

RESOLUTION NUMBER R- 300532

ADOPTED ON JUN 14 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 easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a portion of Black Mountain Road, to facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for 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; and

(b) the public will benefit from the vacation through improved utilization of land; and

(c) the vacation is not inconsistent with 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 Black Mountain Road, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 19466 -1-B, marked as

Exhibit "B," and on file in the office of the City Clerk as Document No. RR- 300532, 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, 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
04/08/05
Or.Dept:Dev.Svcs.
WO: 400157 SA No: 00-542
DWG: 19466-B
R-2005-1059
MMS#1757

EXHIBIT "A"

LEGAL DESCRIPTION

STREET VACATION OF A PORTION OF BLACK MOUNTAIN ROAD (O.S. 57)

ALL THAT PORTION OF THAT CERTAIN TRAVELED WAY KNOWN AS BLACK MOUNTAIN ROAD PER O.S. 57 DEDICATED PER BOARD OF SUPERVISORS MINUTES FEBRUARY 27, 1886, BOOK 7, PAGE 200, WITHIN PARCEL 2 OF PARCEL MAP NO. 18755 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER JULY 19, 2001 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 18755, SAID POINT ALSO BEING THE BEGINNING OF A 830.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A LINE RADIAL TO SAID POINT BEARS NORTH 79°14'00" EAST; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°26'58" AN ARC LENGTH OF 136.89 FEET TO THE CENTERLINE OF SAID TRAVELED WAY KNOWN AS BLACK MOUNTAIN ROAD AS SHOWN ON PARCEL MAP NO. 9882 AND PARCEL MAP NO. 11718, SAID POINT ALSO BEING ON A POINT OF A 250.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, A LINE RADIAL TO SAID POINT BEARS SOUTH 10°31'05" EAST; THENCE ALONG THE ARC OF SAID CURVE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 10°39'11" AN ARC LENGTH OF 46.48 FEET, A LINE RADIAL TO SAID POINT BEARS SOUTH 00°08'05" WEST, SAID POINT ALSO BEING ON A 784.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A LINE RADIAL TO SAID POINT BEARS NORTH 88°54'39" EAST, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**.

THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°27'42" AN ARC LENGTH OF 20.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID TRAVELED WAY AND A POINT ON A NON-TANGENT 270.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 00°05'54" WEST; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES, IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°15'37" AN ARC LENGTH OF 53.06 FEET; THENCE NORTH 78°38'29" WEST A DISTANCE OF 264.53 FEET TO A POINT ON A NON-TANGENT 2061.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DEL MAR HEIGHTS ROAD AS DEDICATED PER SAID PARCEL MAP NO. 18755, A LINE RADIAL TO SAID POINT BEARS SOUTH 01°54'44" EAST;

THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'48" AN ARC LENGTH OF 150.96 FEET TO A POINT ON THE NORTHERLY LINE OF SAID TRAVELED WAY, A LINE RADIAL TO SAID POINT BEARS SOUTH 06°06'32" EAST; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES, SOUTH 78°38'29" EAST A DISTANCE OF 119.01 FEET TO THE BEGINNING OF A 230.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°03'13" AN ARC LENGTH OF 44.37 FEET TO A POINT ON A NON-TANGENT 784.00 FOOT RADIUS CURVE CONCAVE WESTERLY, A LINE RADIAL TO SAID POINT BEARS NORTH 87°26'53" EAST; THENCE IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°27'46" AN ARC LENGTH OF 20.02 FEET TO **THE TRUE POINT OF BEGINNING**.

CONTAINS 0.218 ACRES MORE OR LESS

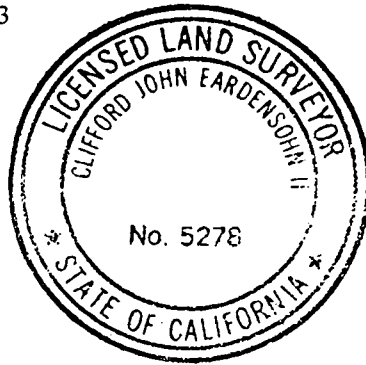
LATITUDE 33

John Eardensohn

C. JOHN EARDENSOHN
L.S. 5278 EXPIRES 12/31/03

11/5/02

DATE



W.O. NUMBER: 400157
DRAWING NO. 19466-B

