

RESOLUTION NO. 200188

NOV 6 1973

WHEREAS, when Kearny Villa Way was vacated by Resolution No. 198921 on January 20, 1970, it was the intention of the City to reserve a general utility easement for future use; and

WHEREAS, the reservation was incorrectly described so as to locate the easement approximately 50 feet East of its intended position; and

WHEREAS, the subsequent map filing of Atlas Villa Unit No. 1 has provided the City with the correct easement; and

WHEREAS, the present owner and developer of the property, MULVIHILL INVESTMENT COMPANY, was not involved in the original street vacation and the Community Development Department has recommended that the error be rectified by the City without charge to the present owner; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act of 1970 under Section III, A, 3;  
NOW, THEREFORE,

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

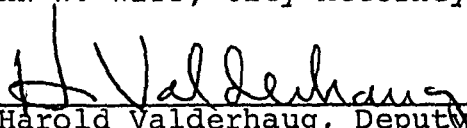
That, pursuant to Section 50443 of the Government Code of the State of California, the general utility easement in Lot 7, Kearny Mesa Complex, more particularly described as follows is hereby vacated:

That certain general utility easement reserved and excepted from the Vacation of Kearny Villa Way, vacated by Resolution No. 198921, adopted January 20, 1970 by the City Council of the City of San Diego, and filed January 22, 1970 as F/P No. 12830 in the San Diego County Recorder's Office.

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   
Harold Valderhaug, Deputy

nr/Rev. 11-13-73  
Job: 10416-C  
JACOBS

Passed and adopted by the Council of The City of San Diego on NOV 6 1973,  
by the following vote:

RECEIVED  
CITY CLERK'S OFFICE  
1973 NOV 13 PM 2:26  
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.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Ann C. Jaccott, Deputy.

Office of the City Clerk, San Diego, California  
Resolution Number 209188 Adopted NOV 6 1973