

RECORDING REQUESTED BY DEPARTMENT OF GENERAL SERVICES FOR THE BENEFIT OF THE COUNTY OF SAN DIEGO PER GOVERNMENT CODE SECTION 27383

WHEN RECORDED, PLEASE RETURN THIS INSTRUMENT TO:

(MAIL STATION A45)

Clerk, Board of Supervisors
San Diego County Administration Center
1600 Pacific Highway
San Diego, California 92101

SPACE ABOVE FOR RECORDER'S USE ONLY

Assessor No.: 394-064-19

RESOLUTION No. : _____

Meeting Date: May 20, 2026

**RESOLUTION TO SUMMARILY VACATE A PORTION OF VINE STREET
IN THE LAKESIDE COMMUNITY PLAN AREA (VAC 2025-0002)**

WHEREAS, an easement for county highway was acquired by the County of San Diego in the document recorded in the Office of the County Recorder of said San Diego County, California, on December 7, 1962, as File/Page No. 2-209295, including the privilege and right to extend drainage structures and excavation and embankment slopes beyond the dedicated right-of-way; and

WHEREAS, the owner of Assessor’s Parcel Number (APN) 394-064-19 has requested that the County of San Diego, General Services, Real Estate Division, summarily vacate a portion of the county highway easement lying within their property, more specifically described in Exhibit “A” and depicted in Exhibit “B” attached hereto; and

WHEREAS, the California Streets and Highways Code, at Chapter 4, of Part 3, of Division 9, commencing with Section 8330 and following, provides for the summary vacation of such interests; and

WHEREAS, after investigation, County of San Diego Department of Public Works (DPW) recommends approval of the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of San Diego makes the following findings and determinations:

1. The portion of county highway easement as described in Exhibit "A," is not required for public right-of-way (ROW) purposes pursuant to California Streets and Highways Code section 8334(a) because the remaining ROW meets the minimum required half-width ROW for the General Plan Mobility Element roadway classification. This segment of Vine Street is classified as a 2.2E Light Collector with Class IV Bike Lanes which has a requirement of 37-foot half width. Therefore, the Board finds that the portion of county highway easement, may be summarily vacated pursuant to California Streets and Highways Code section 8334(a).

2. The proposed summary vacation conforms to the San Diego County General Plan pursuant to California Streets and Highways Code section 8313 and Government Code section 65402.

3. The portion of county highway easement to be vacated is not useful as a non-motorized transportation facility pursuant to California Streets and Highways Code sections 892 and 8314.

4. There are no in-place public utility facilities that are in use and would be affected by the vacation pursuant to California Streets and Highways Code section 8334.5 because an easement, consistent with the franchise rights granted by California Public Utilities Code section 7901, is being reserved for Pacific Bell Telephone Company, (dba AT&T California) at their request, as described and depicted in Exhibit "A" and "B". Therefore, in place public utility facilities will not be affected by the proposed vacation.

5. The proposed summary vacation is in the public interest because there is a public convenience associated with the partial removal of an encumbrance from private lands that is no longer needed for county highway purposes.

BE IT FURTHER RESOLVED AND ORDERED that the portion of county highway easement is hereby summarily vacated pursuant to Division 9, Part 3, Chapter 4, Sections 8330-8336, of the California Streets and Highways Code; subject to the partial reservation of an easement for the benefit of AT&T for in place utilities; the Clerk of the Board of Supervisors shall cause a copy of this Resolution, including Exhibit "A", and "B" to be recorded pursuant to California Streets and Highways Code section 8336; and from and after the date of the recording of this Resolution, the subject area no longer

constitutes a right-of-way, street, highway or public service easement.

THE FACTS UPON WHICH THIS VACATION IS MADE ARE AS FOLLOWS:

The county highway easement proposed for summary vacation is located in the unincorporated area of the County in the Lakeside Community Plan Area, and was originally acquired by the County of San Diego in the document recorded in the Office of the County Recorder of said San Diego County, California, on December 7, 1962, as File/Page No. 62-209295, and included the privilege and right to extend drainage structures and excavation and embankment slopes beyond the dedicated right-of-way. The County Department of Public Works has determined that the portion of county highway easement proposed for vacation as described in Exhibit "A" is excess and no longer needed for present or future public use because the remaining ROW meets the minimum required half-width for General Plan Mobility Element roadway classification. This segment of Vine Street is classified as a 2.2E Light Collector with Class IV Bike Lanes which has a requirement of 37-foot half width. The privilege and right to extend drainage structures and excavation and embankment slopes beyond the dedicated right-of-way are being retained by the County for future improvements made within the remaining ROW.

The Department of Parks and Recreation has determined that the portion of county highway easement to be vacated is not needed for trail purposes because there are no community adopted trails or pathways planned for this area in the General Plan Community Trails Network. Therefore, the proposed area to be summarily vacated is not useful as a non-motorized transportation facility pursuant to Streets and Highways Code sections 892 and 8314.

The Department of Planning and Development Services confirmed the proposed summary vacation is conformance with the County of San Diego General Plan in a letter dated September 23, 2005.

The portion of easement to be summarily vacated is located within the applicant's property (APN 394-064-19), more particularly described in Exhibit "A," subject to the partial reservation of an easement for the benefit of AT&T for in place utilities. No property owner would be land-locked as a result of the proposed vacation. Therefore, the portion of easement is excess ROW, not required for street or highway purposes and can be summarily vacated.

The proposed summary vacation is in the public interest because there is a public convenience associated with the partial removal of an encumbrance from private land that is no longer needed for public road purposes, and in this case, there is also a public benefit through improved use of the land made available by the vacation.

LEGAL DESCRIPTION OF REAL PROPERTY TO BE SUMMARILY VACATED

A PORTION OF LOT 5 OF LAKESIDE ACRES, ACCORDING TO MAP THEREOF No. 2216, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED IN **EXHIBIT "A"** ATTACHED HERETO, CONSISTING OF ONE (1) PAGE, AND MADE A PART HEREOF, AND DEPICTED ON **EXHIBIT "B,"** ATTACHED HERETO, CONSISTING OF TWO (2) PAGES, FOR ILLUSTRATIVE PURPOSES ONLY.

SUBJECT TO THE PARTIAL RESERVATION OF AN EASEMENT FOR THE BENEFIT OF AT&T FOR IN PLACE UTILITIES, MORE PARTICULARLY DESCRIBED IN **EXHIBIT "A"**.

Approved as to form and legality:

DAMON M. BROWN, County Counsel

By: THOMAS L. BOSWORTH, Senior Deputy County Counsel