RESOLUTION NUMBER R- 296993 ADOPTED ON SEP 0 3 2002

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 easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of a sewer easement, drainage easements, and a sewer and drainage easement in Lot 45 of Westview Unit No. 5, Map No. 12998, and Parcel 2 of Parcel Map No. 18402, to unencumber his property; and WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the easements either for which they were originally acquired, or for any other public use of a like nature that can be anticipated;
 - (b) the public will benefit from the vacation through improved utilization of land;
- (c) the vacation is not inconsistent with the General Plan, an approved Community Plan, or Local Coastal Program; and
- (d) the public service easement system for which the easements 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 sewer easement, drainage easements, and a sewer and drainage easement in Lot 45 of Westview Unit No. 5, Map No. 12998, and Parcel 2 of Parcel Map No. 18402, as shown on Drawing No. 00045-1-2-C, attached hereto as Exhibit "A", are ordered vacated.

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

APPROVED: CASEY GWINN, City Attorney

Ву

William W. Witt Deputy City Attorney

WWW:cdk 08/07/02

Orig.Dept.:Dev.Svcs.

W.O. 400790

Drawing No. 00045-1-2-C

R-2003-256



