

RESOLUTION NUMBER R- 300479

ADOPTED ON MAY 24 2005

WHEREAS, section 8300 et seq. of the California Streets and Highways and San Diego Municipal Code section 125.0901 et seq. 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 Upas Street, to unencumber this property and facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public right-of-way either 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) the public 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 the Upas Street right-of-way between Brant Street and Curlew Street, as described in the legal description marked as Exhibit "A," and as more particularly shown on Drawing No. 20099-B, labeled Exhibit "B", on file in the office of the City Clerk as Document No. RR - 300479, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution, along with Exhibits "A" and "B", 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  
05/10/05  
Or.Dept:Dev.Scvs.  
SA: 00-504  
WO: 120102  
DWG: 20099-B  
R-2005-1134  
MMS#1890


**EXHIBIT "A"**

LEGAL DESCRIPTION  
STREET VACATION

THAT PORTION OF UPAS STREET, 80 FEET WIDE, IN HORTON'S ADDITION (D.B. 13/522), LYING BETWEEN THE WEST LINE OF BRANT STREET PER SAID HORTON'S ADDITION, AND THE EAST LINE OF CURLEW STREET, AS NOW LOCATED, EXCEPTING THEREFROM THOSE PORTIONS OF SAID UPAS STREET ALREADY VACATED AND CLOSED TO PUBLIC USE BY RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO, NUMBERS 39054 (FILED IN THE OFFICE OF THE CITY CLERK OF SAID CITY SEPTEMBER 13, 1926), 143777 (FILED IN THE OFFICE OF THE CITY CLERK OF SAID CITY NOVEMBER 1, 1957) AND 170292 (FILED IN THE OFFICE OF THE CITY CLERK OF SAID CITY APRIL 10, 1962).

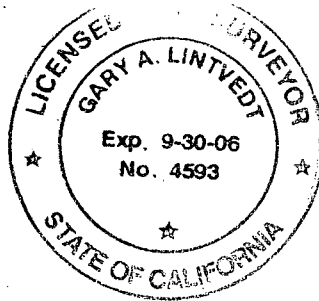
CONTAINING 0.58 ACRES, MORE OR LESS

RESERVING THEREFROM AN EASEMENT FOR GENERAL UTILITIES PURPOSES, OVER THE ABOVE-DESCRIBED PORTION OF UPAS STREET TO BE VACATED.

  
\_\_\_\_\_  
GARY A. LINTVEDT, LS 4593  
MY LICENSE EXPIRES 9-30-06

May 4, 2005  
DATE

W.O. NO. 120102  
PTS NO. 10704  
DWG. NO. 20099-B



*R-* 300479

**EXHIBIT "B"**

**LEGEND**



INDICATES UPAS STREET VACATION AND GENERAL UTILITY EASEMENT RESERVED  
AREA= 25,074 S.F.



INDICATES PEDESTRIAN ACCESS EASEMENT RESERVED  
AREA= 2600 S.F.

**ASSESSOR'S PARCEL NO.**

452-493-01      452-494-01  
452-493-02      452-494-09  
                         452-494-15

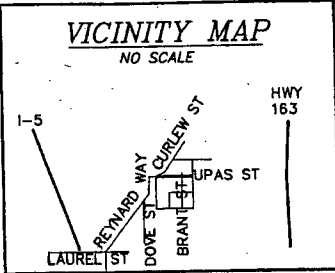
**REFERENCE MAPS**

ROS 3517      ROS 15303  
ROS 10273    ROS 17987  
                 PM 5466

**BASIS OF BEARINGS**

THE CENTERLINE OF UPAS STREET AS SHOWN ON  
ROS 15303 I.E. N89°36'59"E

**SEE SHEET 2  
FOR DETAILS**



SCALE: 1" = 100'



LMA W.O. 12395



**LINTVEDT, McCOLL  
& ASSOCIATES**  
2810 Camino Del Rio South, Suite 200,  
San Diego, California 92108  
PHONE (619)294-4440 FAX (619)294-4442

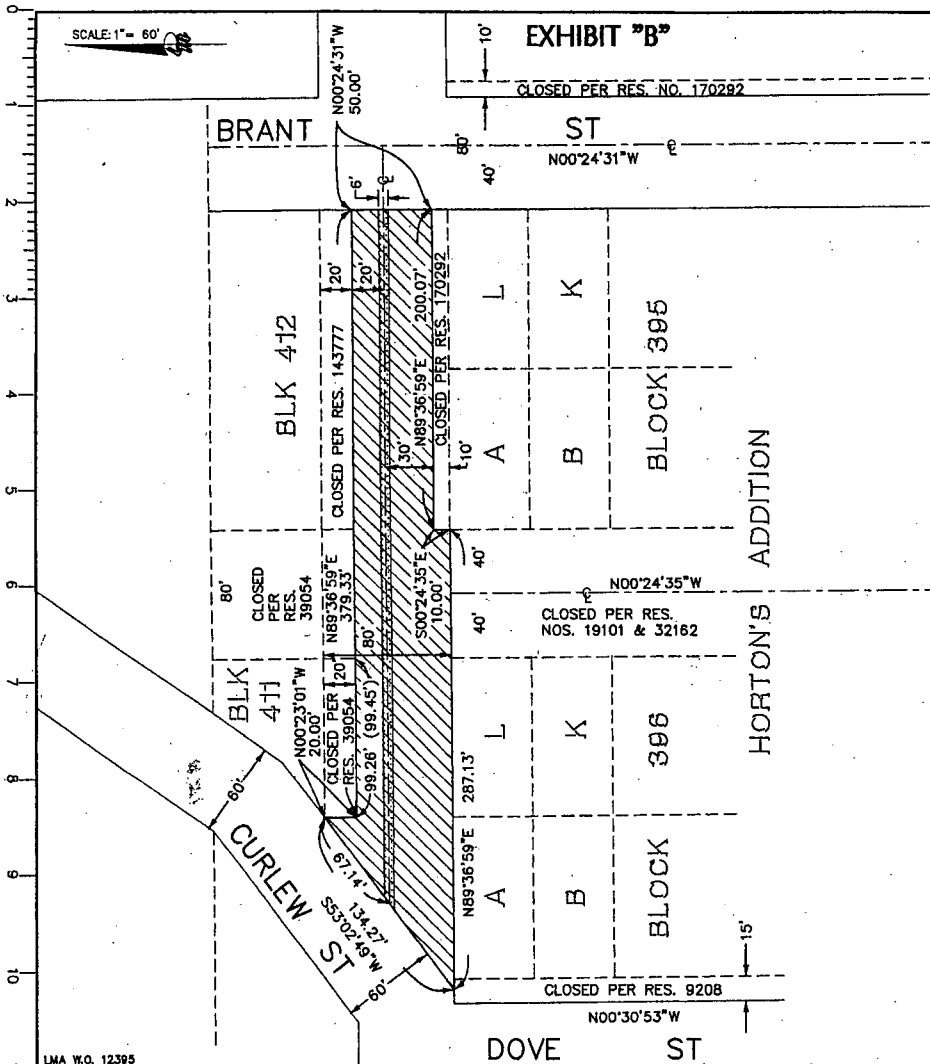
*Gary A. Lintvedt*      5/04/05  
GARY A. LINTVEDT L.S. 4593      DATE

**STREET VACATION AND GENERAL UTILITY AND PEDESTRIAN ACCESS EASEMENTS**

A PORTION OF UPAS STREET BETWEEN BRANT STREET AND CURLEW STREET

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO. 120102
ORIGINAL					SHEET 1 OF 2 SHEETS	P.T.S. NO. 10704
					FOR CITY ENGINEER	1850 - 8277 CCS(MAD 83) COORDINATES
					DATE	210 - 1717 CCS27 COORDINATES
					STATUS	20099-B

R-300479



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*GARY A. LINTVEDT*  
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