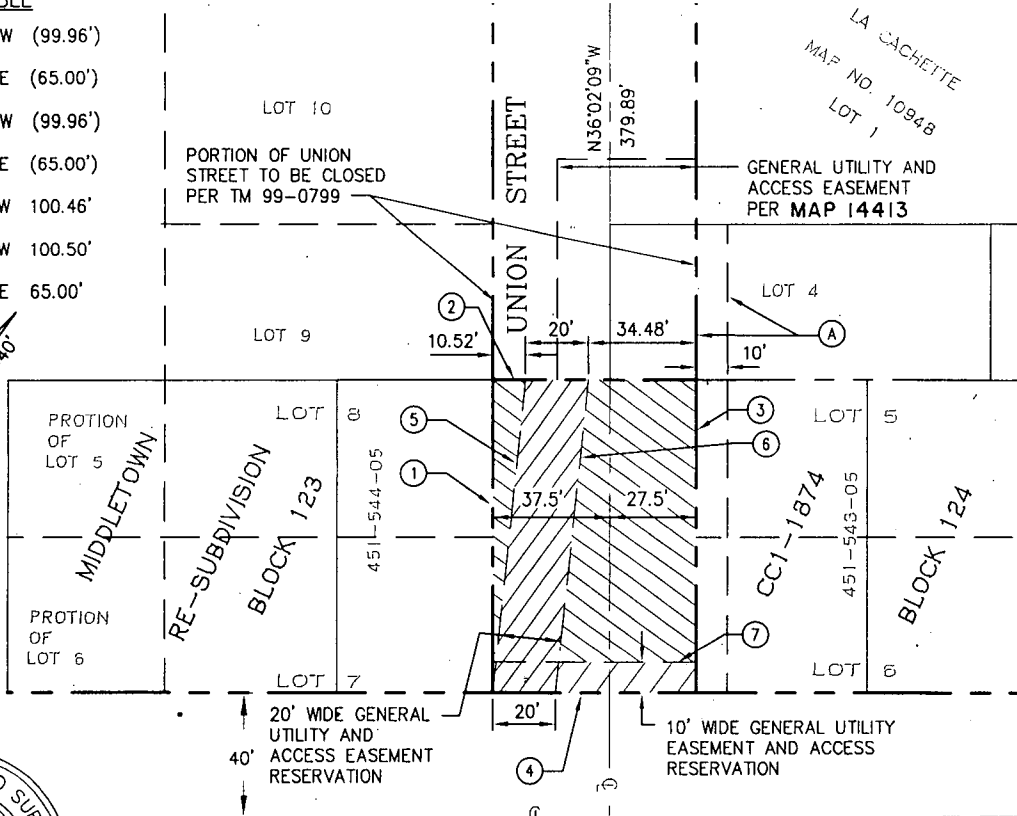


( ) INDICATES RECORD DATA PER MAP OF MIDDLETOWN, RE-SUBDIVISION CC1-1874



### DATA TABLE

- ① N36°03'27"W (99.96')
- ② N53°59'23"E (65.00')
- ③ N36°03'27"W (99.96')
- ④ N53°59'23"E (65.00')
- ⑤ N30°06'18"W 100.46'
- ⑥ N30°06'18"W 100.50'
- ⑦ N53°59'03"E 65.00'



(A) PORTION OF UNION STREET CLOSED BY RESOLUTION NO. R-251437 ADOPTED 3-24-1980, AND RECORDED 3-27-1980 AS FILE NO. 80-105640, O.R.

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DWG IS THE CENTERLINE OF UNION STREET, BETWEEN SPUCE STREET AND REDWOOD STREET; AS SHOWN ON MAP NO. 10948 I.E. NORTH 36°02'09" WEST

burkett & wong  
engineers & surveyors  
3434 fourth ave. san diego ca.  
92103-5704 \* (619) 299-5550

*James L. Meyer* 1-21-03  
JAMES L. MEYER No. 4307 DATE

STREET VACATION: PORTION OF UNION ST.  
MAP OF MIDDLETOWN RE-SUBDIVISION, CC1-1874

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	SA 02-501
ORIGINAL	B&W				SHEET 1 of 1 SHEET	W.O.NO. 120102
					<i>See Dennis</i> 1/30/03 FOR CITY ENGINEER DATE	1848-6275 CCS-83 COORDINATES
						208-1715 LAMBERT COORDINATES
					STATUS	19883-B

R - 297994