

RESOLUTION NUMBER R- 297856

ADOPTED ON APR 21 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 sewer easement in a portion of Pueblo Lot 1788, to unencumber his property and facilitate development of the site; and

WHEREAS, the City Council finds that:

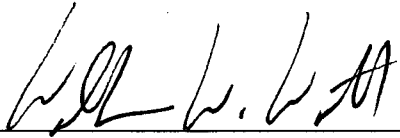
- (a) there is no present or prospective use for the sewer easement either for which it was originally acquired, or for any other public use of a like nature that can be anticipated;
- (b) the public will benefit from the vacation through improved utilization of land;
- (c) the vacation is consistent with the General Plan or an approved Community Plan; and
- (d) the public facility or purpose 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 the sewer easement in a portion of Pueblo Lot 1788, as more particularly described in the legal description, attached hereto as Exhibit "A", and as shown on Drawing No. 19545-B, attached hereto as Exhibit "B", is ordered vacated.

2. That the City Clerk shall then cause a certified copy of this resolution with attached exhibits, 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
03/26/03
Orig.Dept.:Dev.Svcs.
W.O. 410361
Drawing No. 19545-B
R-2003-1167

October 4, 2002

EXHIBIT "A"

LEGAL DESCRIPTION

SEWER EASEMENT VACATION

That portion of Lot 1788 of the Pueblo Lands of San Diego per map made by James Pascoe in 1870, a copy of which was filed in the Office of the County Recorder of said county on November 14, 1921 as Miscellaneous Map No. 36, being more particularly described as follows:

That certain easement for the purpose of right of way construction, operation, and maintenance of a public sewer and appurtenances thereto, through, over, under, along and across, granted to the City of San Diego per Document Recorded August 20, 1951, Document No. 103155, in Book 4209, Page 234 of Official Records, vacated.

CONTAINING: 0.067 Acres, more or less.

This description was prepared by me or under my direction.



Kevin D. McHugh, Jr., P.L.S. 6310



A-01-656
W.O. No. 410361
Dwg. No. 19545-B

R-297856

EXHIBIT "B"

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ASSESSOR'S PARCEL NO.

424-571-20-00 424-571-21-00

REFERENCE DRAWINGS

MAP NO. 36 R.O.S. 13256
 MAP NO. 1010 M.S. 756
 R.O.S. 1229 IMPROVEMENT PLANS 31190-D
 R.O.S. 9937 CITY DWG. NO. 19541-B

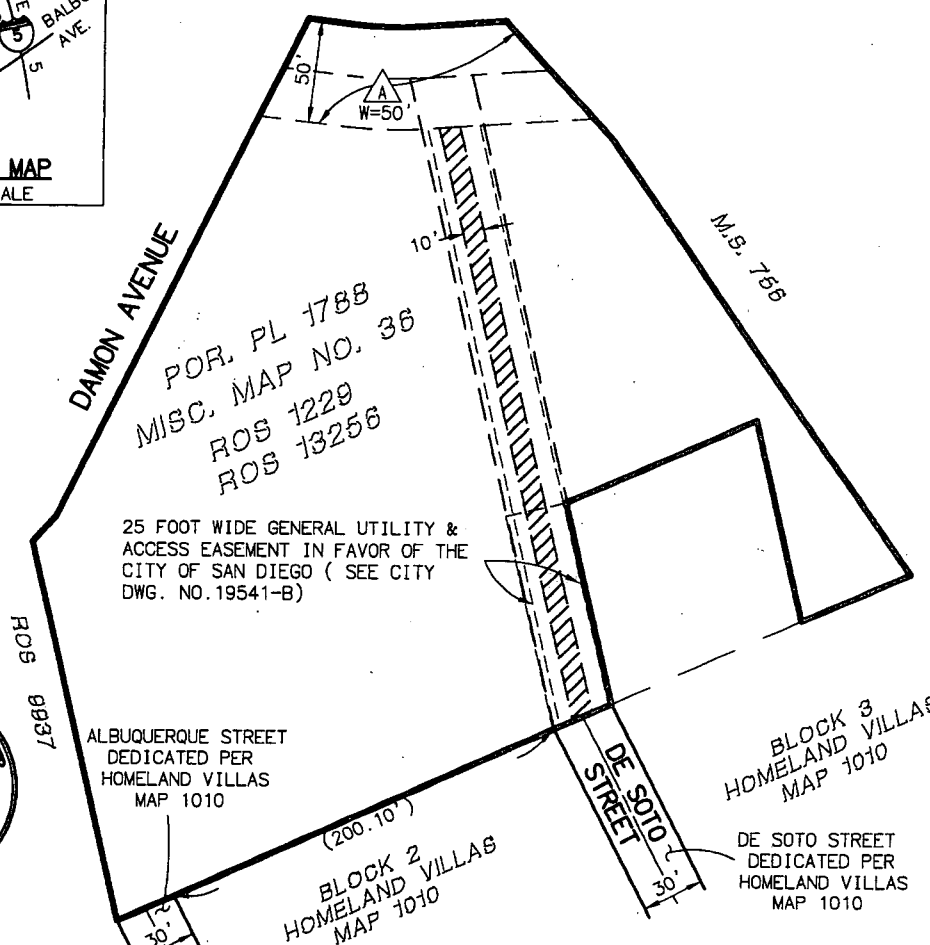
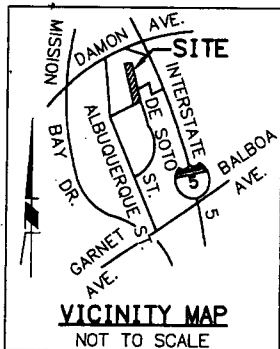
LEGEND



INDICATES SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO BY DEED RECORDED AUGUST 20, 1951 DOCUMENT NO. 103155, IN BOOK 4209, PAGE 234 OF OFFICIAL RECORDS, VACATED. (0.067 ACRES MORE OR LESS)



INDICATES CITY OF SAN DIEGO WATER EASEMENT RECORDED FEBRUARY 3, 1950 IN BOOK 3482, PAGE 232 OF OFFICIAL RECORDS.



JN 100318.001 318x009.dwg 10/04/02

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Kevin D. McHugh
 KEVIN D. MCHUGH UR. DATE 10-4-02 PLS 6310

SEWER EASEMENT VACATION IN A PORTION OF PUEBLO LOT 1788

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	A-01-656
ORIGINAL	RBF				SHEET 1 OF 1 SHEET	W.O. 410361
	AA				<i>Joe Kenney</i> 1/30/03 FOR CITY ENGINEER DATE	1874-6261 CCS 83 COORDINATES
						234-1701 LAMBERT COORDINATES
						19545-B
STATUS						

2-297856