

RESOLUTION NUMBER R- 300667

ADOPTED ON JUL 18 2005

WHEREAS, section 8330 et seq. of the California Streets and Highways Code 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 has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, the easement described in Exhibit A and shown in the Engineering Drawing attached as Exhibit B has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding this proposed vacation; and

WHEREAS, the affected property owner has requested the vacation of a drainage easement within Lot 18, Block 2 of Lamont Terrace Map No. 2430 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 drainage 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, an approved Community Plan;
- and

(d) the public purpose for which the easement was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

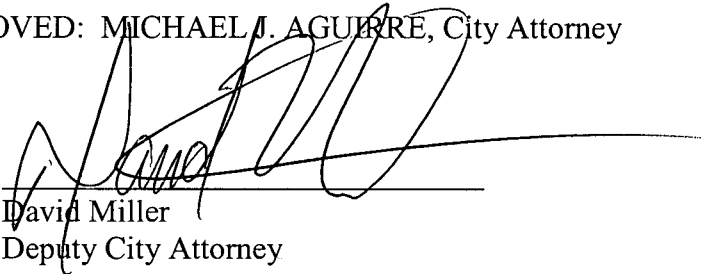
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the drainage easement located within Lot 18, Block 2 of Lamont Terrace Map No. 2430, as more particularly described in the legal description marked as Exhibit "A," and as shown on Engineering Drawing No. 20333-B, marked as Exhibit "B," on file in the office of the City Clerk as Document Nos. RR- 300667-1, and RR- 300667-2, 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: MICHAEL J. AGUIRRE, City Attorney

By

  
David Miller  
Deputy City Attorney

DM:jl  
06/03/05  
Or.Dept:Dev.Svcs.  
W.O: 422562 PTS No. 31090  
DWG: 20333-B  
R-2005-1264  
MMS#2068



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**DRAINAGE EASEMENT VACATED**

Drainage easement within Lot 18, Block 2 of Lamont Terrace, in the City of San Diego, County of San Diego, State of California, per map thereof No. 2430 filed in the Office of the County Recorder of San Diego County on October 6, 1947 as granted per Map No. 2182 filed in the Office of the County Recorder of San Diego County on May 8, 1930, vacated.

This description was prepared by me or under my direction.



Stephen R. Hawxhurst, LS 7355  
Expires 12/31/05

March 18, 2005  
JN 25-101589.001  
Page 1 of 1

RBF Consulting  
9755 Clairemont Mesa Blvd., Ste. 100  
San Diego, CA 91214

W.O. No. 422562  
Dwg. No. 20333-B  
P.T.S. No. 31090



**ASSESSOR'S PARCEL NO.**

416-352-18

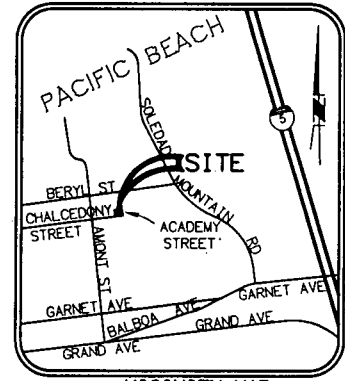
**REFERENCE DRAWINGS**

MAP NO. 2182, MAP NO. 2430  
 CITY DRAWING NO. 3466-D, 3466 A-D  
 CITY DRAWING 6957-L, 6958-L

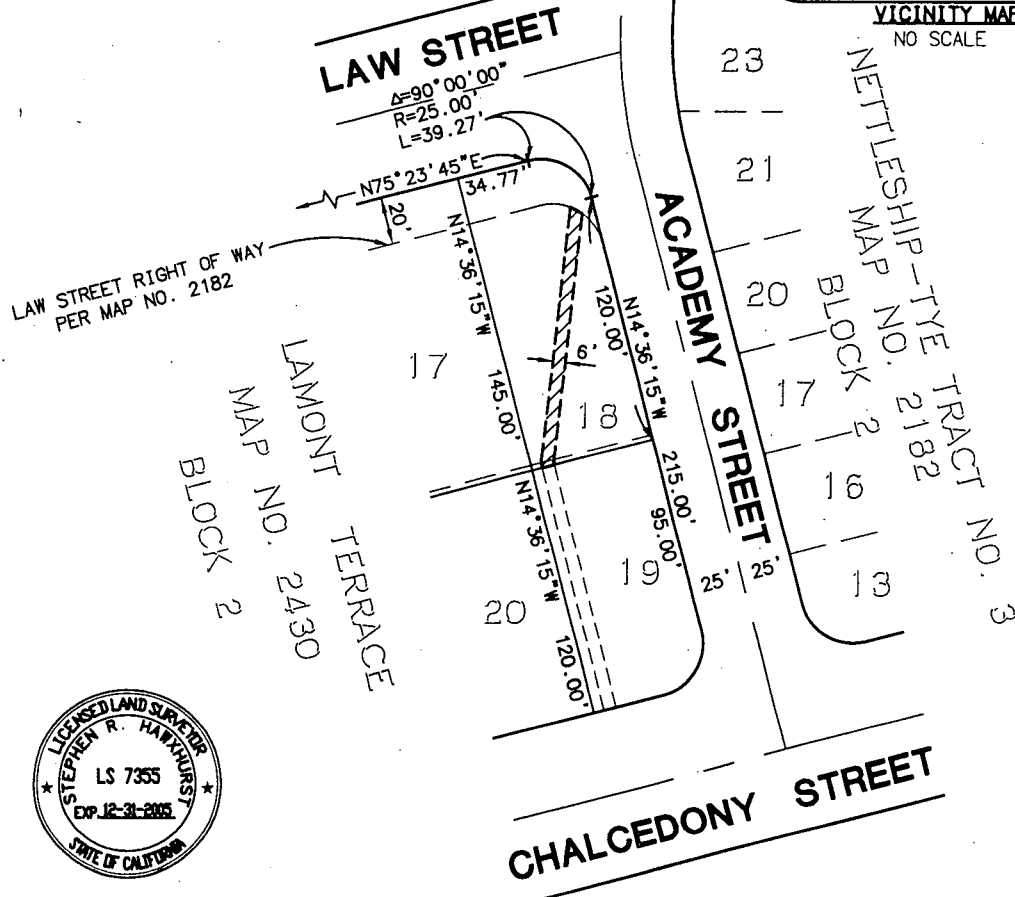
**LEGEND**



INDICATES STORM DRAIN EASEMENT  
 PER MAP 2182 VACATED



**VICINITY MAP**  
 NO SCALE



JN 25-101589    589 FEDER.DWG    12/29/04

**RBF CONSULTING**    PLANNING ■ DESIGN ■ CONSTRUCTION  
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*Stephen R. Hawkhurst*  
 STEPHEN R. HAWKHURST    DATE 3-18-05  
 LS 7355

**DRAINAGE EASEMENT VACATION**  
 WITHIN LOT 18, BLOCK 2 OF MAP NO. 2430

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA SHEET 1 OF 1 SHEET	P.T.S. NO. 31090 J.O. 422562
ORIGINAL	RBF					
					FOR CITY ENGINEER _____ DATE _____	234-1697 LAMBERT COORDINATES
						20333 -B
STATUS						