

R-75-2249

RESOLUTION NO. 213130

MAY 1 1975

WHEREAS, a certain sewer easement was dedicated on Lot 4, Madison Avenue Villas, according to Map thereof No. 7317, filed June 20, 1972 in the office of the San Diego County Recorder; and

WHEREAS, the MADISON AVENUE VILLAS HOMEOWNERS ASSOCIATION, a California corporation, has requested that the City vacate its interest in said easement to allow better utilization of the land; and

WHEREAS, said sewer 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) has been received 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 sewer 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 sewer easement more particularly described as follows is hereby vacated:

All that portion of Lot 4, Madison Avenue Villas, according to Map thereof No. 7317, filed in the San Diego County Recorder's Office, June 20, 1972, more particularly described as follows:

All that portion of that certain 15.00 foot wide easement for sewer purposes, granted to the City of San Diego by the

filing of said Map 7317, lying 10.00 feet Southeasterly of and 5.00 feet Northwesterly of the following described line:

Commencing at the most Southerly corner of said Madison Avenue Villas; thence along the Westerly boundary line of said Madison Avenue Villas, North 00°25'00" West, 10.00 feet to the TRUE POINT OF BEGINNING; thence North 16°33'50" East, 363.69 feet to a terminus.

The Above described 15.00 foot wide strip of land shall be prolonged Southerly so as to terminate in the most Southerly corner of said Madison Avenue Villas.

EXCEPTING therefrom any portion not lying within the boundaries of said Madison Avenue Villas.

Sidelines of the above described strip of land shall be prolonged or shortened so as to terminate Northerly in the Northerly prolongation of the Westerly sideline of that certain 15.00 foot wide easement for sewer purposes, granted to the City of San Diego by Deed recorded December 31, 1974 in the San Diego County Recorder's Office at File/Page 74-337675.

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 H. Valderhaug
Harold Valderhaug, Deputy

HOV:nr
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Or.Dept. Property

Passed and adopted by the Council of The City of San Diego on MAY 1 1975
 by the following vote:

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<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"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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 Patricia Polen, Deputy.

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Office of the City Clerk, San Diego, California

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