

RESOLUTION NUMBER R- 313819

DATE OF FINAL PASSAGE DEC 13 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO SUMMARILY VACATING A PORTION OF 40TH STREET AND AN UNNAMED PORTION OF AN ALLEY PURSUANT TO PUBLIC RIGHT-OF-WAY VACATION NO. 2511836, WITH RESERVATION OF PUBLIC UTILITY EASEMENTS – PROJECT NO. 682186.

WHEREAS, California Streets and Highways Code section 8330 *et seq.* and San Diego Municipal Code section 125.0901 *et seq.* provide a procedure for the summary vacation of public rights-of-way by City Council resolution; and

WHEREAS, Iwashita Real Estate Development, LLC, HDP Opportunity Partners, LLC, and O'Connor Real Estate Development, LLC, Applicants, filed an application to vacate 3,645 square feet of a western portion of 40th Street, generally located just south of 4344 40th Street as well as 786 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, being described as Public Right-of-Way Vacation No. 2511836 (Project); and

WHEREAS, this public right-of-way, or this portion of the public right-of-way, is excess public right-of-way and is not required for street or highway purposes; and

WHEREAS, under Charter Section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City 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; and

WHEREAS, the matter was set for public hearing on December 13, 2021, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that with respect to a portion of 40th Street and a portion of unnamed alley as described on the legal description on the attached "Exhibit A," the Council finds pursuant to San Diego Municipal Code (SDMC) section 125.0941 that:

(a) 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 3,645 square feet of the western portion of 40th Street (Parcel A), and 786 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 southbound off-ramp parallels the eastern portion of the vacation area. The State of California acquired the fee simple interest in Parcel A for highway purposes and then later relinquished its fee interest to the City of San Diego (City) by California Transportation Commission Resolution R3610 recorded with the San Diego County Recorder as Document No. 2005-0652080, on August 1, 2005. Where Parcel A is located, currently comes to a dead end and due to the proximity of the Interstate-15 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 this area.

The existing alleys located to the west of Parcel B that provide access from 39th Street and Meade Avenue will remain. Parcel B does not currently provide access from the existing western alley to 40th Street for general vehicular use. The underlying fee to Parcel B is not owned by the City, therefore, following the recordation of the public right-of-way vacation, the public's right to use Parcel B would be eliminated and all rights of ownership within Parcel B shall revert to the abutting parcel's underlying fee owners to the north and south. The City will benefit from vacating the public right-of-way as the property will be returned to the tax rolls and the City will be relieved of potential liability.

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 in order 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 for enhancement of this area to a 26-foot wide pedestrian promenade.

The City of San Diego will reserve a public utility easement on the southwest portion of the unnamed alley for existing third-party utilities in that area including the Pacific Bell Telephone Company (AT&T California), San Diego Gas & Electric Company, and all public water and sewer utilities that affect the proposed vacation will be abandoned and/or relocated prior to the recordation of the vacation. 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.

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

After recordation of the public right-of-way vacation, all rights of ownership shall revert to the abutting parcel's underlying fee owners. The City will benefit from vacating the public right-of-way as the property will be returned to the tax rolls and the City will be relieved of potential liability.

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 in order 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 for enhancement of this area to a 26-foot wide pedestrian promenade.

The is located in the Normal Heights Neighborhood Element of the Mid-City Communities Plan (Community Plan) area. The Land Use designation is "General Commercial" and is designated a "Mixed Use Area" 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 right-of-way vacation. The General Plan Village Propensity Map indicates that there is a high village-propensity at this site (GP-LU-8) that should focus on providing mixed-use commercial and residential activity centers that are pedestrian friendly and linked to the regional transit system. 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 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 and the Community Plan. Therefore, the public will benefit from the action through improved use of the land made available by the vacation.

(c) 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 Interstate-15 southbound 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 Department has not identified any future use of this area.

The Project site is located in the Normal Heights Neighborhood Element of the Mid-City Communities Plan area. The Land Use designation is "General Commercial" and 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 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 and the Mid-City Communities Plan. Therefore, the vacation does not adversely affect any applicable land use plan.

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

The State of California acquired the fee simple interest in Parcel A for highway purposes and then later relinquished its fee interest to the City of San Diego (City) by California Transportation Commission Resolution R3610 recorded with the San Diego County Recorder as Document No. 2005-0652080, on August 1, 2005. The south end of 40th Street where Parcel A is located, currently comes to a dead end and due to the proximity of the Interstate-15 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 this area. All public water and sewer utilities that affect the proposed vacation will be abandoned and/or relocated prior to the recordation of the vacation.

The existing alleys located to the west of Parcel B that provide access from 39th Street and Meade Avenue will remain and the 40th Street dead end does not currently serve any other parcels but those benefiting from the vacation. The project is 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 in order to provide adequate turnaround to the area and 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. Therefore, the public facility for which the right-of-way was originally acquired will not be detrimentally affected by the vacation.

BE IT FURTHER RESOLVED, that Right-of-Way Vacation No. 2511836, as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 42285-B, marked as Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated subject to the following condition(s) which are made a part of this resolution:

1. Prior to the recordation of the Public Right-of-Way Vacation, 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 the Dedication Exhibit "B" adjacent to the site on 40th Street, satisfactory to the City Engineer and Chief of Fire and Life Safety.
2. Prior to the recordation of the Public Right-of-Way Vacation, 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.
3. Prior to the recordation of the Public Right-of-Way Vacation, the Applicant shall assure, by permit, bond, and as-built completion, the abandonment or relocation of all public water and sewer utilities and storm drain infrastructure that affect the proposed

vacation in a manner satisfactory to the Director of Public Utilities and the City Engineer.

4. Prior to recordation of the Public Right-of-Way Vacation, the Applicant shall process and complete the acquisition of portions of Parcel A from the City of San Diego.

In the event these conditions are not completed within three years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

BE IT FURTHER RESOLVED, that the City of San Diego reserves and excepts from Right-of-Way Vacation No. 2511836 the following easement for public utility purposes, as more particularly described hereinafter:

RESERVING THEREFROM AN EASEMENT FOR PUBLIC UTILITIES, 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 LINE OF LOT 25, AS SHOWN ON SAID MAP AND SAID SOUTHERLY LINE OF THE "UNNAMED ALLEY", SOUTH 89°07'57" EAST 9.00 FEET; THENCE LEAVING SAID NORTHERLY LINE OF LOT 25 AND SAID SOUTHERLY LINE OF AN "UNNAMED ALLEY", 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 THE ABOVE DESCRIBED PARCEL B; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF PARCEL B, SOUTH 00°52'03" WEST 6.00 FEET TO THE POINT OF BEGINNING.

BE IT FURTHER RESOLVED, that the easements reserved herein are in, under, over, upon, along, and across a portion of the 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, vacated by this Document and as more particularly described in the legal description marked as Exhibit "A" and shown on Drawing No. 42285-B, marked as Exhibit "B."

BE IT FURTHER RESOLVED, that 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: MARA W. ELLIOTT, City Attorney

By /s/ Noah J. Brazier
Noah J. Brazier
Deputy City Attorney

NJB:nja

11/30/2021

12/14/2021 Rev. Copy

Attachments: Exhibit A – Legal Description

Exhibit B – Drawing Nos. 42285-1-B, 42285-2-B and 42285-3-B

Or. Dept: DSD

Doc. No.: 2826009

EXHIBIT "A"

**LEGAL DESCRIPTION
PUBLIC RIGHT OF WAY VACATION
AND PUBLIC UTILITY EASEMENT RESERVATION**

ALL THOSE PORTIONS OF THE 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 MAP THEREOF NO. 1108, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO 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 O.R. IN SAID RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

PARCEL A

COMMENCING AT THE NORTHEAST CORNER OF 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 1108, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 8, 1908; SAID POINT BEING ALONG THE WESTERLY LINE OF 40TH STREET AS RELINQUISHED TO THE CITY OF SAN DIEGO AS DESCRIBED IN THE DOCUMENT FILED AUGUST 1, 2005 AS DOCUMENT NO. 2005-0652080 O.R., IN SAID RECORDER'S OFFICE; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID BLOCK 48 AND SAID WESTERLY LINE OF THE CITY OF SAN DIEGO, SOUTH 00° 58' 21" WEST FOR A DISTANCE OF 350.22 FEET TO THE SOUTHEAST CORNER OF LOT 33, AS SHOWN ON SAID MAP; THENCE SOUTH 0° 58' 58" WEST 5.89 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED VACATION; THENCE LEAVING SAID WESTERLY LINE OF THE CITY OF SAN DIEGO, SOUTH 0° 58' 58" WEST 0.96 FEET TO THE BEGINNING OF CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 125.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 89° 01' 02" EAST; THENCE SOUTHWESTERLY 41.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19° 05' 25"; THENCE SOUTH 20° 04' 23" WEST 21.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 250.00 FEET; THENCE SOUTHWESTERLY 62.54 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14° 20' 00" TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 25.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH 48° 23' 24" EAST, SAID POINT BEING ON SAID WESTERLY LINE OF THE CITY OF SAND DIEGO; THENCE NORTHWESTERLY ALONG SAID WESTERLY LINE OF THE CITY OF SAN DIEGO, 11.52 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26° 23' 47" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE EASTERLY HAVING A RADIUS OF 45.00 FEET TO WHICH POINT A RADIAL LINE BEARS SOUTH 21° 59' 37" WEST; THENCE NORTHERLY 118.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 151° 17' 14" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 30.00 FEET, AND TO WHICH POINT A RADIAL LINE BEARS SOUTH 6° 43' 09" EAST; THENCE NORTHEASTERLY 43.09 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 82° 17' 53" TO THE POINT OF BEGINNING.

Containing 3,645 Sq. Ft, More or Less

PARCEL B

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 59.25 FEET TO A POINT ON THE WESTERLY LINE OF 40TH STREET AS RELINQUISHED TO THE CITY OF SAN DIEGO, AS DESCRIBED IN THE DOCUMENTS FILED AUGUST 1, 2005, AS DOCUMENT NO. 2005-0652080 O.R., IN SAID RECORDER'S OFFICE, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 45.00 FEET AND TO WHICH POINT A LINE BEARS SOUTH 40° 02' 49" WEST; THENCE NORTHWESTERLY 19.32 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°35'58" TO A POINT ON THE NORTHERLY LINE OF SAID "UNNAMED ALLEY", SAID POINT ALSO BEING ALONG THE SOUTHERLY LINE OF LOT 29 AS SHOWN ON SAID MAP; THENCE LEAVING SAID WESTERLY LINE OF THE LANDS OF THE CITY OF SAN DIEGO, WESTERLY ALONG SAID NORTHERLY LINE OF THE UNNAMED ALLEY AND SAID SOUTHERLY LINE OF LOT 29, NORTH 89°07'57" WEST 47.31 FEET; THENCE LEAVING SAID NORTHERLY LINE OF THE "UNNAMED ALLEY" AND SAID SOUTHERLY LINE OF LOT 29, SOUTH 0°52'03" WEST 15.00 FEET TO THE POINT OF BEGINNING.

Containing 786 Sq. Ft., More or Less

RESERVING THEREFROM AN EASEMENT FOR PUBLIC UTILITIES, 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 LINE OF LOT 25, AS SHOWN ON SAID MAP AND SAID SOUTHERLY LINE OF THE "UNNAMED ALLEY", SOUTH 89°07'57" EAST 9.00 FEET; THENCE LEAVING SAID NORTHERLY LINE OF LOT 25 AND SAID SOUTHERLY LINE OF AN "UNNAMED ALLEY", 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 THE ABOVE DESCRIBED PARCEL B; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF PARCEL B, SOUTH 00°52'03" WEST 6.00 FEET TO THE POINT OF BEGINNING.

ATTACHED HERETO IS A DRAWING NO. 42285-B LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

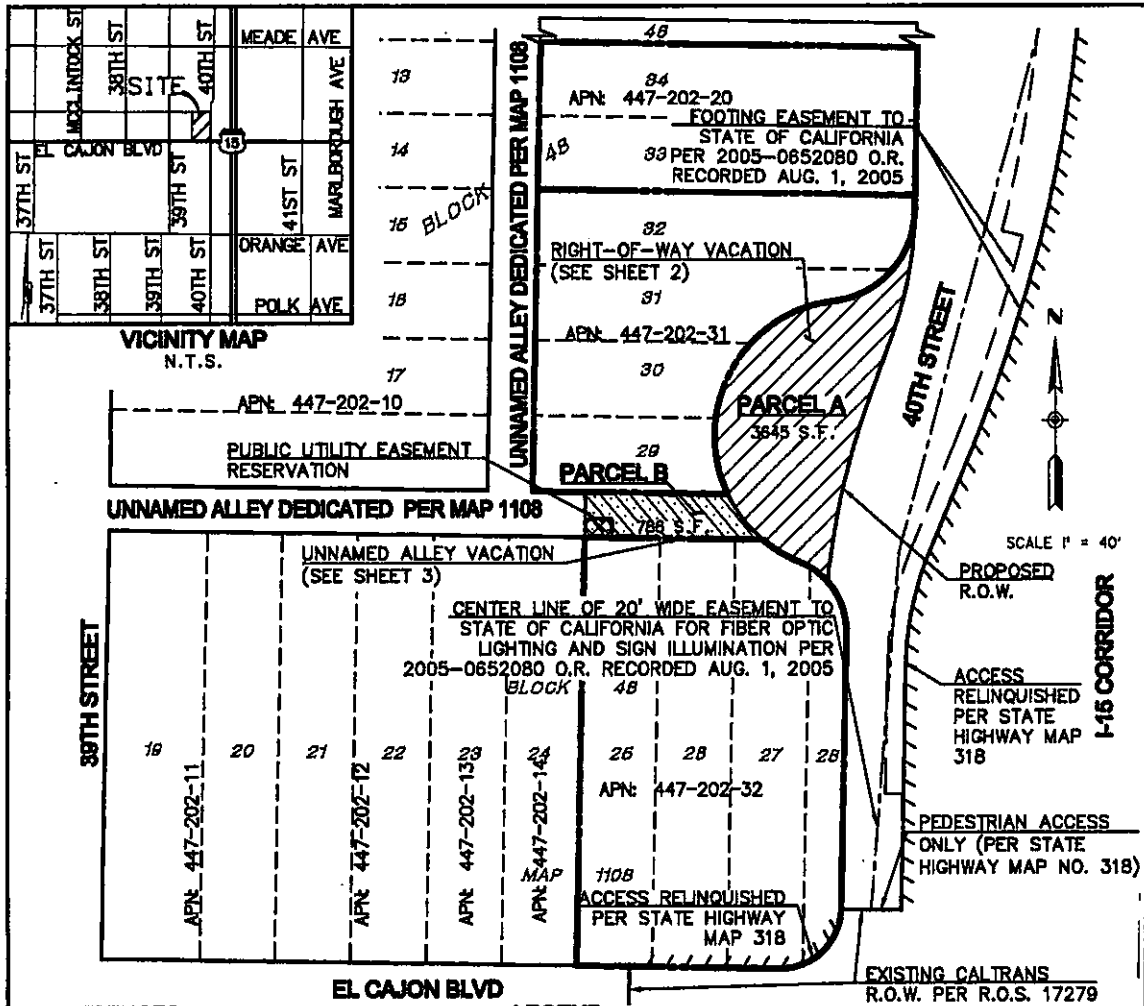
[Handwritten signature] 12/2/21

DEAN JOHNSON, PLS 4878
NOVA ENGINEERING, INC.
4373 VIEWRIDGE AVE, SUITE A
SAN DIEGO, CA 92123
(619) 296-1010



DWG. NO. 42285-B
P.T.S. NO. 682186
I.O. NO. 24008807

EXHIBIT B



REFERENCES

MAP No. 1108.
RECORD OF SURVEY No. 17279

ASSESSOR'S PARCEL NUMBERS

447-202-20, 447-202-31 AND 447-202-32

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA DEPARTMENT OF TRANSPORTATION MONUMENTATION MAP ROS MAP NO. 17279 FILED FEB. 15, 2002, FILE NO. 2002-0136434, SAN DIEGO COUNTY RECORDS

LEGEND

- BOUNDARY
- VACATION/ROW LINE
- LOT LINES
- EASEMENT
- RELINQUISHED ACCESS RIGHTS
- ▨ PARCEL A; PORTION OF 40TH STREET VACATED HEREON
- ▩ PARCEL B; PORTION OF UNNAMED ALLEY VACATED HEREON
- ▣ PUBLIC UTILITY EASEMENT RESERVATION



NOVA ENGINEERING
4373 VIERDRIDGE AVE, SUITE A
SAN DIEGO, CALIFORNIA 92123
(619) 298-1010

Dean Johnson
12/03/2021

DEAN JOHNSON PLS 4878 DATE
REGISTRATION EXPIRES: 09/30/2022

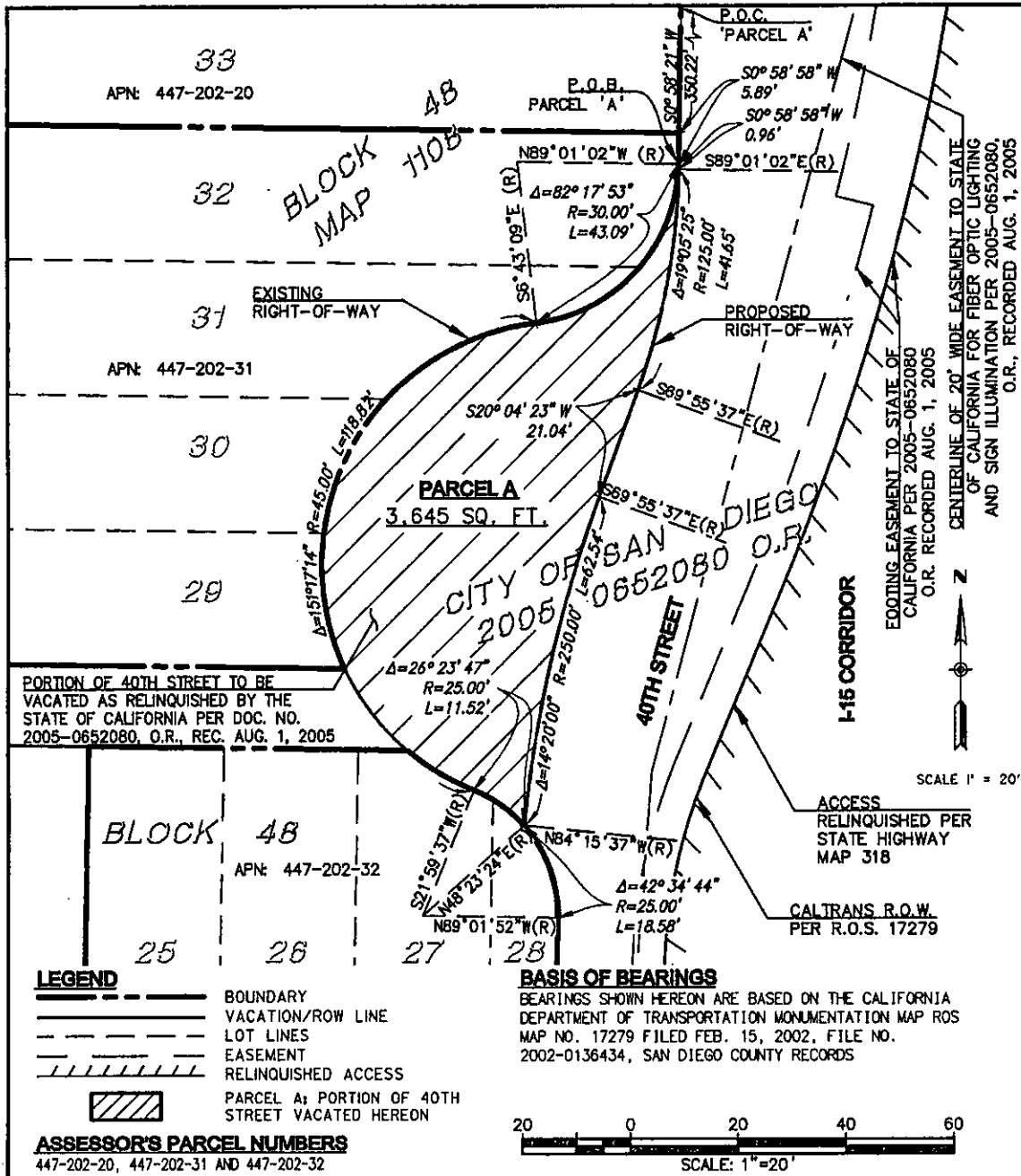


RESOLUTION NO.: _____
ADOPTED: _____
RECORDED: _____
DOCUMENT NO.: _____

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	FILED	CITY OF SAN DIEGO, CALIFORNIA	PTS. NO. 682188
ORIGINAL	NOVA ENG				SHEET 1 OF 3 SHEETS	I.O. NO. 24008807
					FOR CITY LAND SURVEYOR	1854-6295 GCS83
					DATE	214-1735 LAMBERT COORDINATES
					STATUS	42285-1-B

EXHIBIT B



NOVA ENGINEERING
4373 VIEBRIDGE AVE, SUITE A
SAN DIEGO, CALIFORNIA 92123
(619) 296-1010

[Signature]
12/03/2021

DEAN JOHNSON PLS#4878 DATE
REGISTRATION EXPIRES: 09/30/2022



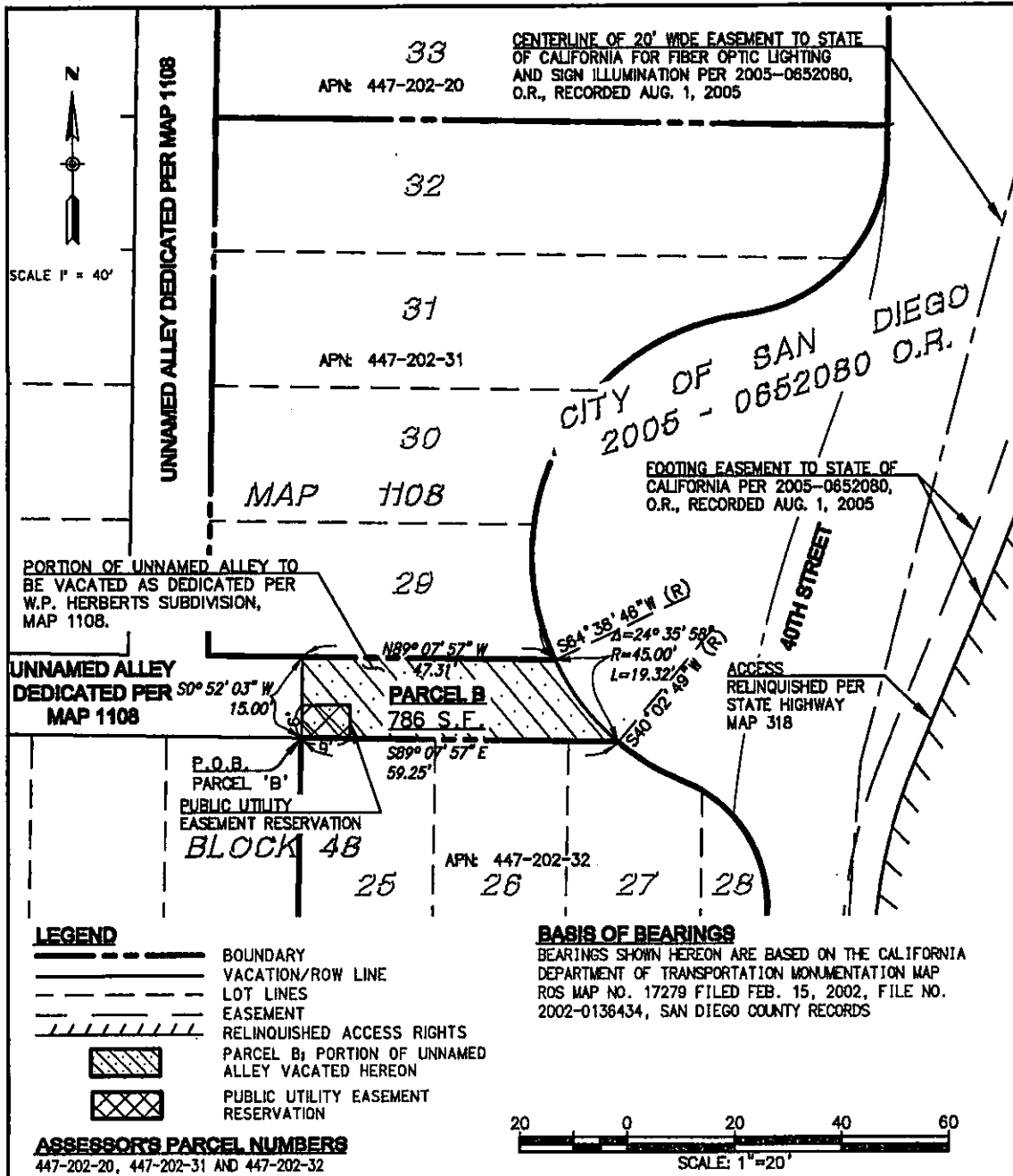
RESOLUTION NO.: _____
ADOPTED: _____
RECORDED: _____
DOCUMENT NO.: _____

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	PTS NO. 682186
ORIGINAL	NOVA ENG				SHEET 2 OF 3 SHEETS	I.O. NO. 24008807
					FOR CITY LAND SURVEYOR	DATE
						1854-6295 CCS83
						214-1735 LAMBERT COORDINATES
					STATUS	42285-2-B

EXHIBIT B



NOVA ENGINEERING
 4373 VIENRIDGE AVE, SUITE A
 SAN DIEGO, CALIFORNIA 92123
 (619) 296-1010

[Signature]
 12/03/2021

DEAN JOHNSON PLS#4878 DATE
 REGISTRATION EXPIRES: 09/30/2022

RESOLUTION NO.: _____

ADOPTED: _____

RECORDED: _____

DOCUMENT NO.: _____

PUBLIC RIGHT OF WAY VACATION & PUBLIC UTILITY EASEMENT RESERVATION					CITY OF SAN DIEGO, CALIFORNIA	
PORTION OF 40TH STREET AND UNNAMED ALLEY IN BLOCK 48 OF W.P. HERBERT'S SUBDIVISION, MAP NO. 1108					SHEET 3 OF 3 SHEETS	
DESCRIPTION	BY	APPROVED	DATE	FILMED	PTS NO.	I.O. NO.
ORIGINAL	NOVA ENG				682186	24008807
					1854-6295	COSB3
					214-1735	LAMBERT COORDINATES
STATUS					42285-3-B	

Passed by the Council of The City of San Diego on DEC 13 2021, by the following vote:

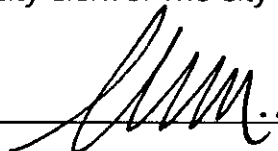
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 13 2021.

(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) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 313819