

RESOLUTION NUMBER R- 299697

ADOPTED ON SEP 28 2004

WHEREAS, San Diego Municipal Code section 125.1011 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 an existing sewer easement granted to the City of San Diego within the Uptown Community Planning Area; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the sewer easement either 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 purpose for which the easement was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

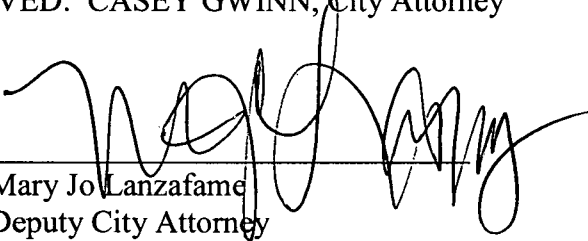
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the sewer easement located within the Uptown Community Planning area in connection with Site Development Permit No.49312 and Map Waiver No. 49311, as more particularly described in the legal description marked as Exhibit "A," on file in the office of the City Clerk as Document No. RR- 299697, which is 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

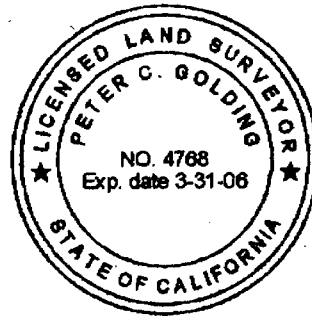


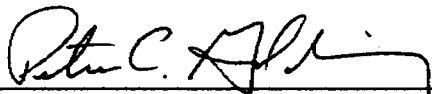
Mary Jo Lanzafame
Deputy City Attorney

MJL:cfq
08/24/04
Or.Dept:DSD
R-2005-212

EXHIBIT A
LEGAL DESCRIPTION

A private sewer lateral easement lying within portions of lots 13 and 14 in Block 1 of Nutt's Addition, according to Map thereof No. 628, said easement recorded on October 25, 1922 in Book 908, page 331 of Deeds, in the Office of the County Recorder of San Diego County.



 8-27-04
PETER C. GOLDING, L.S. 4768 date
Exp. Date 3/31/06