

RESOLUTION NO. 186385

An excavation about 20 feet deep and about 150 feet long on property owned by Robert O. Larimer, Ruth L. Harris, Clement D. V. Rousseau and Helen C. Rousseau and leased to the Shorepoint Company; Roger Chapin, agent, at 1040 Coast Boulevard South, La Jolla, California, and legally described as:

"Lots 11, 14, 15, 16, 17, 18 and 19, Blk. 57,  
Park Subdivision in the City of San Diego,  
County of San Diego, State of California"

was made in June, 1965 under grading permit issued June 17, 1965. Work under this permit is 80% complete. On July 9, 1965, the lessee was notified that the permit issued for grading was being suspended; no further grading would be allowed unless within six months a building permit was obtained and construction commenced; otherwise the excavation to be restored to its original condition.

On August 6, 1965, a building permit was issued for foundation work that was completed in October, 1965. On August 23, 1965, a building permit for a 17 story apartment building was issued. As no work has been done under this permit, it expired at the end of 120 days and is null and void.

On November 19, 1965, the lessee was notified of possible hazards involved because construction had not commenced and rain was on the way, and he was advised to take precautionary measures. Some protective work was performed by the lessee in December. The heavy rains have caused considerable erosion of this excavation, endangering adjoining property, streets and sidewalks. A small lake or pool of water collects in the excavation after each rain which is open, unattended, unsecured and attractive nuisance to children, animals and others in the vicinity.

These conditions have been found by the Director of Building Inspection and City Engineer to be a hazard endangering persons

and property in the vicinity and endangering public safety,  
health and welfare; NOW THEREFORE,

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

That pursuant to Section 50231, Government Code, and  
Section 3480, Civil Code of California, the excavation described  
above is declared to be a public nuisance and is an immediate  
hazard to persons and property in the vicinity.

That the Director of Building Inspection is directed to take  
steps as outlined in Sections 50234--50237, Government Code of  
California, with a view towards early action to abate this  
nuisance by covering or fencing.

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Presented by T. W. T. [Signature]  
APPROVED: EDWARD T. BUTLER, City Attorney

By Robert A. Fitch  
Robert A. Fitch, Deputy