

RESOLUTION NUMBER R- 297593

ADOPTED ON JAN 28 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; and

WHEREAS, the affected property owner has requested the vacation of a portion of the sewer and water easement within Lot 1 of Carmel Del Mar Neighborhood 5 East Unit No. 12, Map No. 12984, to unencumber this property; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the 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; 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 easement for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

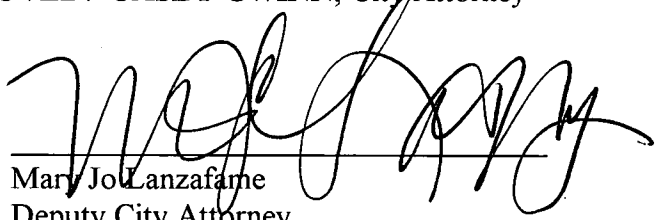
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That a portion of the sewer and water easement located within Lot 1 of Carmel Del Mar Neighborhood 5 East Unit No. 12, Map No. 12984, as more particularly shown on Drawing No. 00081-C, and described in the legal description marked as Exhibit "A," on file in the office of

the City Clerk as Document No. RR- 297593, 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 Jo Lanzafame
Deputy City Attorney

MJL:pev
01/07/02
Or.Dept:DSD
Dwg:00081-C
R-2003-872
Form=sumv.frm

EXHIBIT "A"
LEGAL DESCRIPTION

WATER AND SEWER EASEMENT VACATED

THAT PORTION OF LOT 1 OF CARMEL DEL MAR NEIGHBORHOOD 5 EAST UNIT NO. 12, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY NOVEMBER 10, 1992 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID LOT 1, SAID POINT BEING ON A 470.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 05° 36' 47" EAST; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE OF DEL MAR TRAILS ROAD AS SHOWN ON SAID MAP NO. 12984 SOUTHEASTERLY ALONG SAID 470.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 29° 26' 14" AN ARC LENGTH OF 241.47 FEET TO A POINT OF TANGENCY; THENCE CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE OF SAID DEL MAR TRAILS ROAD SOUTH 54° 56' 59" EAST A DISTANCE OF 48.10 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE OF SAID DEL MAR TRAILS ROAD SOUTH 35° 03' 01" WEST A DISTANCE OF 45.00 FEET TO THE BEGINNING OF A TANGENT 100.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID 100.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 33° 26' 03" AN ARC LENGTH OF 587.35 FEET TO A POINT OF TANGENCY; THENCE SOUTH 01° 36' 58" WEST A DISTANCE OF 33.23 FEET TO THE BEGINNING OF A TANGENT 120.00 FOOT

RADIUS CURVE CONCAVE EASTERLY; THENCE SOUTHERLY AND EASTERLY ALONG SAID 120.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 29° 25' 47" AN ARC LENGTH OF 61.64 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27° 48' 49" EAST A DISTANCE OF 26.14 FEET; THENCE SOUTH 62° 11' 11" WEST A DISTANCE OF 10.00 FEET; THENCE SOUTH 27° 48' 49" EAST A DISTANCE OF 10.00 FEET; THENCE NORTH 62° 11' 11" EAST A DISTANCE OF 9.87 FEET TO A POINT ON A 378.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 63° 42' 08" EAST; THENCE SOUTHEASTERLY ALONG SAID 378.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 13° 25' 56" AN ARC LENGTH OF 88.62 FEET; THENCE SOUTH 78° 37' 47" WEST A DISTANCE OF 97.76 FEET TO THE BEGINNING OF A TANGENT 738.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID 738.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 08° 43' 34" AN ARC LENGTH OF 112.40 FEET TO A POINT OF NONTANGENCY; THENCE NORTH 16° 45' 23" WEST A DISTANCE OF 74.97 FEET TO THE BEGINNING OF A TANGENT 187.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG SAID 187.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 18° 40' 32" AN ARC LENGTH OF 60.95 FEET TO A POINT OF NONTANGENCY; THENCE NORTH 88° 04' 51" WEST A DISTANCE OF 26.00 FEET; THENCE NORTH 89° 25' 33" WEST A DISTANCE OF 5.06 FEET; THENCE SOUTH 00° 34' 27" WEST A DISTANCE OF 10.00 FEET; THENCE SOUTH 89° 25' 33" EAST A DISTANCE OF 5.06 FEET TO A POINT ON A NONTANGENT 213.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 89° 13' 45" WEST; THENCE SOUTHEASTERLY ALONG SAID 213.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 15° 59' 08" AN ARC LENGTH OF 59.43 FEET TO A POINT OF

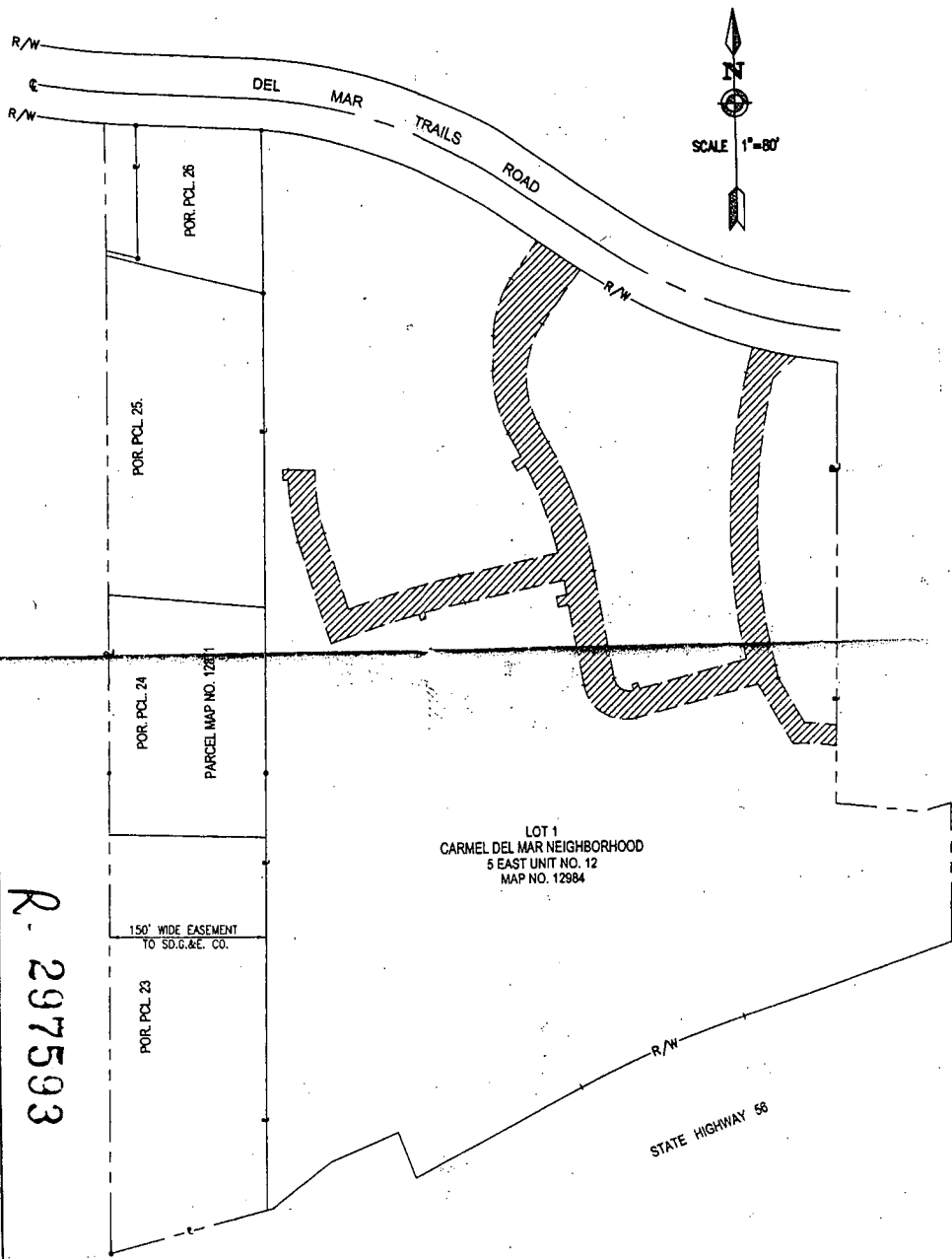
TANGENCY; THENCE SOUTH 16° 45' 23" EAST A DISTANCE OF 103.06 FEET TO A POINT ON A NONTANGENT 712.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 22° 19' 03" WEST; THENCE NORTHEASTERLY ALONG SAID 712.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 07° 11' 46" AN ARC LENGTH OF 89.42 FEET; THENCE SOUTH 14° 52' 48" EAST A DISTANCE OF 6.00 FEET; THENCE NORTH 75° 07' 12" EAST A DISTANCE OF 6.00 FEET; THENCE NORTH 14° 23' 38" WEST A DISTANCE OF 6.00 FEET TO A POINT ON A NONTANGENT 712.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 14° 38' 04" WEST; THENCE NORTHEASTERLY ALONG SAID 712.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 03° 15' 51" AN ARC LENGTH OF 40.56 FEET TO A POINT OF TANGENCY; THENCE NORTH 78° 37' 47" EAST A DISTANCE OF 98.06 FEET; THENCE SOUTH 09° 25' 53" EAST A DISTANCE OF 14.03 FEET; THENCE SOUTH 80° 34' 07" WEST A DISTANCE OF 10.00 FEET; THENCE SOUTH 09° 25' 53" EAST A DISTANCE OF 10.00 FEET; THENCE NORTH 80° 34' 07" EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 09° 25' 53" EAST A DISTANCE OF 80.40 FEET TO THE BEGINNING OF A TANGENT 40.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY ALONG SAID 40.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 95° 17' 37" AN ARC LENGTH OF 66.53 FEET TO A POINT OF TANGENCY; THENCE NORTH 75° 16' 30" EAST A DISTANCE 121.61 FEET; THENCE SOUTH 29° 18' 50" EAST A DISTANCE OF 66.60 FEET TO A POINT ON A NONTANGENT 190.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH 02° 27' 25" WEST; THENCE SOUTHEASTERLY ALONG SAID 190.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 12° 38' 12" AN ARC LENGTH OF 41.90 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1, A

RADIAL LINE TO SAID POINT BEARS NORTH $10^{\circ} 10' 47''$ EAST; THENCE ALONG THE
EASTERLY LINE OF SAID LOT 1 NORTH $01^{\circ} 05' 11''$ EAST A DISTANCE OF 20.23 FEET
TO A POINT ON A NONTANGENT 210.00 FOOT RADIUS CURVE CONCAVE
SOUTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS NORTH $09^{\circ} 18' 26''$ EAST;
THENCE LEAVING SAID EASTERLY LINE SOUTHWESTERLY ALONG SAID 210.00
FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF $08^{\circ} 21' 27''$ AN ARC
LENGTH OF 30.63 FEET TO A POINT OF NONTANGENCY, A RADIAL LINE TO SAID
POINT BEARS NORTH $00^{\circ} 56' 59''$ EAST; THENCE NORTH $29^{\circ} 18' 50''$ WEST A
DISTANCE OF 49.52 FEET; THENCE NORTH $13^{\circ} 10' 05''$ WEST A DISTANCE OF 12.30
FEET TO THE BEGINNING OF A TANGENT 587.00 FOOT RADIUS CURVE CONCAVE
NORTHEASTERLY; THENCE WESTERLY AND NORTHERLY ALONG SAID 587.00
FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF $27^{\circ} 06' 55''$ AN ARC
LENGTH OF 277.80 FEET TO A POINT OF NONTANGENCY, A RADIAL LINE TO SAID
POINT BEARS NORTH $76^{\circ} 03' 10''$ WEST; THENCE NORTH $47^{\circ} 36' 09''$ EAST A
DISTANCE OF 31.07 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 1
AND SOUTHERLY LINE OF SAID DEL MAR TRAILS ROAD; SAID POINT ALSO BEING
ON A 530.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE
TO SAID POINT BEARS SOUTH $10^{\circ} 40' 43''$ WEST; THENCE ALONG SAID
NORTHERLY LINE NORTHWESTERLY ALONG SAID 530.00 FOOT RADIUS CURVE
THROUGH A CENTRAL ANGLE OF $04^{\circ} 40' 26''$ AN ARC OF 43.24 FEET TO A POINT OF
NONTANGENCY, A RADIAL LINE TO SAID POINT BEARS SOUTH $15^{\circ} 21' 09''$ WEST;
THENCE LEAVING THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE
OF SAID DEL MAR TRAILS ROAD SOUTH $13^{\circ} 56' 50''$ WEST A DISTANCE OF 25.16
FEET TO THE BEGINNING OF A TANGENT 613.00 FOOT RADIUS CURVE CONCAVE
NORTHEASTERLY; THENCE SOUTHERLY AND EASTERLY ALONG SAID 613.00

FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 25° 53' 58" AN ARC LENGTH OF 277.10 FEET TO A POINT OF NON TANGENCY, A RADIAL LINE TO SAID POINT BEARS SOUTH 78° 02' 52" WEST; THENCE SOUTH 75° 16' 30" WEST A DISTANCE OF 106.51 FEET; THENCE NORTH 14° 43' 30" WEST A DISTANCE OF 6.00 FEET; THENCE SOUTH 75° 16' 30" WEST A DISTANCE OF 6.00 FEET; THENCE SOUTH 14° 43' 30" EAST A DISTANCE OF 6.00 FEET TO A POINT ON A 15.00 FOOT RADIUS CURVE CONCAVE NORTHEASTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 14° 43' 30" EAST; THENCE NORTHWESTERLY ALONG SAID 15.00 FOOT THROUGH A CENTRAL ANGLE OF 95° 17' 37" AN ARC LENGTH OF 24.95 FEET TO A POINT OF TANGENCY; THENCE NORTH 09° 25' 53" WEST A DISTANCE OF 106.34 FEET TO THE BEGINNING OF A TANGENT 408.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY ALONG SAID 408.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 18° 22' 56" AN ARC LENGTH OF 130.90 FEET TO A POINT OF TANGENCY; THENCE NORTH 27° 48' 49" WEST A DISTANCE OF 20.52 FEET TO THE BEGINNING OF TANGENT 90.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THENCE NORTHERLY AND EASTERLY ALONG SAID 90.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 62° 51' 50" AN ARC LENGTH OF 98.75 FEET TO A POINT OF TANGENCY; THENCE NORTH 35° 03' 01" EAST A DISTANCE OF 64.27 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE OF SAID DEL MAR TRAILS ROAD; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 1 AND SOUTHERLY LINE OF SAID DEL MAR TRAILS ROAD NORTH 54° 56' 59" WEST A DISTANCE OF 50.00 FEET TO THE TRUE POINT OF BEGINNING.

R. 297593




5 OF 5

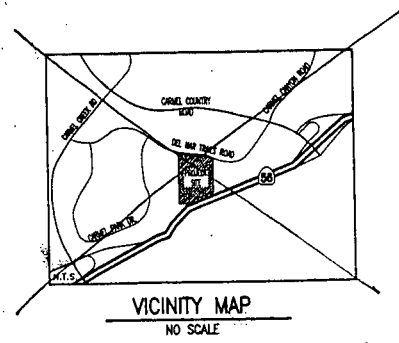


R. 297593

CARMEL DEL MAR NEIGHBORHOOD 5
 UNIT NO. 12
 MAP NO. 12984

LEGEND

-  INDICATES SEWER AND WATER EASEMENT GRANTED PER MAP NO. 12984, VACATED
-  R/W INDICATES RIGHT-OF-WAY
-  PL INDICATES PROPERTY LINE



ASSESSOR'S PARCEL NUMBER 307-040-72

REFERENCE MAPS
 CARMEL DEL MAR NEIGHBORHOOD 5 EAST UNIT NO. 12
 MAP NO. 12984

ENGINEER OF WORK:
BDS ENGINEERING, INC.
 CIVIL ENGINEERING
 LAND SURVEYING
 6859 Federal Boulevard
 Lemon Grove, California 91945
 (619) 582-4992
 DWG. FILE L:\PROJECTS\02-21\ENGR



SURVEYOR L.S. 6622 DATE 02-21 JOB NO.

SEWER AND WATER EASEMENT VACATION
 IN LOT 1, CARMEL DEL MAR NEIGHBORHOODS
 EAST UNIT NO. 12, MAP NO. 12984

CITY OF SAN DIEGO, CALIFORNIA
 ENGINEERING DEPARTMENT
 SHEET 1 OF 1 SHEET

NO. L20377
 1922-6261
 U.S. COORDINATES
 282-1701
 LAMBERT COORDINATES
00081-C

FOR CITY ENGINEER _____ DATE _____