

RESOLUTION NUMBER R- 292382

ADOPTED ON NOV 01 1999

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

WHEREAS, the affected property owner has requested the vacation of the drainage and sewer easements within the Mid-City Community 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 drainage and sewer easements either for the public street 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 drainage and sewer easements located within the Mid-City Community Area, as more particularly shown on Drawing No. 19012-B on file in the office of the City Clerk as

Document No. RR- 292382, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That the City Engineer is authorized and empowered to execute, for and on behalf of The City of San Diego, two quitclaim deeds, copies of which are on file in the office of the City Clerk as Document Nos. RR- 292382-1 and RR- 292382-2, to WAL-MART STORES, Inc., a Delaware Corporation, granting all the City's right, title and interest in the drainage and sewer easements, as more particularly described in the quitclaim deed.

3. 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 
Mary Jo Lanzafame
Deputy City Attorney

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