

RESOLUTION NUMBER R- 300417

ADOPTED ON MAY 10 2005

WHEREAS, California Streets and Highway 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 public street easement to unencumber this property; and

WHEREAS, at a prior hearing the owner has agreed to relinquish his access rights from the adjacent Egret Street; and

WHEREAS, the City finds that:

(a) there is no present or prospective use for the purpose for which the right of way 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 portion of 60<sup>th</sup> Street, including the relinquishment of access rights from Egret Street, as described in the legal description marked as Exhibit "A," and as more particularly

shown on Drawing 20125-B, labeled Exhibit "B," on file in the office of the City Clerk as Documents No. RR-300417-1 and RR-300417-2 which are by reference incorporated herein and made part hereof, is ordered vacated.

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: MICHAEL J. AGUIRRE, City Attorney

By

  
\_\_\_\_\_  
John C. Hemmerling  
Deputy City Attorney

JCH:als  
03/07/05  
Or.Dept:Dev.Svcs.  
W.O. 120102  
DWG: 20125-B  
R-2005-878  
MMS#1488

**EXHIBIT "A"**  
**60<sup>th</sup> STREET VACATION**

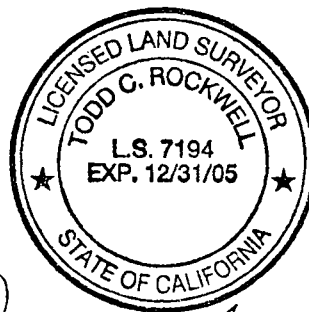
ALL OF THAT 30.00 FEET WIDE PORTION OF 60<sup>th</sup> STREET (FORMERLY DETROIT STREET) LYING EASTERLY OF THE WESTERLY BOUNDARY OF MAP NO 1254, SAID LINE BEING ALSO THE EASTERLY BOUNDARY OF MAP NO 8712; WESTERLY OF THE WESTERLY BOUNDARY OF LOT 143 OF SAID MAP NO. 1254; SOUTHERLY OF THE WESTERLY PROLONGATION OF THE SOUTHERLY RIGHT OF WAY LINE OF EGRET STREET (FORMERLY KNOWN AS FIFTH AVE), AND NORTHERLY OF THE WESTERLY PROLONGATION OF THE NORTHERLY RIGHT OF WAY LINE OF TOOLEY STREET; IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAPS THEREOF NOS. 1254 AND 8712, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 26, 1910 AND NOVEMBER 16, 1977 RESPECTIVELY.

CONTAINS 0.29 ACRES

ABUTTERS RIGHTS OF ACCESS RELINQUISHED ALONG THE NORTHERLY LINE OF THE ABOVE DESCRIBED VACATED PORTION OF 60<sup>TH</sup> STREET, BEING THE WESTERLY PROLONGATION OF THE SOUTHERLY LINE OF EGRET STREET.

THE CITY ENGINEER OF SAID CITY OF SAN DIEGO IS AUTHORIZED TO REVEST ALL OR PART OF SAID ACCESS RIGHTS IF THERE IS A CHANGE IN CIRCUMSTANCES MAKING ACCESS NECESSARY AND SAFE.

DWG. # 20125-B  
W.O. # 120102  
FILE: PTS 8492



*Todd Rockwell*

R- 300417

