

RESOLUTION NUMBER R- 300298

ADOPTED ON APR 05 2005

WHEREAS, California Streets and Highways Code section 8330 et seq. and San Diego Municipal Code section 125.0901 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 the unnamed and unimproved alley, to unencumber this property as approved by Coastal Development Permit No. 165258; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public right-of-way, either for the facility 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 any applicable land use plan or; and

(d) the public facility for which the public 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 alley vacation easement located within the Peninsula Community Plan area in connection with Coastal Development Permit No. 165258, as more particularly described in the

legal description marked as Exhibit "A," and shown on Drawing No. 20143-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR-300298-1, and RR-300298-2 is ordered vacated.

2. That said alley vacation is conditioned upon approval and issuance of Coastal Development Permit No. 165258. 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: MICHAEL J. AGUIRRE, City Attorney

By



John Hemmerling
Deputy City Attorney

JCH:ca
1/25/05
Or.Dept: DSD
PTS 14875
Drawing No. 20143 B
R-2005-775
MMS# 1347

EXHIBIT "A"
LEGAL DESCRIPTION
UNNAMED ALLEY VACATION

THOSE PORTIONS OF AN UNNAMED ALLEY, LYING BETWEEN GAGE STREET (FORMERLY BOW AVENUE) AND JOHN STREET (FORMERLY SHORT STREET) IN BLOCK 16 OF ROSEVILLE HEIGHTS ACCORDING TO MAP THEREOF 423, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY ON NOVEMBER 9, 1914, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY HALF OF THE UNNAMED ALLEY ADJOINING LOT 7 OF POINT LOMA GARDENS, ACCORDING TO MAP THEREOF NO. 3835, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE RECORDER OF SAID SAN DIEGO COUNTY ON MARCH 12, 1958; AND THE EASTERLY HALF OF THE UNNAMED ALLEY ADJOINING LOTS 1 THRU 6, INCLUSIVE, IN BLOCK 16 OF SAID MAP 423, AS DESCRIBED IN DEED RECORDED SEPTEMBER 3, 1997 AS FILE NO. 1997-0425547, OF OFFICIAL RECORDS.

David W. Ambler 1/13/2005
DAVID W. AMBLER L.S. 7322

HUNSAKER & ASSOCIATES SAN DIEGO, INC.



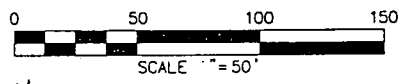
W.O. NO. 421848
DWG. NO. 20143 B
PTS NO. 14875

DOCUMENT NO. 02-300298-1

APR 05 2005

CITY CLERK
SAN DIEGO, CALIFORNIA


EXHIBIT 'D'

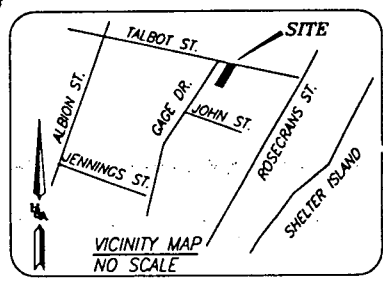
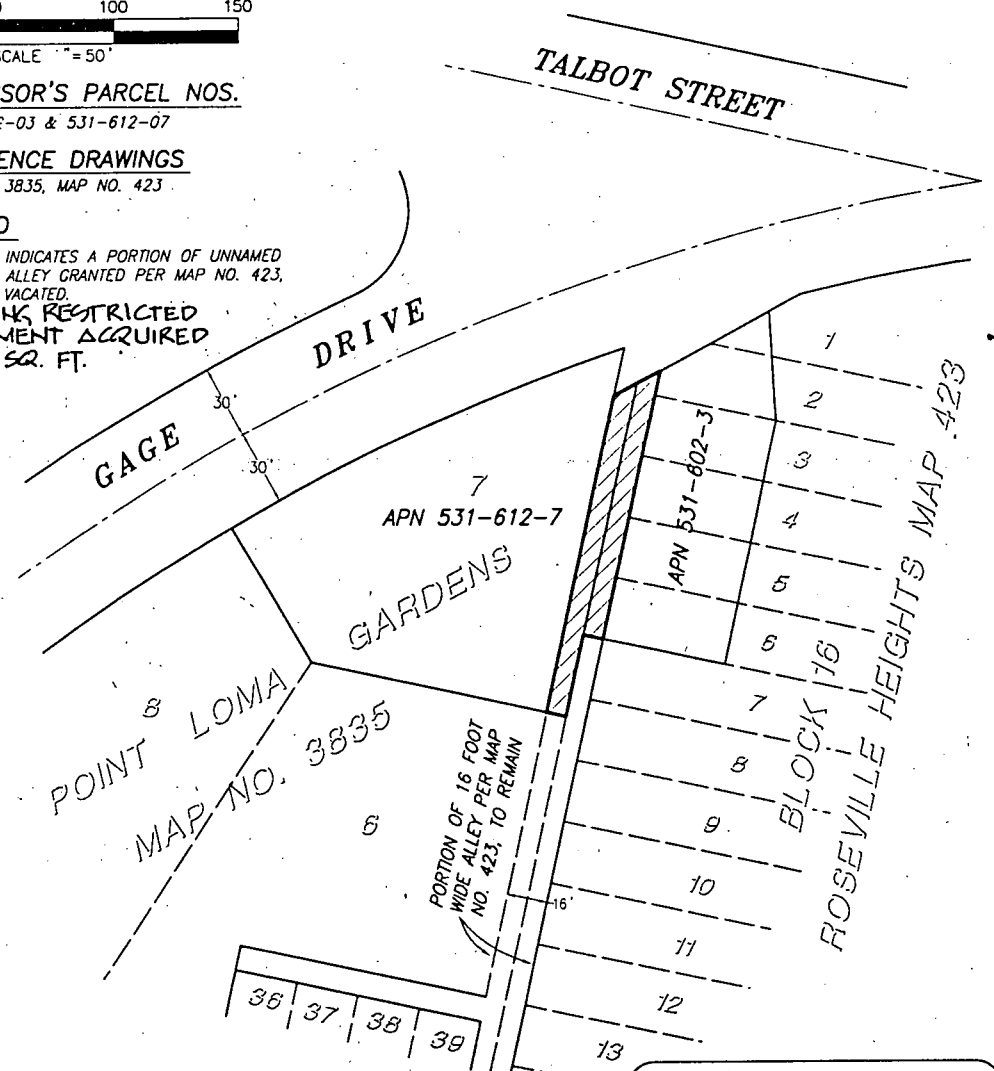


ASSESSOR'S PARCEL NOS.
531-602-03 & 531-612-07

REFERENCE DRAWINGS
MAP NO. 3835, MAP NO. 423

LEGEND

 INDICATES A PORTION OF UNNAMED ALLEY GRANTED PER MAP NO. 423, VACATED.
BUILDING RESTRICTED EASEMENT ACQUIRED 1922 SQ. FT.



HUNSAKER & ASSOCIATES
SAN DIEGO, INC.

PLANNING 10179 Huennekens Street
ENGINEERING San Diego, Ca 92121
SURVEYING PH(858)558-4500 FX(858)558-1414



R:\10449\Map\VP PH 1 SHT 01.DWG [1993] Mar-04-2004:16:28

David W. Ambler 3-5-2004
DAVID W. AMBLER L.S. 7322

MAP PREPARED BY:
HUNSAKER & ASSOCIATES SAN DIEGO
10179 HUENNEKENS STREET
SAN DIEGO, CA. 92121

RECORDING INFO.: EASEMENTS
APN: 531-612-07 DOC # 2004-0848157 RECD. 7 SEP 04
APN: 531-602-03 DOC # 2004-0848101 RECD. 7 SEP 04
CORRECTED BY:

**UNNAMED ALLEY VACATION - IN ROSEVILLE HEIGHTS MAP 423,
BUILDING RESTRICTED EASEMENT
- BETWEEN GAGE DRIVE AND JOHN STREET -**

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	PTS
ORIGINAL	H&A				SHEET 1 OF 1 SHEET	14875
		<i>DWA</i>				W.O. NO. 421848
					<i>Se... 9/2/04</i>	1842-6255
					FOR CITY ENGINEER DATE	CCS 83 COORDINATES
						202-1695
						LAMBERT COORDINATES
						20143 -B
STATUS						

FILED
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA
 DOCUMENT NO. 2004-300298-2
 APR 05 2005