

RESOLUTION NUMBER R- 299689

ADOPTED ON SEP 27 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 sewer easement in Lots 1 and 2 Block 63 of Middletown CCI 1874, 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 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 right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

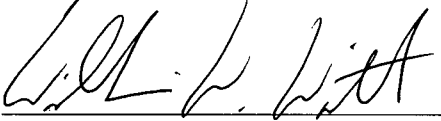
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the sewer easement located within Lots 1 and 2 Block 63 of Middletown CCI 1874 according to Map thereof by J.E. Jackson filed in the Office of the County Clerk recorded October 7, 1925 in Book 1121, Page 254 of Deeds, as more particularly described in the legal description marked as Exhibit "A," and shown on Engineering Drawing No. 20236-B, marked as

Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 299689-1
and RR- 299689-2 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

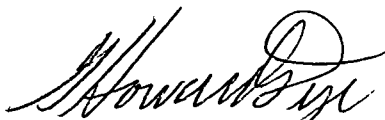
WWW:pev
09/13/04
Or.Dept:DSD
W.O.: 422967
DWG: 20236-B
R-2005-284

EXHIBIT "A"

SEWER EASEMENT VACATION

LEGAL DESCRIPTION

THAT CERTAIN SEWER EASEMENT LYING WITHIN PORTIONS OF LOTS 1 & 2 IN BLOCK SIXTY-THREE (63) OF MIDDLETOWN IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP THEREOF BY J.E. JACKSON FILED IN THE OFFICE OF THE COUNTY CLERK OF SAID SAN DIEGO COUNTY AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1925 IN BOOK 1121, PAGE 254 OF DEEDS AT THE SAN DIEGO COUNTY RECORDER'S OFFICE.



G. HOWARD DYE L.S. 4068
EXPIRES 06-30-06



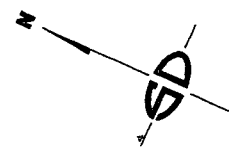
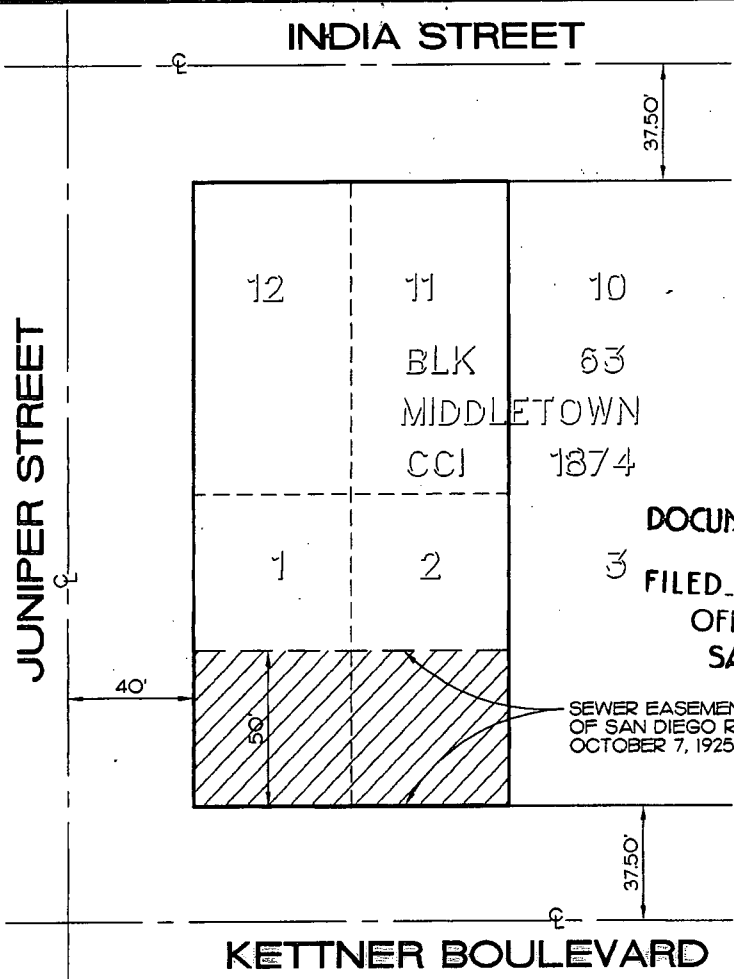
DOCUMENT NO. RR-299689-1

FILED SEP 27 2004
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

W.O. 422967
P.T.S. No. 40594
20236-B

SHEET 1 OF 1

R-299689



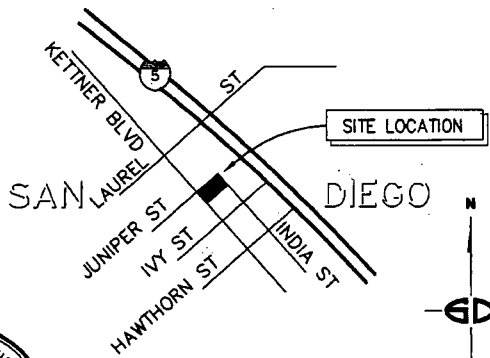
SCALE: 1" = 40'

DOCUMENT NO. ~~RR-299689-2~~
 FILED SEP 27 2004
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

SEWER EASEMENT TO THE CITY OF SAN DIEGO RECORDED OCTOBER 7, 1925 IN BK 1121, P254 DEEDS

LEGEND:
 INDICATES 50' WIDE SEWER EASEMENT, VACATED
 CONTAINS 5,007 S.F.

REFERENCE DRAWINGS:
 MAP CCI 1874
APN:
 533-121-01,02,11



VICINITY MAP
 NO SCALE

THOS. BROS.
 PG. 1288, J1

Snipes-Dye associates
 civil engineers and land surveyors
 8348 CENTER DRIVE, STE. G, LA MESA, CA 91942
 TELEPHONE (619) 697-9234 FAX (619) 460-2033
 G. HOWARD DYE L.S. 4068 DATE 8/11/04
 EXPIRES 06-30-06



SEWER EASEMENT VACATION

PORTION OF LOTS 1 AND 2 OF MAP OF MIDDLETOWN CCI 1874

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL	SDA				SHEET 1 OF 1 SHEET	422967
					FOR CITY ENGINEER	1844-6277
					DATE	NAD 83 COORDINATES
						204-1717
						LAMBERT COORDINATES
						20236-B
					STATUS	

J - SD1871 (Sew-esmt.dwg)

EXHIBIT B

RR-299689