

RESOLUTION NUMBER R-290255

ADOPTED ON JUNE 15, 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 easement is no longer required; and

WHEREAS, the Biona Drive storm drain replacement is required in conjunction with the new storm drain being placed in Adams Avenue which will replace the existing six-foot storm drain easement currently running beneath the residences at 4711-4721 Biona Drive; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the drainage easement for public street 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 drainage 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 drainage easement in Lots 1 and 2, Block B, and Lots 2-5 Block A, Kensington Park Annex, Map No. 1780, as more particularly shown on Drawing No. 18522-B attached hereto and made a part hereof, be and the same is ordered vacated.

2. That the City Manager is hereby authorized to execute a Quitclaim Deed conveying all

the City's right, title and interest in an unneeded drainage easement over a portion of Lot 1, Block B, Kensington Park Annex, Map 1780, to Jack W. Page, as sole owner, a copy of which is on file in the office of the City Clerk as Document No. RR-290255-1.

3. That the City Manager is hereby authorized to execute a Quitclaim Deed conveying all the City's right, title and interest in an unneeded drainage easement in a portion of Lot 2, Block A, Kensington Park Annex, Map 1780, to Elvira Fernandez, as Trustee, or her successors, in Trust, U/D/T, dated January 12, 1995, F/B/O the Elvira Fernandez Living Trust, a copy of which is on file in the office of the City Clerk as Document No. RR-290255-2.


4. That the City Manager is hereby authorized to execute a Quitclaim Deed conveying all the City's right, title and interest in an unneeded drainage easement over a portion of Lots 3, 4 and 5, Block A, Kensington Park Annex, Map 1780, to Beverly Jean Logan as to an undivided one-half interest and William Davis, Sr. as to an undivided one-half interest, a copy of which is on file in the office of the City Clerk as Document No. RR-290255-3.

5. That the acceptance by the City Manager of an easement deed of Jack W. Page, as sole owner, executed in favor of The City of San Diego, a copy of which is on file in the office of the City Clerk as Document No. RR-290255-4, granting to said City the Northerly 10 feet of the Westerly 75 feet of Lot 1, Block B of Kensington Park Annex, Map 1780, as more particularly described in the deed, is approved.

6. That the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$3,500 for property acquisition and related costs from the Biona Storm Drain

Replacement Fund 30244, Org. 101, Object Account 4638, C.I.P. 17-001.0.

APPROVED: CASEY GWINN, City Attorney

By 
Prescilla Dugard
Deputy City Attorney

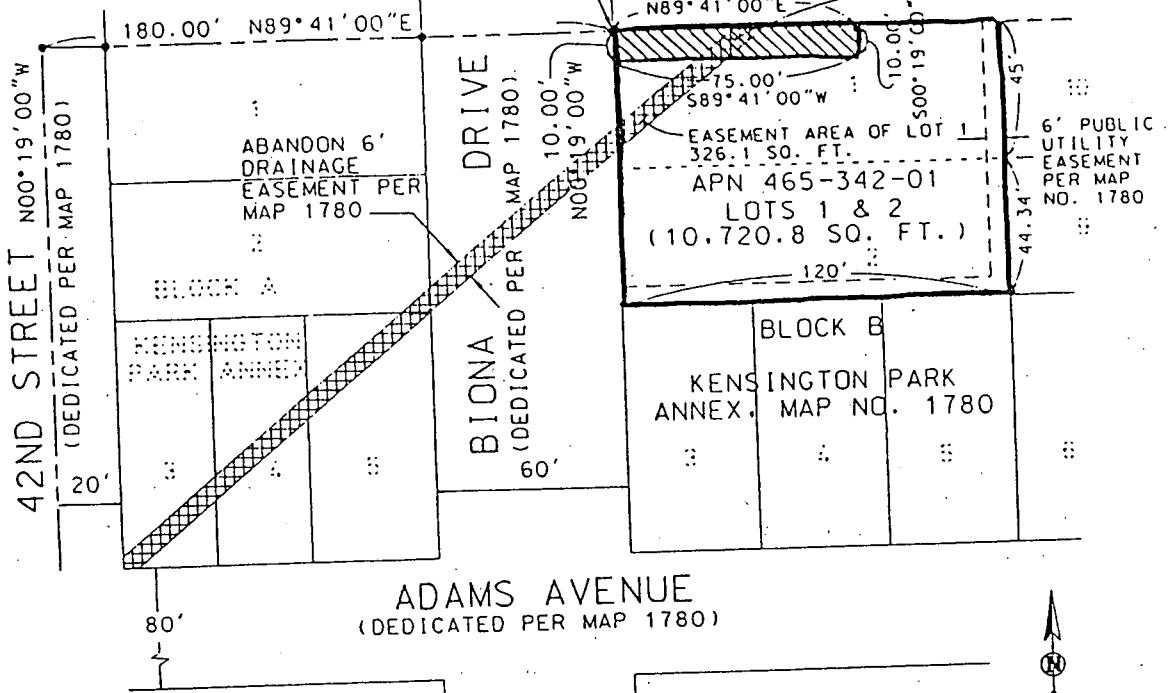
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Or.Dept:REA
Job:9801351
WO:170016
R-98-1412

LOT 7, BLOCK A
KENSINGTON
PARK ANNEX,
MAP 1780

FOR LOT 24
EX MISSION LAND




P.O.B.

EASEMENT AREA
OVERLAP 92.7 SO. FT.



SCALE: 1"=40'

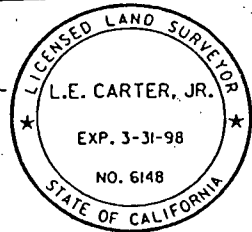
LEGEND

-  DRAINAGE EASEMENT ACQUISITION
AREA = 750 SO. FT.
(0.01722 AC.)
-  DRAINAGE EASEMENT ABANDONMENT
-  SUBDIVISION BOUNDARY, MAP 1780

BASIS OF BEARINGS
NORTHERLY SUBDIVISION BOUNDARY AS
SHOWN ON MAP 1780. I.E. N 89°41'00"E

REFERENCE DRAWINGS
MAP 1780

PREPARED BY:
CITY OF SAN DIEGO ENGINEERING AND CAPITAL
PROJECTS DEPT., FIELD SURVEY SECTION
UNDER THE DIRECTION OF L.E. CARTER JR.,
SR. LAND SURVEYOR PLS 6148



RESOLUTION NO. :
ADOPTED :
F/P :
RECORDED :

[Signature]
SIGNATURE DATE 5-1-97

DRAINAGE EASEMENT ACQUISITION AND ABANDONMENT
IN LOTS 1 AND 2 BLOCK B AND LOTS 2-5 BLOCK A,
KENSINGTON PARK ANNEX, MAP NO. 1780

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA ENGINEERING AND CAPITAL PROJECTS DEPT. SHEET 1 OF 1	170016
ORIGINAL	JPM	LEC			<i>[Signature]</i> FOR CITY ENGINEER	1858-6297 NAD83 COORDINATES
			5-1-97		DATE	218-1737 LAMBERT COORDINATES
						18522-B

R-290255

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9801351
DEPT. NO.: 070

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount 3,500.00 Fund 30244

Purpose Authorizing the expenditure of funds for property acquisition and related costs for the Biona

Storm Drain.

Date May 29, 1998

By: *Tracy McCraner*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1			30244	106	4279	170016				\$3,500.00
TOTAL AMOUNT										\$3,500.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ _____

Vendor _____

Purpose _____

Date _____

By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

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JUN 15 1998

AC 9801351