

RESOLUTION NUMBER R- **316964**

DATE OF FINAL PASSAGE **SEP 29 2026**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING SUMMARY PUBLIC RIGHT-OF-
WAY VACATION NO. PMT-3391067 AND A RESERVATION
OF A PUBLIC UTILITY EASEMENT FOR THE 40TH STREET
AND EL CAJON BOULEVARD RIGHT-OF-WAY VACATION
– PROJECT NO. PRJ-1147743.

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. BRIDGE DECK OWNER, LLC, a California limited liability company, Applicant, and J. MARTY SMITH, FUSCOE ENGINEERING, Land Surveyor, filed an application with the City of San Diego to vacate 3,640 square feet of a western portion of 40th Street, generally located just south of 4344 40th Street and 785 square feet of an unnamed alley running west from 40th Street between two parcels described as lots 29 through 32 inclusive and lots 25 through 28 in block 48 of W.P. Herbert's Subdivision, Map No. 1108 (Right-of-Way Vacation No. PMT-3391067) for the 40th Street and El Cajon Boulevard Right-of-Way Vacation Project – Project No. PRJ-1147743, located at 4344 40th Street (Project), as more particularly described within legal description marked as Exhibit "A". The 0.10-acre Project site is in the CUPD-CT-2-4 and CUPD-CU-2-4 Zones of the Central Urbanized Planned District, the Parking Transit Priority Area, the Transit Priority Area, and Transit Area Overlay Zones, and within the Normal Heights Neighborhood Element of the Mid-City Communities Plan area.

B. California Streets and Highways Code section 8330 *et seq.* and San Diego Municipal Code (Municipal Code) section 125.0901 *et seq.* provide a procedure for the vacation of public right-of-way by Council resolution.

C. On September 29, 2026, the Council held a noticed public hearing to consider Right-of-Way Vacation No. PMT-3391067. Pursuant to Municipal Code section 125.0910, the Council received for its consideration written and oral presentations, evidence, and testimony from all interested parties at the public hearing. The Council has fully considered and has been fully advised on this matter.

D. The Office of the City Attorney prepared this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

E. Under San Diego Charter section 280(a)(2), this Resolution is not subject to veto by the Mayor because this matter requires the Council to act as a quasi-judicial body, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Council adopts the following findings with respect to Right-of-Way Vacation No. PMT-3391067:

RIGHT OF WAY VACATION - SAN DIEGO MUNICIPAL CODE (SDMC) SECTION 125.0941

- 1. There is no present or prospective public 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.**

The project proposes to vacate 3,640 square feet of the western portion of 40th Street (Parcel A), and 785 square feet of an unnamed alley running west from 40th Street between two vacant lots described as lots 29 through 32 inclusive and lots 25 through 28

in block 48 of W.P. Herbert's Subdivision, Map No. 1108, generally identified as (Parcel B).

The Interstate-15 (I-15) southbound off-ramp parallels the eastern portion of the vacation area along Parcel A, and 40th Street was once highway right-of-way. 40th Street, including Parcel A to be vacated, was relinquished by the State of California to the City of San Diego (City) by Document No. 2005-0652080 recorded August 11, 2005 due to portions of 40th Street not being constructed as part of I-15 southbound. The State of California gave up its public interest to construct I-15 southbound along 40 Street and returned land use controls to the City of San Diego. 40th Street currently comes to a dead end, and due to the proximity of the freeway off-ramp, it was never improved for street or highway purposes beyond the dead end and will not be improved to provide vehicular access to El Cajon Boulevard. Parcel B is an unnamed alley that was originally dedicated to the City as part of Subdivision Map No. 1108. The City of San Diego Parks and Recreation Department has not identified any future use within the portions of 40th Street and the unnamed alley to be vacated.

Following recordation of the vacation, the public right-of-way would revert the vacated square footage to the abutting parcel's underlying fee owners. The City will benefit from abandoning the public right-of-way for private use subject to property taxes and relinquishing the City's liability for maintenance for Parcels A and B. Access rights from the alley of all adjacent property owners shall remain. The portion of 40th Street proposed to be vacated does not currently serve any parcels other than the abutting parcels that will revert to the adjacent properties after the vacation.

Parcel A makes up the western portion of the 40th Street dead end and currently provides a turnaround for vehicles, therefore, the project is conditioned to dedicate and improve additional right-of-way sufficient to construct a vehicle turnaround area, known as a hammerhead, adjacent to the vacation area on 40th Street that will include City Standard curb ramps to provide adequate turnaround. The southern end of the vacation area and along the eastern perimeter of lots 25 through 28 currently features a pedestrian accessway from 40th Street to El Cajon Boulevard. The project will be conditioned to dedicate and improve additional right-of-way into the adjacent Lot No. 28, which will allow enhancement of this area to a 26-foot-wide pedestrian promenade. Parcel B consists of a 785-square-foot unnamed alley that is not accessible to vehicles due to bollards installed at the easternmost end of the alley, however, the vacation of Parcel B will still allow pedestrians and bicyclists to access El Cajon Boulevard from 40th Street via the pedestrian promenade.

The City does not require any utility easement reservations within the proposed area to be vacated. As a condition of approval, all public water and sewer, and stormwater utilities that would be affected by the proposed vacation will be abandoned and/or relocated prior to the recordation of the vacation. Third-party utilities in the area will have easements reserved for AT&T and San Diego Gas & Electric. Therefore, there is no present or prospective use for the public right-of-way, either for the facility for which originally acquired, or for any other public use of a like nature that can be anticipated.

2. The public will benefit from the action through improved use of the land made available by the vacation.

The combined 4,425 square feet of public right-of-way within Parcel A and B to be vacated would revert to the abutting parcel's underlying fee owners. The City will benefit from abandoning the public right-of-way for private use subject to property taxes and relinquishing the City's liability to maintain the areas proposed to be vacated. Access rights from the alley of all adjacent property owners shall remain. The 40th Street dead end does not currently serve any other parcels but those benefiting from the vacation.

Parcel A makes up the western portion of the 40th Street dead end and currently provides a turnaround for vehicles, therefore, the project is conditioned to dedicate and improve additional right-of-way sufficient to construct a vehicle turnaround area, known as a hammerhead, adjacent to the vacation area on 40th Street that will include City Standard curb ramps to provide adequate turnaround. The southern end of the vacation area and along the eastern perimeter of lots 25 through 28 currently features a pedestrian accessway from 40th Street to El Cajon Boulevard. The project will be conditioned to dedicate and improve additional right-of-way into the adjacent Lot No. 28, which will allow enhancement of this area to a 26-foot-wide pedestrian promenade. Parcel B consists of a 785-square-foot unnamed alley that is not accessible to vehicles due to bollards installed at the easternmost end of the alley, however, the vacation of Parcel B will still allow pedestrians and bicyclists to access El Cajon Boulevard from 40th Street via the pedestrian promenade.

The project site is located in the Normal Heights Neighborhood Element of the Mid-City Communities Plan (Community Plan) area. The Land Use designation is "Mixed Use Areas" on page 12 of the Community Plan. The Project site spans across the CUPD-CT-2-4 and CUPD-CU-2-4 Zones of the Central Urbanized Planned District. These designations and zones will not change as a result of the public right-of-way vacation. The Community Plan identifies El Cajon Boulevard as a "major regional East/West corridor" with the goal to "create a grand boulevard setting where larger new commercial, light manufacturing, residential and mixed-use development can locate (p. 78).

The CU-2-4 Zone is intended to accommodate development with pedestrian orientation and high-density residential use while the CT-2-4 Zone provides transition between the CU-2-4 Zone and abutting residential use areas. With the proposed public right-of-way vacation areas, the vacated portions will create a more cohesive space that will enhance the connectivity between the two existing vacant parcels through potential future development and the public will benefit from more mixed-use development opportunities with increased acreage to support an affordable housing component to meet the goals of the General Plan Housing Element and the Community Plan. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

3. The vacation does not adversely affect any applicable land use plan.

40th Street currently comes to a dead end, and due to the proximity of the freeway off-ramp, was never improved for street or highway purposes beyond the dead end and will not be improved to provide vehicular access to El Cajon Boulevard. The City Parks and Recreation has not identified any future use of Parcel A and B.

The Project site is located in the Normal Heights Neighborhood Element of the Mid-City Communities Plan area. The Land Use designation is designated a “Mixed Use Area” by the Community Plan. The Project site spans across the CUPD-CT-2-4 and CUPD-CU-2-4 Zones of the Central Urbanized Planned District. The CU-2-4 Zone is intended to accommodate development with pedestrian orientation and high-density residential use while the CT-2-4 Zone provides transition between the CU-2-4 Zone and abutting residential use areas. With the proposed public right-of-way vacation areas, the vacated portions will create a more cohesive space that will enhance the connectivity between the two existing vacant parcels through potential future development and the public will benefit from more mixed-use development opportunities with increased acreage to support an affordable housing component and flexibility provided by the Residential Parking Standards Transit Priority Area, Transit Priority Area, and Transit Area Overlay Zone to meet the goals of the General Plan and the Community Plan.

The southern end of the vacation area and along the eastern perimeter of lots 25 through 28 currently features a pedestrian accessway from 40th Street to El Cajon Boulevard. The project will be conditioned to dedicate and improve additional right-of-way into the adjacent Lot No. 28, which will allow for enhancement of this area to a 26-foot-wide pedestrian promenade consistent with goals and policies of the General Plan Housing Element and the Mid-City Communities Plan. Parcel B currently does not allow access from the existing western alley to 40th Street for general vehicular use due to bollards installed at the alley's easternmost end. The proposed vacation of the alley will retain its current zoning and land use designations in compliance with the Community Plan. Therefore, the vacation does not adversely affect any applicable land use plan.

4. The public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

40th Street, including the underlying fee portion of Parcel A to be vacated, was relinquished by the State of California to the City by Document No. 2005-0652080, recorded August 11, 2005, due to portions of 40th Street not being constructed as part of I-15 southbound. The State of California gave up its public interest to construct I-15 southbound along 40th Street and returned land use controls to the City of San Diego. 40th Street currently comes to a dead end and due to the proximity of the freeway off-ramp, was never improved for street or highway purposes beyond the dead end and will not be improved to provide vehicular access to El Cajon Boulevard. Parcel B is an unnamed alley that was originally dedicated to the City as part of Subdivision Map No. 1108. The City Parks and Recreation Department has not identified any future use of the portions of 40th Street and the unnamed alley to be vacated. All public water and sewer, and storm water utilities that would be affected by the proposed vacation will be

abandoned and/or relocated prior to the recordation of the vacation.

Access rights from the alley of all adjacent property owners shall remain, and the 40th Street dead end does not currently serve any other parcels but those benefiting from the vacation. The project will be conditioned to dedicate and improve additional right-of-way sufficient to construct a hammerhead turnaround adjacent to the vacation area on 40th Street that will include City Standard curb ramps to provide adequate turnaround to the area. The project will also be conditioned to dedicate and improve additional right-of-way into the adjacent Lot No. 28, which will allow for enhancement of this area to a 26-foot wide pedestrian promenade and provide bicycle and pedestrian access from 40th Street to El Cajon Boulevard. Parcel B consists of a 785-square-foot unnamed alley that is not accessible to vehicles due to bollards installed at the easternmost end of the alley, however, the vacation of Parcel B will still allow pedestrians and bicyclists to access El Cajon Boulevard from 40th Street via the pedestrian promenade. Therefore, the public facility for which the public right-of-way was originally acquired will not be detrimentally affected by the vacation.

The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated by this reference.

2. Based upon these findings adopted by the Council, Right-of-Way Vacation No. PMT-3391067, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 102705-B, marked as Exhibit "B," incorporated by this reference, and made a part of this Resolution, is ordered vacated subject to the following conditions:

- a. Prior to the recordation of the Public Right-of-Way Vacation No. PMT-3391067, the Applicant shall assure, by permit and bond, the dedication and improvement of additional right-of-way sufficient to construct the hammerhead turnaround shown on Drawing No. 102705-B, marked as Exhibit "B", adjacent to the site on 40th Street, satisfactory to the City Engineer and Chief of Fire and Life Safety.
- b. Prior to the recordation of the Public Right-of-Way Vacation No. PMT-3391067, the Applicant shall assure, by permit and bond, the construction of two (2) City Standard curb ramps at the hammerhead turnaround, adjacent to the site on 40th Street, satisfactory to the City Engineer.
- c. Prior to the recordation of the Public Right-of-Way Vacation No. PMT-3391067, the Applicant shall assure, by permit and bond, the dedication and improvement of additional right-of-way into adjacent Lot No. 28 and the enhancement of the pedestrian accessway from 40th Street to El Cajon

Boulevard into a 26-foot-wide pedestrian promenade, satisfactory to the City Engineer.

- d. Prior to the recordation of the Public Right-of-Way Vacation No. PMT-3391067, the Applicant shall assure, by permit and bond, the abandonment and/or relocation of all public water and sewer utilities, and storm drain infrastructure that are affected by the proposed vacation in a manner satisfactory to the Director of Public Utilities and the City Engineer.
- e. Prior to recordation of the Public Right-of-Way Vacation No. PMT-3391067, the Applicant shall process and complete the acquisition of portions of Parcel A from the City of San Diego.

3. If the conditions are not fulfilled to the satisfaction of the City Engineer within seven years following the adoption of this Resolution, then this Resolution shall become void and be of no further force or effect.

4. The City of San Diego reserves and excepts from Public Right-of-Way Vacation No. PMT-3391067 the permanent easement for public utility and storm water purposes, as more particularly described hereinafter:

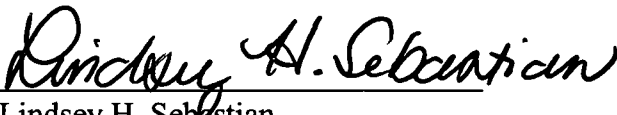
- a. RESERVING THEREFROM AN EASEMENT FOR SDG&E AND AT&T, BEGINNING AT THE NORTHWEST CORNER OF LOT 25, BLOCK 48, AS SHOWN ON W.P. HERBERT'S SUBDIVISION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 1108, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 8, 1908, SAID POINT BEING ALONG THE SOUTHERLY LINE OF AN "UNNAMED ALLEY", AS SHOWN ON SAID MAP; THENCE EASTERLY ALONG THE NORTHERLY LINES OF LOTS 25 THROUGH 28, AS SHOWN ON SAID MAP AND SAID SOUTHERLY LINE OF THE "UNNAMED ALLEY", SOUTH 89°07'57" EAST 9.00 FEET TO A POINT ON SOUTHERLY LINE OF SAID "UNNAMED ALLEY"; THENCE NORTH 00°52'03" EAST 6.00 FEET; THENCE NORTH 89°07'57" WEST 9.00 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL B; THENCE SOUTH 0°52'03" WEST 6.00 FEET TO THE POINT OF BEGINNING.

The easements reserved herein are in, under, over, upon, along, and across a portion of unnamed alley running west from 40th Street between two parcels described as lots 29 through 32

inclusive and lots 25 through 28 in block 48 of W.P. Herbert's Subdivision, Map No. 1108, and as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 102705-B, marked as Exhibit "B."

5. The Development Services Department shall record a certified copy of this Resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

APPROVED: HEATHER FERBERT, City Attorney

By 
Lindsey H. Sebastian
Deputy City Attorney

LHS:nja
September 14, 2026
Or. Dept: Development Services Dept.
Doc. No. 4547126

ATTACHMENTS:
Exhibit A - Legal Description
Exhibit B - Drawing No. 102705-B

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
SEP 29 2026.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

EXHIBIT 'A'
LEGAL DESCRIPTION
PUBLIC RIGHT OF WAY VACATION
AND PUBLIC UTILITY EASEMENT RESERVATION

THOSE PORTIONS OF LOTS 27 TO 32 INCLUSIVE IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 1108, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY JANUARY 8, 1908, AND A PORTION OF THE RIGHT OF WAY CONVEYED BY THE STATE OF CALIFORNIA TO THE CITY OF SAN DIEGO IN DEED RECORDED ON AUGUST 1, 2005 AS INSTRUMENT NO. 2005-0652080 OF OFFICIAL RECORDS IN SAID RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A

BEGINNING AT THE NORTHWEST CORNER OF LOT 34 OF SAID SUBDIVISION;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 34, SOUTH 00°58'39" WEST, 50.09 FEET

THENCE SOUTH 00°59'16" WEST, 0.96 FEET TO THE **TRUE POINT OF BEGINNING** AND THE BEGINNING REA OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 125.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°05'25" AN ARC LENGTH OF 41.65 FEET;

THENCE SOUTH 20°04'41" WEST, 21.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 250.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°18'38" AN ARC LENGTH OF 62.44 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 48°04'45" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°07'13" AN ARC LENGTH OF 11.40 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 45.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS NORTH 21°57'32" EAST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 151°17'04" AN ARC LENGTH OF 118.82 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS NORTH 06°45'24" WEST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82°15'20" AN ARC LENGTH OF 43.07 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 3,640 SQUARE FEET OR 0.084 ACRES, MORE OR LESS.

EXHIBIT 'A'
LEGAL DESCRIPTION
PUBLIC RIGHT OF WAY VACATION
AND PUBLIC UTILITY EASEMENT RESERVATION

PARCEL B

THOSE PORTIONS OF AN UNNAMED ALLEY IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 1108, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY JANUARY 8, 1908, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 25 OF SAID SUBDIVISION, SAID POINT BEING ALONG THE SOUTHERLY LINE OF SAID UNNAMED ALLEY;

THENCE EASTERLY ALONG THE NORTHERLY LINES OF LOTS 25 THROUGH 28 OF SAID SUBDIVISION AND SAID SOUTHERLY LINE OF UNNAMED ALLEY, SOUTH 89°05'48" EAST, 59.18 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 45.00 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS NORTH 40°12'16" EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°33'49" AN ARC LENGTH OF 19.29 FEET;

THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, NORTH 89°05'48" WEST, 47.26 FEET;

THENCE SOUTH 00°58'10" WEST, 15.00 FEET TO THE **POINT OF BEGINNING**.

RESERVING THEREFROM AN EASEMENT FOR PUBLIC UTILITIES, **BEGINNING** AT THE NORTHWEST CORNER OF LOT 25 OF SAID SUBDIVISION, SAID POINT BEING ALONG THE SOUTHERLY LINE OF SAID UNNAMED ALLEY;

THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 25, AND SAID SOUTHERLY LINE OF SAID UNNAMED ALLEY, SOUTH 89°05'48" EAST, 9.00 FEET;

THENCE LEAVING SAID NORTHERLY LINE, NORTH 00°54'12" EAST, 6.00 FEET TO A LINE PARALLEL AND DISTANCE 9.00 FEET NORTHERLY;

THENCE ALONG SAID PARALLEL LINE, NORTH 89°05'10" WEST, 9.00 FEET TO THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL B;

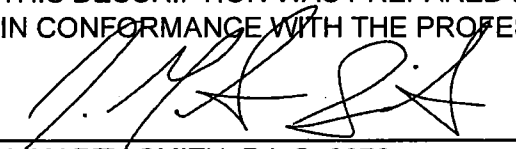
EXHIBIT 'A'
LEGAL DESCRIPTION
PUBLIC RIGHT OF WAY VACATION
AND PUBLIC UTILITY EASEMENT RESERVATION

THENCE SOUTHERLY ALONG SAID WESTERLY LINE, SOUTH 00°58'10" WEST, 6.00 FEET TO THE **POINT OF BEGINNING**;

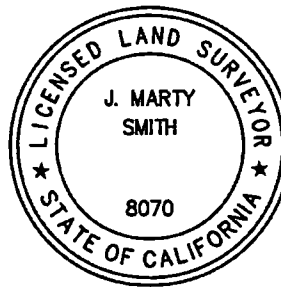
THE ABOVE DESCRIBED PARCEL CONTAINS 785 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

ATTACHED HERETO IS A DRAWING NO. 102705-B AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION,
IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.



J. MARTY SMITH, P.L.S. 8070
PREPARED: 09/08/2026



PRJ NO.: 1147743
PMT NO.: 3391067
DRAWING NO.: 102705-B

EXHIBIT B

REFERENCE DRAWINGS:

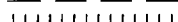
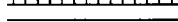
MAP NO. 1108
R.O.S. MAP NO 17279
101400-D
42285-B
101934-B
101788-B
STATE HIGHWAY MAP 318
R-313819

ASSESSOR'S PARCEL NO.:

APN 447-202-31
APN 447-202-32

LEGEND:

 PUBLIC STREET EASEMENT ACQUIRED
PARCEL A AREA = 3,640 SQUARE FEET
0.084 ACRES
PARCEL B AREA = 785 SQUARE FEET
0.018 ACRES
RESERVATION AREA = 54 SQUARE FEET
0.001 ACRES

 DEDICATION BOUNDARY
 SUBJECT PROPERTY
 CENTERLINE
 PROPERTY LINE
 RELINQUISHED ACCESS RIGHTS
 ROW LINE
 OFFSET LINE

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, 1983 (CCS83), ZONE 6, EPOCH 2017.50, AND IS DETERMINED BY GPS MEASUREMENTS TAKEN ON JULY 17, 2024 AT POINTS "A" AND "B" AS SHOWN HEREON. POINTS "A" AND "B" WERE ESTABLISHED FROM CONTINUOUSLY OPERATING REFERENCE STATIONS S105 AND P473 DERIVED FROM GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRC). THE BEARING FROM POINT "A" TO POINT "B" IS S89°03'22"E.

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

THE COMBINED GRID FACTOR AT POINT "A" IS 0.99999924. GRID DISTANCE = GROUND DISTANCE X COMBINED GRID FACTOR. ELEVATION AT POINT "A" IS 371.72 FEET (NGVD29).

DEDICATION LEGEND:

- ① ALLEY DEDICATED PER MAP NO. 1108.
- ② DEDICATED AS CAJON BOULEVARD PER TERALTA MAP NO. 1037.
- ③ DEDICATED AS 40TH STREET PER MAP NO. 1108.
- ④ PORTION OF EL CAJON BOULEVARD ACQUIRED BY THE STATE OF CALIFORNIA PER FINAL ORDER OF CONDEMNATION RECORDED MAY 28, 1996, AS DOCUMENT NO. 1996-0267956, O.R.. (PARCEL 27522-1)
- ⑤ PORTION OF 40TH STREET RELINQUISHED TO THE CITY OF SAN DIEGO PER RELINQUISHMENT NO. R27208 RECORDED AUGUST 1, 2005 AS DOCUMENT NO. 2005-0652080, O.R. SHOWN AS SEGMENT NO. 13 IN STATE HIGHWAY MAP NO. 318 FILE MAY 25, 2005, AS DOCUMENT NO. 2005-0440789, O.R.

▲ INDICATES CONTINUOUS OPERATING REFERENCE STATION (SORS) WITH GEODETIC VALUES PUBLISHED BY THE CALIFORNIA SPATIAL REFERENCE CENTER (CSRD), AND MEETS THE REQUIREMENTS OF THE CALIFORNIA PUBLIC RESOURCES CODE.

■ FOUND LEAD, TACK AND TAG STAMPED "CAL DOT" PER R.O.S. MAP NO. 17279.

P.O.B. POINT OF BEGINNING
T.P.O.B. TRUE POINT OF BEGINNING

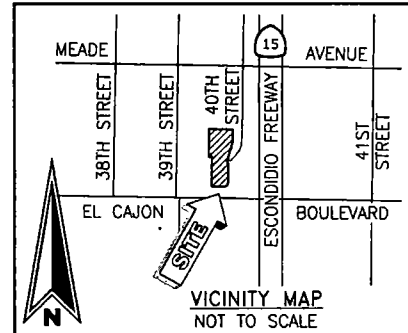
(...) INDICATES RECORD DATA PER ROS 17279
[...] INDICATES RECORD DATA PER ROS 1108

LINE & CURVE TABLE:

LINE & CURVE TABLE SHOWN ON SHEET 3.

EASEMENT LEGEND:

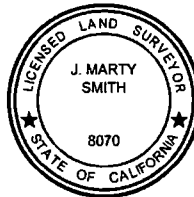
EASEMENT LEGEND SHOWN ON SHEET 2.



6390 Greenwich Dr
Suite 170
San Diego, CA 92122
858.554.1500
fuscoe.com

J. MARTY SMITH, LS 8070

09/08/2026
DATE



DOCUMENT NO.: _____

RECORDED: _____

PUBLIC RIGHT OF WAY VACATION & PUBLIC UTILITY EASEMENT RESERVATION PORTION OF 40TH STREET AND UNNAMED ALLEY IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, MAP NO. 1108

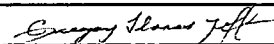
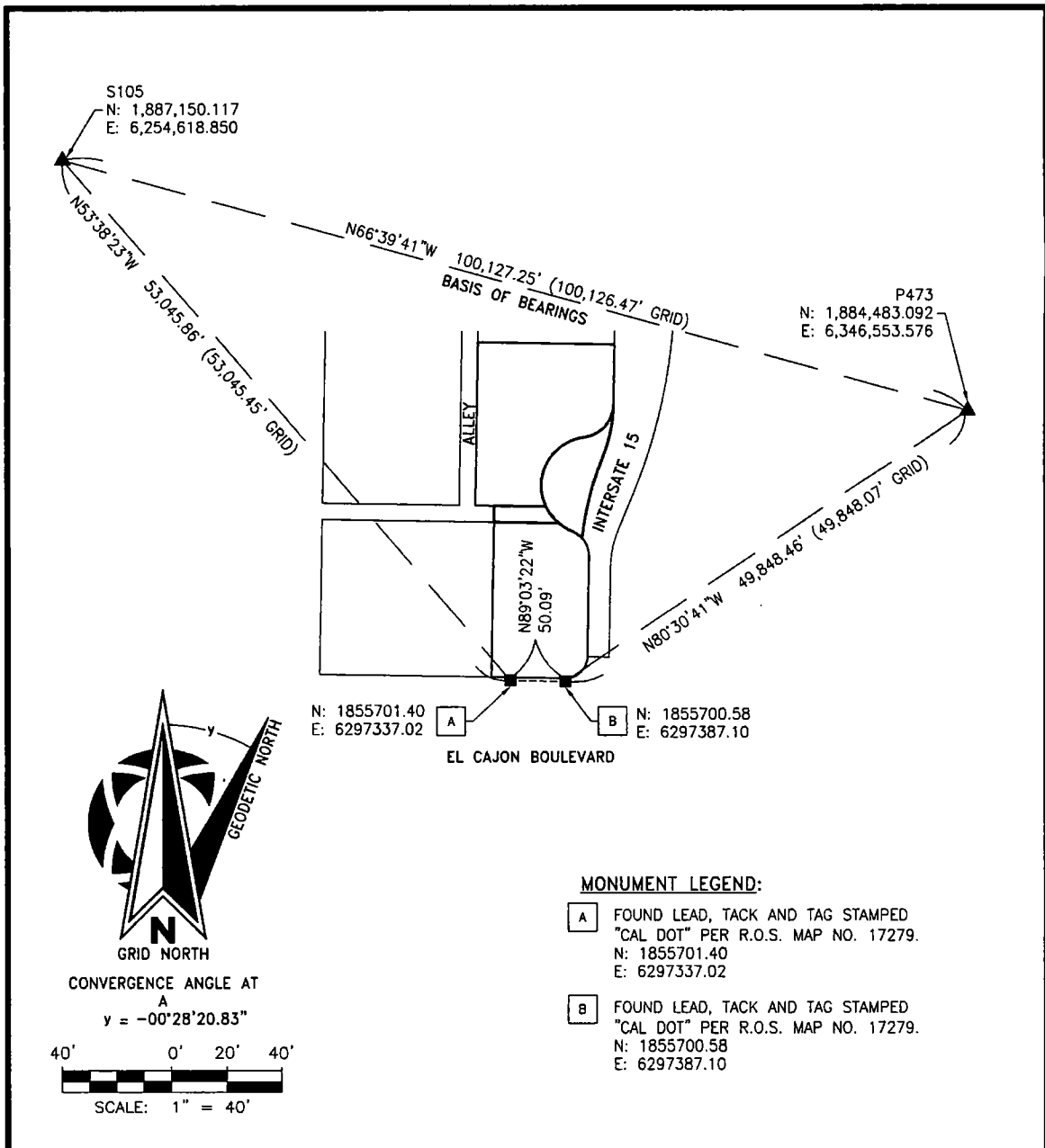
DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 4 SHEETS	PRJ NO.: 1147743 PMT NO.: 3391067
ORIGINAL	FEI				 FOR CITY ENGINEER	1854-6295 CCS 83 COORDINATES
					9/11/2026 DATE	214-1735 NAD 27 COORDINATES
					102705-1-B	B001
STATUS						

EXHIBIT B



FUSCOE
ENGINEERING
FULL CIRCLE THINKING®
6390 Greenwich Dr Suite 170 San Diego, Ca 92122 858.554.1500 fuscoe.com

PUBLIC RIGHT OF WAY VACATION & PUBLIC UTILITY EASEMENT RESERVATION PORTION OF 40TH STREET AND UNNAMED ALLEY IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, MAP NO. 1108

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 2 OF 4 SHEETS	PRJ NO.: 1147743 PMT NO.: 3391067
ORIGINAL	FEI				<i>Gregory Thomas Jeff</i> 9/11/2026 FOR CITY ENGINEER DATE	1856-6283 CCS 83 COORDINATES
						216-1713 NAD 27 COORDINATES
STATUS					102705-2-B	B002

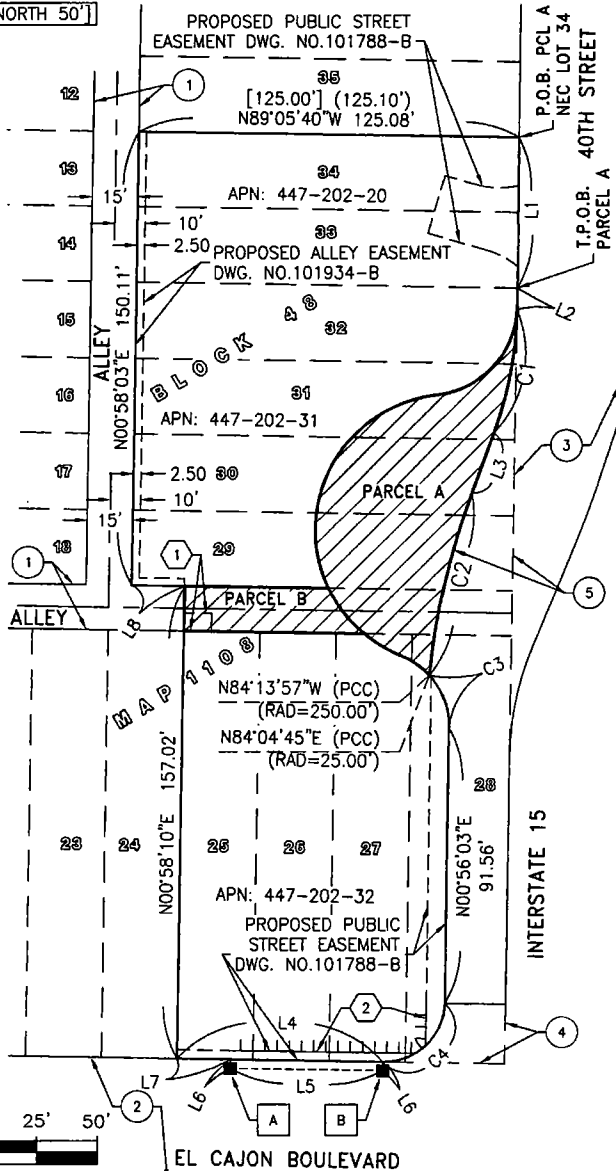
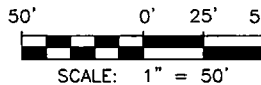
EXHIBIT B

LINE TABLE		
NO.	BEARING	LENGTH
L1	S00°58'39"E	50.09'
L2	N00°59'16"E	6.87'
L3	N20°04'41"E	21.04'
L4	N89°03'22"W	67.63'
L5	N89°03'22"W	50.09'
L6	N00°56'38"E	3.00'
L7	N89°03'22"W	17.54'
L8	N89°05'48"W	17.51'

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	19°05'25"	125.00'	41.65'
C2	14°18'38"	250.00'	62.44'
C3	42°51'18"	25.00'	18.70'
C4	90°00'35"	20.00'	31.42'

EASEMENT LEGEND:

- 1 A RESERVATION OF A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION RECORDED PER RESOLUTION NO. 313819, DATED DECEMBER 13, 2021.
- 2 THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND PER DOCUMENT RECORDED SEPTEMBER 13, 2001, AS DOCUMENT NO. 2001-0657049 OF OFFICIAL RECORD. NOTE, PER FREEWAY MAINTENANCE AGREEMENT 11-8207, DATED 05/02/2003, THE RELINQUISHED ACCESS RIGHTS WILL APPLY TO THE PUBLIC STREET EASEMENT BEING GRANTED HEREON. THOSE RELINQUISHED ACCESS RIGHTS ARE BEING PLOTTED IN THEIR FUTURE LOCATION PER THE AGREEMENT.

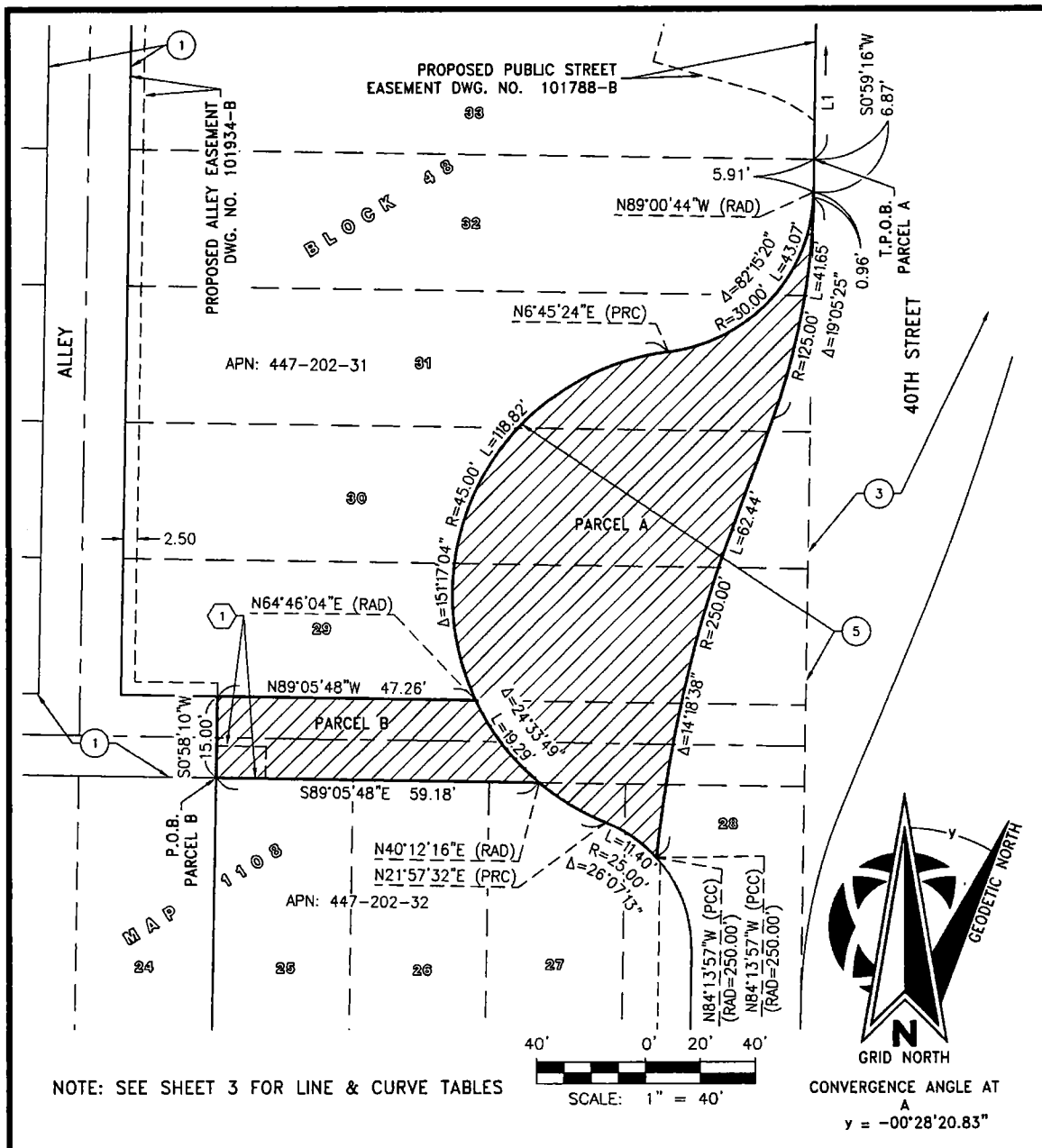


FUSCOE
ENGINEERING
FULL CIRCLE THINKING®
6390 Greenwich Dr Suite 170
San Diego, Ca 92122 858.554.1500
fuscoe.com

PUBLIC RIGHT OF WAY VACATION & PUBLIC UTILITY EASEMENT RESERVATION PORTION OF 40TH STREET AND UNNAMED ALLEY IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, MAP NO. 1108

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 3 OF 4 SHEETS		PRJ NO.: 1147743 PMT NO.: 3391067
ORIGINAL	FEI				<i>Gregory Thomas</i> 9/11/2026		1854-6295
					FOR CITY ENGINEER DATE		CCS 83 COORDINATES
							214-1735
							NAD 27 COORDINATES
STATUS					102705-3-B		B003

EXHIBIT B



FUSCOE
ENGINEERING
FULL CIRCLE THINKING®
6390 Greenwich Dr Suite 170
San Diego, Ca 92122 858.554.1500
fuscoe.com

PUBLIC RIGHT OF WAY VACATION & PUBLIC UTILITY EASEMENT RESERVATION
PORTION OF 40TH STREET AND UNNAMED ALLEY IN BLOCK 48 OF W.P.
HERBERT'S SUBDIVISION, MAP NO. 1108

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 4 OF 4 SHEETS	PRJ NO.: 1147743 PMT NO.: 3391067
ORIGINAL	FEI				<i>Gregory Shaw</i> 9/11/2026 FOR CITY ENGINEER DATE	1856-6283 CCS 83 COORDINATES
						216-1713 NAD 27 COORDINATES
STATUS					102705-4-B	B004

Passed by the Council of The City of San Diego on SEP 29 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☐	☐	☒	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☒	☐	☐	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 29 2026

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **316964**