

RESOLUTION NUMBER R- 292997

ADOPTED ON APR 17 2000

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 unneeded water easement within, 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 water 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 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 water easement located in Parcel 1A, Misc Map 564 (Tidelands) within the Centre City Community Area, as more particularly shown on Drawing No. 18893-B, and described in the legal description marked as Exhibit "A-1," on file in the office of the City Clerk

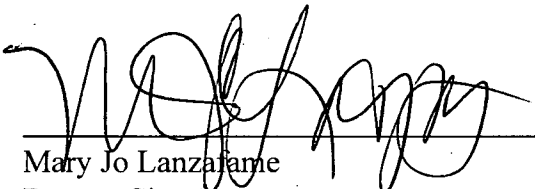
as Document No. RR- ~~2929971~~ and RR- ~~2929972~~, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That a portion of the water easement located in Parcel 1A, Misc Map 564 (Tidelands) within the Centre City Community Area, as more particularly shown on Drawing No. 18893-B, and described in the legal description marked as Exhibit "A-2," on file in the office of the City Clerk as Document Nos. RR- ~~2929973~~ and RR- ~~2929972~~, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

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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Or.Dept:PDR
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