

RESOLUTION NUMBER R- 286805

ADOPTED ON JAN 16 1996

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of streets and public service easements by City Council resolution where the portion of street or slope easement to be vacated is excess to the City's right-of-way needs and is no longer required for street or highway purposes; and

WHEREAS, the abutting property owners have requested the vacation of the excess portion of the slope easement located within Lot 14, Block 46 of Map 352 to facilitate development of their property; and

WHEREAS, the excess portion of the slope easement to be vacated is not needed for present or prospective public street purposes; and

WHEREAS, there is no present or prospective use for the excess portion of the slope easement either for the public street system, for which the right-of-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; and

WHEREAS, those properties adjoining the slope easement to be vacated will continue to have access; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation or abandonment is not inconsistent

with the General Plan or an approved Community Plan; and

WHEREAS, the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

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

1. That the excess portion of the slope easement located within Lot 14, Block 46 of Map 352, as more particularly shown on Drawing No. 18372-B on file in the office of the City Clerk as Document No. RR-286805, which is by this reference incorporated herein and made a part hereof, be and the same is hereby ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

By



Harold O. Valderhaug
Chief Deputy City Attorney

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Or.Dept:Dev.Svcs.
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