

RESOLUTION NUMBER R- 291012

ADOPTED ON DEC 01 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a procedure for the summary vacation of public service easements by City Council resolution where the easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the affected property owner has requested the vacation of a drainage easement in Lot 11 of Miramar Place Tract Unit No. 2, Map No. 10520, to unencumber the property and facilitate development of the property; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the drainage easement either for the water system, for which it was originally acquired, or for any other public use of a like nature; 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 water system for which the drainage 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:


1. That the drainage easement in Lot 11 of Miramar Place Tract Unit No. 2, Map No. 10520, as more particularly shown on Drawing No. 18724-1-B on file in the office of the City

Clerk as Document No. RR- 291012-1, which is by this reference incorporated herein and made a part hereof, be and the same is ordered 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
11/03/98
Or.Dept:Dev.Svcs.
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