

RESOLUTION NUMBER R- 298574

ADOPTED ON NOV 03 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 portions of Riley Street, Pine Street, Fort Stockton Drive, Cherry Street, Custer Street, Greenwood Street, Morgan Street (formerly Adams Street), and unnamed alleys in Block 1 of Map 569, to unencumber this property and 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; 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; NOW, THEREFORE,

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

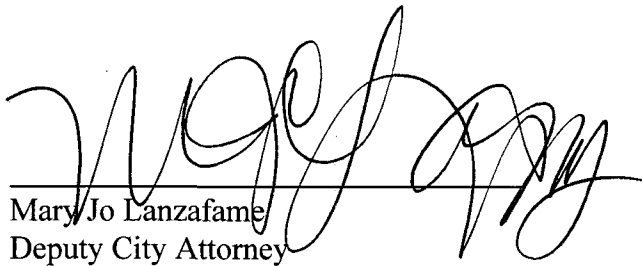
1. That portions of Riley Street, Pine Street, Fort Stockton Drive, Cherry Street, Custer Street, Greenwood Street, Morgan Street (formerly Adams Street), and unnamed alleys in Block

1 of Map 569, as more particularly shown on Drawing Nos. 20120-1-B, 20120-2-B, and 20120-3-B, and described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as Document No. RR- 298574, which are by this reference incorporated herein and made a part hereof, are ordered vacated.

2. That the City Clerk shall then cause a certified copy of this resolution with Drawing Nos. 20120-1-B, 20120-2-B, 20120-3-B, and Exhibit "A", 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
09/10/03
Or.Dept:DSD
R-2004-286
Form=sumv.frm

LEGAL DESCRIPTION - STREET & ALLEY VACATION

ALL THOSE PORTIONS OF THE UN-NAMED ALLEYS WITHIN BLOCK 1, OF VERNON PARK ACCORDING TO THE MAP THEREOF NO. 569 FILED ON MARCH 12, 1915 IN THE OFFICE OF COUNTY RECORDER IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA LYING SOUTHERLY OF THE NORTHERLY LINE OF SAN DIEGO RIVER FLOOD CONTROL CHANNEL AS SHOWN ON CITY OF SAN DIEGO ALLEY VACATION CLOSING 891 FILED FEBRUARY 13, 1958 AS CITY CLERK'S DOCUMENT 567200.

TOGETHER WITH THOSE PORTIONS OF PINE STREET, RILEY STREET, FORT STOCKTON DRIVE, CHERRY STREET AND GREENWOOD STREET, ALL BEING A PART OF OLD SAN DIEGO, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF MADE BY JAMES PASCOE IN 1870, A COPY OF WHICH SAID MAP WAS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 12, 1921, AND IS KNOWN AS MISCELLANEOUS MAP NO. 40, TOGETHER WITH THOSE PORTIONS OF MORGAN STREET (FORMERLY ADAMS AND FORMERLY ALLEN) AND CUSTER STREET (FORMERLY MONROE) OF VERNON PARK ACCORDING TO THE MAP THEREOF NO. 569 FILED ON MARCH 12, 1915 IN THE OFFICE OF COUNTY RECORDER IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, TOGETHER WITH THOSE PORTIONS OF OLD MORENA BOULEVARD AS SHOWN ON CITY OF SAN DIEGO DRAWING 10991-2-D, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE EASTERLY TERMINUS OF COURSE 52 (NORTH 87°02'00" EAST, 365.10 FEET) OF THE MTDB RIGHT OF WAY DESCRIBED IN DOCUMENT RECORDED JUNE 30, 1999 AS DOCUMENT NO. 1999-457570 OF OFFICIAL RECORDS THENCE ALONG SAID MTDB RIGHT OF WAY NORTH 02°59'10" WEST, 12.00 FEET (NORTH 02°58'00" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);

THENCE NORTH 87°00'50" EAST, 16.95 FEET (NORTH 87°02'00" EAST PER DOCUMENT 1999-0457570) TO THE CENTERLINE OF SAID CHERRY STREET ACCORDING TO MISCELLANEOUS MAP NO. 40;

THENCE LEAVING SAID MTDB RIGHT OF WAY AND ALONG SAID CENTERLINE OF CHERRY STREET SOUTH 53°24'25" EAST, 58.56 FEET TO THE NORTHERLY LINE OF FRIARS ROAD AS SHOWN ON CITY OF SAN DIEGO STREET DEDICATION DRAWING 12991-7-D ON FILE AT THE ENGINEERING MAPS AND RECORDS DEPARTMENT AT SAID CITY;

THENCE ALONG SAID NORTHERLY LINE SOUTH 71°24'41" WEST, 115.47 FEET (SOUTH 71°25'40" WEST PER SAID DRAWING 12991-7-D) TO THE BEGINNING OF A TANGENT 2445.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY;

THENCE CONTINUING ALONG SAID NORTHERLY LINE, WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°20'53", A DISTANCE OF

EXHIBIT A

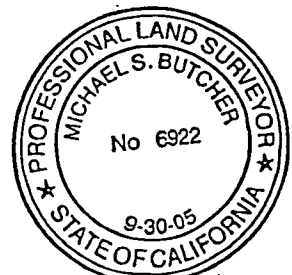
484.26 FEET (RECORD PER CITY OF SAN DIEGO STREET DEDICATION DRAWING 13351-7-D);
THENCE CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 82°45'34" WEST, 432.14 FEET (SOUTH 82°46'33" WEST 432.15 FEET PER SAID DRAWING 13351-7-D) TO THE BEGINNING OF A TANGENT 4945.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY;
THENCE CONTINUING ALONG SAID NORTHERLY LINE, WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°28'06", A DISTANCE OF 299.34 FEET (RECORD PER SAID DRAWING 13351-7-D);
THENCE CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 86°13'40" WEST, 45.14 FEET (SOUTH 86°14'39" WEST PER SAID DRAWING 13351-7-D) TO AN INTERSECTION WITH THE MTDB RIGHT OF WAY DESCRIBED IN DOCUMENT RECORDED JUNE 30, 1999 AS DOCUMENT NO. 1999-457570 OF OFFICIAL RECORDS;
THENCE LEAVING SAID NORTHERLY LINE OF FRIARS ROAD, ALONG SAID MTDB RIGHT OF WAY NORTH 30°45'10" WEST, 6.62 FEET (NORTH 30°44'00" WEST, 6.74 FEET PER DOCUMENT 1999-457570 OFFICIAL RECORDS) TO A POINT ON A NON TANGENT 792.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 30°45'10" WEST (NORTH 30°44'00" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTHEASTERLY ALONG SAID MTDB RIGHT OF WAY AND ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°45'00", A DISTANCE OF 65.66 FEET;
THENCE SOUTH 26°00'10" EAST, 10.00 FEET (SOUTH 25°59'10" EAST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS) TO A POINT ON THE ARC OF A NON TANGENT 782.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 26°00'10" WEST (NORTH 25°59'00" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°10'00", A DISTANCE OF 43.22 FEET;
THENCE NORTH 22°50'10" WEST (NORTH 22°49'00" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS) 10.00 FEET TO A POINT ON THE ARC OF A NON TANGENT 792.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, A RADIAL TO SAID POINT BEARS NORTH 22°50'10" WEST (NORTH 22°49'00" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°29'00", A DISTANCE OF 61.97 FEET;
THENCE SOUTH 18°21'10" EAST, 7.50 FEET (SOUTH 18°20'00" EAST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTH 68°40'12" EAST, 20.50 FEET (NORTH 68°41'22" EAST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTH 19°02'15" WEST, 6.50 FEET (19°01'05" WEST PER DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
THENCE NORTH 69°55'50" EAST, 262.00 FEET (NORTH 69°57'00" EAST PER

EXHIBIT A

DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 72°44'57" EAST, 135.27 FEET (NORTH 72°46'07" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 78°40'50" EAST, 46.00 FEET (NORTH 78°42'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 84°34'50" EAST, 16.18 FEET (NORTH 84°36'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE SOUTH 05°25'10" EAST, 1.60 FEET (SOUTH 05°24'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 84°34'50" EAST, 2.60 FEET (NORTH 84°36'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 05°25'10" WEST, 1.50 FEET (NORTH 05°24'00" WEST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 84°34'50" EAST, 56.70 FEET (NORTH 84°36'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE SOUTH 05°25'10" EAST, 5.70 FEET (SOUTH 05°24'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 84°34'50" EAST, 21.60 FEET (NORTH 84°36'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 05°25'10" WEST, 5.60 FEET (NORTH 05°24'00" WEST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 86°53'50" EAST, 95.10 FEET (NORTH 86°55'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE SOUTH 03°06'10" EAST, 41.30 FEET (SOUTH 03°05'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 86°53'50" EAST, 33.50 FEET (NORTH 86°55'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 03°06'10" WEST, 41.30 FEET (NORTH 03°05'00" WEST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 86°53'50" EAST, 107.01 FEET (NORTH 86°55'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE SOUTH 03°06'10" EAST, 10.00 FEET (SOUTH 03°05'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS);
 THENCE NORTH 87°00'50" EAST, 365.10 FEET (NORTH 87°02'00" EAST PER
 DOCUMENT NO. 1999-457570 OFFICIAL RECORDS) TO THE POINT OF BEGINNING.

THIS PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY
 DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS
 ACT.

Michael S. Butcher 9/15/03
 MICHAEL S. BUTCHER, PLS 6922 DATE



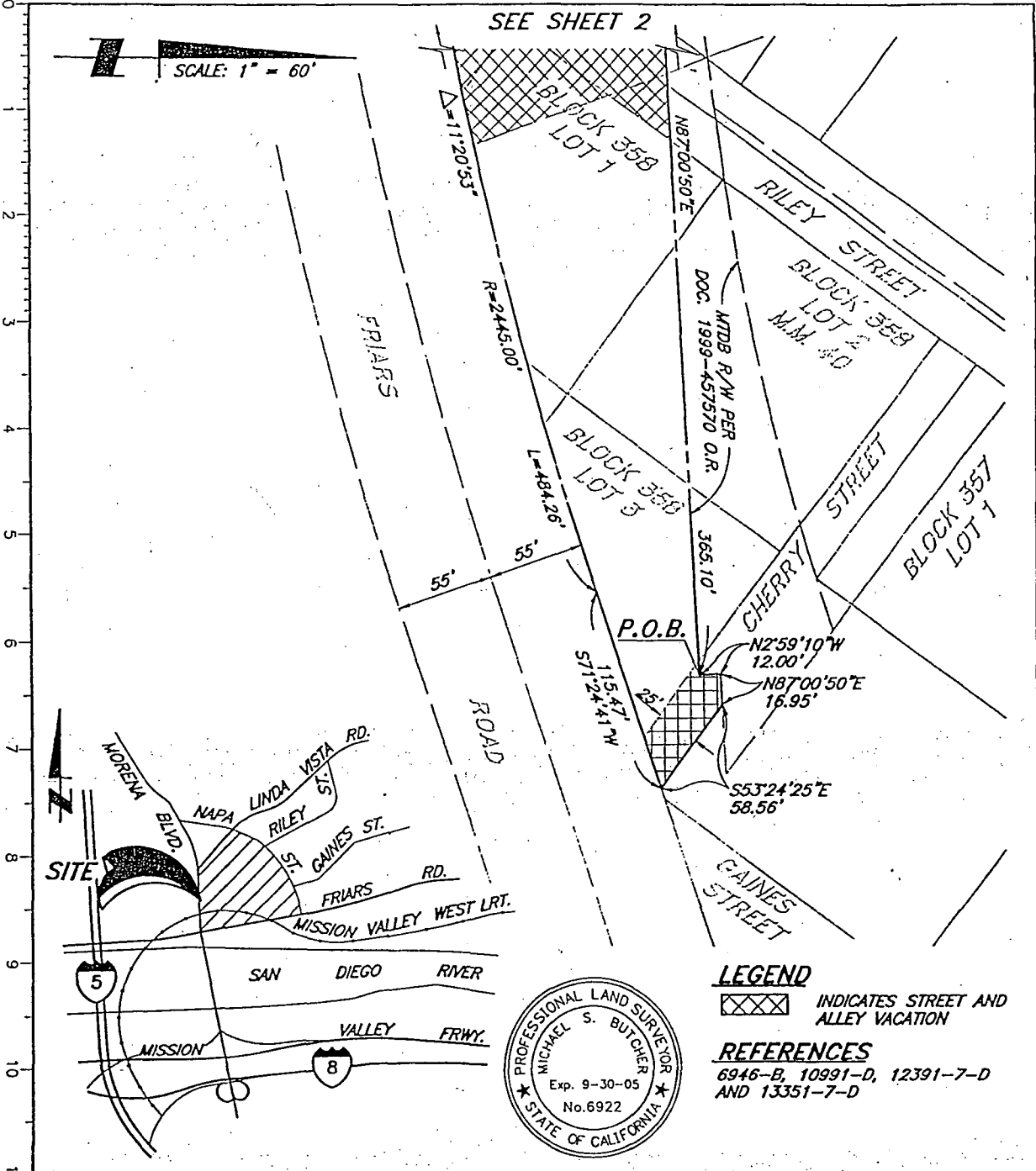
W.O. 42-1249
 Dwg. No. 20120-B

2298574

EXHIBIT B

SEE SHEET 2

SCALE: 1" = 60'



LEGEND

INDICATES STREET AND ALLEY VACATION

REFERENCES

6946-B, 10991-D, 12391-7-D AND 13351-7-D

SB & O
 PLANNING DESIGN CONSULTATION
 Land Planning
 Civil Engineering
 Land Surveying
 MICHAEL S. BUTCHER L.S. 6922 DATE 9/16/03
 SB&O, Inc.
 3615 Kearny Villa Road, Suite 201
 San Diego, California 92123 (858)560-1141

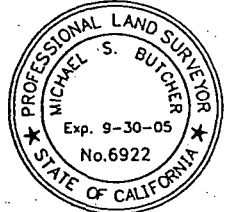
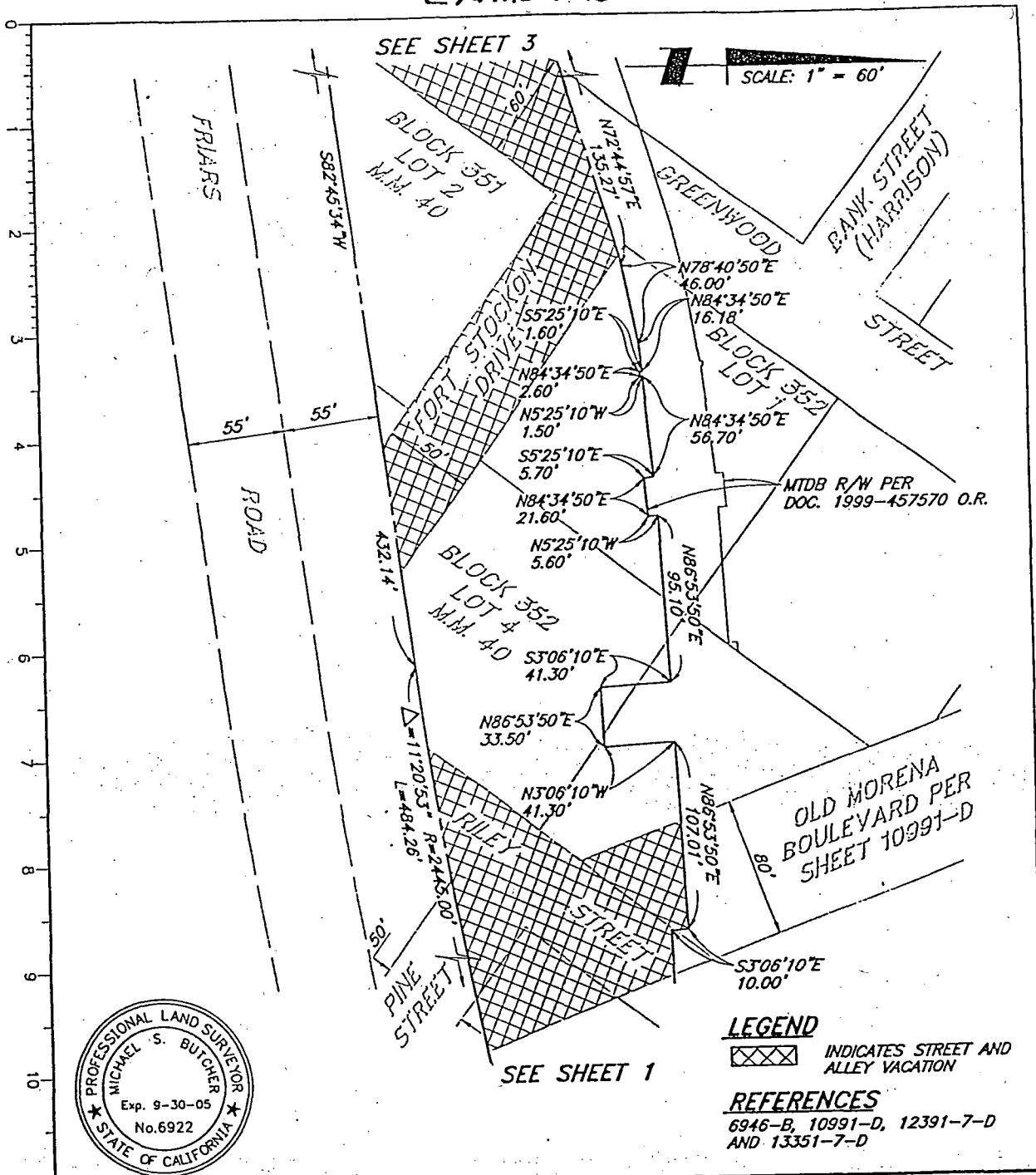
STREET VACATION

PORTIONS OF PINE STREET, RILEY STREET, FORT STOCKTON DRIVE, CHERRY STREET, GREENWOOD STREET OF OLD SAN DIEGO MISC. MAP 40 AND PORTIONS OF MORGAN STREET (FORMERLY ADAMS AND ALLEN), CUSTER STREET (FORMERLY MONROE), UN-NAMED ALLEYS WITHIN BLOCK 1 OF VERNON PARK MAP 569 AND A PORTION OF OLD MORENA BOULEVARD

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 3 SHEET	42-1249
					<i>Michael S. Butcher</i> FOR CITY ENGINEER	1848-6267 NAD 83
					9-16-03 DATE	218-1707 LAMBERT COORDINATES
						20120-1-B

R 298574

EXHIBIT B



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 INDICATES STREET AND ALLEY VACATION

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 6946-B, 10991-D, 12391-7-D
 AND 13351-7-D

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ORIGINAL					SHEET 2 OF 3 SHEET	42-1249
					<i>Lee Hennes</i> 9-16-03 FOR CITY ENGINEER DATE	1848-6267 NAD 83
						218-1707 LAMBERT COORDINATES
						20120-2-B

R-298574

EXHIBIT B

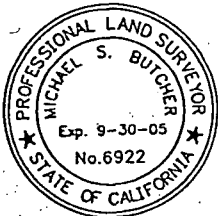
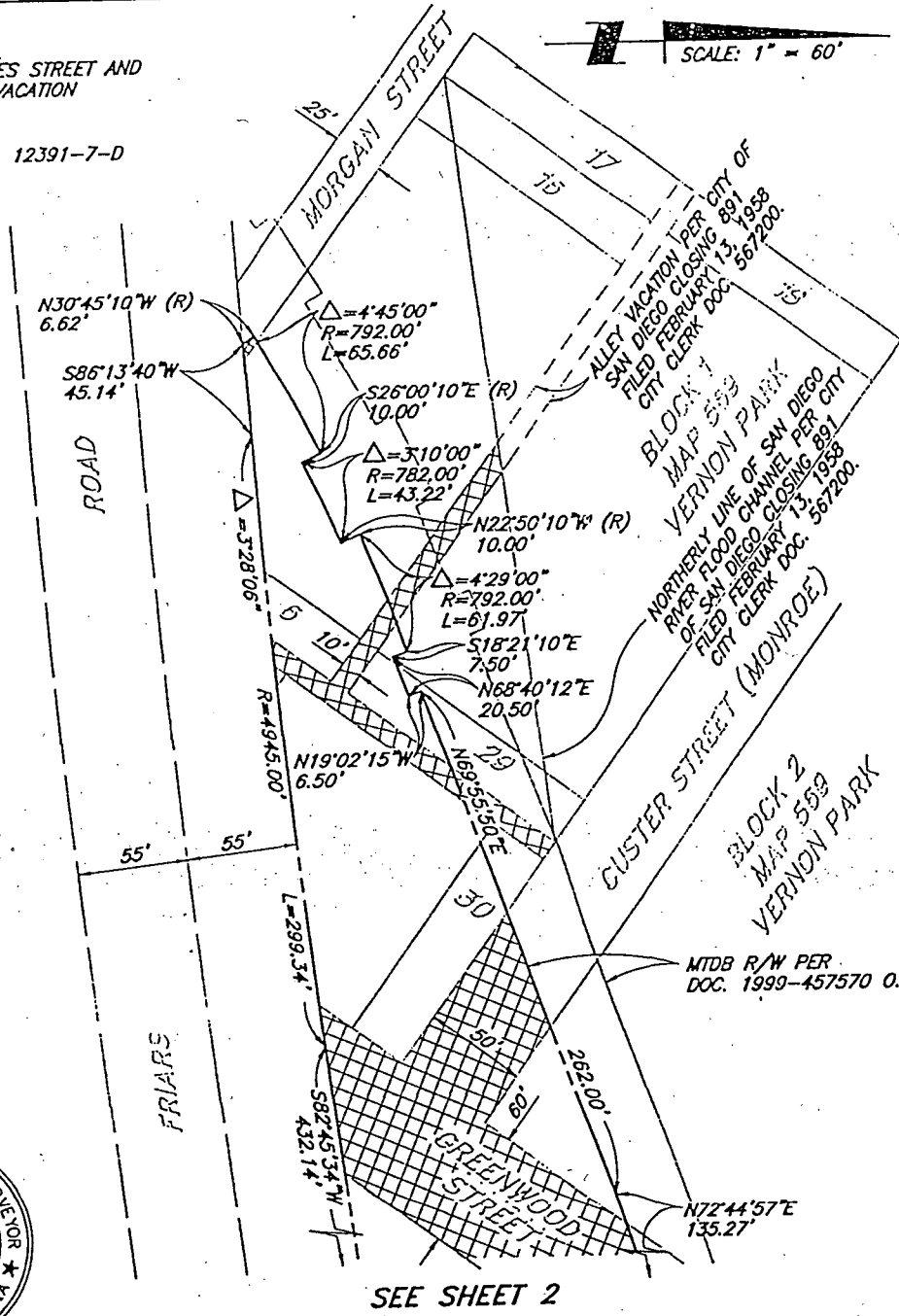
LEGEND

 INDICATES STREET AND ALLEY VACATION

REFERENCES

6946-B, 10991-D, 12391-7-D
AND 13351-7-D

SCALE: 1" = 60'



SB & O
PLANNING DESIGN CONSULTATION
Land Planning
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Land Surveying
Michael S. Butcher 9/16/03
MICHAEL S. BUTCHER L.S. 6922 DATE
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ORIGINAL					SHEET 3 OF 3 SHEET	42-1249
					<i>L. Hennes</i> 9-16-03 FOR CITY ENGINEER DATE	1848-6267 NAD 83
						218-1707 LAMBERT COORDINATES
						20120-3-B

R-298574