

RESOLUTION NUMBER R- 299067

(B)

ADOPTED ON APR 12 2004

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

WHEREAS, the affected property owner has requested the vacation of a water easement and an access easement within Lots 2 and 5 of La Jolla Commons Map No. 14466, 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 water and access easements either for either for the purpose for which the easements 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 or an approved Community Plan; and

(d) the public facility or purpose for which the easements were 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 access easement located within Lots 2 and 5 of La Jolla Commons Map No. 14466, as more particularly described in the legal description marked as Exhibit "A4," and shown on Drawing No. 19986-3-B, marked as Exhibits "B3," and on file in the office of the City

Clerk as Document Nos. RR- 299067-1 and RR- 299067-2, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That the water easement located within Lots 2 and 5 of La Jolla Commons Map No. 14466, as more particularly described in the legal description marked as Exhibit "A5," and shown on Drawing No. 19986-4-B, marked as Exhibits "B4," and on file in the office of the City Clerk as Document Nos. RR- 299067-3, and RR- 299067-4, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

3. That the City Clerk shall 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:pev  
03/29/04  
Or.Dept: DSD  
WO: 410428  
Drw Nos.: 19986-3 and 19986-4-B  
R-2004-1022

**EXHIBIT "A4"**  
LEGAL DESCRIPTION  
EXTINGUISHABLE ACCESS ROAD EASEMENT VACATION

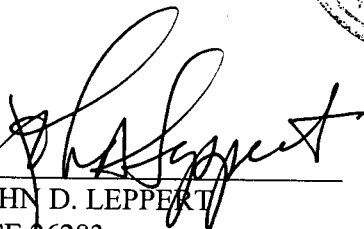
PARCEL "E":

ALL OF THAT EXISTING EXTINGUISHABLE ACCESS ROAD EASEMENT GRANTED PER DOCUMENT RECORDED SEPTEMBER 10, 1998 AS FILE PAGE 1998-0574052, OFFICIAL RECORDS WITHIN LOT 2 AND LOT 5 OF LA JOLLA COMMONS MAP 14466, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, VACATED.

CONTAINS 0.207 ACRE (MORE OR LESS)

DWG. NO. 19986-3-B  
W.O. # 410428  
A# 02-642



  
\_\_\_\_\_  
JOHN D. LEPPERT  
RCE 26283  
EXP. DATE 03-31-06

11-13-03  
DATE

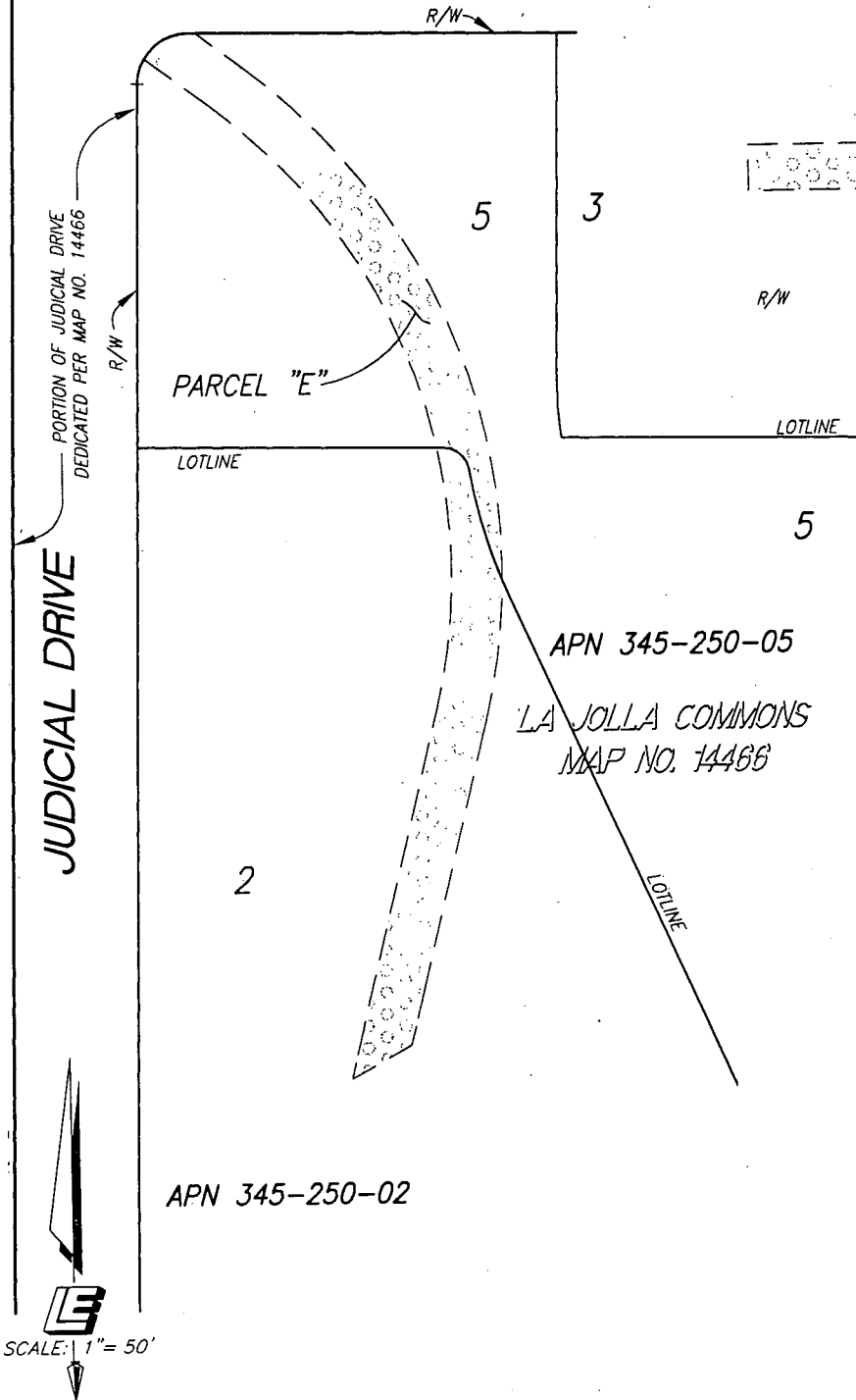
**EXECUTIVE DRIVE**

**EXHIBIT B<sup>33</sup>**

REFERENCE DRAWINGS

MAP NO. 14466

DWG. NO. 27304-D



**PARCEL "E"** - EXISTING EXTINGUISHABLE ACCESS ROAD EASEMENT GRANTED PER DOCUMENT RECORDED 9-10-1998, F/P 1998-0574052, O.R., VACATED. CONTAINS 0.207 ACRE

INDICATES RIGHT-OF-WAY LINE

**Leppert Engineering CORPORATION**  
 5190 Governor Drive, Suite 205  
 San Diego, Ca. 92122-2848  
 Phone: (858) 597-2001.

**ACCESS EASEMENT VACATION: IN LOTS 2 AND 5 OF LA JOLLA COMMONS MAP NO. 14466**

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	LEC			

CITY OF SAN DIEGO, CALIFORNIA  
 SHEET 3 OF 4 SHEETS

*Leppert*  
 FOR CITY ENGINEER

11-20-03

W.O. NO. A# 02-642  
410428

1898-6265  
 CCS 83 COORDINATES

258-1705  
 LAMBERT COORDINATES

19986-3-B

R-299067-2

**EXHIBIT "A5"**  
LEGAL DESCRIPTION  
EXTINGUISHABLE WATER LINE EASEMENT VACATION


PARCEL "F":

ALL OF THAT EXISTING EXTINGUISHABLE WATER LINE EASEMENT GRANTED PER DOCUMENT RECORDED SEPTEMBER 10, 1998 AS FILE PAGE 1998-0574052, OFFICIAL RECORDS WITHIN LOT 2 AND LOT 5 OF LA JOLLA COMMONS MAP 14466, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, VACATED.

CONTAINS 0.239 ACRE (MORE OR LESS)

DWG. NO. 19986-4-B  
W.O. # 410428  
A# 02-642

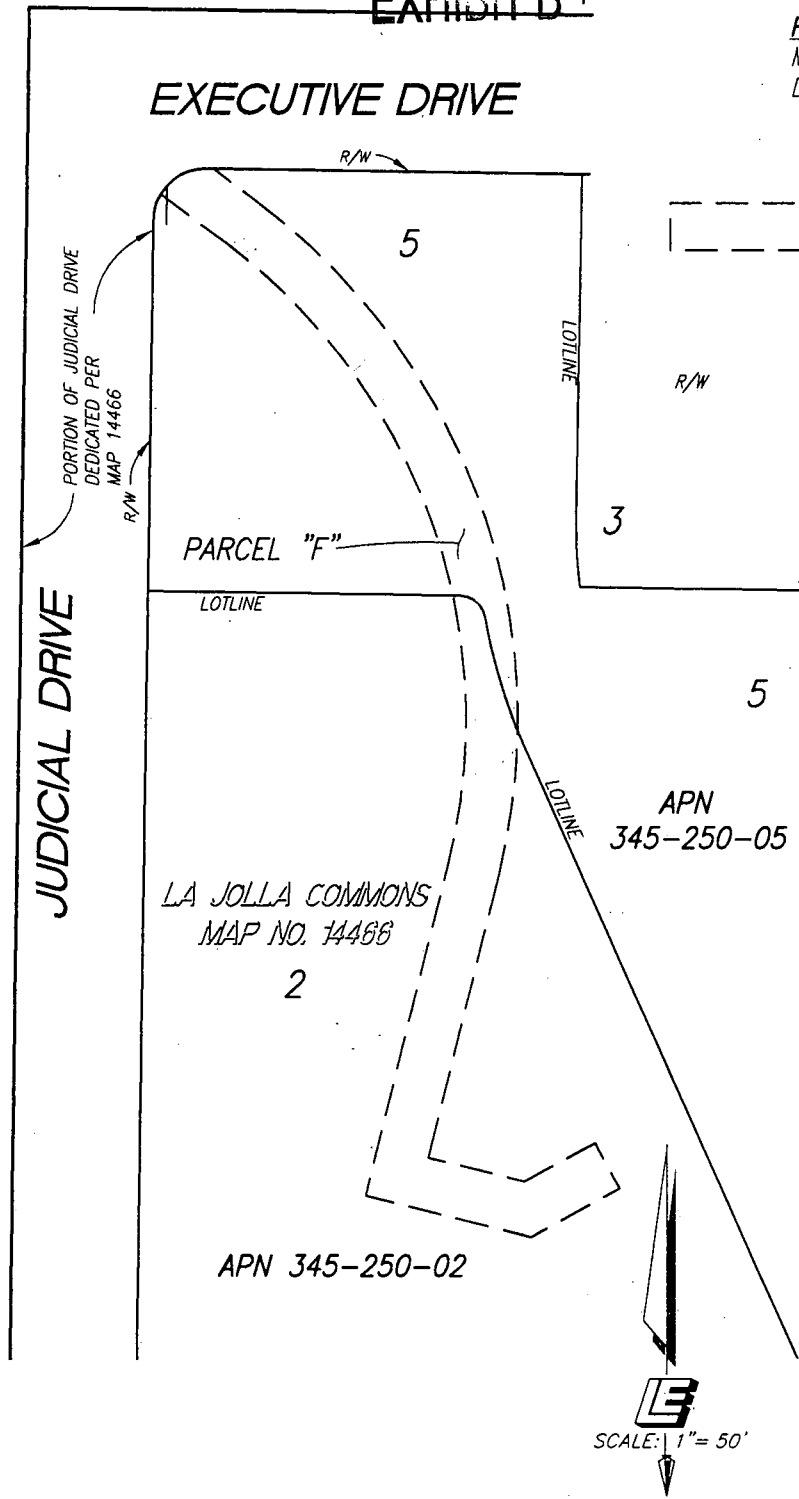


  
\_\_\_\_\_  
JOHN D. LEPPERT  
RCE 26283  
EXP. DATE 03-31-06

11-13-03  
DATE

# EXHIBIT B 4

REFERENCE DRAWINGS  
 MAP NO. 14466  
 DWG. NO. 27304-D



**PARCEL F** - EXISTING EXTINGUISHABLE WATER LINE EASEMENT GRANTED PER DOCUMENT RECORDED 9-10-1998, F/P 1998-0574052, O.R., VACATED. CONTAINS 0.239 ACRE

R/W INDICATES RIGHT-OF-WAY LINE

**Leppert Engineering CORPORATION**  
 5190 Governor Drive, Suite 205  
 San Diego, Ca. 92122-2848  
 Phone: (858) 597-2001

**WATER EASEMENT VACATION: IN LOTS 2 AND 5 OF LA JOLLA COMMONS MAP NO. 14466**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	LEC				SHEET 4 OF 4 SHEETS	# 02-642 410428
					<i>Lee Dennis</i> 11-20-03 FOR CITY ENGINEER	1898-6265 CCS 83 COORDINATES
						258-1705 LAMBERT COORDINATES
						19986-4-B
					STATUS	

R-299067-4