

RESOLUTION NUMBER R- 293409

ADOPTED ON JUN 26 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 building restricted 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 unneeded building restricted 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:

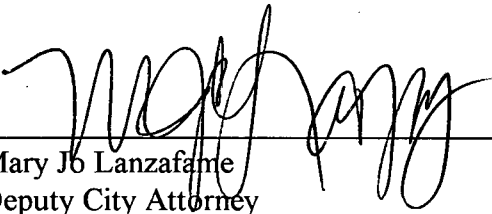
1. That the unneeded building restricted easement located within Lots 144 through 154 of Scripps Ranch North Unit No. 17, Map No. 13392 as more particularly shown on Engineer's

Drawing No. 19115-B, and described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as Document No. RR- 293409, 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



Mary Jo Lanzafame
Deputy City Attorney

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Or.Dept:PDR
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