

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.: 584-550-75 & 584-550-76

RESOLUTION No. : \_\_\_\_\_  
Meeting Date: September 10, 2025

**RESOLUTION TO SUMMARILY VACATE PORTIONS OF FAXON STREET (FORMERLY  
SWEETWATER AVE.) AND KEMPTON STREET (FORMERLY SAN DIEGO AVE.), IN  
THE SPRING VALLEY COMMUNITY PLAN AREA (VAC 2024-0025-A2)**

WHEREAS, Faxon and Kempton Streets were dedicated to public use on Map of Nortonia, in the County of San Diego, State of California, according to Map thereof No. 1309, filed in the Office of the County Recorder of said County, on February 6, 1911; and

WHEREAS, the County of San Diego (County), owner of Assessor's Parcel Number (APN) 584-550-75 and 584-550-76 has requested that the County of San Diego, Department of General Services, Real Estate Division, summarily vacate the unused portions of Faxon and Kempton Streets that encumber portions of the properties, 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 portions of Faxon and Kempton Streets, 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 roads were never constructed, they are not in the County maintained road system and are not a part of the General Plan Mobility Element Therefore, the Board finds that these portions of Faxon and Kempton Streets 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. The portions of Faxon and Kempton Streets to be vacated are not useful as a non-motorized transportation facility pursuant to California Streets and Highways Code sections 892 and 8314. All trails maintained by the County Department of Parks and Recreation in the area are on County owned property not impacted by the vacation.

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. Therefore, in place public utility facilities will not be affected by the proposed vacation pursuant to California Streets and Highways Code section 8334.5.

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

BE IT FURTHER RESOLVED AND ORDERED that the portions of Faxon and Kempton Streets 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 areas no longer constitute a public right-of-way, street, highway or public service easement.

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

The portions of Faxon and Kempton Streets proposed for summary vacation are located in the unincorporated area of the County in the vicinity of Spring Valley. The portions to be vacated were dedicated to public use on Map of Nortonia, in the County of San Diego, State of California, according to Map thereof No. 1309, filed in the Office of the County Recorder of said County, on February 6, 1911. The Department of Parks and Recreation has determined the portions of Faxon and Kempton Streets may be vacated without impacting any future non-motorized transportation facilities because the County owns the underlying fee interest which can still be used for trail purposes after the road right-of-way is vacated. Therefore, the proposed areas to be summarily vacated do not require reservations of non-motorized transportation facilities pursuant to Streets and Highways Code sections 892 and 8314. 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 August 14, 2024. There are no in-use public utilities in the portions to be vacated as described in Exhibit "A," that would be affected by the vacation. Public Works determined there are no current or future needs for these portions of Faxon and Kempton Streets to be vacated because these portions are not in the County-maintained road system and are not part of the General Plan Mobility Element. The easements to be summarily vacated are located entirely within the applicant's property, more particularly described in Exhibit "A." No property owner would be land-locked as a result of the proposed vacation. 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 encumbrances from lands that are no longer needed for public road purposes and in this case, there is also a public benefit through preservation of the lands made available by the vacation.

**LEGAL DESCRIPTION OF REAL PROPERTY TO BE SUMMARILY VACATED**

SEE EXHIBIT "A" LEGAL DESCRIPTION, ATTACHED HERETO CONSISTING OF TWO (2) PAGES, AND MADE A PART HEREOF, AND DEPICTED ON EXHIBIT "B," ATTACHED HERETO, CONSISTING OF ONE (1) PAGE, FOR ILLUSTRATIVE PURPOSES ONLY.

Approved as to form and legality:

DAVID J. SMITH, Acting County Counsel

By: THOMAS L. BOSWORTH, Senior Deputy County Counsel