

RESOLUTION NUMBER R- 292671

ADOPTED ON JAN 18 2000

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

WHEREAS, the affected property owner has requested the vacation of the public street easement within, to unencumber this property and facilitate development of the site as conditioned in approved Torrey Pines Estates Subdivision (VTM No. 96-7573); and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public street 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 street 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 portion of Arroyo Sorrento Road, located within the Carmel Valley Community area in connection with Torrey Pines Estates Subdivision (VTM No. 96-7573) as more particularly shown on Drawing No. 19135-B, and described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as Document No. RR-292671-1, which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That the resolution shall not become effective unless and until the City Engineer approves the proposed Parcel Map, Work Order No. 991235, which prevents landlocked parcels. In the event the above map is not filed within one year following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

3. That this resolution shall not become effective unless and until the applicant relocates any water services and appurtenances located within that portion of Arroyo Sorrento Road proposed to be vacated into remaining Arroyo Sorrento right-of-way, satisfactory to the City Engineer.

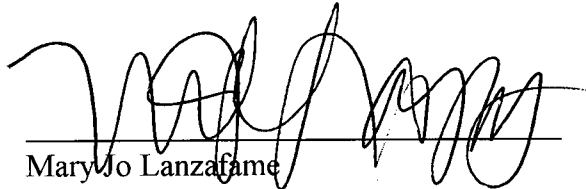
4. That this resolution shall not become effective unless and until the applicant relocates the Pacific Bell aerial facilities underground within the proposed area to be vacated.

In the event the above conditions are not completed within one year following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

5. That the City Engineer shall advise the City Clerk of the completion of the
aforementioned conditions, and the City Clerk shall then 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



Mary Jo Lanzafame
Deputy City Attorney

MJL:pev

1/4/2000

Or.Dept:PDR

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