

RESOLUTION NUMBER R- 298900

ADOPTED ON FEB 10 2004

WHEREAS, California Streets and Highways Code section 8330 et seq. provides a procedure for the summary vacation of public street easements by City Council resolution where the easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of portions of Artesian Road, as shown on Old Survey No. 124, declared a public road by City Council Resolution No. 219164, recorded September 14, 1977, as File Page No. 77-376557, located in the Black Mountain Ranch Subarea I Plan, to unencumber this property and facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public right-of-way, either for which the right-of-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; and

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

(c) the vacation does not adversely affect the General Plan or an approved Community Plan; and

(d) the public facility for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

