

RESOLUTION NUMBER R- 300240

ADOPTED ON MAR 15 2005

WHEREAS, section 8300 *et seq.* of the California Streets and Highways Code provides a procedure for the 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 an unused alley to unencumber this property; and

WHEREAS, the City Council finds that:

1. **There is no present or prospective use for the unnamed alley for either 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.** The existing alley runs perpendicular to Keeler Court, east to west, through the center of the site. The entire area would be vacated. The alley is currently not a utilized public-right-of-way and does not provide public access. A segment of the alley was previously vacated in the 1990s when the shopping center located across Alpha Street to the south, was constructed. In 1963, the City of San Diego vacated the remaining portion of the alley located within the City park. A general easement will be reserved with the vacation. Therefore, there is no present or prospective use for the unnamed alley for either 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.
2. **The public will benefit from the vacation through improved utilization of land.** The vacation of the alley will provide additional land between two currently separated developments, facilitating the development of one industrial park, consistent with the underlying zoning and specified as an appropriate use within the Southeastern San Diego Community Plan.
3. **The vacation does not adversely affect any applicable land use plan.** The proposed alley vacation will not adversely affect the applicable land use plan. The alley does not connect to an existing public-right-of-way and it is not currently used for public access. The vacation of the alley will facilitate the development of an industrial park, consistent with both the underlying I-2 zone, and several recommendations and goals of the Southcrest Neighborhood of the Southeastern

San Diego Community Plan as described in Planned Development Permit Finding No. 1.

4. **The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by this vacation.** The existing unnamed alley is currently not utilized as a public-right-of-way. It is located within the center of two separate developments. The alley does not connect to an existing or proposed public-right-of-way, therefore, the public facility for which it was originally acquired, will not be detrimentally affected by the vacation.

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

1. That the portion of the unused alley, as described in the legal description marked as Exhibit A, and as more particularly shown on Drawing 20293-B, on file in the office of the City Clerk as Document Nos. RR- 300240-1 which is by this reference incorporated herein and made a part hereof, is ordered vacated; and RR- 300240-2, reserving therefrom a general utility easement, together with ingress and egress for that purpose.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas K. Humphreys
Deputy City Attorney

DKH:ai
02/16/2005
Or.Dept:DSD
R-2005-865
MMS1514

LEGAL DESCRIPTION

ALLEY VACATION WITH
GENERAL UTILITY AND ACCESS EASEMENT RESERVATION

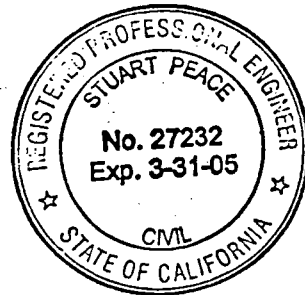
THAT PORTION OF UNNAMED ALLEY IN LOT 24, BLOCK 59 OF CARUTHERS ADDITION, MAP NO. 27, RECORDED OCTOBER 1, 1880, LYING NORTHERLY OF PARCELS A AND B OF PARCEL MAP NO. 781, RECORDED APRIL 11, 1972 AND EASTERLY OF ALLEY VACATED PER DOCUMENT NO. 187074, RECORDED OCTOBER 18, 1963 OF OFFICIAL RECORDS; SAID PORTION OF ALLEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHWEST CORNER OF SAID PARCEL A; THENCE NORTH 15° 41' 25" WEST ALONG THE WEST BOUNDARY LINE OF SAID PARCEL A, A DISTANCE OF 94.41 FEET; THENCE SOUTH 89°03'04" EAST ALONG THE NORTHERLY BOUNDARY LINE A DISTANCE OF 46.79 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 03' 04" EAST A DISTANCE OF 248.52 FEET; THENCE NORTH 24°16'45" WEST A DISTANCE OF 3.05 FEET TO THE BEGINNING OF A NON-TANGENT 50.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY A RADIAL LINE FROM SAID POINT BEARS NORTH 15° 40' 03" WEST; THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 68° 46' 24" A DISTANCE OF 60.02 FEET; THENCE LEAVING SAID CURVE NORTH 89° 03' 04" WEST A DISTANCE OF 193.44 FEET; THENCE SOUTH 00° 56' 56" WEST A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.

RESERVING THEREFROM A GENERAL UTILITY AND ACCESS EASEMENT OVER ALL OF SAID ALLEY VACATION.

Stuart Peace 1-7-05

STUART PEACE R.C.E. 27232
REGISTRATION EXPIRES 3/31/05



File: PTS 4805
Reference: 20293-B

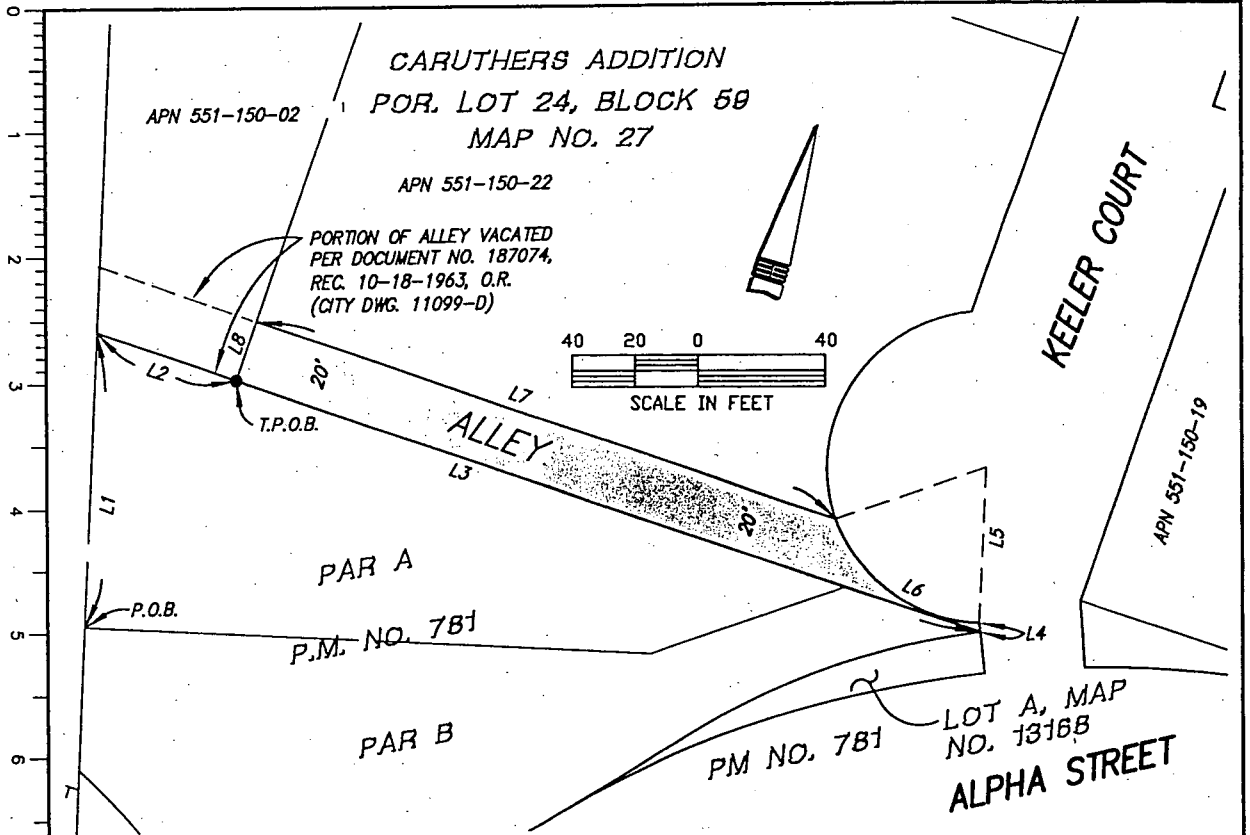
724-01-19
January 6, 2005
F:\ADMIN\724\LD610r2.DOC

DOCUMENT NO. RR-300240-1

FILED MAR 15 2005
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

R 300240

EXHIBIT B




ASSESSOR'S PARCEL NO.
551-150-22, 551-273-04 & 05

LEGAL DESCRIPTION

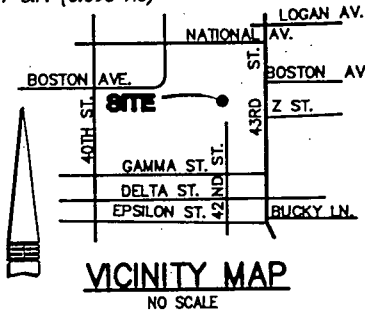
A PORTION OF LOT 24, CARUTHER'S ADDITION MAP NO. 27, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

LEGEND


-  INDICATES PORTION OF UNNAMED ALLEY (DEDICATED PER MAP NO. 27) VACATED & GENERAL UTILITY AND ACCESS EASEMENT RESERVED; CONTAINS 4,147 S.F. (0.095 AC)
- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING

LINE DATA TABLE

NO.	BEARING/Delta	RADIUS	LENGTH
L1	N15° 41' 25" W	----	94.41'
L2	S89° 03' 04" E	----	46.79'
L3	S89° 03' 04" E	----	248.52'
L4	N24° 16' 45" W	----	3.05'
L5	N15° 40' 03" W(R)	----	50.00'
L6	Δ68° 46' 24"	50.00'	60.02'
L7	N89° 03' 04" W	----	193.44'
L8	S00° 56' 56" W	----	20.00'



DOCUMENT NO. **PL-300240-2**
 FILED **MAR 15 2005**
 OFFICE OF THE CITY CLERK
 SAN DIEGO CALIFORNIA


CIVIL ENGINEERING/SURVEYING/PLANNING
STUART ENGINEERING
 7525 METROPOLITAN DR., STE. 308
 SAN DIEGO, CALIFORNIA 92108
 (619) 296-1010
 FAX (619) 296-9276
Stuart Peace 1-7-05
 STUART PEACE R.C.E. 27232 DATE
 REGISTRATION EXPIRES: 3-31-05

**ALLEY VACATION W/ GENERAL UTILITY & ACCESS EASEMENT RESERVATION
IN LOT 24 OF BLOCK 59 OF CARUTHER'S ADDITION, MAP NO. 27**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S. 4805
ORIGINAL	SE	<i>A.K.N.</i>	<i>2-9-05</i>		SHEET 1 OF 1 SHEET	W.O. NO. 421008
					<i>Lee Dennis</i> <i>2/11/05</i>	1832-6297 CCS83
					FOR CITY ENGINEER	DATE
						192-1737 LAMBERT COORDINATES
						20293-B

PL-300240