

RESOLUTION NUMBER R- 299702

ADOPTED ON SEP 28 2004

WHEREAS, California Streets and Highways Code section 8330 et seq. 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 Murphy Canyon Road, to unencumber this property and facilitate development of the site as conditioned in approved Planned Development Permit No. 56270 and Site Development Permit No. 56271; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the purpose for which it was originally acquired, or for any other public use of a like nature that can be anticipated; and
- (b) the public will benefit from the vacation through improved utilization of land; and
- (c) the vacation is consistent 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 street vacation easement located within Kearny Mesa Community Plan area in connection with Planned Development Permit No. 56270 and Site Development Permit No. 56271, as more particularly described in the legal description marked as Exhibit "A," and shown

on Drawing No. 20029-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 299702-1, and RR-299702-2, which are by this reference incorporated herein and made a part hereof, is ordered vacated reserving therefrom a street easement for site development together with ingress and egress for that purpose.

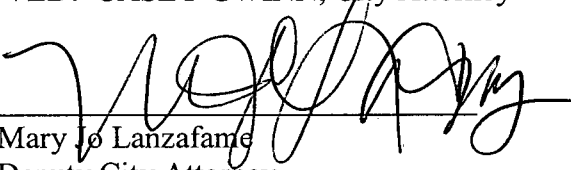
2. That said street vacation is conditioned upon approval and issuance of Planned Development Permit No. 52670/Site Development Permit No. 56277. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned condition and the City Clerk shall 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.

4. That the City Clerk shall 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


Mary Jo Lanzafame
Deputy City Attorney

MJL:cfq
07/27/2004
Or.Dept:DSD
R-2005-138

EXHIBIT "A"
LEGAL DESCRIPTION
STREET VACATION

A PORTION OF THE LAND IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RELINQUISHED TO THE CITY OF SAN DIEGO BY THE CALIFORNIA TRANSPORTATION COMMISSION ON OCTOBER 8, 1981, RECORDED AS FILE/PAGE NO. 81-320297 OF OFFICIAL RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, INCLUDING 60 FOOT WIDE MURPHY CANYON ROAD VACATED, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF PARCEL MAP NO. 18494 AS RECORDED ON JUNE 23, 2000 PER FILE NO. 2000-333382; THENCE NORTH 61°19'53" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL MAP A DISTANCE OF 60.00 FEET TO A POINT AT THE CORNER OF THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 15, SAID POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 1,030.00 FEET, A RADIAL LINE TO SAID CURVE BEARING NORTH 61°19'53" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 12°40'20" A DISTANCE OF 227.81 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 610.00 FEET, A RADIAL LINE TO SAID POINT BEARING NORTH 74°00'13" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 11°12'03" A DISTANCE OF 119.25 FEET; THENCE SOUTH 04°47'44" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 332.22 FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 85°12'16" WEST A DISTANCE OF 14.50 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 546.00 FEET BEING CONCENTRIC WITH AND 92.00 FEET MEASURED PERPENDICULARLY FROM THE EASTERLY LINE OF LOT 10 OF MAP NO. 13072 AS RECORDED ON NOVEMBER 23, 1993 PER FILE NO. 1993-0792013, A RADIAL LINE TO SAID POINT BEARING NORTH 63°30'02" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE (THIS AND THE NEXT TWO CALLS BEING CONCENTRIC WITH AND 92.00 FEET MEASURED PERPENDICULARLY FROM THE EASTERLY LINES OF LOTS 8 AND 10 OF SAID MAP NO. 13072) THROUGH A CENTRAL ANGLE OF 05°41'59" A DISTANCE OF 54.32 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 554.00 FEET, A RADIAL LINE TO SAID POINT BEARING SOUTH 57°48'03" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°22'42" A DISTANCE OF 148.70 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 746.00 FEET, A RADIAL LINE TO SAID POINT BEARING NORTH 73°11'03" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°50'35" A DISTANCE OF 37.02 FEET TO A POINT ON

DOCUMENT NO. RR-299702-1

FILED SEP 28 2004

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

THE NORTHWESTERLY LINE OF LOT 4 OF SAID MAP NO. 13072, SAID POINT LYING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 5,039.97 FEET, A RADIAL LINE TO SAID POINT BEARING SOUTH 83°54'34" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE AND THE NORTHEASTERLY LINE OF LOTS 4 AND 16 OF SAID MAP NO. 13072 THROUGH A CENTRAL ANGLE OF 03°28'37" A DISTANCE OF 305.85 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 970.00 FEET, A RADIAL LINE TO SAID POINT BEARING NORTH 68°25'17" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE AND THE NORTHEASTERLY LINE OF SAID LOT 16 THROUGH A CENTRAL ANGLE OF 7°05'24" A DISTANCE OF 120.03 FEET TO THE POINT OF BEGINNING;
CONTAINING 1.123 ACRES, MORE OR LESS

GENERAL UTILITY EASEMENT SET-ASIDE

BEGINNING AT THE MOST SOUTHERLY CORNER OF PARCEL MAP NO. 18494 AS RECORDED ON JUNE 23, 2000 PER FILE NO. 2000-333382; THENCE NORTH 61°19'53" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL MAP A DISTANCE OF 52.28 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF AN EXISTING DRAINAGE EASEMENT RECORDED ON MAY 31, 1974 AS FILE NO. 74-123130 OF OFFICIAL RECORDS; THENCE SOUTH 2°10'04" EAST ALONG SAID EASTERLY LINE A DISTANCE OF 133.78 FEET TO A POINT AT THE CORNER OF THE EASTERLY LINE OF LOT 16 PER MAP NO. 13072, SAID POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 970.00 FEET; A RADIAL LINE TO SAID POINT BEARING NORTH 68°25'17" EAST; THENCE NORTHWESTERLY ALONG SAID EASTERLY LINE OF LOT 16 THROUGH A CENTRAL ANGLE OF 07°05'24" A DISTANCE OF 120.03 FEET TO THE POINT OF BEGINNING; CONTAINING 0.068 ACRES, MORE OR LESS.

WATER EASEMENT SET-ASIDE

BEGINNING AT THE MOST SOUTHERLY CORNER OF PARCEL MAP NO. 18494 AS RECORDED ON JUNE 23, 2000 PER FILE NO. 2000-333382; THENCE NORTH 61°19'53" EAST ALONG THE SOUTHERLY LINE OF SAID PARCEL MAP A DISTANCE OF 60.00 FEET TO A POINT AT THE CORNER OF THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 15, SAID POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 1,030.00 FEET, A RADIAL LINE TO SAID CURVE BEARING NORTH 61°19'53" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 12°40'20" A DISTANCE OF 227.81 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 610.00 FEET, A RADIAL LINE TO SAID POINT BEARING NORTH 74°00'13" EAST; THENCE SOUTHERLY ALONG SAID CURVE AND RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 11°12'03" A DISTANCE OF 119.25

FEET; THENCE SOUTH 04°47'44" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 332.22 FEET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 85°12'16" WEST A DISTANCE OF 14.50 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY WITH A RADIUS OF 546.00 FEET BEING CONCENTRIC WITH AND 92.00 FEET MEASURED PERPENDICULARLY FROM THE EASTERLY LINE OF LOT 10 OF MAP NO. 13072 AS RECORDED ON NOVEMBER 23, 1993 PER FILE NO. 1993-0792013, A RADIAL LINE TO SAID POINT BEARING NORTH 63°30'02" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE (THIS AND THE NEXT TWO CALLS BEING CONCENTRIC WITH AND 92.00 FEET MEASURED PERPENDICULARLY FROM THE EASTERLY LINE OF LOT 10 OF SAID MAP NO. 13072) THROUGH A CENTRAL ANGLE OF 05°41'59" A DISTANCE OF 54.32 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 554.00 FEET, A RADIAL LINE TO SAID POINT BEARING SOUTH 57°48'03" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°25'14" A DISTANCE OF 33.07 FEET TO THE TRUE POINT OF BEGINNING, A RADIAL LINE TO SAID POINT BEARING SOUTH 61°13'17" WEST; THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°58'07" A DISTANCE OF 48.04 FEET; THENCE NORTH 64°18'47" EAST A DISTANCE OF 19.64 FEET; THENCE SOUTH 25°49'34" EAST A DISTANCE OF 47.98 FEET; THENCE SOUTH 64°10'26" WEST A DISTANCE OF 19.24 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 0.022 ACRES, MORE OR LESS.

Thomas M. Henry 6/2/04
THOMAS M. HENRY, RCE 24760 DATE
REGISTRATION EXPIRES DECEMBER 31, 2005

W.O. # 120102
DWG. # 20029-B



835-03-07
April 30, 2004
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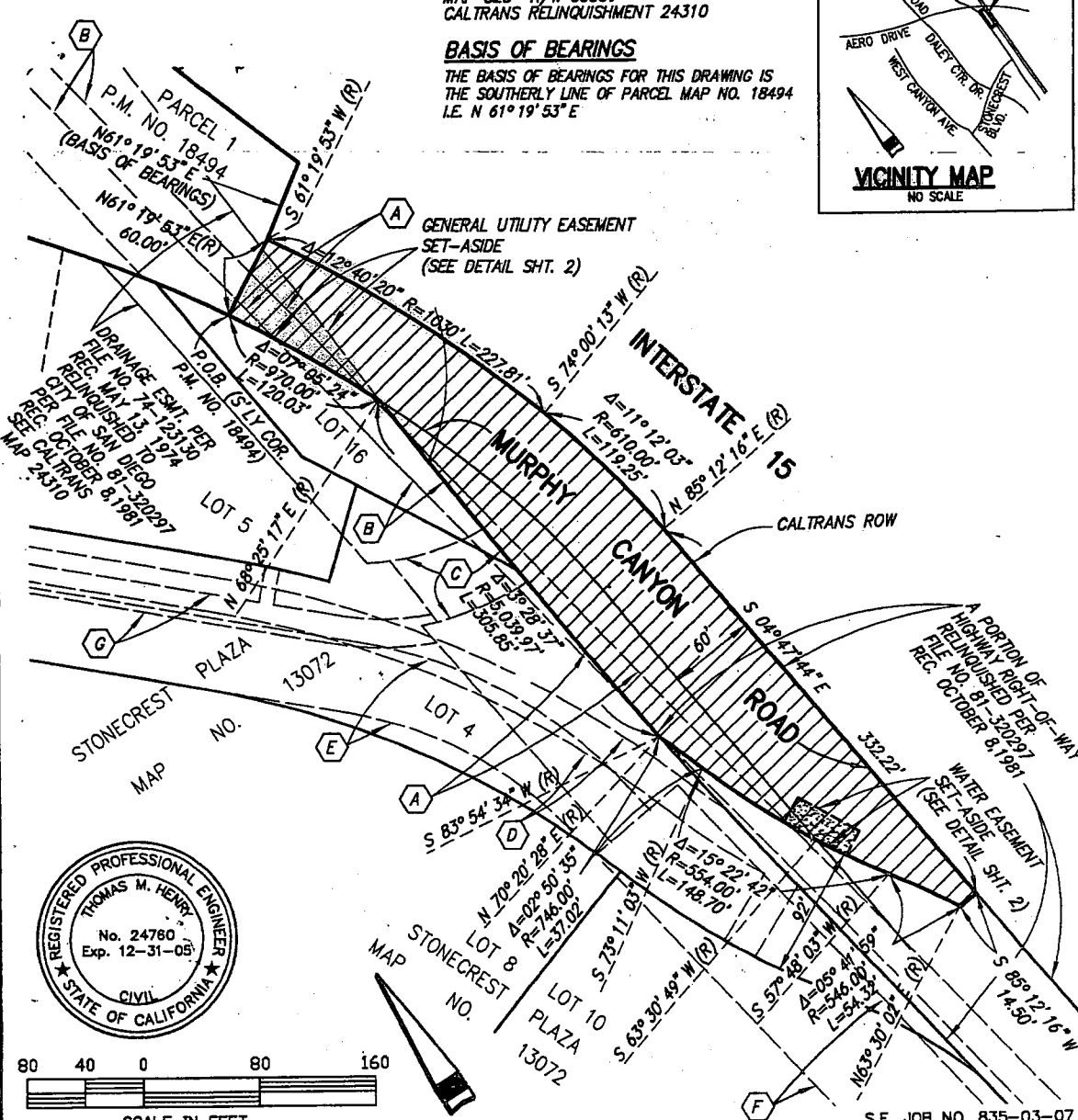
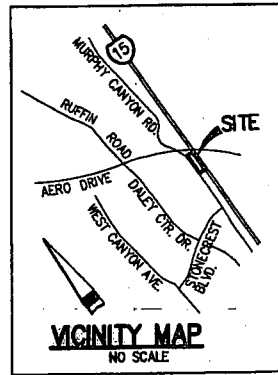
SEE LEGEND SHEET 2

REFERENCE DRAWINGS

29544-D 27254-D 12488-D 12396-D
 10841-B 20029-B MAP 826 MAP 13072
 MAP 825 R/W 55539
 CALTRANS RELINQUISHMENT 24310

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS
 THE SOUTHERLY LINE OF PARCEL MAP NO. 18494
 I.E. N 61° 19' 53" E




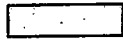
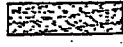







SE CIVIL ENGINEERING/SURVEYING/PLANNING
STUART ENGINEERING
 7525 METROPOLITAN DR., STE. 308
 SAN DIEGO, CALIFORNIA 92108
 (619) 296-1010
 FAX (619) 296-9276
Thomas M. Henry 6/2/04
 THOMAS M. HENRY R.G.E. 24760 DATE
 REGISTRATION EXPIRES: 12-31-05

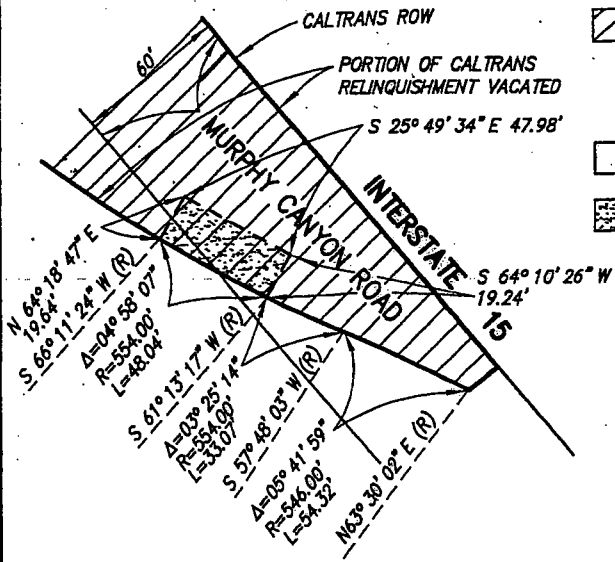
STREET VACATION - PORTION OF CALTRANS RELINQUISHMENT INCLUDING A PORTION OF "MURPHY CANYON ROAD" SOUTH OF AERO DRIVE

| DESCRIPTION | BY | APPROVED | DATE | FILED | CITY OF SAN DIEGO, CALIFORNIA | W.O. NO. |
|-------------|----|----------|------|-------|-------------------------------|---------------------|
| ORIGINAL | SE | | | | SHEET 1 OF 2 SHEETS | 422206 |
| | | | | | <i>Thomas M. Henry</i> | 1874-1694 |
| | | | | | FOR CITY ENGINEER | CCS83 |
| | | | | | 6/2/04 | 234-1734 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 20029-1-B |

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 FILED SEP 28 2004
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 SAN DIEGO, CALIFORNIA

LEGEND

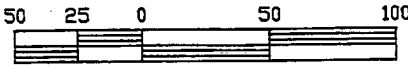
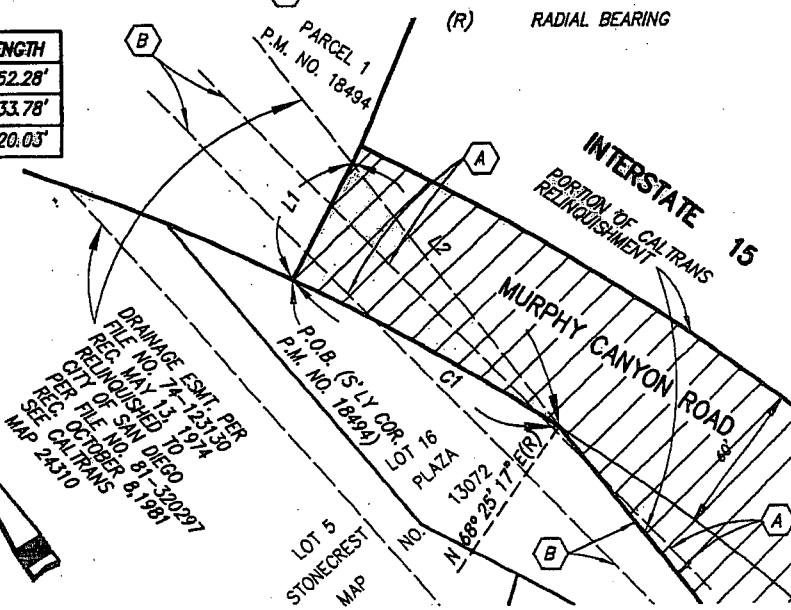
-  DENOTES PORTION OF CALTRANS RELINQUISHMENT TO THE CITY OF SAN DIEGO PER DOC. REC. 10/8/1981 F/P 81-320297 O.R. (SEE CALTRANS R/W MAP NO. 55539 AND RELINQUISHMENT MAP NO. 24310), VACATED. CONTAINS 1.123 ACRES
-  DENOTES GENERAL UTILITY EASEMENT SET-ASIDE (2,980 SQ. FT.-0.068 AC.)
-  DENOTES WATER EASEMENT SET-ASIDE (951 SQ. FT.-0.022 AC.)
-  DENOTES UTILITY EASEMENT PER FILE NO. 79-040646, REC. 1-2-1979, O.R. GRANTOR-DALEY CORPORATION, GRANTEE-SDG&E
-  DENOTES UTILITY EASEMENT PER FILE NO. 80-114124, REC. 4-3-1980, O.R. GRANTOR-CITY OF SAN DIEGO, GRANTEE-SDG&E
-  DENOTES DRAINAGE EASEMENT PER FILE NO. 95-0208872, REC. 5-18-1995, O.R.
-  DENOTES WATER EASEMENT PER FILE NO. 2000-0638325, REC. 11-22-2000, O.R.
-  DENOTES SEWER EASEMENT PER FILE NO. 1995-0208872, REC. 5-18-1995, O.R.
-  DENOTES SEWER AND DRAINAGE EASEMENT PER FILE NO. 1995-0208872, REC. 5-18-1995, O.R.
-  DENOTES DRAINAGE EASEMENT PER FILE



DETAIL WATER EASEMENT SET-ASIDE

ESMT. DATA TABLE

| NO. | DELTA/BEARING | RADIUS | LENGTH |
|-----|-----------------|---------|---------|
| L1 | N 61° 19' 53" E | — | 52.28' |
| L2 | S 02° 10' 04" E | — | 133.78' |
| C1 | 07° 05' 24" | 970.00' | 120.03' |



DETAIL GENERAL UTILITY EASEMENT SET-ASIDE

S.E. JOB NO. 835-03-07

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 THOMAS M. HENRY R.C.E. 24760 DATE
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| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA | W.O. NO. |
|-------------|----|--------------------|--------|--------|-------------------------------|---------------------|
| ORIGINAL | SE | | | | SHEET 2 OF 2 SHEETS | 422206 |
| | | <i>Lee Herrera</i> | 6/2/04 | | | 1874-1694 |
| | | FOR CITY ENGINEER | DATE | | | CCS63 |
| | | | | | | 234-1734 |
| | | | | | | LAMBERT COORDINATES |
| | | | | | | 20029-2-B |

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