

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO**

Office of the City Clerk
City of Chula Vista
276 Fourth Avenue
Chula Vista, California 91910
Fee Exempt-Gov't Code 6103

DOC# 2023-0354227



Dec 28, 2023 08:57 AM

OFFICIAL RECORDS
JORDAN Z. MARKS,

SAN DIEGO COUNTY RECORDER
FEES: \$0.00 (SB2 Atkins: \$0.00)

PAGES: 6

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

RESOLUTION NO. 2023-210

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RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA SUMMARILY VACATING A PORTION OF
LAGOON DRIVE (F STREET) WEST OF MARINA PARKWAY

WHEREAS, Lagoon Drive, also known as F Street (80.00 feet wide) is currently a City of Chula Vista street; and

WHEREAS, that portion of Lagoon Drive lying west of the westerly line of Marina Parkway has been closed to use as a street; and

WHEREAS, on September 25, 2012, the City Council approved amendments to the Bayfront Specific Plan, via Ordinance No. 3238 and City Council Resolution No. 2012-189, including the creation of a new public park, and made findings that the amended Bayfront Specific Plan was consistent with the City's General Plan and the California Coastal Act; and

WHEREAS, the new park will require the use of land that includes that closed portion of Lagoon Drive which will no longer be needed as a public street; and

WHEREAS, said portion of Lagoon Drive is not and will no longer be needed for a public street; and

WHEREAS, California Streets and Highways Code (SHC) section 8312 provides that a city may vacate all or part of a street, highway, or public service easement within the city in accordance with the provisions thereof; and

WHEREAS, in accordance with Chula Vista Municipal Code (CVMC) section 12.40.010, City staff has conducted an investigation and determined that the public interest would be served by vacating this portion of Lagoon Drive (F Street), subject to the reservations and exceptions identified herein, to allow for construction of a new public park and the protecting of natural resources in furtherance of the Chula Vista bayfront development, and because the subject segment of Lagoon Drive (F Street) is unnecessary for present or future public use as a street; and

WHEREAS, per CVMC section 12.40.010 and SHC section 8322, City staff published notice of the public hearing, scheduled for December 12, 2023 at 5:00 p.m. in the City Council Chambers, to consider the proposed street vacation; and

WHEREAS, per SHC section 8323, City staff posted notices of the proposed street vacation and the associated public hearing at the proposed vacated street location; and

WHEREAS, per SHC section 8347, City staff notified all utility companies with facilities in the streets to be vacated of the proposed vacation and made arrangements with said utility companies to remove their existing facilities from the area to be located excepting there from Sweetwater Authority water lines and hydrants; and

WHEREAS, SHC section 8340 allows a city to reserve and except out from a vacation, easement and other rights necessary to maintain, operate, replace, remove, or renew public utility facilities; and

WHEREAS, staff recommends reserving and excepting out from the proposed vacation a temporary easement for Sweetwater Authority as necessary for their existing water line and fire hydrants, said easement to remain in place until the facilities continuing status are determined; and

WHEREAS, the City has granted easements needed for the new public park across the area to be vacated that need to be reserved; and

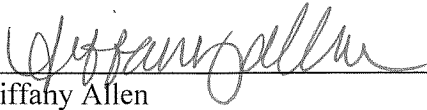
WHEREAS, staff recommends approving the vacation, subject to the reservations and exceptions identified herein, to allow for construction of a new public park and protection of natural resources in furtherance of the Chula Vista bayfront development; and

WHEREAS, per SHC section 8324, the City Council duly held a public hearing, on December 12, 2023 at 5:00 p.m. in the City Council Chambers, to consider the proposed street vacation and hear the evidence offered.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that:


1. After conducting the public hearing and considering the evidence, the City Council finds that, consistent with the public interest and subject to the reservations and exceptions noted in this Resolution, that certain portion of Lagoon Drive (F Street) specifically described in a Legal Description designated as Exhibit "A" and as shown on a plat designated as Exhibit "B", both attached hereto and by reference made a part hereof, is unnecessary for present or prospective public street purposes.
2. That from and after recordation of this Resolution, that certain portion of Lagoon Drive (F Street) described herein is summarily vacated, subject to the reservations and exceptions in this Resolution.
3. That reserved and excepted from the summary vacation in this Resolution is an easement and other rights, over, under, and across the area of and immediately adjacent to the existing facilities of the Sweetwater Authority only as appropriate or necessary to maintain, operate, replace, remove, relocate, or renew those facilities until such time as the facilities continuing status are determined.
4. That reserved and excepted from the summary vacation in this Resolution are all easements and other rights, over, under, and across the area to be vacated granted to the Port of San Diego by the City of Chula Vista.
5. The City Clerk is hereby directed to cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof, in the Office of the County Recorder in which the property is located.
6. Upon recordation of this Resolution, the vacation shall be complete.

Presented by



Tiffany Allen
Assistant City Manager

Approved as to form by



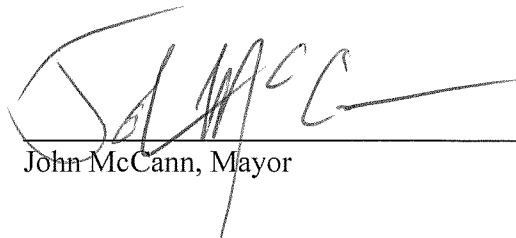
Jill D.S. Maland
Lounsbury Ferguson Altona & Peak
Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 12th day of December 2023 by the following vote:

AYES: Councilmembers: Cardenas, Chavez, Gonzalez, Preciado, and McCann

NAYS: Councilmembers: None

ABSENT: Councilmembers: None



John McCann, Mayor

ATTEST:



Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2023-210 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 12th day of December 2023.

Executed this 12th day of December 2023.



Kerry K. Bigelow, MMC, City Clerk

J-15939

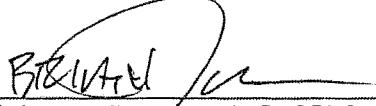
EXHIBIT "A"

LAGOON DRIVE STREET VACATION

That portion of the 80' strip of land currently known as "Lagoon Drive" and shown as "F" Street on an undated drawing on file with and provided by the San Diego Unified Port District entitled "1/4 Section 172 of Rancho De La Nacion Map No. 166" lying westerly of the following described line:

Commencing at the Northeast Corner of the "Grant of Easement for Street Purposes" to the City of Chula Vista recorded in said County Recorder's Office April 13, 1967 as File No. 51078 and re-recorded November 8, 1968 as File No. 196812; thence along the southerly Right of Way of "Lagoon Drive" as dedicated per said document recorded in Book 648, Page 377 of Deeds South 72°03'07" West 1.00 feet to the **TRUE POINT OF BEGINNING**; thence leaving said Right of Way North 17°56'53" West 6.38 feet to the beginning of a tangent 363.00 foot radius curve concave Northeasterly; thence Northwesterly along the arc of said curve through a central angle of 11°42'07" a distance of 74.14 feet to the **POINT OF TERMINUS**.

Containing 59,382 Square Feet (1.36 Acres), more or less.


Brian D. Jaquess, L.S. 8379

2/15/2023
Date

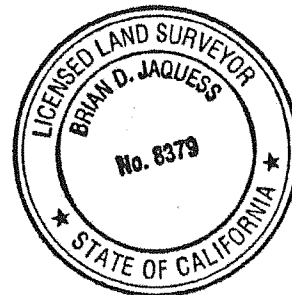
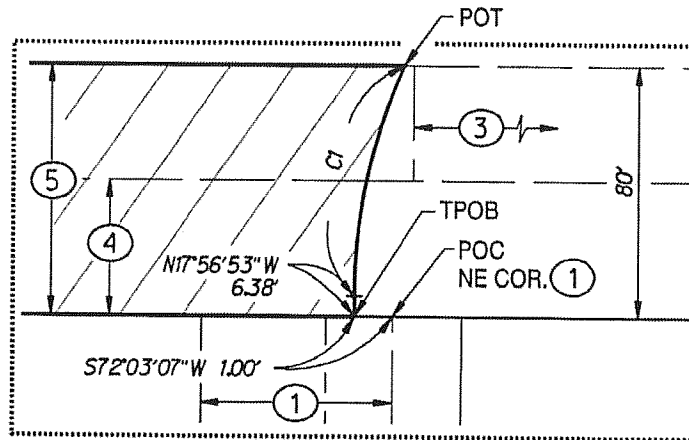
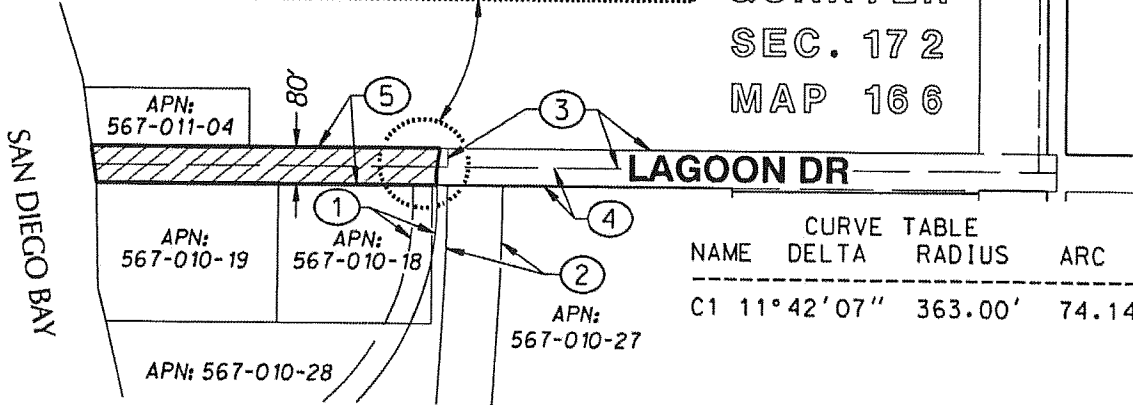


EXHIBIT "B"



APN: 567-011-05

QUARTER
SEC. 17 2
MAP 16 6



NAME	CURVE TABLE		ARC
	DELTA	RADIUS	
C1	11° 42' 07"	363.00'	74.14'

LEGEND

VACATION OF A PORTION "LAGOON DRIVE"
CONTAINS 59,382± SQUARE FEET (1.36± ACRES)

POC POINT OF COMMENCEMENT

TPOB TRUE POINT OF BEGINNING

POT POINT OF TERMINUS

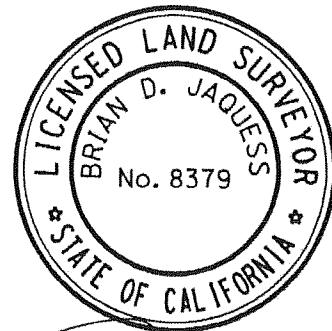
① "GRANT OF EASEMENT FOR STREET PURPOSES" TO THE
CITY OF CHULA VISTA REC. REC. 04/13/1967 PER FILE NO.
51078 AND RE-RECORDED 11/08/1968 PER FILE NO. 196812, O.R.

② PUBLIC STREET EASEMENT TO CITY OF CHULA VISTA REC.
05/01/1969 AS FILE NO. 76167, O.R.

③ DEDICATED TO THE CITY OF CHULA VISTA PER DOC.
REC. 01/12/1915 IN BK 648, PG 375 OF DEEDS

④ DEDICATED TO THE CITY OF CHULA PER DOC. REC.
01/12/1915 IN BK 648, PG 377 OF DEEDS

⑤ 80' STRIP SHOWN AS "F ST" ON AN UNDATED MAP
PROVIDED BY THE SDUPD ENTITLED "1/4 SEC. 172
RANCHO DE LA NACION MAP NO. 166"



BRIAN D. JAQUESS, LS 8379

DATE 2/15/2023

DRAWN _____
CHECKED _____
REVIEWED _____

SAN DIEGO UNIFIED PORT DISTRICT
LAGOON DRIVE STREET VACATION
WITHIN CORPORATE LIMITS OF NATIONAL CITY

DATE FEBRUARY 10, 2023
SCALE 1" = 400'
REF. _____

DRAWING NO.
SHEET 1 OF 1

