

WHEREAS, a certain general utility easement was dedicated in Lot 1, Fairmount Plaza, according to Map thereof No. 3268, filed July 20, 1955, in the office of the San Diego County Recorder; and

WHEREAS, the owner of the property has requested that the City vacate its interest in said easement to him to allow better utilization of the land; and

WHEREAS, said general utility easement has never been used for the purpose for which it was dedicated since the date of filing of said subdivision map to the present time and more than one (1) year has elapsed; and

WHEREAS, a fee of Thirty-Five Dollars (\$35.00) has been collected to cover the processing of this request; and

WHEREAS, said easement as hereinafter described is unnecessary for present or prospective public use by the City, and the City Manager recommends that the City vacate said general utility easement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That, pursuant to Section 50443 of the Government Code of the State of California, the general utility easement more particularly described hereinafter is hereby vacated:

An easement for general utility purposes in Lot 1, Fairmount Plaza, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 3268, filed July 20, 1955, in the office of the San Diego County Recorder, more particularly described as follows:

A strip of land 5.00 feet in width, the southwesterly line of said strip being described as follows:

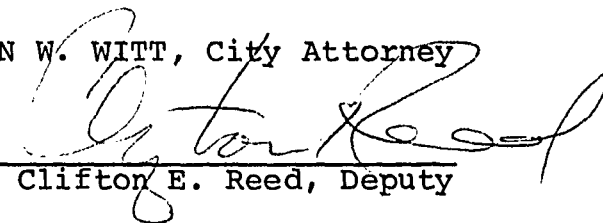
Commencing at the southeasterly corner of said Lot 1; thence northeasterly along the southeasterly boundary of said Lot 1, being also along the northwesterly boundary of Home Avenue, as said Home Avenue is located and established as of the date of this instrument, a distance of 63.63 feet to the TRUE POINT OF BEGINNING; thence North 51° 04' 44" West, a distance of 114.37 feet to a terminus.

The sidelines of said strip shall be prolonged or shortened so as to terminate in the northwesterly and southeasterly boundaries of said Lot 1.

That from and after the date of this order of vacation, title to the land previously subject to said easement shall revert to the owner of the land free from the rights of the public.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the Recorder of said County of San Diego.

APPROVED: JOHN W. WITT, City Attorney

By 
Clifton E. Reed, Deputy

rb/12-2-70
Job: 8330 MFR

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201426

DEC 15 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

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CITY CLERK'S OFFICE

1970 DEC -9 PM 12:19

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfo J. Harnel, Deputy

Office of the City Clerk, San Diego, California

Resolution Number 201426 Adopted DEC 15 1970