

RESOLUTION NUMBER R- 298023

ADOPTED ON JUN 03 2003

WHEREAS, the City acquired a sewer easement crossing a portion of Block 20 of Middletown (bounded by Ash, Beech, Columbia and State Streets) [the Existing Easement] for the construction of the South Metro Interceptor 84-inch Sewer Tunnel; and

WHEREAS, the Sewer Tunnel, as constructed, is not centered on the Existing Easement; and

WHEREAS, realignment of the easement through an exchange of easements is necessary to assure that new structural support caissons are placed in a manner that best protects the Sewer Tunnel; and

WHEREAS, the easements to be exchanged are of equal size; and

WHEREAS, the easement to be acquired will serve the same use and purpose as the easement to be quitclaimed by the City; NOW, THEREFORE,

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

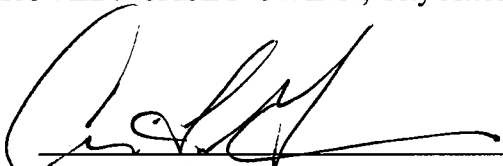
1. That the Council authorizes the City Manager or designee to execute, for and on behalf of the City of San Diego, a Quitclaim Deed, a copy of which is on file in the office of the City Clerk as Document No. RR- 298023-1, quitclaiming to Watt Little Italy, LLC, a Delaware Limited Liability Company, all of the City's right, title and interest in the Existing Easement, as more particularly described in the Quitclaim Deed.

2. That the Council authorizes the City Manager or designee to accept an Easement Deed executed by Watt Italy, LLC, a Delaware Limited Liability Company, conveying to the City of San Diego a sewer tunnel easement in the form as set forth in the Easement Deed on file in the office of the City Clerk as Document No. RR- 298023-2, to replace the Existing Easement being quitclaimed by the City.

3. That the City Clerk shall cause the Quitclaim Deed, and then the Easement Deed, and a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder, the easement deed recorded at no fee, for the benefit of the City, with no documentary tax due.

APPROVED: CASEY GWINN, City Attorney

By



Carrie L. Gleeson
Deputy City Attorney

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