

RESOLUTION NUMBER R-299811

ADOPTED ON NOV 09 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 easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of a portion of Derby Farms Road to unencumber this property; 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 does not adversely affect the General Plan or an approved Community Plan; and

(d) a general utility and access easement will be reserved in the vacated right-of-way; and

(e) the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

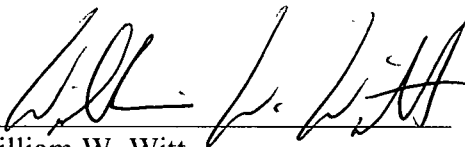
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the portion of Derby Farms Road, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 00043-C, marked as Exhibit "B,"

and on file in the office of the City Clerk as Document Nos. RR-~~299811-1~~, and RR-299811-2, which are by this reference incorporated herein and made a part hereof, is ordered vacated, reserving therefrom an easement for general utility and emergency access together with ingress and egress for those purposes.

2. 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   
William W. Witt  
Deputy City Attorney

WWW:pev  
09/14/04  
Or.Dept:DSD  
S.A.: 00-504  
WO: 120102  
Dwg: 00043-C  
R-2005-290

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**DERBY FARMS ROAD-STREET VACATION**  
**WITH A GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT RESERVATION**

BEING A PORTION OF DERBY FARMS ROAD DEDICATED PER MAP 10730, FAIRBANKS COUNTRY CLUB UNIT NUMBER 1, RECORDED ON SEPTEMBER 29, 1983 AND MAP 10802, FAIRBANKS COUNTRY CLUB UNIT NUMBER 5, RECORDED ON DECEMBER 19, 1983 AND MAP 10943, FAIRBANKS COUNTRY CLUB UNIT NUMBER 6, RECORDED ON MAY 17, 1984 AND PER DOCUMENT NO. 84-009013 RECORDED ON JANUARY 10, 1984 OF OFFICIAL RECORDS IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, PER SAID MAP 10730 ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SAID DERBY FARMS ROAD AND THE TRUE POINT OF BEGINNING.**

THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES; SOUTH 25°40' 04" EAST, 90.00 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT; THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 44°45' 34", AN ARC DISTANCE OF 414.04 FEET TO THE BEGINNING OF A REVERSE CURVE; THENCE SOUTHERLY ALONG SAID REVERSE CURVE, HAVING A RADIUS OF 1170.00 FEET THROUGH A CENTRAL ANGLE OF 33°29' 38", AN ARC DISTANCE OF 683.96 FEET TO THE BEGINNING OF A REVERSE CURVE; THENCE SOUTHERLY AND WESTERLY ALONG SAID REVERSE CURVE, HAVING A RADIUS OF 490.00 FEET, THROUGH A CENTRAL ANGLE OF 107°23'21 " , AN ARC DISTANCE OF 918.40 FEET TO A POINT OF TANGENCY; THENCE NORTH 87°00' 47" WEST, 431.63 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT; THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 03°01'07", AN ARC DISTANCE OF 24.76 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID MAP 10943; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 00°01'54" WEST, 60.00 FEET TO THE SOUTHWEST CORNER OF LOT 2, OF SAID MAP 10802; ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID DERBY FARMS ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING COURSES: EASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT, A RADIAL TO WHICH BEARS NORTH 00°01'54" WEST, HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 03°01' 07", AN ARC DISTANCE OF 27.92 FEET TO A POINT OF TANGENCY; THENCE SOUTH 87°00' 47" EAST, 431.63 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT; THENCE EASTERLY AND NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 430.00 FEET, THROUGH A CENTRAL ANGLE OF 107°23' 21", AN ARC DISTANCE OF 805.95 FEET TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHERLY ALONG SAID REVERSE CURVE, HAVING A RADIUS OF 1230.00 FEET, THROUGH A CENTRAL ANGLE OF 33°29' 38", AN ARC DISTANCE OF 719.03 FEET TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHERLY ALONG SAID REVERSE CURVE, HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 44°45' 34", AN ARC DISTANCE OF 367.16 FEET TO A POINT OF TANGENCY; THENCE NORTH 25°40' 04" WEST, 90.00 FEET; THENCE LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF DERBY FARMS ROAD NORTH 64°19'56" EAST, 60.00 FEET TO **TRUE POINT OF BEGINNING.**

RESERVING A GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT OVER ALL THAT PORTION OF THE ABOVE DESCRIBED LAND.

TOGETHER WITH ALL THAT PORTION OF DERBY FARMS ROAD AS DEDICATED TO PUBLIC USE ON DEL MAR HIGHLANDS ESTATES ACCORDING TO MAP THEREOF NO. 13818 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 2, 1999 AS FILE NO. 1999-465285, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY COMMON POINT BETWEEN LOT "G" AND LOT "M" AND BEING ON THE EASTERLY SUBDIVISION BOUNDARY OF SAID MAP 13818; THENCE SOUTH 00°01'35" EAST ALONG THE EASTERLY BOUNDARY OF SAID MAP 13818, A DISTANCE OF 87.30 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID DERBY FARMS ROAD AND THE **TRUE POINT OF BEGINNING;**

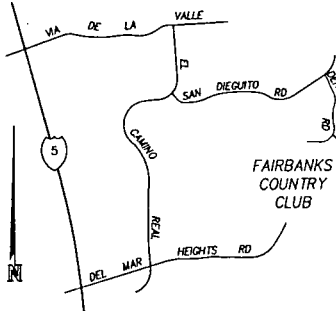
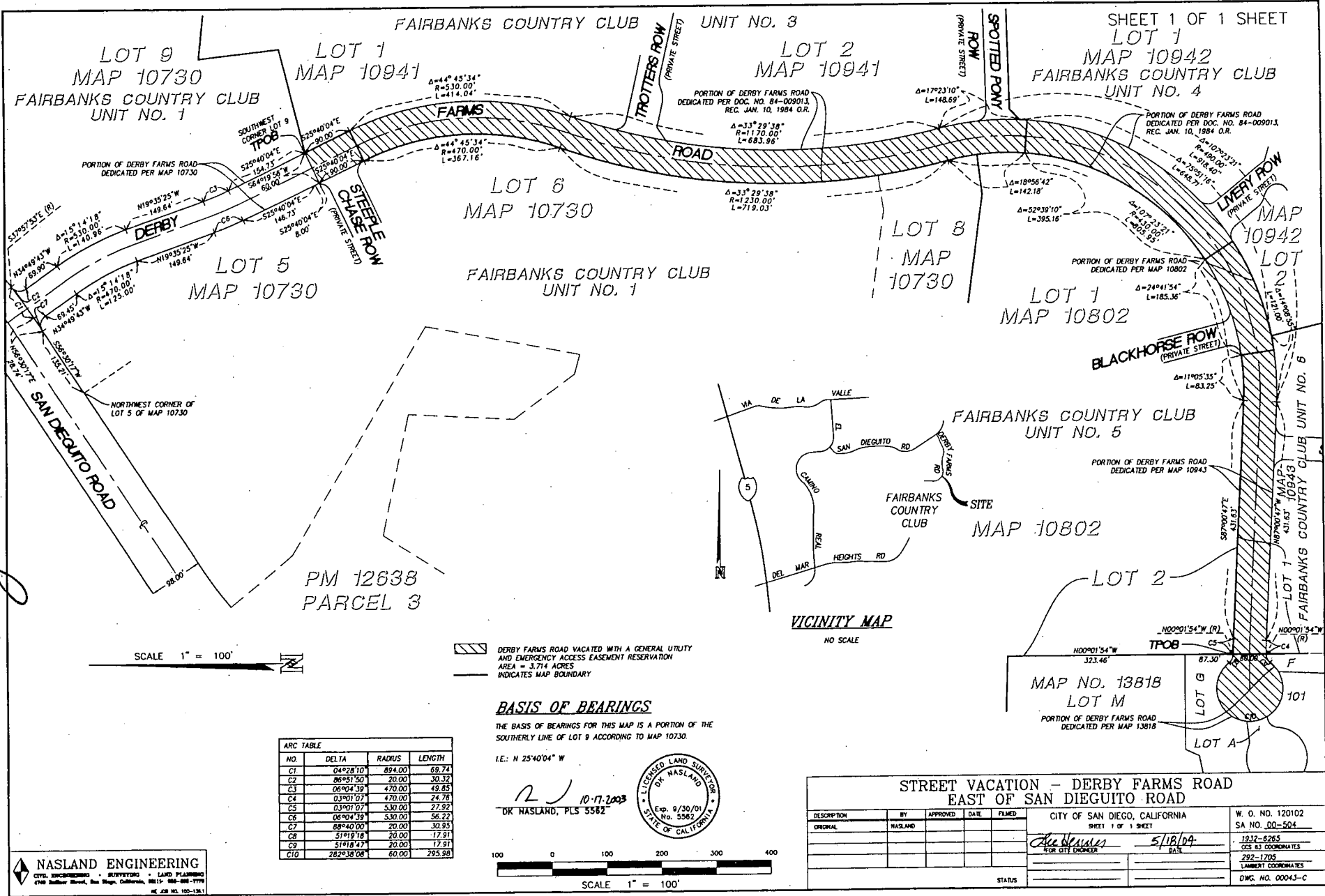
THENCE CONTINUING SOUTH 00°01'35" EAST ALONG THE EASTERLY BOUNDARY OF SAID MAP 13818, A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID DERBY FARMS ROAD, SAID POINT BEING THE BEGINNING OF A 20.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST, A RADIAL TO WHICH BEARS NORTH 00°02'02 WEST; THENCE WESTERLY ALONG SAID 20.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 51°18'47", AN ARC DISTANCE OF 17.91 FEET TO THE BEGINNING OF A REVERSE 60.00 FOOT RADIUS CURVE; THENCE WESTERLY, NORTHERLY AND EASTERLY ALONG SAID 60.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 282°38'08", AN ARC DISTANCE OF 295.98 FEET TO THE BEGINNING OF A REVERSE 20.00 FOOT RADIUS CURVE; THENCE EASTERLY ALONG SAID 20.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 51°19'18", AN ARC DISTANCE OF 17.91 FEET TO THE **TRUE POINT OF BEGINNING**.

RESERVING, THEREFROM A GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT OVER ALL OF SAID STREET VACATION.

Area = 161,778.02 SQ. FT. / 3.714 ACRES  
W.O. NO. 120102  
SA 00-504  
DRAWING NO. 00043-C



# EXHIBIT "B"



SCALE 1" = 100'

DERBY FARMS ROAD VACATED WITH A GENERAL UTILITY AND EMERGENCY ACCESS EASEMENT RESERVATION AREA = 3.714 ACRES  
 - - - - - INDICATES MAP BOUNDARY

**BASIS OF BEARINGS**  
 THE BASIS OF BEARINGS FOR THIS MAP IS A PORTION OF THE SOUTHERLY LINE OF LOT 9 ACCORDING TO MAP 10730.  
 I.E.: N 25°40'04" W

DK NASLAND, PLS 5582

10-17-2003

100 0 100 200 300 400

SCALE 1" = 100'

NO.	DELTA	RADIUS	LENGTH
C1	04°28'10"	894.00	69.74
C2	06°51'52"	20.00	30.32
C3	06°04'39"	470.00	49.85
C4	03°01'07"	470.00	24.76
C5	03°01'07"	530.00	27.92
C6	06°04'39"	530.00	56.22
C7	08°40'00"	20.00	31.93
C8	51°19'16"	29.00	17.91
C9	51°18'47"	20.00	17.91
C10	28°23'08"	60.00	293.98

**NASLAND ENGINEERING**  
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING  
 4748 Sullivan Road, San Diego, California 92111 (619) 584-1778  
 REG. CAL. REG. NO. 120-1281

**STREET VACATION - DERBY FARMS ROAD EAST OF SAN DIEGUITO ROAD**

DESCRIPTION	BY	APPROVED	DATE	FILED
ORIGINAL	NASLAND			

CITY OF SAN DIEGO, CALIFORNIA  
 SHEET 1 OF 1 SHEET  
 W. O. NO. 120102  
 SA NO. 00-504  
 1932-6265  
 C.S. 43 COORDINATES  
 292-1705  
 LAMBERT COORDINATES  
 D.W.G. NO. 00043-C

DATE: 5/18/04  
 FOR CITY ENGINEER

STATUS

299811