

(R-98-349)

RESOLUTION NUMBER R- 289280

ADOPTED ON OCT 07 1997

WHEREAS, California Government Code section 66499.20 1/2 provides that the filing of the map shall constitute abandonment of all streets and easements not shown on the map; and

WHEREAS, the property owners have requested the vacation of the open space easement over Lot 3310 of Mira Mesa Verde Unit 27, Map 7038, in connection with Acama Street (TPM 95-0370) to facilitate development of their property; and

WHEREAS, the portion of the open space easement to be vacated is not needed for present or prospective open space purposes. The open space easement does not provide any links to existing open space or parks. The land has been graded, is flat and devoid of any native plants; and

WHEREAS, the open space easement can be vacated at the fair market value as determined by Real Estate Assets. All such funds shall be deposited in the Open Space Acquisition Fund; 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, it is necessary and desirable that the vacation be conditioned upon the recordation of a Parcel Map for TPM 95-0370 for the affected parcels; and

WHEREAS, the open space 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 open space over Lot 3310 of Mira Mesa Verde, Unit 27, Map 7038, in connection with Acama Street (TPM 95-0370), as more particularly shown on Exhibit A, which is incorporated herein and made a part hereof, is hereby ordered vacated.

2. That the Resolution shall not become effective unless and until the following conditions have been met:

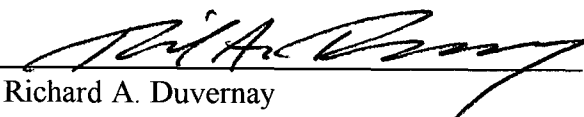
a. Recordation of a Parcel Map for TPM 95-0370, and

b. The City is compensated at the fair market value as determined by Real Estate Assets.

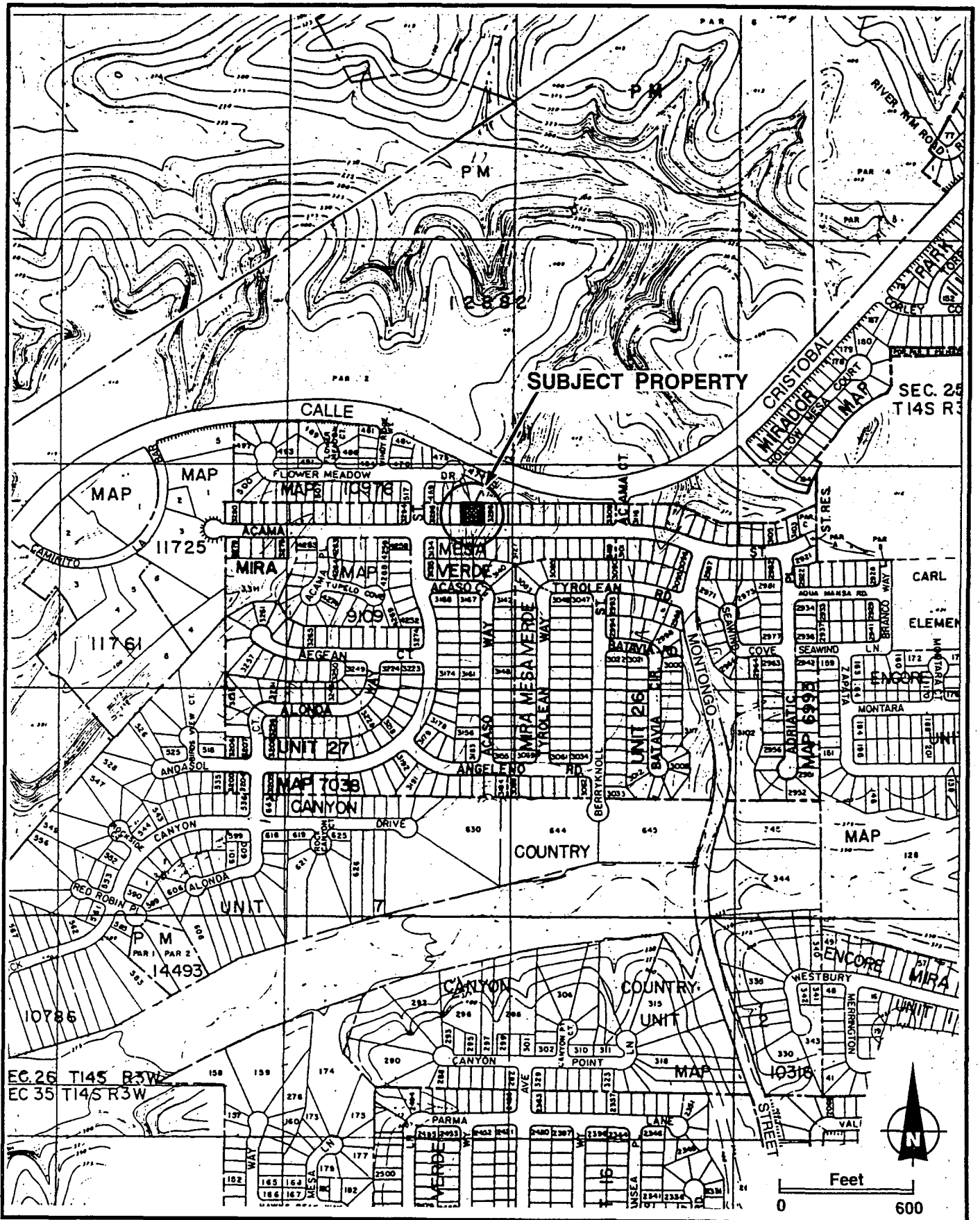
3. That in the event the Parcel Map is not recorded within the time allowance specified under tentative map conditions (TM 95-0370) or any subsequent time extension allowed, this Resolution shall become void and be of no further force or effect.

4. That the City Engineer shall advise the City Clerk of the completion of the aforementioned open space easement, and the City Clerk shall then 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: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

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9/23/97
Or.Dept:Dev.Svcs.
R-98-349
Form=sumv.frm



95-0370

(277-1721) 7-10-97 bf.



LOCATION MAP

Environmental Analysis Section

CITY OF SAN DIEGO • DEVELOPMENT SERVICES DEPARTMENT

Figure
1

"EXHIBIT A"

R- 289280