

RESOLUTION NUMBER R- 299155

ADOPTED ON MAY 04 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 easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a portion of a water easement within Lot 1 of Linda Vista heights Map No. 3576 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 water easement either for the purpose for which it was 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 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:

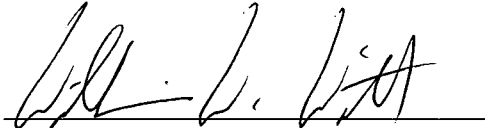
1. That the water easement located within Lot 1 of Linda Vista Heights Map No. 3576, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 19638-B, marked as Exhibit "B," and on file in the office of the City Clerk as

Document Nos. RR-299155-1, and RR-299155-2, which are by this reference incorporated herein and made a part hereof, is ordered vacated.

2. 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
04/19/04
Or.Dept: DSD
R-2004-1100

J-14060

EXHIBIT "A"

**PORTION OF WATER EASEMENT
VACATED**

Parcel "B"

All of that portion of that certain 15.00 foot wide water easement granted to the City of San Diego per deed recorded January 19, 1953 in Book 4720, Page 367 of Official Records in the Office of the County Recorder of San Diego County, State of California, being more particularly described as follows:

Beginning at a point common to the Northerly boundary of Lot 1 of Linda Vista Heights Subdivision Map No. 3576 in the City of San Diego, County of San Diego, State of California, recorded December 28, 1956, in the Office of the County Recorder of San Diego County, and the Easterly Right-of-Way of Linda Vista Road as dedicated per said Map No. 3576; thence Easterly along the Northerly boundary of said Lot 1 South 89°35'00" East 187.90 feet; thence leaving said Northerly boundary South 00°25'00" West 15.00 feet to the Southerly boundary of said water easement; thence Westerly along said Southerly boundary North 89°35'00" West 195.20 feet to the Easterly Right-of-Way of said Linda Vista Road; thence Northerly along said Easterly Right-of-Way North 26°23'00" East 16.68 feet to the Point of Beginning.

Containing 0.066 acres more or less.


Robert G. Schoettmer L.S. 4324



W.O. No.: 410737
DWG. No.: 19638-B

R- 299155

