

RESOLUTION NUMBER R- 292018

ADOPTED ON AUG 02 1999

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

WHEREAS, the adjacent property owner has requested the vacation of sewer, water, drainage and general utility easements in portions of Parcels 2 and 3 of Parcel Map No. 18099 located in the Rancho Penasquitos area, to unencumber this property and facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the sewer, water, drainage and general utility easements, either for the public service system for which the right-of-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space 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 public service easements 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:

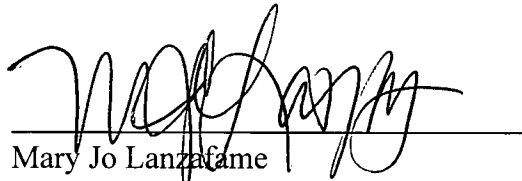
1. That the sewer, water, drainage and general utility easements located within the Rancho Penasquitos area, as more particularly described in Exhibit "A", and more particularly

shown in Exhibits "B-1" and "B-2", attached hereto and made a part hereof, are ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution, attested by him under seal, with Exhibits "A", "B-1" and "B-2" to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By



Mary Jo Lanzafame
Deputy City Attorney

MJL:cdk

07/20/99

Or.Dept:Plan.&Dev.Rev.

WO:980729

Dwg:29503-2-D

R-2000-134

Form=sumv.frm

EXHIBIT 'A'
WATER EASEMENT
ABANDONMENT

A PORTION OF PARCEL 2 OF PARCEL MAP NO. 18099, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED AUGUST 28, 1998, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING ALL THAT PORTION RESERVED FOR WATER EASEMENT PURPOSES BY RESOLUTION NO. 218529, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 13, 1977 AS FILE NO. 77-231755 OF OFFICIAL RECORDS.

DRAINAGE EASEMENT
ABANDONMENT

A PORTION OF PARCEL 2 AND PARCEL 3 OF PARCEL MAP NO. 18099, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED AUGUST 28, 1998, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING ALL THAT PORTION RESERVED FOR DRAINAGE EASEMENT PURPOSES BY RESOLUTION NO. 218529, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 13, 1977 AS FILE NO. 77-231755 OF OFFICIAL RECORDS, TOGETHER WITH A PORTION OF A 15.00 FOOT WIDE DRAINAGE EASEMENT AS GRANTED ON MAP NO. 5567, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON APRIL 29, 1965 AS FILE NO. 76394, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 15.00 FEET IN WIDTH LYING 10.00 FEET NORTHEASTERLY AND 5.00 FEET SOUTHWESTERLY AT RIGHT ANGLES TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 2; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, NORTH 28°24'49" EAST, 225.18 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID EASTERLY LINE, NORTH 47°38'19" WEST, 410.03 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF PENASQUITOS DRIVE.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE PROLONGED OR SHORTENED SO AS TO TERMINATE IN SAID SOUTHEASTERLY LINE OF SAID PARCEL 2 AND IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF PENASQUITOS DRIVE.

ALSO:

ALL THAT PORTION OF A 10.00 FOOT WIDE DRAINAGE EASEMENT AS GRANTED ON SAID MAP NO. 5567.

SEWER EASEMENT
ABANDONMENT

A PORTION OF PARCEL 2 AND PARCEL 3 OF PARCEL MAP NO. 18099, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED AUGUST 28, 1998, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING ALL THOSE PORTIONS DESIGNATED AS A 15.00 FOOT WIDE SEWER EASEMENT PER SAID MAP NO. 5567, TOGETHER WITH THAT PORTION OF A 10.00 FOOT SEWER EASEMENT PER DOCUMENT RECORDED APRIL 7, 1969 AS FILE NO. 59386, OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHEASTERLY CORNER OF SAID PARCEL 3; THENCE ALONG THE NORTHERLY LINE THEREOF NORTH 77°20'23" WEST, 40.70 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 10°33'52" EAST, 102.15 FEET; THENCE SOUTH 08°17'20" WEST, 206.83 FEET TO THE POINT OF TERMINUS, SAID POINT BEING AT THE NORTHERLY TERMINUS OF SAID 15.00 FOOT WIDE SEWER EASEMENT PER SAID MAP NO. 5567.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE PROLONGED OR SHORTENED SO AS TO TERMINATE IN THE AFOREMENTIONED NORTHERLY LINE OF SAID PARCEL 3 AND AT THE NORTHERLY TERMINUS OF SAID 15.00 FOOT WIDE SEWER EASEMENT PER SAID MAP NO. 5567.

GENERAL UTILITY EASEMENT
ABANDONMENT

A PORTION OF PARCEL 2 OF PARCEL MAP NO. 18099, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED AUGUST 28, 1998, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, BEING ALL THAT PORTION RESERVED FOR GENERAL UTILITY EASEMENT PURPOSES BY RESOLUTION NO. 218529, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 13, 1977 AS FILE NO. 77-231755 OF OFFICIAL RECORDS.

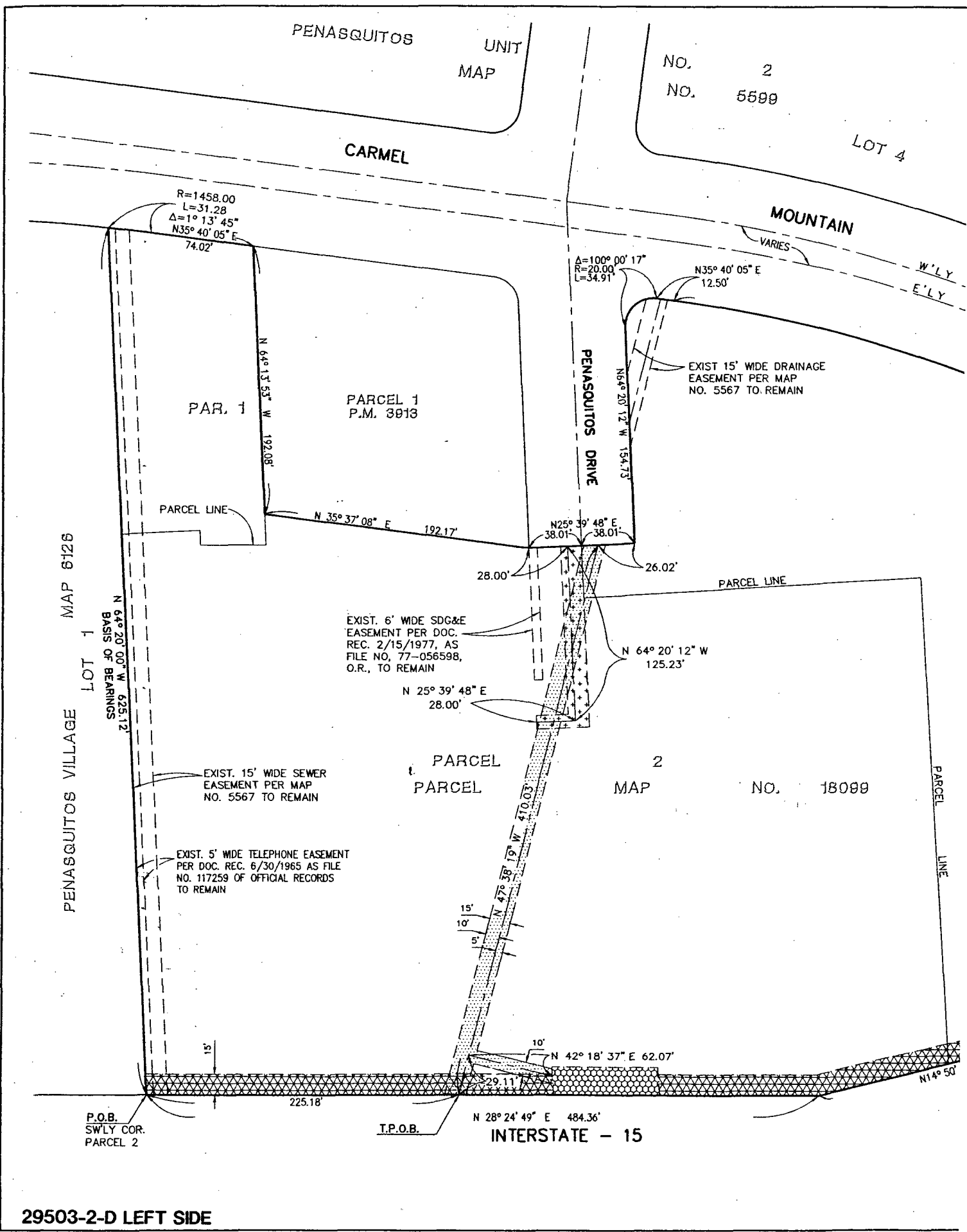
Stuart Peace 12-8-98
STUART PEACE, R.C.E. 27232

DWG NO. 29503-2-D
W.O. NO. 980729



PAGE 2 OF 2

R- 292018



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R- 292018