

RESOLUTION NUMBER R- 298419

ADOPTED ON SEP 23 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 A Street, Ash Street, 40th Street, 41st Street, and Alleys in Block 33, and the Alley in Block 35, all within Marilou Park, Map No. 517, 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 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;

(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 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:

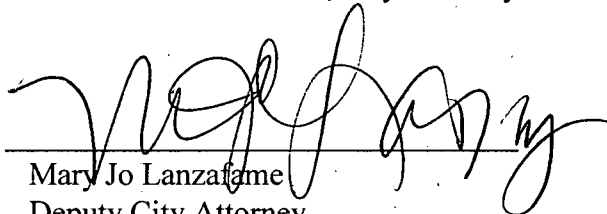
1. That the street vacation, as more particularly shown on Drawing No.00080-C and described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as

Document No. RR- 298419, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution with exhibits, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By


Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk
07/18/03
Or. Dept: DSD
Project No. 4955
WO: 360630
Drawing: 00080-C
R-2004-163
Form = sumv.frm

EXHIBIT "A"

STREET VACATION

APNos: 540-584-02, 541-251-03, 541-254-01, 541-254-02

Those portions of 'A' Street, Ash Street, 40th Street, 41st Street, the Alleys in Block 32, the Alleys in Block 33 and the Alley in Block 35, all within Marilou Park, in the City of San Diego, County of San Diego, State of California, according to Map thereof No 517, filed in the Office of the County Recorder of San Diego County, March 24, 1888, together with a portion of Federal Blvd as described in Relinquishment of Frontage Road from the State of California to the City of San Diego recorded on August 23, 1957 as Document No. 116620, in Book 6692, Page 212 of official Records of said County Recorder's Office, lying within that certain parcel of land more particularly described as follows:

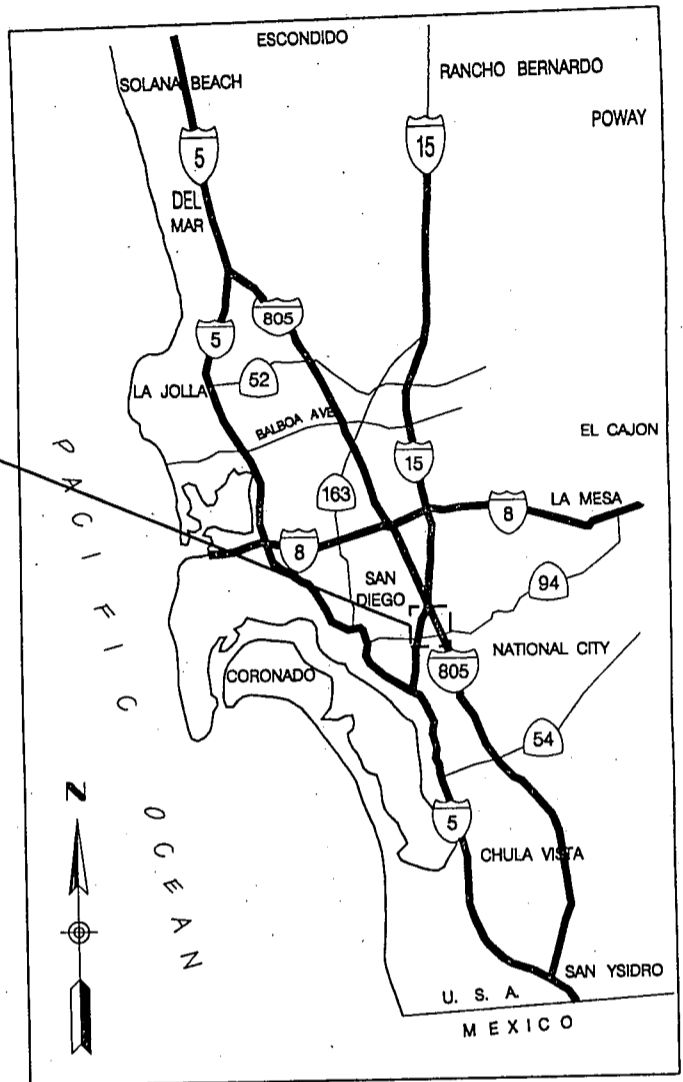
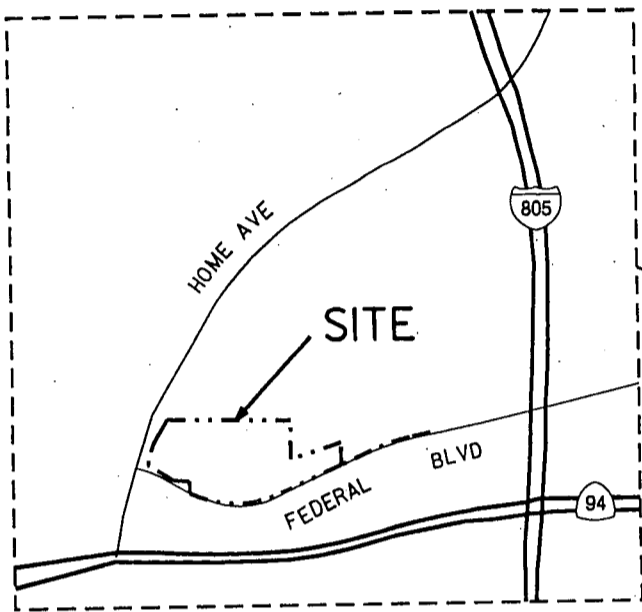
Beginning at a point, lying at the intersection of the centerline of A Street and the Easterly subdivision boundary of said Map No. 517; Thence along said Easterly subdivision boundary, South 1°04'06" West 122.36 feet to an intersection with the Northerly Right of way line of the Federal Boulevard Relinquishment to the City of San Diego as described in Document Recorded on 7/29/1974 in File/Page 74-202932 of Official Records, and as shown on State Highway Map No. 139 on file in the office of said County Recorder; Thence continuing along said Northerly line the following courses, South 65°10'16" West 355.48 feet to the beginning of a curve, concave Northerly, having a radius of 570.00 feet; Thence Westerly along the arc of said curve 507.22 feet through a central angle of 50°59'06"; Thence North 63°50'38" West 253.96 feet to an intersection with the Southerly prolongation of a course which bears North 9°03'28" East as described in the Relinquishment of Frontage Road from the State of California via the California Commission to the City of San Diego per Document No. 116620 recorded on 8/23/1957, in book 6692 page 212 of Official Records; Thence along said line, North 9°03'28" East 67.97 feet to the beginning of a curve, concave Easterly, having a radius of 380.00 feet; Thence Northerly along the arc of said curve 148.02 feet through a central angle of 22°19'04"; Thence continuing along said line, North 31°22'32" East 94.03 feet to an intersection with the Westerly prolongation of the Alley centerline of said Block 33; Thence leaving said Relinquishment line, South 89°08'22" East 664.98 feet along said Westerly prolongation, and along the Alley centerline of said Block 33 to an intersection with centerline of 41st Street; Thence along said centerline, South 1°01'39" West 210.74 feet to an intersection with the centerline of A Street; Thence along said centerline, North 71°49'36" East 286.15 feet to the Point of Beginning.

See City of San Diego Drawing 00080-C.

Frederick R. LePage 11/15/2003
Frederick R. LePage PLS 7524 Date
Asst. Land Surveyor, Field Engineering
My Registration Expires 12/31/2003
File: 360630_strvac.wpd W.O. 360630 - 1/8/2003



DOCUMENT NO. RR-298419
FILED SEP 23 2003
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



VICINITY MAP
NO SCALE

REFERENCES

MAP Nos. 517, 11840

STATE HIGHWAY MAP No. 139

CITY OF SAN DIEGO TIE POINT BOOK 19
PAGE 25

CITY OF SAN DIEGO SURVEY FIELD NOTES BY
MUNYER, 5/29/01, W.O. 360630, LC
202-1734

OWNER

CITY OF SAN DIEGO

ASSESSOR PARCEL Nos.

540-584-02, 541-251-03, 541-254-01, 541-254-02

BASIS OF BEARINGS

FOR THIS DRAWING IS FROM GPS 0172 AND GPS 1160 AS SHOWN
ON RECORD OF SURVEY MAP No. 14492, FILED IN THE OFFICE OF
THE COUNTY RECORDER OF SAN DIEGO COUNTY.
BOTH GPS STATIONS BEING NAD 83 FEET, ZONE 6, (EPOCH 91.35)

Bearing N55° 47'28"E

PREPARED BY:

CITY OF SAN DIEGO ENGINEERING & CAPITAL
PROJECTS DEPT., FIELD DIVISION - LAND
SURVEY SECTION, UNDER THE DIRECTION OF
FREDERICK R. LoPAGE, ASST. LAND SURVEYOR.



Frederick R. LoPage 1/15/2003
FREDERICK R. LoPAGE P.L.S. 7524 DATE

RESOLUTION No. 1 _____
F/P: _____

ADOPTED: _____
RECORDED: _____

STREET VACATION--PORTIONS OF: 'A', ASH, 40TH, 41st STREETS, FEDERAL BLVD AND
THE UN-NAMED ALLEYS IN BLOCKS 32,33 & 35 NORTHERLY OF FEDERAL BLVD, EAST OF,
AND AT HOME AVE, ALL WITHIN MARILOU PARK, MAP No. 517

DESCRIPTION	BY	APPD	DATE	FILMED
ORIGINAL	FRL	LEC		

CITY OF SAN DIEGO, CALIFORNIA
SHEET 1 OF 3 SHEET
FOR CITY ENGINEER _____ DATE _____

W.O. 360630
1842-1697
NAD 83 COORDINATES
202-1735
NAD 27 COORDINATES

STATUS




00080-I-C

R-298419



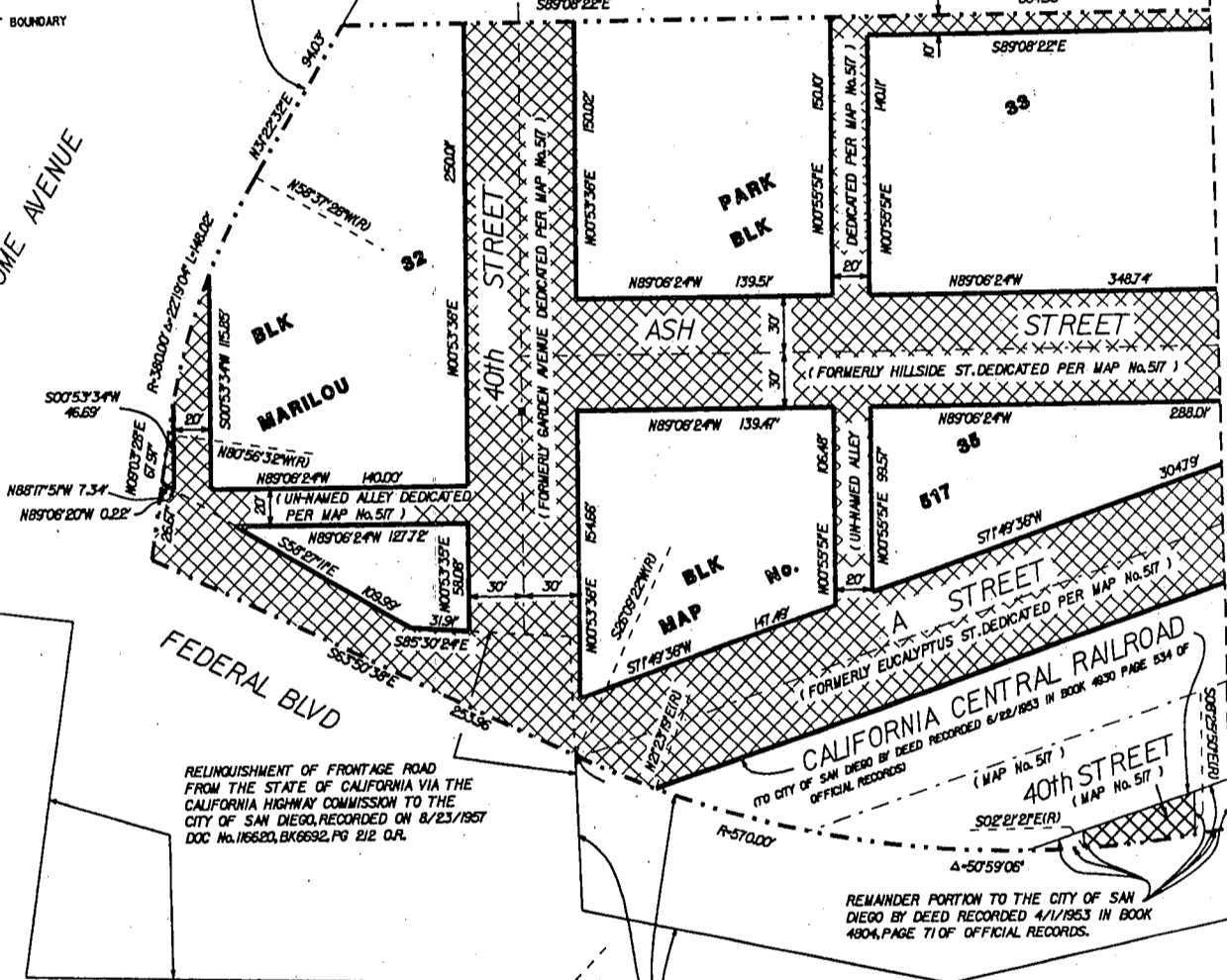
SCALE 1" = 60'
 MAPPING ANGLE = -0°28'24.49"
 STATION: OPS 172 (RDS 14492)

LEGEND

-  STREET VACATION
-  P.O.B. POINT OF BEGINNING
-  PROJECT BOUNDARY

RELINQUISHMENT OF FRONTAGE ROAD FROM THE STATE OF CALIFORNIA VIA THE CALIFORNIA HIGHWAY COMMISSION TO THE CITY OF SAN DIEGO, RECORDED ON 8/23/1957 DOC No. 116620, BK 6692, PG 212 O.R.

HOME AVENUE



RELINQUISHMENT OF FRONTAGE ROAD FROM THE STATE OF CALIFORNIA VIA THE CALIFORNIA HIGHWAY COMMISSION TO THE CITY OF SAN DIEGO, RECORDED ON 8/23/1957 DOC No. 116620, BK 6692, PG 212 O.R.

REMANINDER PORTION TO THE CITY OF SAN DIEGO BY DEED RECORDED 6/22/1953 IN BOOK 4930 PAGE 634 OF OFFICIAL RECORDS.

RELINQUISHMENT OF HIGHWAY RIGHT OF WAY BY THE CALIFORNIA HIGHWAY COMMISSION TO THE CITY OF SAN DIEGO, RECORDED ON 7/29/74, F/P 74-202932 OF O.R. AS SHOWN ON STATE HIGHWAY MAP No. 139.

MATCHLINE SEE SHEET 3 OF 3

STATE ROUTE 94
 MS 748

PREPARED BY:

CITY OF SAN DIEGO ENGINEERING & CAPITAL PROJECTS DEPT., FIELD DIVISION - LAND SURVEY SECTION, UNDER THE DIRECTION OF FREDERICK R. LoPAGe, ASST. LAND SURVEYOR.



Frederick R. LoPAGe 1/15/2003
 FREDERICK R. LoPAGe, P.L.S. 7524 DATE

RESOLUTION No. _____ ADOPTED: _____
 F/P: _____ RECORDED: _____

STREET VACATION-PORTIONS OF: 'A', ASH, 40th, 41st STREETS, FEDERAL BLVD AND THE UN-NAMED ALLEYS IN BLOCKS 32, 33 & 35 NORTHERLY OF FEDERAL BLVD, EAST OF, AND AT HOME AVE, ALL WITHIN MARILOU PARK, MAP No. 517

DESCRIPTION	BY	APPD	DATE FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O.
ORIGINAL	FRL	LEC		SHEET 2 OF 3 SHEET	360630
				FOR CITY ENGINEER	DATE
				STATUS	1842-1697 NAD 83 COORDINATES 202-1735 NAD 27 COORDINATES 00080-2-C

R-298419

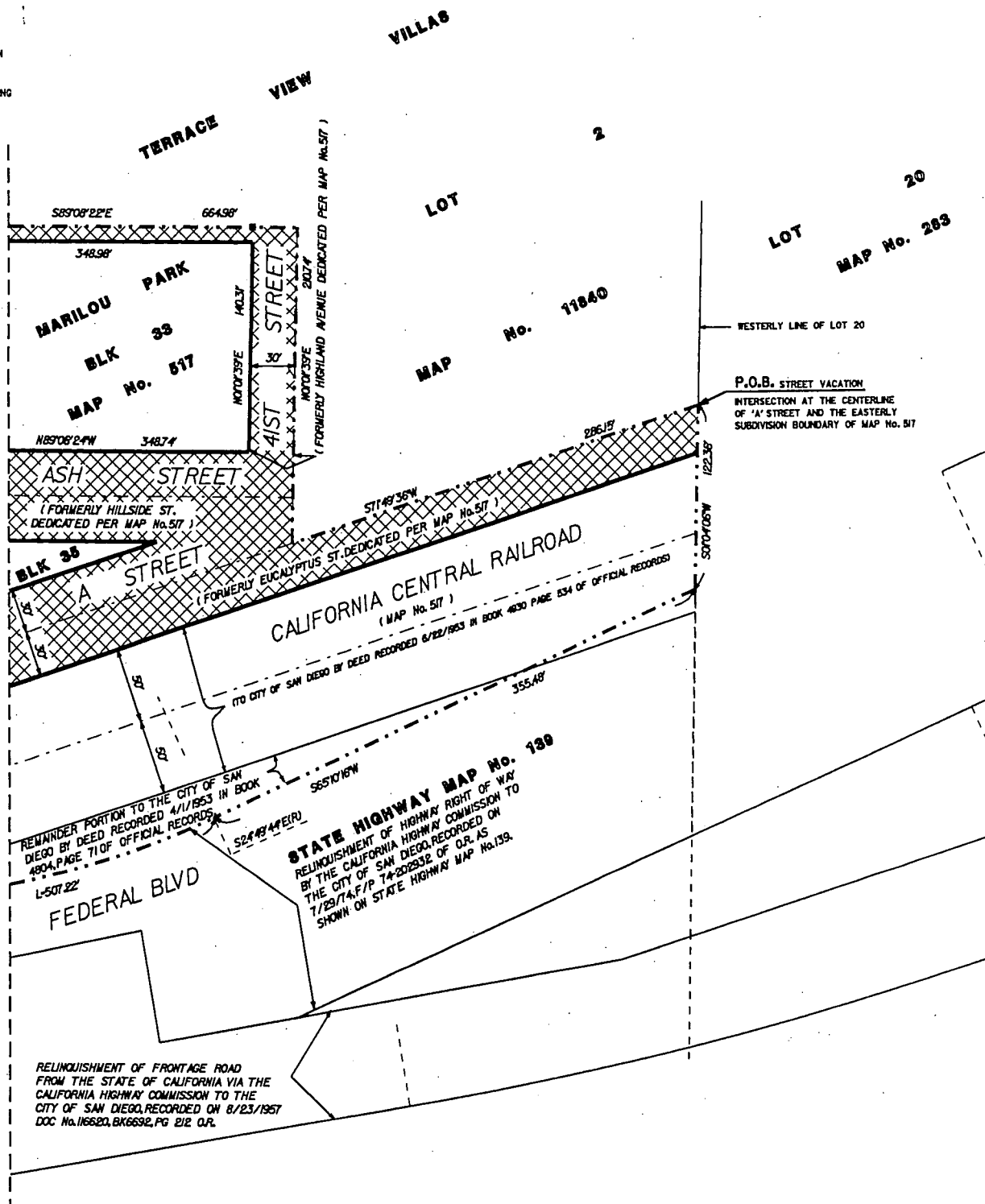


SCALE 1" = 50'
 MAPPING ANGLE = -0°28'24.49"
 STATION: GPS 172 (RDS 14492)

LEGEND

-  STREET VACATION
- P.O.B.** POINT OF BEGINNING

MATCHLINE SEE SHEET 2 OF 3



STATE ROUTE 94
 MS 748

PREPARED BY:

CITY OF SAN DIEGO ENGINEERING & CAPITAL PROJECTS DEPT., FIELD DIVISION - LAND SURVEY SECTION, UNDER THE DIRECTION OF FREDERICK R. LoPAGe, ASST. LAND SURVEYOR.
Frederick R. LoPAGe 11/15/2003
 FREDERICK R. LoPAGe P.L.S. 7524 DATE



STREET VACATION-PORTIONS OF: 'A', ASH, 40TH, 41st STREETS, FEDERAL BLVD AND THE UN-NAMED ALLEYS IN BLOCKS 32,33 & 35 NORTHERLY OF FEDERAL BLVD, EAST OF, AND AT HOME AVE, ALL WITHIN MARILOU PARK, MAP No. 517

DESCRIPTION	BY	APPD	DATE FILMED
ORIGINAL	FRL	LEC	

CITY OF SAN DIEGO, CALIFORNIA
 SHEET 3 OF 3 SHEET
 FOR CITY ENGINEER _____ DATE _____

W.O. 360630
 1842-1697
 NAD 83 COORDINATES
 202-1735
 NAD 27 COORDINATES
 00080-3-C

RESOLUTION No. _____ ADOPTED: _____
 F/P: _____ RECORDED: _____

STATUS

R-298419