

RESOLUTION NUMBER R- 297513

ADOPTED ON JAN 07 2003

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 a drainage easement in Lots 168, 169, 180 and 181, of Map 189, to unencumber his property and facilitate development of the site; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the drainage easement either for which it was 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 or an approved Community Plan;
- and

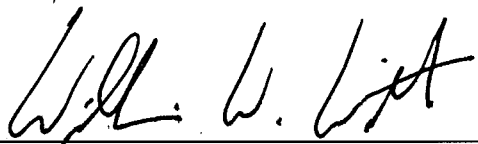
(d) the public service easement system for which the easement was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

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

1. That drainage easement located in Lots 168, 169, 180 and 181, of Map 189, as more particularly described in the legal description, attached hereto as Exhibit "A", and as shown on Drawing No. 19572-B, attached hereto as Exhibit "B", is ordered vacated.

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

APPROVED: CASEY GWINN, City Attorney

By 

William W. Witt
Deputy City Attorney

WWW:cdk
11/25/02
Orig.Dept.:Dev.Svcs.
W.O. 120101
Drawing No. 19572-B
R-2003-749

EXHIBIT "A"

LEGAL DESCRIPTION
DRAINAGE EASEMENT ABANDONMENT

ALL THAT PORTION OF THAT CERTAIN 10 FOOT WIDE DRAINAGE EASEMENT IN LOTS 168, 169, 180, AND 181, GRANTED PER CROWN POINT MAP NO. 1891, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, MARCH 2, 1926, ABANDONED.

CONTAINS 0.041 ACRE MORE OR LESS



VICTOR RODRIGUEZ-FERNANDEZ, LS 5335

11/7/01

DATE SIGNED

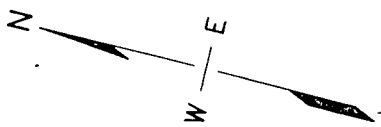


W.O. NO. 120101

A NO. 01-652


DWG. NO. 19572-B

EXHIBIT "B"



SCALE: 1" = 30'

LEGEND:

INDICATES 10' WIDE DRAINAGE EASEMENT GRANTED PER MAP NO. 1891, ABANDONED..... 
CONTAINS 0.041 ACRES

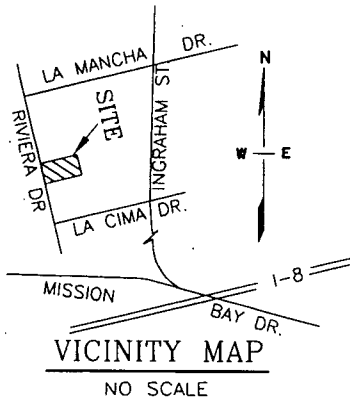
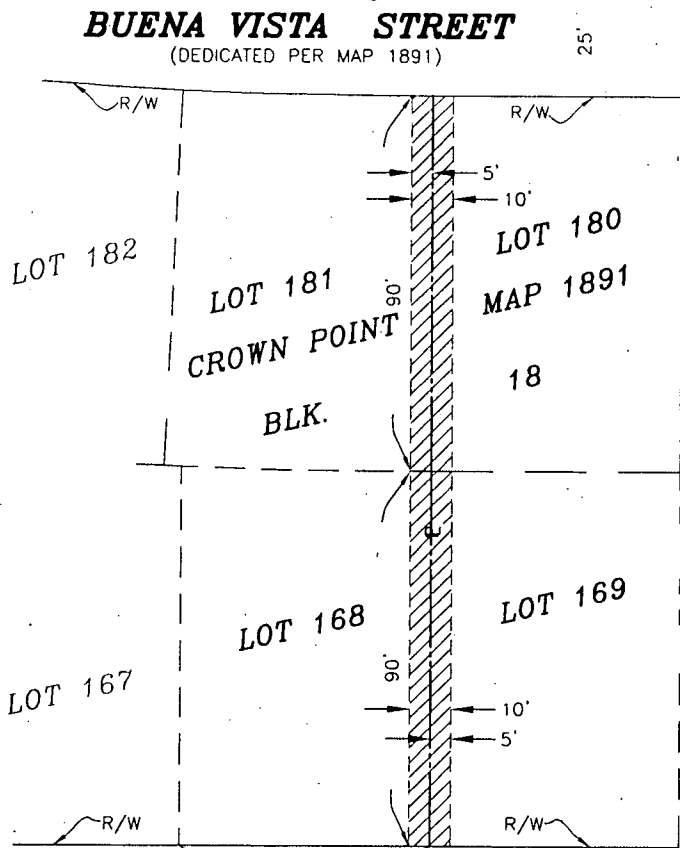
INDICATES PROPERTY LINE -----

INDICATES RIGHT-OF-WAY..... R/W

REFERENCES:

MAP 1891, 3277-3-L

A.P.N.: 423-491-05, 06, 17 & 18



RIVIERA DRIVE

(FORMERLY "THE RIVIERA"
DEDICATED PER MAP 1891)

MEAN HIGH TIDE
MISSION BAY



VICTOR RODRIGUEZ-FERNANDEZ
4901 MORENA BLVD., STE. # 409
SAN DIEGO, CA. 92117
PHONE: (858) 967-5693
[Signature]
DATE: 11-07-2001
VICTOR RODRIGUEZ-FERNANDEZ
L.S. 5335 EXP. 9-30-03

DRAINAGE EASEMENT ABANDONMENT

IN LOTS 168, 169, 180 & 181 BLOCK 18, OF CROWN POINT, MAP 1891

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	
ORIGINAL	V.R.-F.				SHEET 1 OF 1 SHEET	
					<i>[Signature]</i> FOR CITY ENGINEER	8/29/02 DATE
						W.O. 120101 A#01-652
						1864-6255 CCS 83
						224-1695 LAMBERT COORDINATE
						19572-B

R-297513