

RESOLUTION NUMBER R-299596

ADOPTED ON SEP 07 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 flood water storage easement in Lot 1, Map No. 12279, 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 flood water storage 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 service easement system 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:

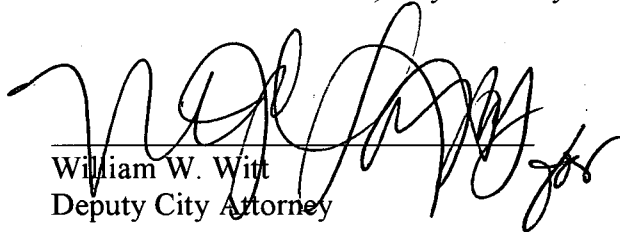
1. That the flood water storage easement located within Lot 1, Map No. 12279, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20056-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document

Nos. RR- 299596⁻¹, and RR- 299596⁻², 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
09/14/04
Or.Dept:DSD
R-2005-214

EXHIBIT "A"


LEGAL DESCRIPTION

FLOOD WATER STORAGE EASEMENT ABANDONMENT

ALL THAT PORTION OF FLOOD WATER STORAGE EASEMENT IN LOT 1 OF BROWN FIELD BUSINESS PARK, UNIT NO. 1, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 12279, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 14, 1988, IT IS ABANDONED AS SHOWN ON SAID MAP.

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1 DISTANT THEREON NORTH 89°11'29" WEST 25.00 FEET FROM THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID LOT 1, SAID POINT BEING ON A CURVE CONCAVE EASTERLY, SOUTHEASTERLY AND SOUTHERLY HAVING A RADIUS OF 85.00 FEET TO WHICH A RADIAL LINE BEARS NORTH 89°11'29" WEST; THENCE NORTHERLY, NORTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 80°42'00" A DISTANCE OF 119.72 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 1; THENCE LEAVING SAID CURVE ALONG SAID NORTHEASTERLY LINE, NORTH 38°04'18" WEST 164.98 FEET TO AN ANGLE POINT IN SAID NORTHEASTERLY LINE; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 0°48'31" WEST 212.31 FEET TO THE SOUTHERLY LINE OF SAID LOT 1; THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°11'29" EAST 32.29 FEET TO THE POINT OF BEGINNING.

WO# 421150
DRAWING NO. 20056-B



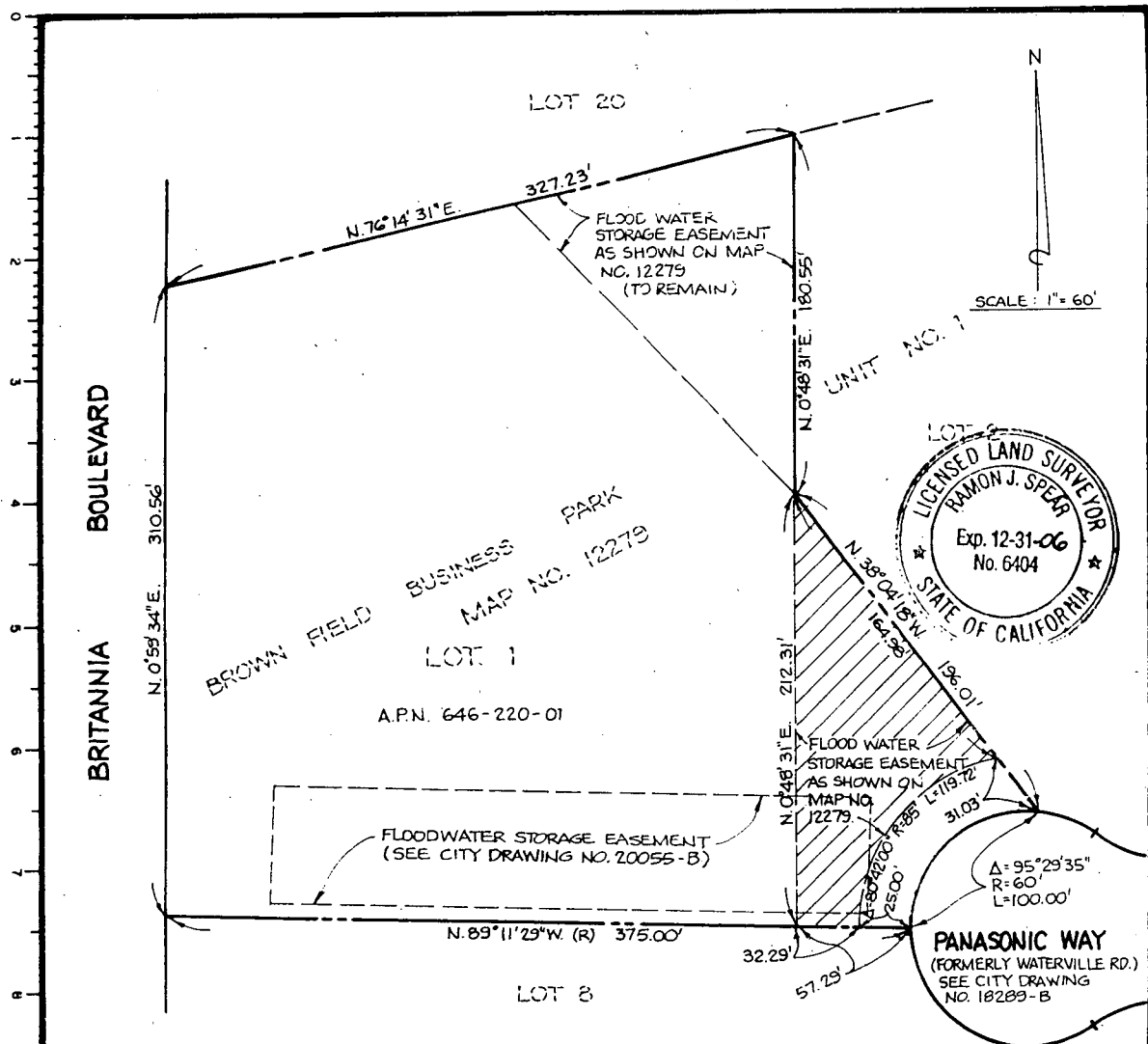
RAMON J. SPEAR L.S. 6404



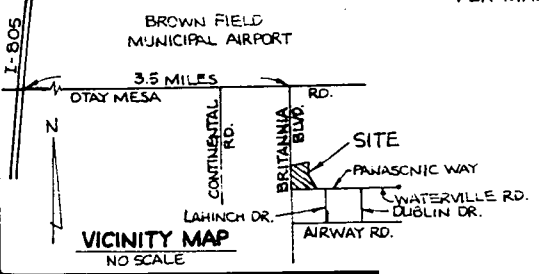
DATE



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FLOOD WATER STORAGE EASEMENT DEDICATED PER MAP NO. 12279, VACATED.



SPEAR & ASSOCIATES, INC.
 CIVIL ENGINEERING AND LAND SURVEYING
 750 N. CITRACADO PARKWAY, STE. 2
 ESCONDIDO, CA 92029
 (760) 737-7272, FAX: (760) 737-7274

BY: R. Spear 1-7-04
 L.S. 6404 DATE

**FLOOD WATER STORAGE EASEMENT
 VACATION IN LOT 1, MAP NO. 12279**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS #6951 W.C. NO. 421150
ORIGINAL	S&A RVH				SHEET 1 OF 1 SHEET 1	
					<u>R. Spear</u> 7/30/04 FOR CITY ENGINEER DATE	1784-6333 NAD 83 COORDINATES
						144-1773 LANBERT COORDINATES
						20056 -B

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