

RESOLUTION NUMBER R- 294646

ADOPTED ON MAR 19 2001

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

WHEREAS, the affected property owner has requested the vacation of a drainage easement in Parcel 2, Soledad Estates Map 4730, 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 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 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:

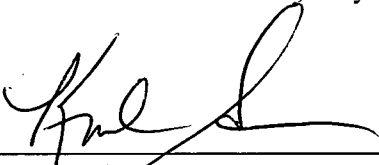
1. That the drainage easement in Lot 2, Soledad Estates Map 4730, as described in the legal description attached hereto as Exhibit "A", and as shown on Drawing No. 19372-2-B,

attached hereto as Exhibit "B", and by this reference 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, and the quitclaim deed to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By



Kristin Schenone
Deputy City Attorney

KS:cdk
03/05//01
Or.Dept:Dev. Rev.
WO:400209
Dwg:19372-2-B
R-2001-1215
Form=sumv.frm

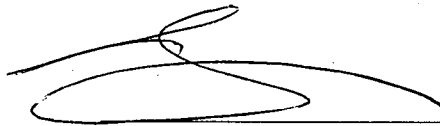
EXHIBIT "A"

STORM DRAIN EASEMENT ABANDONMENT

PART OF LOT 2, SOLEDAD ESTATES, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF No. 4730, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 9, 1961 AND THAT PORTION OF A RIGHT OF WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A STORM DRAIN RECORDED JANUARY 21, 1954 IN BOOK 5118 PAGE 482, O.R., THAT LIES WITHIN SAID LOT 2, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID LOT 2 ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SOLEDAD AVENUE AS DEDICATED PER MAP 1535, AN 82.50' RADIUS CURVE, CONCAVE NORTHWESTERLY THE RADIUS OF WHICH BEARS N 74°12'00" W; THENCE SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND CURVE 38.73' THROUGH AN ANGLE OF 26°53'42" TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG SAID CURVE 8.58' THROUGH AN ANGLE OF 5°57'32" AND LEAVING SAID RIGHT-OF-WAY; THENCE N 65°27'00" W, 107.11' (N 65°05' W PER SAID DOCUMENT) TO A 49.00' RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG SAID CURVE 21.38' THROUGH AN ANGLE OF 25°00'00"; THENCE N 40°27'00" W, 103.31' (N 40°05' W PER SAID DOCUMENT) TO THE NORTHEASTERLY BOUNDARY OF SAID LOT 2 AND ALONG SAID BOUNDARY; THENCE S 64°56'40" E, 19.30' AND LEAVING SAID LOT BOUNDARY THENCE S 40°27'00" E, 85.75' (S 40°05' E PER SAID DOCUMENT) TO A 41.00' RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG SAID CURVE 17.89' THROUGH AN ANGLE OF 25°00'00"; THENCE S 65°27'00" E, 110.20' (S 65°05' E PER SAID DOCUMENT) TO THE POINT OF BEGINNING.

CONTAINS 0.041 ACRES MORE OR LESS



F. D. RINEHART RCE 28204 DATE

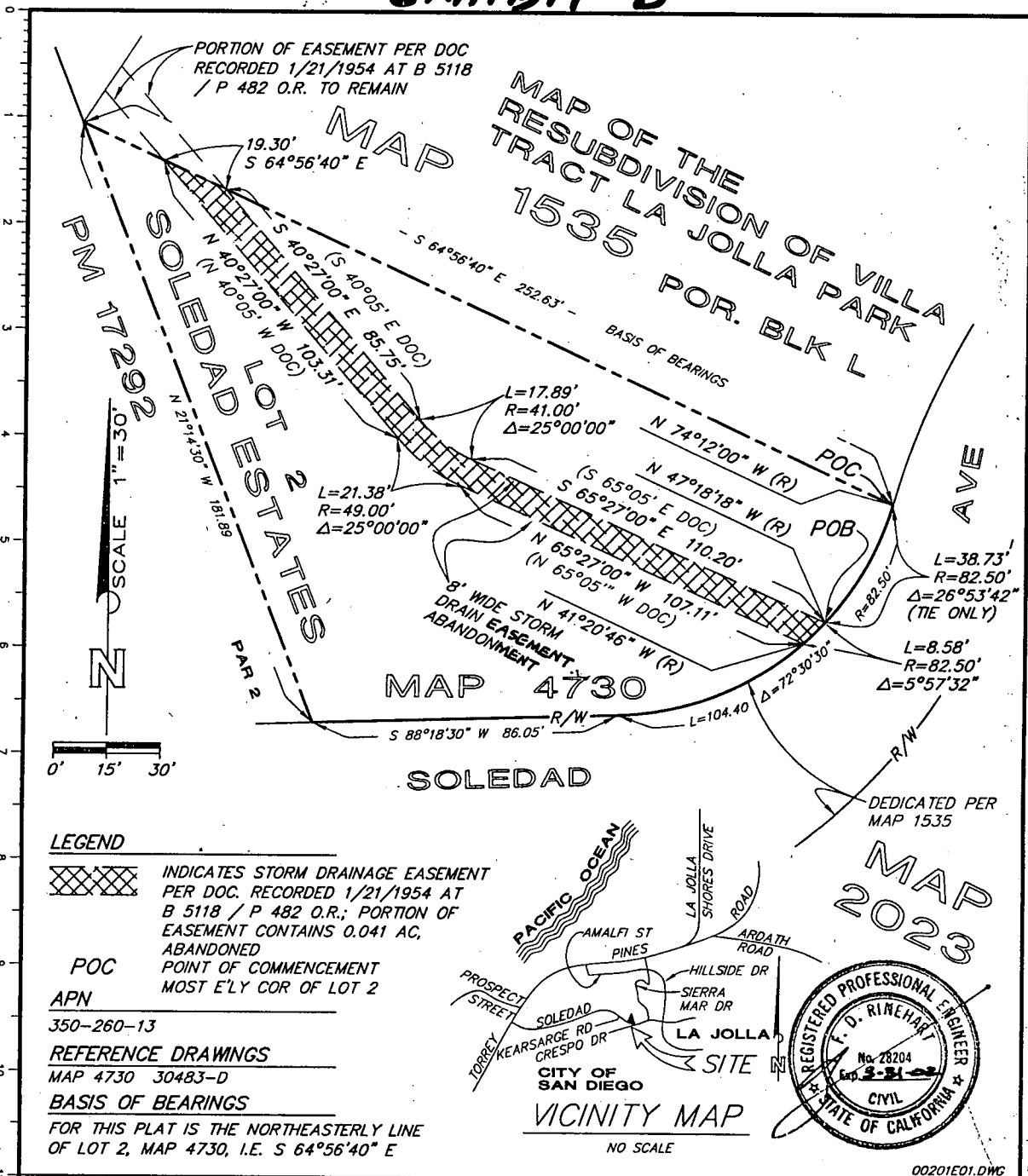
11-20-00



W.O. No. 400209
DWG. No. 19372-B
00201d01.doc

R-294646

EXHIBIT "B"



RINEHART ENGINEERING
 6431 CLEEVE WAY
 SAN DIEGO, CA 92117
 (619) 268-8401

F. D. RINEHART RCE 28204 DATE

DRAINAGE EASEMENT ABANDONMENT

LOT 2, MAP 4730 - SOLEDAD ESTATES

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	I.D. NO.
ORIGINAL	BM				SHEET 2 OF 2 SHEETS	NONE
					<i>F. D. Rinehart</i>	400209
					FOR CITY ENGINEER	1888-6249
					DATE 1-5-01	NAD 83 COORDINATES
						248-1689
						LAMBERT COORDINATES
						19372-2-B

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