

RESOLUTION NUMBER R- 289002

ADOPTED ON JUL 29 1997

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of the slope easement within Lot 1 of Map 11897, to unencumber this property and facilitate development of the site as conditioned in approved Conditional Use Permit 96-0479 Siempre Viva Shell; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for 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

(b) the public will benefit from the vacation through improved utilization of land; and

(c) the vacation is not inconsistent with the General Plan or an approved Community Plan; and

(d) 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 slope easement located within Lot 1 of Map 11897 in connection with Conditional Use Permit 96-0479 Siempre Viva Shell, as more particularly shown on Drawing

No. 28575-D on File in the office of the City Clerk as Document No. RR- 289002-1,

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, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard  
Prescilla Dugard  
Deputy City Attorney

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