

RESOLUTION NUMBER R- 298785

ADOPTED ON JAN 13 2004

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 owners have requested the vacation of the general utility and access easement within Parcel 1 of Parcel Map No.17811 (APN # 308-010-24), and the sewer easements described as follows: the sewer easement within Parcel 4 of Parcel Map 18971 (APN # 305-031-13), the sewer easement lying within the west half of the southwest quarter of section 15, Township 14 South Range 3 West (APN # 305-040-23), the sewer easement lying within Lot 1 of Rancho Del Sol Unit No.1 (APN # 305-060-20), the sewer easement lying within the east half of the west half of the northeast quarter and the northeast quarter of the northeast quarter section 15, Township 14 South Range 3 West (APN # 305-041-01), the sewer easement lying within Lot "K" of McMillin Torrey Highlands, Map No.14322 (APN # 306-363-02), the sewer easement lying within Lot "J" of McMillin Torrey Highlands, Map No 14322 (APN # 306-363-01), the sewer easement lying within Lot "R" of Torrey Del Mar Map No. 13978 (APN #'S 306-011-25,26, & 28), and the sewer easement lying within Parcel 2 of Parcel Map No. 8133 (APN # 306-011-32) to unencumber this property for the Carmel Valley Trunk Sewer Project; 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; and

(b) the public will benefit from the vacation through improved utilization of land; and

(c) the vacations are consistent with the General Plan, an approved Community Plan, or Local Coastal Program; 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 general utility and access easement within Parcel 1 of Parcel Map No. 17811 (APN # 308-010-24), and the sewer easements described as follows: the sewer easement within Parcel 4 of Parcel Map 18971 (APN # 305-031-13), the sewer easement lying within the west half of the southwest quarter of section 15, Township 14 South Range 3 West (APN # 305-040-23), the sewer easement lying within Lot 1 of Rancho Del Sol Unit No. 1 (APN # 305-060-20), the sewer easement lying within the east half of the west half of the northeast quarter and the northeast quarter of the northeast quarter section 15, Township 14 South Range 3 West (APN # 305-041-01), the sewer easement lying within Lot "K" of McMillin Torrey Highlands, Map No. 14322 (APN # 306-363-02), the sewer easement lying within Lot "J" of McMillin Torrey Highlands, Map No. 14322 (APN # 306-363-01), the sewer easement lying within Lot "R" of Torrey Del Mar Map No. 13978 (APN #'s 306-011-25, 26, & 28), and the sewer easement lying within Parcel 2 of Parcel Map No. 8133 (APN # 306-011-32), as more particularly described on Exhibits "A-1" through "A-9," and shown on Exhibit "B," on file in the office of the City Clerk as Document Nos. RR- 298785-1, RR- 298785-2, RR- 298785-3, RR- 298785-4, RR- 298785-5, RR- 298785-6, RR- 298785-7, RR- 298785-8, RR- 298785-9, and

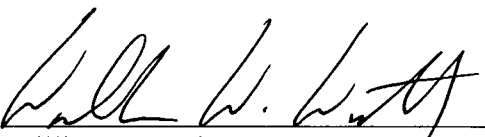
RR- ~~298785-10~~, which are by this reference incorporated herein and made a part hereof, are ordered vacated.

2. That the resolution shall not become effective unless and until the applicant relocates and constructs a new sewer line satisfactory to the City Engineer.

3. That in the event the above conditions are not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

4. That the City Engineer shall advise the City Clerk of the completion of the aforementioned conditions, and the City Clerk shall then cause a certified copy of this Resolution with Exhibits "A-1" through "A-9" and Exhibit "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

MJL:WWW:cdk:pev
12/18/03
Or.Dept: Dev.Svcs
R-2004-689

**EXHIBIT "A-1"
LEGAL DESCRIPTION**

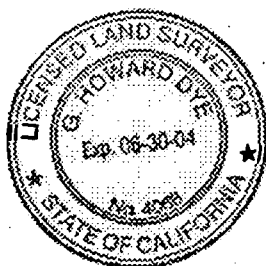
ASSESSOR'S PARCEL NUMBER: 308-010-24

VESTING: MARK A. JACOBSON AND KIMBERLY A. JACOBSON, HUSBAND AND WIFE, AS JOINT TENANTS

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE UTILITY AND ACCESS EASEMENT TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED JUNE 4, 1970 AS FILE NO. 97219 WHICH LIES WITHIN PARCEL 1 OF PARCEL MAP NO. 17811, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ALL AS FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 15, 1997 AS FILE NO. 18567 OF OFFICIAL RECORDS


G. HOWARD DYE, LS 4068



DATED: NOVEMBER 25, 2003.

**W.O. NO.: 421279
DWG. NO.: -B**

JOB NO: P-283 12

**DOCUMENT NO. RR-298785-1
FILED JAN 13 2004
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA**

**EXHIBIT "A-2"
LEGAL DESCRIPTION**

ASSESSOR'S PARCEL NUMBER: 305-031-13

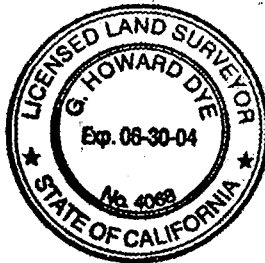
VESTING: PARDEE CONSTRUCTION COMPANY, CALIFORNIA CORPORATION

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 25, 1970 AS FILE NOS. 175223 AND 175224 WHICH LIES WITHIN PARCEL 4 OF PARCEL MAP NO. 18971 IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ALL FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 23, 2002.


G. HOWARD DYE, LS 4068

DATED: NOVEMBER 25, 2003.



W.O. NO.: 421279
DWG. NO.: -B

DOCUMENT NO. RR-298785-2

FILED JAN 13 2004

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**EXHIBIT "A-3"
LEGAL DESCRIPTION**

ASSESSOR'S PARCEL NUMBER: 305-040-23

VESTING: PARDEE CONSTRUCTION COMPANY, CALIFORNIA CORPORATION

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 25, 1970 AS FILE NOS. 175223 AND 75224 WHICH LINES WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 14 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF


G. HOWARD DYE, LS 4068

DATED: NOVEMBER 25, 2003.



W.O. NO.: 421279
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DOCUMENT NO. rd-298785-3

FILED JAN 13 2004

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**EXHIBIT "A-4"
LEGAL DESCRIPTION**

ASSESSOR'S PARCEL NUMBER: 305-060-20

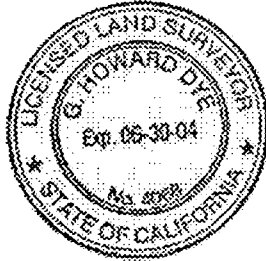
**VESTING: ROBERT D. BARCZEWSKI, AS TRUSTEE UNDER DECLARATION OF TRUST DATED
AUGUST 10, 1977**

RELINQUISHMENT PARCEL:

**THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN
DIEGO PER DOCUMENT RECORDED SEPTEMBER 30, 1970 AS FILE NOS. 177974 AND 177975
WHICH LINES WITHIN LOT 1 OF RANCHO DEL SOL UNIT NO. 1, IN THE CITY OF SAN DIEGO,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12477,
ALL FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 18,
1989.**


G. HOWARD DYE, LS 4868

DATED: NOVEMBER 25, 2003.



**W.O. NO.: 421279
DWG. NO.: -B**

**EXHIBIT "A-5"
LEGAL DESCRIPTION**

ASSESSOR'S PARCEL NUMBER: 305-041-01

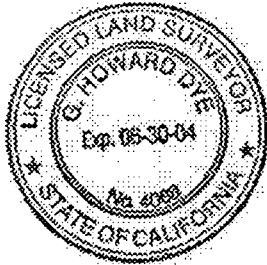
VESTING: PARDEE CONSTRUCTION COMPANY, CALIFORNIA CORPORATION

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED MARCH 16, 2001 AS FILE NO. 01-153321 IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, WITHIN THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, ALL IN SECTION 15, TOWNSHIP 14 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF


G. HOWARD DYE, LS 4068

DATED: NOVEMBER 25, 2003.



W.O. NO.: 421279
DWG. NO.: -B

DOCUMENT NO. 0298785-5
FILED JAN 13 2004
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

EXHIBIT "A-6"
LEGAL DESCRIPTION

ASSESSOR'S PARCEL NUMBER: 306-363-02
VESTING:

ROBERT PETER SCARCIA, JR., EXECUTOR OF THE ESTATE OF ROBERT PETER SCARCIA, DECEASED, AS SET FORTH IN LETTERS OF TESTAMENTARY WITH FULL AUTHORITY TO ADMINISTER SAID ESTATE UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT, PROBATE NO. PN020294, A CERTIFIED COPY OF WHICH RECORDED MARCH 29, 1995 AS FILE NO. 1995-0128444 OF OFFICIAL RECORDS, AS TO AN UNDIVIDED ONE-SIXTH (1/6) INTEREST;

CAROLYN K. SCARCIA, A WIDOW, AS TO AN UNDIVIDED ONE-THIRD (1/3) INTEREST;

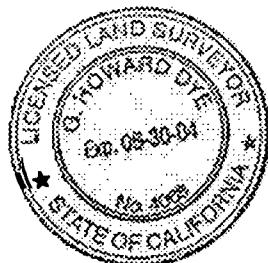
DONALD J. REED AND MARY JEAN REED, HUSBAND AND WIFE, AS JOINT TENANTS, AS TO AN UNDIVIDED ONE-THIRD (1/3) INTEREST;

THE HEIRS OR DEVISEES OF BEVERLY A. SCARCIA, DECEASED, THEIR INTEREST BEING SUBJECT TO THE ADMINISTRATION OF THE ESTATE OF SAID DECEDENT, IN SAN DIEGO COUNTY, PROBATE CASE NO. PN 23705, AS TO AN UNDIVIDED ONE-SIXTH (1/6) INTEREST.

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 30, 1970 AS FILE NO. 177973 WHICH LIES WITHIN LOT "K" OF MCMILLIN TORREY HIGHLANDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14322, ALL FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 24, 2001.


G. HOWARD DYE, LS 4068



W.O. NO.: 421279
DWG. NO.: -B

DATED: NOVEMBER 18, 2003.

DOCUMENT NO. R-298785-6

FILED JAN 13 2004
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**EXHIBIT "A-7"
LEGAL DESCRIPTION**

**ASSESSOR'S PARCEL NUMBER: 306-363-01
VESTING: THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION**

RELINQUISHMENT PARCEL :

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 30, 1970 AS FILE NO. 177973 WHICH LINES WITHIN LOT "J" OF MCMILLIN TORREY HIGHLANDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14322, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 24, 2001


G. HOWARD DYE, L.S. 4068

DATED: NOVEMBER 25, 2003.



W.O. NO.: 421279
DWG. NO.: -B

DOCUMENT NO. RD 298785-7
FILED JAN 13 2004
CITY CLERK
SAN DIEGO, CALIFORNIA

**EXHIBIT "A-8"
LEGAL DESCRIPTION**

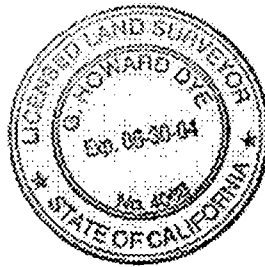
**ASSESSOR'S PARCEL NUMBER: 306-011-25, 26 & 28
VESTING: APOGEE INVESTORS, A CALIFORNIA LIMITED PARTNERSHIP**

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 30, 1970 AS FILE NO. 70-177973 WHICH LIES WITHIN LOT "R" OF TORREY DEL MAR, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 13978, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 8, 2000.


C. HOWARD DYE, LS 4068

DATED: NOVEMBER 25, 2003.



**W.O. NO.: 421279
DWG.NO.: -B**

DOCUMENT NO. RR 298785-8
FILED JAN 13 2004
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

**EXHIBIT "A-9"
LEGAL DESCRIPTION**

ASSESSOR'S PARCEL NUMBER: 306-011-32

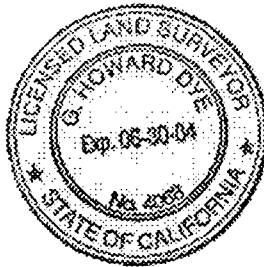
VESTING: HORSESHOE INVESTORS, LTD., A CALIFORNIA LIMITED PARTNERSHIP

RELINQUISHMENT PARCEL:

THAT PORTION OF A 20.00 FOOT WIDE SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED SEPTEMBER 30, 1970 AS FILE NO. 177973, BOOK 1970, WHICH LIES WITHIN PARCEL 2 OF PARCEL MAP NO. 8133, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ALL ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 6, 1978 AS FILE NO. 78-525379 OF OFFICIAL RECORDS.


G. HOWARD DYE, LS 4068

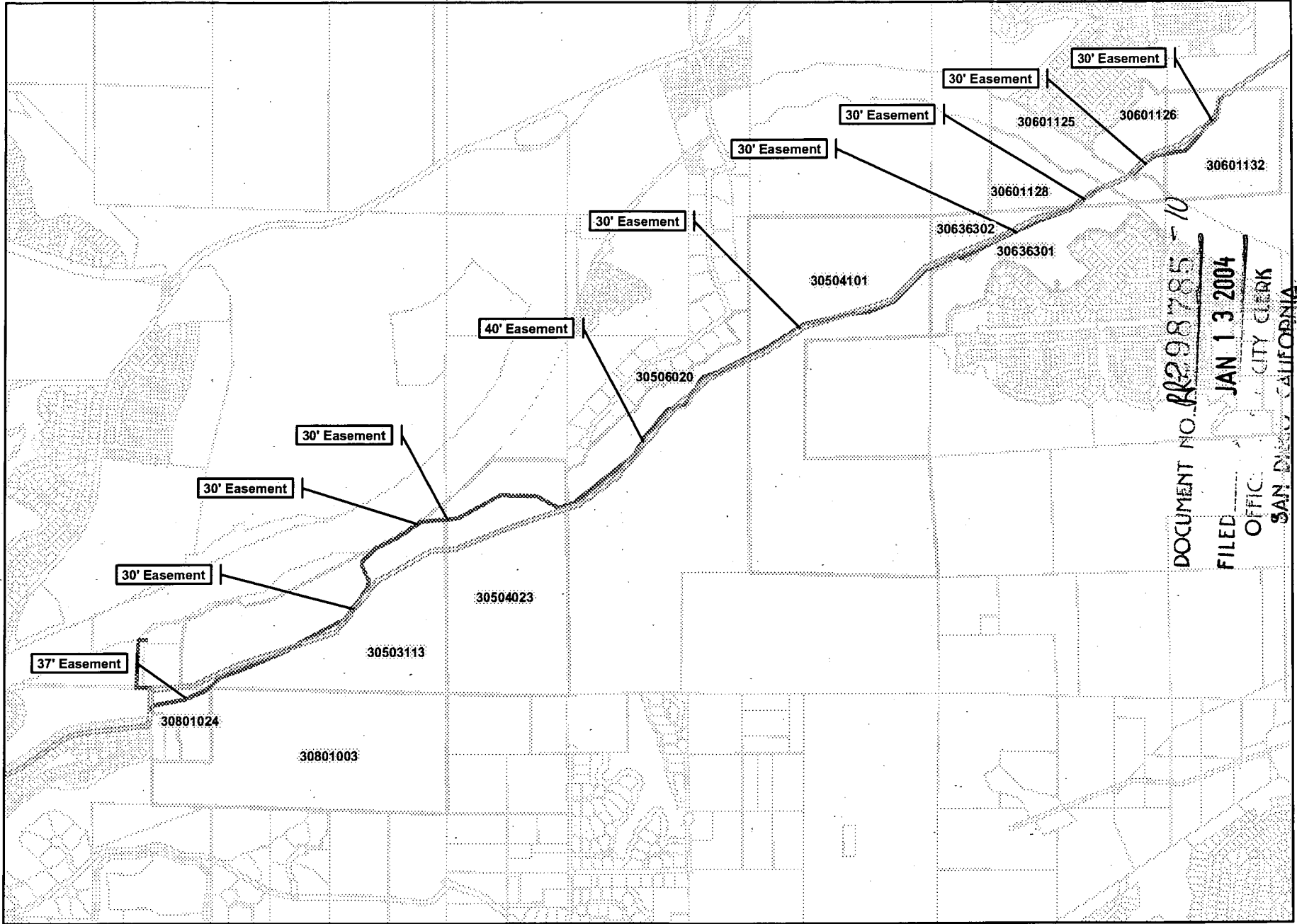
DATED: NOVEMBER 25, 2003.



W.O. NO.: 421279
DWG.NO.: -B

DOCUMENT NO. ~~RR-298785-9~~
FILED JAN 13 2004
CLERK OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

EXHIBIT "B"



DOCUMENT NO. **RR298785-10**
 FILED **JAN 13 2004**
 OFFICE: **CITY CLERK**
 SAN DIEGO, CALIFORNIA

CARMEL VALLEY TRUNK SEWER



1 inch equals 1,500 feet

- Proposed Variable Width CVTS Easement
- Existing 20' CVTS Easement
- Intersecting Parcel
- Parcel

