

**215565**

RESOLUTION NO. \_\_\_\_\_

**MAR 24 1976**

WHEREAS, The City of San Diego is the owner of certain rights for water pipes and artesian water, and is also the beneficiary with regard to a covenant prohibiting vending of intoxicating liquors, affecting Lots 1 through 5 inclusive, in Block 1 of Lakeside, according to Map thereof No. 353, filed in the office of the San Diego County Recorder December 30, 1886, and as granted to City by deed recorded January 29, 1944 in Book 1630, Page 100 of Official Records; and

WHEREAS, EUGENE N. COOLEY and GERALDINE A. COOLEY, husband and wife as joint tenants, have requested that the City release to them all the City's interest in and to said rights; and

WHEREAS, said rights have been determined to be surplus by the Utilities Director of said City as long as the City reserves the rights to any and all artesian water on the surface or below the surface of the land; and

WHEREAS, the Release of Rights will reserve the rights in and to the artesian water; and

WHEREAS, \$130 has been received to process this request; and

WHEREAS, this action is exempt from the provisions of the California Environmental Quality Act of 1970 under City guidelines for implementation of said Act, as amended; and

WHEREAS, the release of the aforementioned property rights is consistent with the public interest; NOW, THEREFORE,

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

**MICROFILMED**

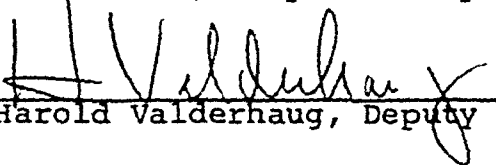
**MAY 23 1978**

**00087**

1. That the Mayor and the City Clerk of said City be, and they are hereby authorized and empowered to execute, for and on behalf of The City of San Diego, a Release of Rights, the form of which is on file in the office of the City Clerk as Document No. 754737, releasing and relinquishing to EUGENE N. COOLEY and GERALDINE A. COOLEY, husband and wife as joint tenants, certain rights for water pipes together with the covenant prohibiting vending of intoxicating liquors, affecting Lots 1 through 5 inclusive in Block 1 of Lakeside, as more particularly described in said form of Release of Rights.

2. That the City Clerk is hereby authorized and directed to transmit said Release of Rights and a certified copy of this resolution to the Property Director of said City for further handling.

APPROVED: JOHN W. WITT, City Attorney

By   
Harold Valderhaug, Deputy

HOV:nb  
3-1-76  
Job:10635  
Or. Dept. Property

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MAY 23 1978

215565

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Passed and adopted by the Council of The City of San Diego on MAR 24 1976,  
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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |
| Tom Gade            | <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.

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By *Ruthleen Martinez*, Deputy.

(Seal)

RECEIVED  
CITY CLERK'S OFFICE  
1976 MAR -9 AM 10:02  
SAN DIEGO, CALIF.

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|---|----------------------------|
| Office of the City Clerk, San Diego, California |                            |
| Resolution Number <b>215565</b>                 | Adopted <b>MAR 24 1976</b> |

CC-1276 (REV. 12-75)

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