

RESOLUTION NUMBER R- 300101

ADOPTED ON FEB 01 2005

WHEREAS, San Diego Municipal Code section 125.1001 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 portion of the sewer easement to unencumber this property and facilitate development of the site as conditioned in approved Conditional Use Permit No. 127054 and Site Development Permit No. 142713; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the 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 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 portion of Easement Abandonment No. 142714 located within the Pacific Beach Community Plan area in connection with Conditional Use Permit No. 127054 and Site Development Permit No. 142713, as more particularly described in the legal description marked

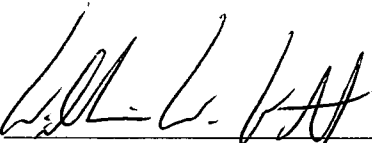
as Exhibit "A," and shown on Drawing No. 20260-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 300101 -1, and RR- 300101 -2, which are by this reference incorporated herein and made a part hereof, is ordered vacated together with a revestment of access rights for Soledad Mountain Road.

2. That said easement abandonment is conditioned upon approval and issuance of Conditional use Permit No. 127054 and Site Development Permit No. 142714. In the event this condition is not completed within two years following the adoption of this resolution, then this resolution shall become void and be of no further force or effect.

3. That the City Engineer shall advise the City Clerk of the completion of the aforementioned condition and 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.

4. 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: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:pev

01/11/05

Or.Dept:DSD

JO: 423124

Drawing No. 20260-B

R-2005-734

MMS #1297

EASEMENT AABANDONMENT&STREET VACATIONS – Summary Vacation 11-01-04


J-14634

EXHIBIT "A"

SEWER EASEMENT VACATION

A portion of that 10.00 foot sewer easement granted to the City of San Diego August 22, 1962 as Document No. 144249, in the City of San Diego, County of San Diego, State of California, said portion more particularly described as follows:

All that portion of the above-described easement lying within Lots 11 and 12 of Homeland Villas No. 2, Map No. 1359 and a portion of Pueblo Lot 1788 of the Pueblo Lands of San Diego according to Miscellaneous Map No. 36, lying between the Easterly Right-of-way of Soledad Mountain Road and the Westerly Right-of-way of Pico Street as shown on Record of Survey 15879, in the City of San Diego, County of San Diego, State of California.


12-7-04
Robert G. Schoettmer, L.S. 4324



W.O. No. 423124
Pts No. 44721
Dwg No. 20260-B

Jb/14634.001

DOCUMENT NO. R-300101-1
FILED FEB 01 2005
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

R-300101

RECORDING REQUESTED BY:

THE CITY OF SAN DIEGO

AND WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF SAN DIEGO
MAIL STATION MS 2A
Origination Dept: LDR, Mapping, MS 501

(THIS SPACE FOR RECORDER'S USE ONLY)

W.O. NO: 423124

ASSESSOR'S PARCEL NO: 417-225-01, 417-241-03

DWG NO: 20260-B

NO DOCUMENT TAX DUE
R & T 11922 (Amended)
Presented for record by the City of San Diego

NO FEE FOR GOVT. AGENCY
CODE 27383

NOTICE of REVESTMENT of ABUTTER'S RIGHT of ACCESS

WHEREAS certain abutter's rights of access were relinquished to the City of San Diego for ingress and egress to a public road named Soledad Mountain Road adjacent and contiguous to a portion of Pueblo Lot 1788 of the Pueblo Lands of San Diego

WHEREAS the City Engineer of the City of San Diego has determined that it is in the public interest, safe, and necessary to revest all or part of said abutter's right of access to and from the above mentioned public road;

NOW THEREFORE, notice is hereby given that the abutter's right of access are hereby revested with full rights of ingress and egress to and from the above mentioned public road across the area or areas described in Exhibit "A" and shown on Exhibit "B", both attached to and by this reference made a part of this document.

Date: 12/14/04

For City Engineer

By: 
Deputy

NOTE: NOTARY ACKNOWLEDGMENTS (FOR ALL SIGNATURES) MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.

This information is available in alternative formats for persons with disabilities.
To request this information in alternative format, call (619) 236-7703 or (800) 735-2929 (TT).


J-14634

EXHIBIT "A"

ABUTTER'S RIGHTS OF ACCESS REVESTMENT

Revestment of a portion of those abutter's rights of access in and to Soledad Mountain Road as relinquished in Document 144249 of Official Records, recorded August 2, 1962, said portion more particularly described as follows:

Beginning at the Southerly terminus of that course in the Easterly Right-of-way of Soledad Mountain called out as South 13°58'35" East 124.39 feet (South 13°58'45" East for this description) in the above-referenced document; thence along said Right-of-way North 13°58'45" West 65.40 feet to the TRUE POINT OF BEGINNING; thence continuing North 15°58'45" West 30.00 feet to a point of terminus.


Robert G. Schoettmer, L.S. 4324





W.O. No: 423124
Pts. No: 44721
Dwg. No: 20260-B

Jb/14634.002

R-300101

LEGEND

-  INDICATES SEWER EASEMENT RECORDED AUGUST 22, 1962 AS DOCUMENT NO. 144249, O.R. VACATED HEREON AREA - 0.059 ACRES
-  INDICATES ABUTTER'S RIGHT OF ACCESS RELINQUISHED PER DOCUMENT RECORDED AUGUST 2, 1962 AS DOC. NO. 144249, O.R.
- T.P.O.B. INDICATES TRUE POINT OF BEGINNING OF REVESTMENT DESCRIPTION
- P.O.B. INDICATES POINT OF BEGINNING OF REVESTMENT DESCRIPTION

REFERENCE DRAWINGS

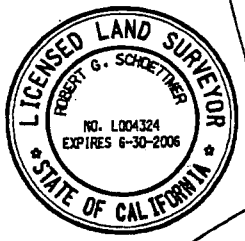
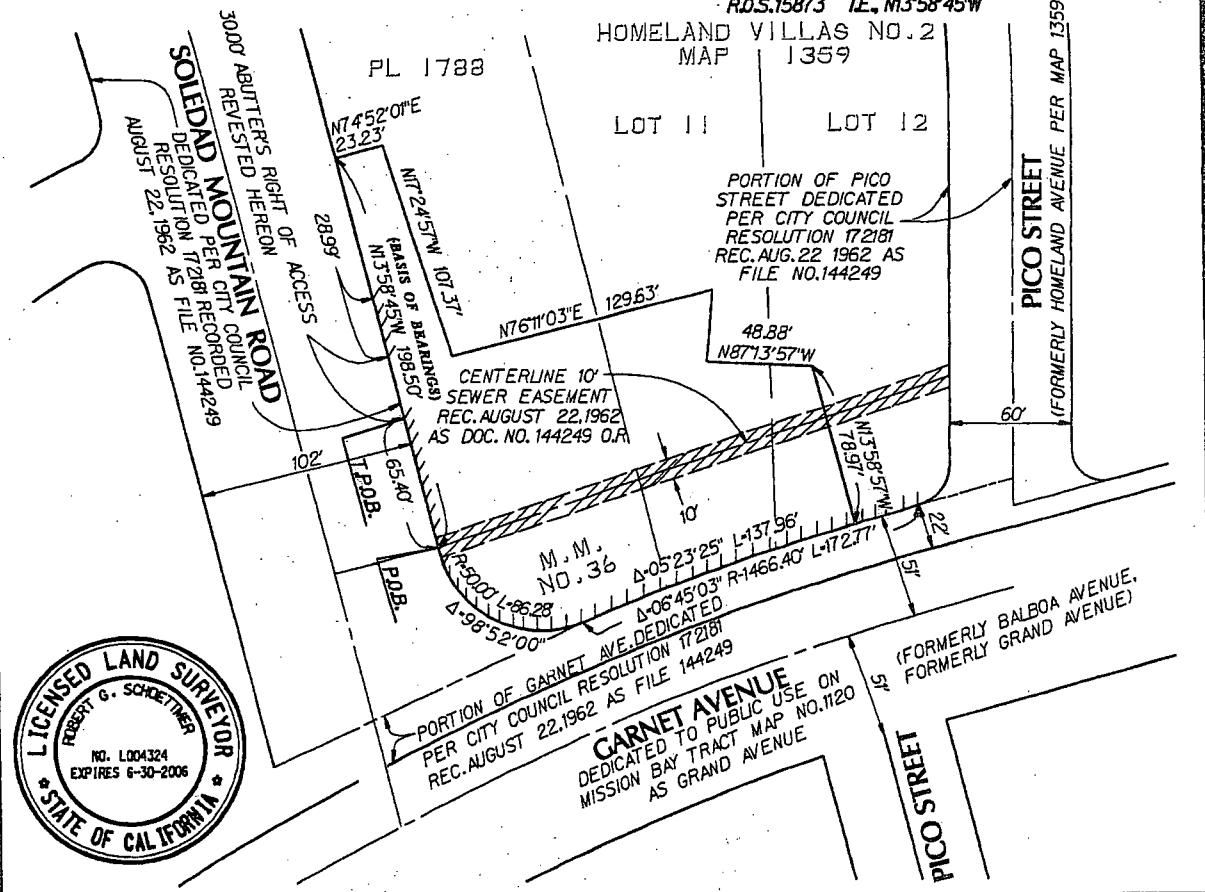
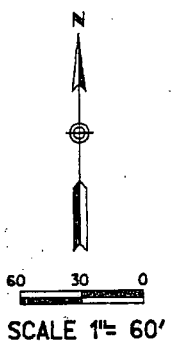
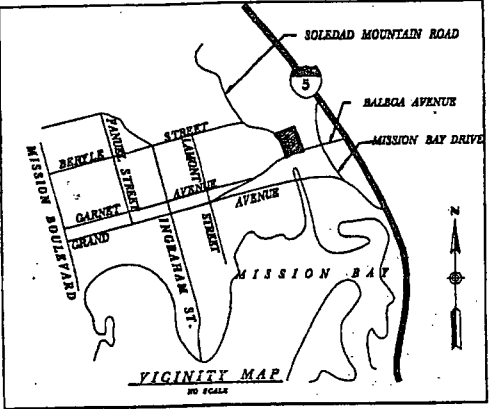
CITY DWG. NO. 10328 AD ,10195 CD
MAP NO. 1359, RECORD OF SURVEY 15873

ASSESSOR PARCEL NUMBERS

417-225-01, 417-241-03

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS PLAT IS THE EASTERLY RIGHT OF WAY OF SOLEDAD MOUNTAIN ROAD AS SHOWN ON R.O.S. 15873 I.E. N1358'45"W



RICK ENGINEERING COMPANY
 Robert G. Schoettmer, P.E. S 4324
 ROBERT G. SCHOETTNER
 DATE 12-07-04

DOCUMENT NO. RP-300101-2
 FILED FEB 01 2005
 OFFICE OF THE CITY CLERK
 SAN DIEGO, CALIFORNIA

**SEWER EASEMENT VACATION AND ABUTTER'S RIGHT OF ACCESS REVESTMENT
 WITHIN A PORTION OF PUEBLO LOT 1788 OF THE PUEBLO LANDS OF SAN DIEGO
 AND PORTIONS OF LOTS 11 & 12 OF HOMELANDS VILLAS NO. 2 OF MAP NO. 1359**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	W.O. NO.
ORIGINAL					SHEET 1 OF 1 SHEET	423124
	<i>RS</i>	<i>HDECO</i>			<i>L. J. DeJesus</i> FOR CITY ENGINEER	1872 - 6259 NAD 83 COORDINATES
					12/14/04 DATE	232 - 1697 LAMBERT COORDINATES
					STATUS	20260-B

R 300101