

RESOLUTION NO. 2022-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, OF INTENTION TO VACATE AND ABANDON A PORTION OF AN UNNAMED ALLEY, SPECIFICALLY DESCRIBED HEREIN, LOCATED IN THE CITY OF ESCONDIDO, AND SETTING A PUBLIC HEARING TO RECEIVE PROTESTS

WHEREAS, the vacation of a portion of a certain City street, which is an unnamed alley in Block 75 of Escondido, generally located between South Pine Street and West 2nd Avenue and more specifically identified and described in Exhibits "A" and "B" hereto, is needed; and

WHEREAS, the Escondido Planning Commission having made findings consistent with the proposed vacation of certain City street to be consistent with the Escondido General Plan; and

WHEREAS, the City Council of the City of Escondido, California, having received the recommendations of the City Engineer, and being fully advised in the premises, finds that it is in the public interest and convenience to hold a public hearing in order to consider the City Council's intent to vacate and abandon a portion of the herein described street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California as follows:

1. That the above recitations are true.
2. That it is the intention of the City Council to order a portion of an unnamed alley, as more fully described in Exhibits "A" and "B" hereto, to be vacated, abandoned and closed to public use.
3. That portions of the public street proposed to be vacated are legally described in Exhibit "A" and depicted on plats in Exhibit "B." Exhibits "A" and "B" are attached to this resolution and are incorporated by this reference.

4. That this street vacation shall be conducted pursuant to the provisions of the Public Street, Highways and Service Easements Vacation Law, which act is now incorporated in Part 3, Division 9, Chap. 1 commencing at §8300 of the California Streets and Highways Code.

5. That notice is hereby given that the City Council will hear protests made by any person interested in or objecting to the said proposed street vacation at 5:00 p.m. on Wednesday, December 7, 2022, at the City Council Chambers, 201 North Broadway, Escondido, California.

6. That the City Clerk shall cause a copy of this resolution to be published consistent with the California Streets and Highways Code §8322, to post at least three notices of vacation along the line of the proposed street to be vacated at least two weeks prior to the hearing in accordance with California Streets and Highways Code §8323, and to send notice to affected public utility companies, if any, at least two weeks prior to the hearing.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof the 16th day of NOVEMBER, 2022 by the following vote to wit:

AYE : Councilmembers: GARCIA, INSCOE, MORASCO, MARTINEZ, MCNAMARA

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

DocuSigned by:

Paul McNamara

CAACE20782954D3...

PAUL MCNAMARA, Mayor of the
City of Escondido, California

ATTEST:

DocuSigned by:

Zack Beck

A58535D08DC1430...

ZACK BECK, City Clerk of the
City of Escondido, California

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EXHIBIT 'A'

LEGAL DESCRIPTION

STREET VACATION

ALL THAT PORTION OF THE UNNAMED ALLEY IN BLOCK 75 OF ESCONDIDO, IN THE CITY OF ESCONDIDO, COUNTY OF DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP NO. 336, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 10, 1886, LYING SOUTHWESTERLY OF THE NORTHWESTERLY PROLONGATION OF THE LOT LINE COMMON TO LOTS 2 AND 3 IN SAID BLOCK 75 OF SAID MAP 336, AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT OF INTERSECTION OF SAID COMMON LOT LINE OF LOTS 2 AND 3 WITH A 598.00 FOOT RADIUS CURVE CONCAVE NORTHERLY, BEING THE NORTHEASTERLY RIGHT-OF-WAY OF SECOND AVENUE (84 FEET WIDE) AS SHOWN ON PARCEL MAP NO. 11860, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON DECEMBER 18, 1981 AS FILE NO. 81-396199 OF OFFICIAL RECORDS, A RADIAL LINE TO SAID POINT OF INTERSECTION BEARS SOUTH 00°09'08" EAST; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 94.64 FEET THROUGH A CENTRAL ANGLE OF 09°04'02" TO THE SOUTHEASTERLY LINE OF SAID UNNAMED ALLEY, BEING THE **TRUE POINT OF BEGINNING**. THENCE CONTINUING ALONG SAID 598.00 FOOT RADIUS CURVE

- 1. WESTERLY 8.32 FEET TO A POINT OF TANGENCY; THENCE
- 2. NORTH 80°17'17" WEST 21.17 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF QUINCE AVENUE (80 FEET WIDE) AS SHOWN ON SAID PARCEL MAP 11860; THENCE ALONG SAID NORTHEASTERLY LINE
- 3. NORTH 30°43'14" EAST 0.89 FEET TO THE NORTHWESTERLY LINE OF SAID UNNAMED ALLEY.

CONTAINING 1,779.64 SQUARE FEET (0.041 ACRE MORE OR LESS)

ATTACHED HERETO IS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.



MIGUEL A. MARTINEZ
L.S. 7443
LIC. EXP. 06/30/22

6/8/22
DATE



