

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.: 505-672-11 & 505-672-12

RESOLUTION No. : _____

Meeting Date: August 27, 2025

**RESOLUTION TO SUMMARILY VACATE A PORTION OF POINTE PARKWAY AND
GOLF POINTE DRIVE, IN THE SPRING VALLEY COMMUNITY PLAN AREA
(VAC 2022-0151)**

WHEREAS, a Pointe Parkway and Golf Pointe Drive were dedicated to the County of San Diego (County), subject to improvement on County of San Diego Tract No. 4828-1, according to Map thereof No. 12924, Filed March 4, 1992; and

WHEREAS, the owner of a portion of Lot 59 of Map No. 12924 has requested that the County of San Diego, Department of General Services, Real Estate Division, summarily vacate a portion of Pointe Parkway and Golf Pointe Drive encumbering their property, as 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 Public Works 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 Pointe Parkway and Golf Pointe Drive as described in Exhibit “A,” are determined to be excess right-of-way not required for street or highway purposes pursuant to California Streets and Highways Code section 8334 because the portions were dedicated for the future construction of State Route 54 by the State of California. The State subsequently abandoned plans to complete the State Route and the areas dedicated for this purpose are not part of the County General Plan Mobility Element. Therefore, the Board finds that right-of-way areas may be summarily vacated pursuant to California Streets and Highways Code section 8334.

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. A portion of Pointe Parkway and Golf Pointe Drive to be vacated is useful as a non-motorized transportation facility pursuant to California Streets and Highways Code sections 892 and 8314. Therefore, an easement for non-motorized public trail is being reserved in accordance with Streets and Highways Code section 8340 as Parcel No. 2022-0151-B described in attachment Exhibit “A” and depicted in attachment Exhibit “B”.

4. There are in-place drainage facilities related to the roadway that are privately maintained in accordance with the Road Maintenance Agreement for Tentative Map 5281-1, recorded January 27, 2011 as Doc No. 2011-0051885. In accordance with Streets and Highways Code section 8340 an easement is being reserved at the request of the Department of Public Works for these related drainage facilities as described in attachment Exhibit “A”, and depicted in attachment Exhibit “B”. Since the in-place public utility facilities will be protected by the reservation of an easements and will not be affected by the proposed vacation, California Streets and Highways Code section 8334.5 does not apply in this instance.

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

BE IT FURTHER RESOLVED AND ORDERED that the portion of Pointe Parkway and Golf

Pointe Drive are hereby summarily vacated pursuant to Division 9, Part 3, Chapter 4, Sections 8330-8336, of the California Streets and Highways Code; 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, subject only to the reserved drainage and trail easements, 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 portion of Pointe Parkway and Golf Pointe Drive proposed for summary vacation are located in the unincorporated area of the County in the vicinity of Spring Valley, in the Spring Valley Community Plan Area. The portions to be vacated were dedicated to the County of San Diego (County) for public highway, subject to improvement per said Map No. 12924. Subject to the reservation of an a drainage easement as described in attachment Exhibit “A”, and depicted in attachment Exhibit “B” to support the District’s facilities, Public Works determined there is no current or future need for these portions of Pointe Parkway and Golf Pointe Drive to be vacated because they were dedicated for use by the State of California for a State Route that has since been abandoned, were never improved, are not County-maintained, and are not part of the County General Plan Mobility Element. The Department of Parks and Recreation has determined pursuant to Streets and Highways Code sections 892 and 8314 that a portion of public highway to be vacated is needed for trail purposes per the General Plan Community Trails Network. Therefore, an easement for non-motorized public trail is being reserved as described in attachment Exhibit “A,” and depicted in attachment Exhibit “B.” Additionally, a drainage easement is being reserved for in-place privately maintained drainage facilities related to the roadway. The Department of Planning and Development Services confirmed the proposed summary vacations are in conformance with the County of San Diego General Plan in a letter dated December 5, 2022. The portions of easement to be summarily vacated are located easterly of Jamacha Boulevard and southerly and easterly of existing Pointe Parkway, more particularly described in Exhibit “A.” No property owner would be land-locked as a result of the proposed vacation because two access and utility easements are also being reserved. Therefore, the easement is excess right-of-way not required for street or highway purposes.

The proposed summary vacation is in the public interest because there is a public convenience associated with the 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

SEE EXHIBIT "A" LEGAL DESCRIPTION, ATTACHED HERETO CONSISTING OF FIVE (5) PAGES, AND MADE A PART HEREOF, AND DEPICTED ON EXHIBIT "B," ATTACHED HERETO, CONSISTING OF SIX (6) PAGES, FOR ILLUSTRATIVE PURPOSES ONLY.

Approved as to form and legality:

DAVID J. SMITH, Acting County Counsel

By: THOMAS L. BOSWORTH, Senior Deputy County Counsel