

RESOLUTION NUMBER R- 294100

ADOPTED ON NOV 14 2000

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

WHEREAS, the affected property owner has requested the vacation of the access and water easements in Lots 3, 4, 5 and 6 of Palm Promenade Map No. 13071, 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 access and water 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 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 access and water easements, located within Lots 3, 4, 5 and 6 of Palm Promenade Map No. 13071, as more particularly described in the legal description and shown

on Drawing No. 00033-C attached hereto as Exhibit "A", which is incorporated by this reference, is ordered vacated.

2. That the City Clerk shall cause a certified copy of this resolution with attached Exhibit "A", attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By   
Kristin Schenone  
Deputy City Attorney

KS:cdk  
10/30/00  
Or.Dept:P&DR  
WO:980323  
Dwg:00033-C  
R-2001-729  
Form=sumv.frm

R- 294100

EXHIBIT "A"

ACCESS AND WATER EASEMENT ABANDONMENT

Parcel 1

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 3 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5 and its prolongation, North 78°23'00" West 178.74 feet to a point on the Westerly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Westerly line, South 11°37'00" West 451.50 feet to the TRUE POINT OF BEGINNING; thence South 11°37'00" West 30.00 feet; thence North 78°23'00" West 107.50 feet; thence North 11°37'00" East 30.00 feet; thence South 78°23'00" East 10.00 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 10.00 feet; thence South 78°23'00" East 87.50 feet to the TRUE POINT OF BEGINNING.

Containing 0.076 acres.

ACCESS AND WATER EASEMENT ABANDONMENT

Parcel 2

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 4 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5 and its prolongation, North 78°23'00" West 178.74 feet to a point on the Westerly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Westerly line, South 11°37'00" West 118.00 feet to the TRUE POINT OF

BEGINNING; thence South 11°37'00" West 30.00 feet; thence North 78°23'00" West 26.00 feet; thence North 11°37'00" East 10.00 feet; thence North 78°23'00" West 10.00 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 10.00 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 26.00 feet to the TRUE POINT OF BEGINNING.

Containing 0.020 acres.

#### ACCESS AND WATER EASEMENT ABANDONMENT

##### Parcel 3

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 5 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5 and its prolongation, North 78°23'00" West 178.74 feet to a point on the Westerly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Westerly line, North 11°37'00" East 132.50 feet to the TRUE POINT OF BEGINNING; thence North 78°23'00" West 10.00 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 10.00 feet to the TRUE POINT OF BEGINNING.

Containing 0.002 acres.

#### ACCESS AND WATER EASEMENT ABANDONMENT

##### Parcel 4

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 6 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5, North 78°23'00" West 148.74 feet to a point on the Easterly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Easterly line, North 11°37'00" East 358.87 feet to the TRUE POINT OF BEGINNING; thence North 11°37'00" East 8.23 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 8.23 feet; thence North 78°23'00" West 10.00 feet to the TRUE POINT OF BEGINNING.

Containing 0.002 acres.

#### ACCESS AND WATER EASEMENT ABANDONMENT

##### Parcel 5

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 5 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5, North 78°23'00" West 148.74 feet to a point on the Easterly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Easterly line; thence North 11°37'00" East 15.50 feet to the TRUE POINT OF BEGINNING; thence continuing North 11°37'00" East 30.00 feet; thence South 78°23'00" East 106.50 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 30.00 feet; thence North 78°23'00" West 126.50 feet to the TRUE POINT OF BEGINNING.

Containing 0.089 acres.

#### ACCESS AND WATER EASEMENT ABANDONMENT

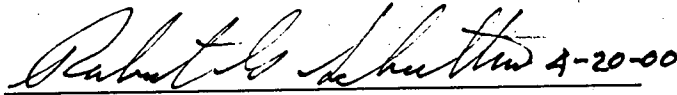
##### Parcel 6

Being a portion of that access and water easement granted to the City of San Diego November 4, 1999 as Document No. 1999-0737459 lying in Lot 4 of Palm Promenade in the City of San Diego, County of San Diego, State of California according to Map

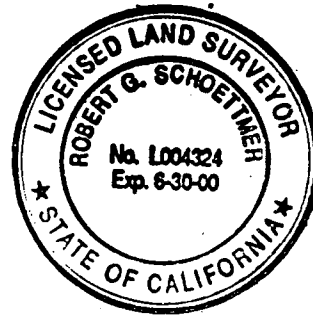
thereof No. 13071 filed in the Office of the County Recorder of San Diego County November 23, 1993, said portion being more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of said Map No. 13071; thence along the Southerly line of said Lot 5, North 78°23'00" West 148.74 feet to a point on the Easterly line of that access and water easement granted to the City of San Diego per deed recorded November 4, 1999 as F/P No. 1999-0737459; thence along said Easterly line South 11°37'00" West 203.50 feet to the TRUE POINT OF BEGINNING; thence South 78°23'00" East 107.50 feet; thence North 11°37'00" East 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 10.00 feet; thence South 78°23'00" East 10.00 feet; thence South 11°37'00" West 30.00 feet; thence North 78°23'00" West 127.50 feet; thence North 11°37'00" East 30.00 feet to the TRUE POINT OF BEGINNING;

Containing 0.090 acres.

 4-20-00

Robert G. Schoettmer L.S. 4324








DWG # 00033-C  
WO # 980323

jb/13121.001

# PALM PROMENADE MAP NO. 13071

## LEGEND

-  INDICATES MAP BOUNDARY
-  P.O.B. INDICATES POINT OF BEGINNING
-  T.P.O.B. INDICATES TRUE POINT OF BEGINNING
-  INDICATES ACCESS & WATER EASEMENT ABANDONED  
 PARCEL 1 0.076 ACRES    PARCEL 4 0.002 ACRES  
 PARCEL 2 0.020 ACRES    PARCEL 5 0.089 ACRES  
 PARCEL 3 0.002 ACRES    PARCEL 6 0.090 ACRES
-  INDICATES ACCESS & WATER EASEMENT ACQUIRED  
 PARCEL A 0.002 ACRES  
 PARCEL B 0.002 ACRES  
 PARCEL C 0.002 ACRES  
 PARCEL D 0.005 ACRES

## BASIS OF BEARING

THE BASIS OF BEARING FOR THIS DRAWING IS THE EASTERLY LINE OF LOT 4 AS SHOWN ON PALM PROMENADE MAP NO. 13071  
 I.E. N11°37'00"E

## REFERENCE DRAWINGS

MAP NO. 13071	27249-D	27203-D
PARCEL MAP NO. S 17082 & 17530	27281-D	18144-B
MISCELLANEOUS SURVEY NO. 772	17682-B	27756-D
		29290-D

## ASSESSOR'S PARCEL NO. S

631-041-02	631-041-04
631-041-03	631-042-02

## OWNER

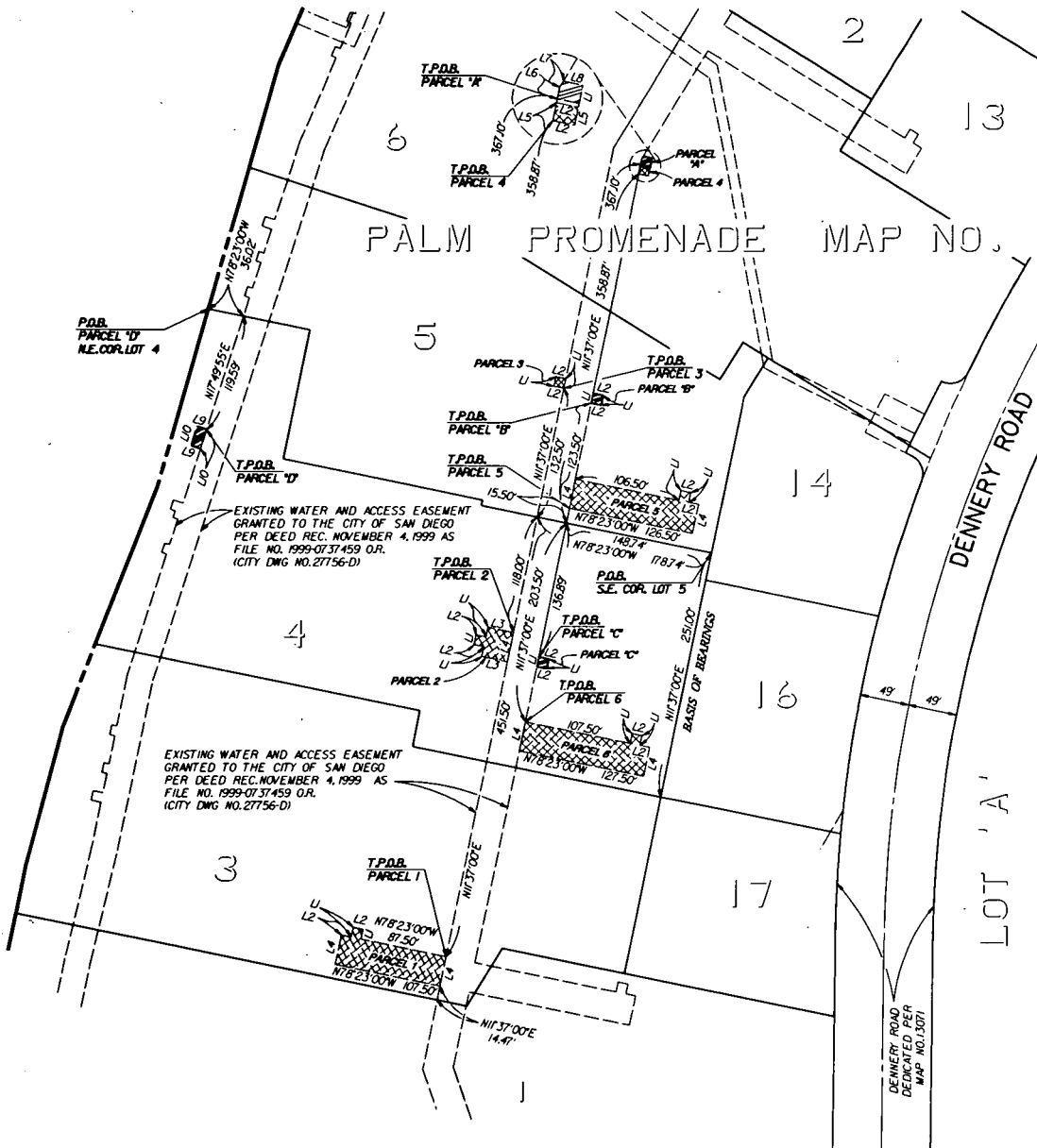
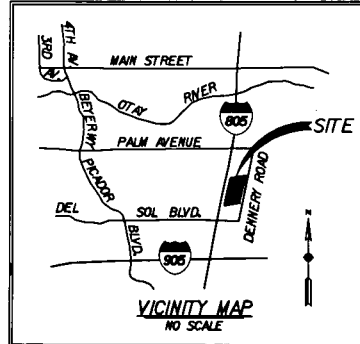
AMC REALTY, INC.

## SURVEYOR OF WORK

*Robert G. Schoettmer* 4-11-00  
 ROBERT G. SCHOETTNER, LS 4324 DATE



NO.	BEARING	DISTANCE
L1	N11°37'00"E	10.00
L2	N78°23'00"W	10.00
L3	N78°23'00"W	26.00
L4	N11°37'00"E	30.00
L5	N11°37'00"E	8.23
L6	N11°37'00"E	7.06
L7	N31°45'00"E	3.13
L8	N78°23'00"W	8.92
L9	N72°10'05"W	10.00
L10	N17°49'55"E	20.00



EXISTING WATER AND ACCESS EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DEED REC. NOVEMBER 4, 1999 AS FILE NO. 1999-0737459 O.R. (CITY DWG NO. 27756-D)

EXISTING WATER AND ACCESS EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DEED REC. NOVEMBER 4, 1999 AS FILE NO. 1999-0737459 O.R. (CITY DWG NO. 27756-D)



**RIK ENGINEERING COMPANY**  
 9820 Friar Road,  
 San Diego,  
 California 92118-0288

J-13121	
<b>ACCESS &amp; WATER EASEMENT IN LOTS 4, 5 &amp; 6 OF PALM PROMENADE MAP NO. 13071</b>	
<b>ACCESS &amp; WATER EASEMENT ABANDONMENT IN LOTS 3, 4, 5, &amp; 6, ALL OF PALM PROMENADE MAP NO. 13071</b>	
CITY OF SAN DIEGO, CALIFORNIA PLANNING AND DEVELOPMENT REVIEW SHEET 1 OF 1 SHEETS	
FOR CITY ENGINEER	DATE
DESCRIPTION	BY APPROVED DATE FILMED
ORIGINAL	DT
1788-6317 MAD 83 COORDINATES 148-1757 LAMBERT COORDINATES	
<b>00033-C</b>	