RESOLUTION NUMBER R- 290528 ADOPTED ON SEP 08 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 abutting property owner has requested the vacation of a landscape easement within Lot 65, Map 12605, to unencumber and to facilitate development of its property; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the landscape easement either for the public service system, for which the easement was originally acquired, or for any other public use of a like nature that can be anticipated; 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 service system for which the easement 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:

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: CASEY GWINN, City Attorney

By

Prescilla Dugard

Deputy City Attorney

PD:cdk

08/04/98

Or.Dept:Dev.Svcs.

WO:120101

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