

**292411**

RESOLUTION NUMBER R-\_\_\_\_\_

ADOPTED ON NOV 0 8 1999

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

WHEREAS, the affected property owner has requested the vacation of the easement in Lot 13 of Ocean Breeze 1, Map No. 10477, 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 open space easement 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 easement 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:

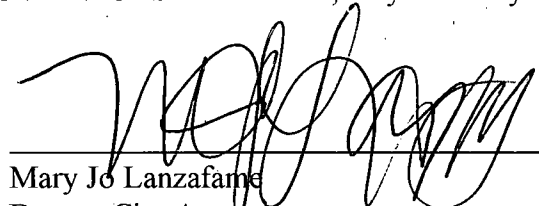
1. That the open space easement located within the Memorial community area, as more particularly shown on Drawing No. 18956-B, and described in the legal description marked as

Exhibit "A," on file in the office of the City Clerk as Document No. RR- 292411, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. 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

  
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Mary Jo Lanzafame  
Deputy City Attorney

MJL:pev  
10/21/99  
Or.Dept:PRD  
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