

R. 77-1335

RESOLUTION NO. 217817

MAR 2 1977

WHEREAS, a certain sewer easement was granted on portions of Pueblo Lot 1106 and 1174 of the Pueblo Lands of San Diego, by three deeds recorded on October 16, 1951, November 15, 1951, and October 1, 1952, in the Office of the County Recorder of San Diego County; and

WHEREAS, R. E. HAZARD CONTRACTING CO., and MURRY PROPERTIES INC., the owners of the property have requested that the City vacate its interest in said easement to clear title to their property; and

WHEREAS, said sewer easement has never been used for the purpose for which it was granted since the date of recording said deeds to the present time and more than one (1) year has elapsed; and

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

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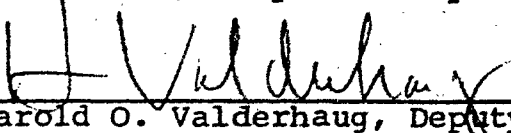
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That, pursuant to Section 50443 of the Government Code of the State of California, the sewer easement more particularly described in Attachment A, hereto which is by this reference incorporated herein, is hereby vacated.

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 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 O. Valderhaug, Deputy

HOV:sml
2-3-77
Or.Dept.:Property
Job #11803

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MAY 31 1978

ATTACHMENT A

Sewer Easement to be Vacated
To Murry Properties, Inc.

All that portion of that certain 20.00 foot wide sewer easement granted to the City of San Diego by document recorded October 1, 1952, in Book 4610, Page 231 of Official Record filed in the Office of the County Recorder of San Diego County and by document recorded November 15, 1951, in Book 4291, Page 591 of Official Records filed in the Office of said County Recorder, lying within a portion of the Northeast quarter of Pueblo Lot 1106 of the Pueblo Lands of San Diego, according to Map thereof made by James Pascoe in 1870, a copy of which is filed as Miscellaneous Map No. 36 in the Office of said County Recorder being more particularly described as follows:

A strip of land 20.00 feet wide lying 10.00 feet on each side of the following described line:

Commencing at the Southwesterly corner of said Northeast quarter of Pueblo Lot 1106; thence Northeasterly along the Southerly line of said Northeast quarter of Pueblo Lot 1106 375.55 feet; thence Northerly along a line making an angle of $92^{\circ}42'00''$, measured to the left from said Southerly line of the Northeast Quarter of Pueblo Lot 1106, a distance of 206.24 feet to the TRUE POINT OF BEGINNING; thence continuing along said line 217.97 feet; thence Northeasterly along a line making an angle of $15^{\circ}33'45''$, measured to the right from the last described line, a distance of 522.81 feet to a point of terminus; thence Southwesterly retracing the last described line 522.81 feet; thence Northwesterly along said line making an angle of $92^{\circ}42'00''$, measured to the left from said Southerly line of the Northeast Quarter of Pueblo Lot 1106, a distance of 704.92 feet to a point of terminus.

The sidelines of the above described strip of land shall be prolonged or shortened to terminate Southerly in a line which bears North $73^{\circ}36'42''$ East through the point of beginning and Northerly in the Northerly property line of that land conveyed to Agnes M. Allen, a widow, recorded in Book 535, Page 144 of Official Records filed in the Office of said County Recorder.

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Job 11803/Dwg: 13489-B/RIOLO/JCG/sc/10-5-76

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ATTACHMENT A

SEWER EASEMENT TO BE VACATED

TO R. E. HAZARD CONTRACTING CO.

All that certain 20.00 foot wide sewer easement granted to the City of San Diego by document recorded October 16, 1951, in Book 4264, Page 165 of Official Records filed in the Office of the County Recorder of San Diego County all lying within a portion of the Northeast Quarter of Pueblo Lot 1106 of the Pueblo Lands of San Diego according to Map thereof made by James Pascoe in 1870, a copy of which is filed as Miscellaneous Map No. 36 in the Office of said County Recorder, and a portion of Lot 3 of Pueblo Lot 1174, as shown on License Survey Map No. 141 filed in the Office of said County Recorder.

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Job 11803/Dwg. 13489-B/RIOLO/JCG/sc/10-5-76

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Passed and adopted by the Council of The City of San Diego on MAR 2 1977
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Joel M. Strobl	<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 *Richard Mustang*, Deputy.

(Seal)

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 1977 FEB 18 PM 2:43
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Office of the City Clerk, San Diego, California

Resolution Number 217817 Adopted MAR 2 1977

CC-1276 (REV. 12-76)

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