

RESOLUTION NUMBER R- 300785

ADOPTED ON AUG 09 2005

WHEREAS, California Streets and Highway Code section 8330 et seq. and San Diego Municipal Code section 125.0901 et seq. provide a procedure for the summary vacation of a public street easement(s) by City Council resolution where the street(s) or highway(s) have been superseded by relocation and vacation pursuant to this section will not cut off all access to a person's property which, prior to relocation, adjoined the street(s) or highway(s).

WHEREAS, the affected property owner has requested the vacation of a portion of "G" Street, between 29th and 30th Streets, for the construction of a SDG&E utility substation.

WHEREAS, the affected property owner seeks to vacate these easements in order to unencumber this property and facilitate development of the site; and

WHEREAS, the public street easement(s) sought to be vacated ha(s/ve) been superseded by relocation and vacation pursuant to California Streets and Highway Code section 8330 et seq. will not cut off all access to a person's property which, prior to relocation, adjoined the street or highway.

WHEREAS, the City finds that for each of the easements to be vacated:

- (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 street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

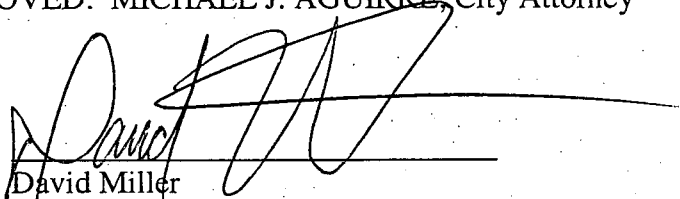
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the portion of "G" Street between 29th and 30th Streets as described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as Document No. 300785 which is by this reference incorporated herein and made a part hereof, are 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


David Miller
Deputy City Attorney

DM:jls
07/20/05
Or.Dept: DSD
R-2006-75
MMS #2259

RECORDING REQUESTED BY:

The City of San Diego

RETURN RECORDED DOCUMENT TO:

The City of San Diego
1222 First Avenue, M.S. #501
San Diego, CA 92101
Attention: LeRoy C. Hennes

THIS SPACE FOR RECORDER'S USE ONLY

**COVENANT AND AGREEMENT
TO HOLD PROPERTY AS ONE PARCEL**

W.O. No. 423296

PTS No. 48297

Assessor's Parcel No. 545-020-01, 02, 03, 10, 11, 12, 13, 15, 16, 17, 18, 21, 22, 31, 32,

The undersigned hereby certify that we are the owners of the hereinafter described real property located in the City of San Diego, County of San Diego, State of California and more particularly described as follows:

All of those portions of Lots 9 through 24 in Block 83 and all of those portions of Lots 25 through 42 in Block 84 of Map 547

And we do hereby enter into a covenant and agree with the City of San Diego to hold the above described real property as one parcel, agreeing that no portion shall be sold separately. This Covenant and Agreement is entered into because:

SDG&E needs to construct an electrical substation parking to keep un with the electrical demand.

This covenant and agreement shall run with the land and shall be binding upon ourselves, our successors, heirs, and assigns and shall continue in effect until such time the above described purpose no longer exists and it is released by the City Engineer of the City of San Diego, or its designee. Such release shall not be unreasonable withheld.

Executed this 15TH day of JULY 2005

(Owner) Juan A. de la Hoya

(Owner) Jorge M. DA SILVA

Approved for Recordation:
Hossein Ruhj, City Engineer

By: LeRoy C. Hennes
LeRoy C. Hennes, Deputy
L.S. 4804

Date: 7/15/05

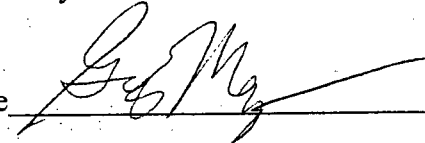
STATE OF California)
COUNTY OF San Diego)SS.

On July 14, 2005, before me Greg Mayo, Notary Public
Jorge M. Da Silva (name, title of officer), appeared _____

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 



STATE OF _____)
COUNTY OF _____)SS.

On _____, before me _____
_____ (name, title of officer), appeared _____

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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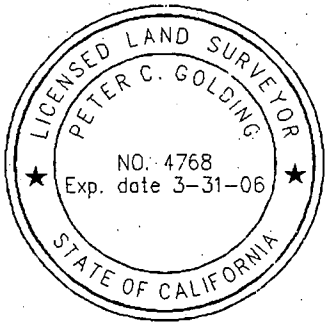
Signature _____

EXHIBIT 'A'
LEGAL DESCRIPTION
FOR
STREET VACATION
PORTION OF "G" STREET

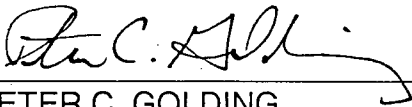
ALL THAT PORTION OF "G" STREET DEDICATED PER MAP NO. 547, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 16, 1914 LYING BETWEEN 29TH STREET AND 30TH STREET (AS WIDENED), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 24, BLOCK 83 PER SAID MAP NO. 547; THENCE ALONG THE WESTERLY LINE OF THAT PORTION OF "G" STREET VACATED PER CITY OF SAN DIEGO RESOLUTION NUMBER 22650, NORTH 00°21'47" EAST 10.00 FEET TO THE NORTHERLY LINE OF SAID VACATED PORTION OF "G" STREET AND THE **TRUE POINT OF BEGINNING**; THENCE ALONG SAID NORTHERLY LINE SOUTH 89°51'42" EAST 398.35 FEET TO THE WESTERLY LINE OF THAT PORTION OF "G" STREET DEDICATED PER CITY OF SAN DIEGO RESOLUTION NUMBER 253621; THENCE NORTH 00°08'18" EAST 30.00 FEET; THENCE NORTH 89°51'42" WEST 1.70 FEET; THENCE NORTH 00°08'18" EAST 30.00 FEET TO THE SOUTHERLY LINE OF THAT PORTION OF "G" STREET VACATED PER CITY OF SAN DIEGO RESOLUTION NUMBER 22650; THENCE ALONG SAID SOUTHERLY LINE NORTH 89°51'42" WEST 396.53 FEET; THENCE SOUTH 00°14'55" WEST 60.00 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.547 ACRES, MORE OR LESS.



PTS NO. 48297
W.O. NO. 423296
DWG. NO. 20411-B


PETER C. GOLDING 6-24-05
LS 4768 DATE
EXPIRATION DATE 03/31/06

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM ZONE 6, EPOCH 1991.35, BASED ON MEASUREMENTS TO G.P.S. STATION 1142 AND G.P.S. STATION 1143 PER RECORD OF SURVEY 14492, i.e. N72°51'03"W.

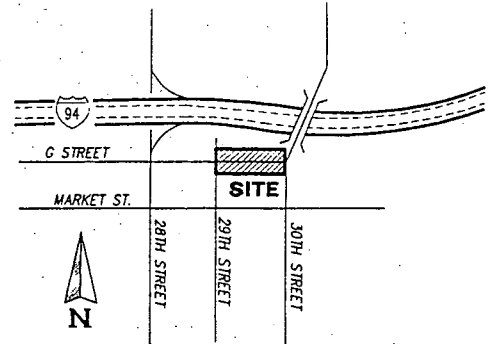
QUOTED BEARINGS FROM REFERENCE MAPS/DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM

ASSESSORS' PARCEL NO.'S

545-020-01, 02, 03, 13, 15, 16, 17, 21, 22, 31 AND 32

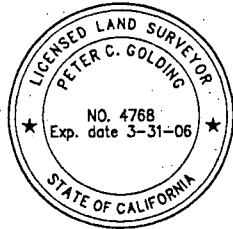
REFERENCE DRAWINGS

MAP 547
CALTRANS RIGHT-OF-WAY MAP NO. 37506
15146-B



VICINITY MAP

NO SCALE



PROJECT DESIGN CONSULTANTS
PLANNING + ENVIRONMENTAL + ENGINEERING + SURVEY/GPS
701 B Street, Suite 800 San Diego, California 92101
Phone 619-235-6471 Fax 619-234-0349

Peter C. Golding 6-24-05
PETER C. GOLDING L.S. 4768 DATE
MY REGISTRATION EXPIRES 3-31-2006

STREET VACATION

A PORTION OF "G" STREET
BETWEEN 29TH STREET AND 30TH STREET

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	PDC	AEA	6-24-05	

CITY OF SAN DIEGO, CALIFORNIA		W.O. NO. 423296
SHEET 1 OF 2 SHEETS		P.T.S. NO. 48297
<i>W. Golding</i>	24 JUN '05	1840-6290
FOR CITY ENGINEER	DATE	CCS'83 COORDINATES
		198-1729
		LAMBERT COORDINATES
		20411-1-B

