

RESOLUTION NO. 207497 MAR 13 1973

WHEREAS, a certain general utility easement was dedicated in Lots 42, 43, 44, 46 and 47 of Lynda Heights Unit No. 1, according to Map thereof No. 4281, filed in the office of the San Diego County Recorder July 28, 1959; and

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

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

WHEREAS, this project is exempt from an Environmental Assessment by reason of its being a disposition of a City-owned real property interest with a fair market value of less than \$20,000; 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 as follows is hereby vacated:

All that certain 8.00 foot wide general utility easement as dedicated to public use per Map No. 4281, Lynda Heights Unit No. 1, filed in the office of the County Recorder of San Diego County, July 28, 1959, affecting Lots 42, 43, 44, 46 and 47 of said Lynda Heights Unit No. 1 and lying 4.00 feet on either side of the following described centerline:

Beginning at the Northeast corner of said Lot 44; thence North $88^{\circ}54'36''$ West along the Northerly line of said Lot 44, a distance of 104.00 feet; thence retracing South $88^{\circ}54'36''$ East, a distance of 4.00 feet to the Northwest corner of said Lot 44; thence South $01^{\circ}05'24''$ West along the Westerly line of said Lot 44, a distance of 81.00 feet; thence retracing North $01^{\circ}05'24''$ East, a distance of 21.00 feet to the Southeast corner of said Lot 46; thence North $88^{\circ}54'36''$ West along the Southerly line of said Lot 46, a distance of 106.00 feet, more or less, to a terminus in the Easterly line of that certain 8.00 foot easement running parallel to the Southwesterly line of said Lot 46 and the Southerly prolongation of said line.

The sidelines of the above described strip of land shall be prolonged or shortened so as to terminate in the Northeasterly line of the existing sewer easement in said Lots 42 and 46 as located and described in said Map No. 4281.

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

BE IT FURTHER RESOLVED, that the City Clerk of The City of San Diego 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 the County of San Diego.

APPROVED: JOHN W. WITT, City Attorney

By H. Valderhaug
Harold Valderhaug, Deputy

HOV:rp
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Job 9960
JACOBS

Passed and adopted by the Council of The City of San Diego on MAR 13 1973,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

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SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

(Seal)

By MaryAnn Mease, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 207497 Adopted MAR 13 1973

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