

RESOLUTION NUMBER R- 300374

ADOPTED ON MAY 03 2005

WHEREAS, California Streets and Highways Code section 8330 et seq. and 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 easement is no longer required; and

WHEREAS, the affected property owner has requested the vacation of a sewer easement in Lots 17, 18 and 19, Block 2 of Nicholson's Addition Map No. 952 to unencumber his property and facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the sewer 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 sewer easement located within Lots 17, 18 and 19, Block 2 of Nicholson's Addition Map No. 952 as more particularly described in the legal description

marked as Exhibit "A" and as shown on Drawing No. 20153-B, marked as Exhibit "B," and on file in the office of the City Clerk as document Nos. RR - 300374-1, and RR - 300374-2, which are by this reference incorporated herein and made a part hereof, are 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: MICHAEL J. AGUIRRE, City Attorney

By



John C. Hemmerling
Deputy City Attorney

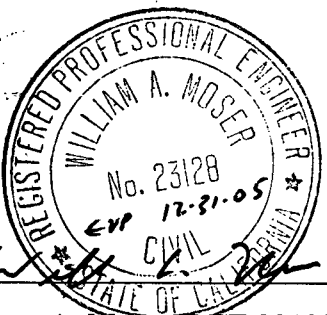
JCH:als
04/08/05
Or.Dept: Dev.Svcs.
W.O.: 421911 PTS No. 16313
DWG: 20153-B
R-2005-1012
MMS#1688

EXHIBIT A

LEGAL DESCRIPTION SEWER EASEMENT VACATION

THAT CERTAIN EASEMENT LYING WITHIN THOSE PORTIONS OF LOTS 17, 18, AND 19, BLOCK 2, NICHOLSON'S ADDITION ACCORDING TO THE MAP THEREOF NO. 952 ON FILE IN THE OFFICE OF RECORDER OF SAID COUNTY OF SAN DIEGO AND THAT PORTION OF PEARL STREET AND OLIVETAS AVENUE CLOSED BY RESOLUTION NO. 87643 OF THE CITY COUNCIL OF SAN DIEGO, NOVEMBER 25, 1947, DESCRIBED AS FOLLOWS:

ALL OF THAT SEWER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED ON JULY 21, 1949 AS DOCUMENT NO. 65954 IN BOOK 3264, PAGE 310 OF OFFICIAL RECORDS, VACATED.



W.A. Moser 01-05-05

William A. Moser, RCE 23128

W.O. 421911
PTS No. 16313
DWG # 20153-B

EXHIBIT B


ASSESSOR'S PARCEL NO.

350-570-18

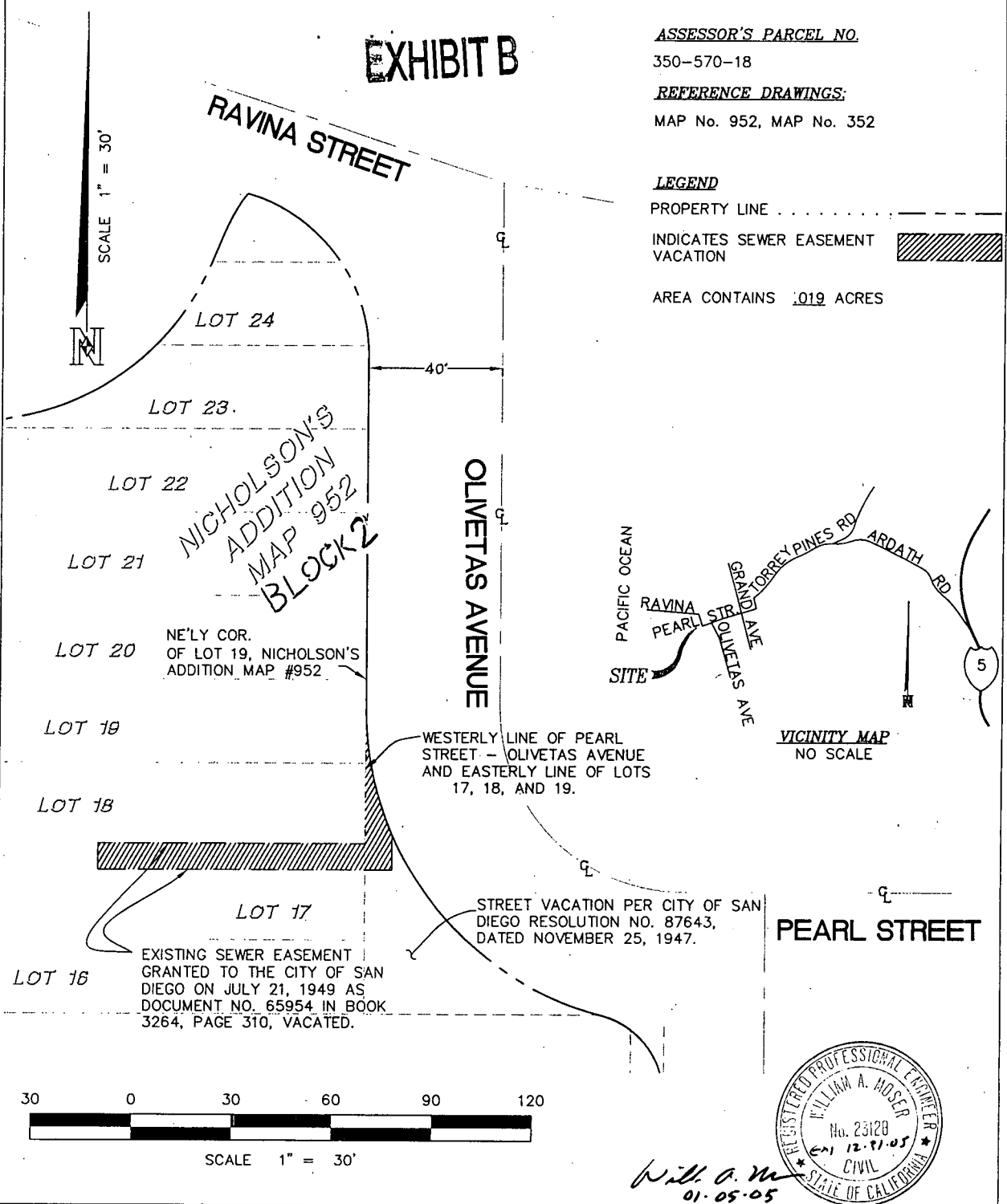
REFERENCE DRAWINGS:

MAP No. 952, MAP No. 352

LEGEND

PROPERTY LINE
 INDICATES SEWER EASEMENT VACATION 

AREA CONTAINS .019 ACRES



NASLAND ENGINEERING
 CIVIL ENGINEERING • SURVEYING • LAND PLANNING
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SEWER EASEMENT VACATION					CITY OF SAN DIEGO, CALIFORNIA		PTS. 16313
IN LOTS 17, 18, AND 19, IN BLOCK 2 OF NICHOLSON'S ADDITION					SHEET 1 OF 1 SHEET		W.O. NO. 421911
MAP NO. 952					<i>See Annex</i> 3/3/05		1886-6243
DESCRIPTION	BY	APPROVED	DATE	FILMED			CCS 83 COORDINATES
ORIGINAL	LF		10/29/03				246-1683
							LAMBERT COORDINATES
							20153-B
STATUS							

R-300374