

RESOLUTION NUMBER R- 289651

ADOPTED ON JAN 20 1998

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

WHEREAS, the Encanto and Valencia Park Trunk Sewer Projects have replaced the existing trunk sewer and are now operational; and

WHEREAS, the easements for the existing sewer are no longer in use and should be vacated; and

WHEREAS, the City Council finds that:

(a) the subject sewer easements have been superseded by relocation and there are no other public facilities located with the easements;

(b) there is no present or prospective use of the sewer easements either for the sewer system for which the easements were originally acquired, or for other public use of like nature that can be anticipated;

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

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

(e) the sewer system for which the easements 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 following sewer easements, as more particularly shown on The City of San Diego Drawing Nos. 26496-D, 26547-D and 26362-D, pages 1 through 9, be and the same are hereby ordered vacated:

<u>Assessor Parcel No. (A.P.N.)</u>	<u>Recording Information</u>
547-280-29	10' wide sewer easement per deed recorded September 18, 1942 in Book 1411, Page 8, and per deed recorded July 20, 1972 as F/P No. 72-187389 of Official Records.
551-210-29	10' wide sewer easement per Final Order of Condemnation, recorded June 28, 1948 in Book 1528, Page 132 of Official Records.
547-311-01	10' wide sewer easement per deed recorded February 19, 1928 in Book 1423, Page 374.
547-621-30	10' wide sewer easement per deed recorded June 1, 1928 in Book 1489, Page 123, per deed recorded May 21, 1942 in Book 1350, Page 236 of Official Records. A 15' and 20' wide sewer easement per Map No. 9568.
547-625-44	5' wide sewer easement per Map No. 6056.
546-313-18	10' wide sewer easement per deed recorded August 30, 1946 in Book No. 2197, Page 420 of Official Records and a 20' wide sewer easement per PM No. 15226.
547-200-52	10' wide sewer easement per deed recorded June 4, 1942 in Book No. 1359, Page 79 of Official Records.
547-250-05	10' wide sewer easement per deed recorded February 29, 1928 in Book 1423, Page 375 of Official Records.
547-020-13	10' wide sewer easement per deed recorded September 18, 1942 in Book 1411, Page 8 and a 10' wide sewer easement per deed recorded August 16, 1928 in Book 1504, Page 295 of Official Records.
551-480-26	10' wide sewer easement per deed recorded February 6, 1942 in Book 1296, Page 467 and per deed recorded April 23, 1942 in Book 1326, Page 479 of Official Records.

551-480-04, 05 & 26 10' wide sewer easement per deed recorded February 6, 1942 in Book 1298, Page 392 of Official Records.

551-380-17, 26 & 32 10' wide sewer easement per deed recorded February 6, 1942 in Book 1306, Page 191 of Official Records.

552-450-04 10' wide sewer easement granted per Map No. 9222 and a 10' wide sewer easement in Lot 17, Map No. 9222.

552-450-05 10' wide sewer easement in Lot 16, Map No. 9222.

552-010-07 15' wide sewer easement per deed recorded March 18, 1997 as File No. 77-191271 and a 15' wide sewer easement in Lot 2, Map No. 7108.

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



William T. Griffith
Deputy City Attorney

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