

RESOLUTION NUMBER R- 294176

ADOPTED ON NOV 20 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 and unneeded landscaping easements 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 easements as landscaping and building restricted easements, or for any other public use of a like nature that can be anticipated; 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 easements for which they were originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

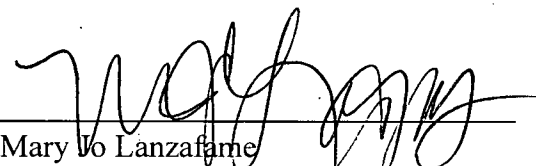
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the unneeded building restricted easement in Lot 40 of Westview Unit No. 3, Map No. 12996, and the unneeded landscaping easements in Lots 40, 41 and 42 of Westview Unit No. 3, Map No. 12996, all as more particularly shown on Drawing No. 00018-C, and described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as

Document No. RR- 294176, 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 Wo Lanzafame  
Deputy City Attorney

MJL:pev  
9/18/00  
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