

RESOLUTION NUMBER R- 300816

ADOPTED ON SEP 12 2005

WHEREAS, California Streets and Highway Code section 8333(a) provides for the summary vacation of public service easements by City Council where the easement to be vacated has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

WHEREAS, California Streets and Highway Code section 8333(b) provides for the summary vacation of public service easements by City Council where the date of dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

WHEREAS, California Streets and Highway Code section 8333(c) provides for the summary vacation of public service easements by City Council where the easement to be vacated has been superceded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the affected property owner has requested the vacation of the emergency access easement and general utility and access easements in Parcels 1 and 2 of Parcel Map No. 19142, as shown in Engineering Drawing No. 20060-B, in order to unencumber his property and facilitate development of the site; and

WHEREAS, the emergency access easement, granted per Map No. 12845 is over five years old and it has never been used for the purpose for which it was dedicated.

WHEREAS, the general utility and access easement, granted per Parcel Map 19142, is less than 5 years old, and more than 1 year, immediately preceding the proposed vacation, and the easement was not used continuously since that date.

WHEREAS, both the emergency access easement and the general utility and access easement have been superceded by relocation and there are no other public facilities located within the easements; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the emergency access easement or general utility and access easements, either for the purpose for which they were originally acquired, or for any other public use of a like nature that can be anticipated;

(b) the public will benefit from the vacations through improved utilization of land;

(c) the vacations are consistent with the General Plan or an approved Community Plan;

and

(d) the public facility or purpose for which the easements were originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,


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

1. That the emergency access easement and the general utility and access easement located in Parcels 1 and 2 of Parcel Map No. 19142, as more particularly described in the legal description marked as Exhibit "A" and as shown on Drawing No. 20060-B, marked as Exhibit "B" and on file in the office of the City Clerk as Document Nos. RR- 300816⁻¹, and RR- 300816⁻², 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



David Miller
Deputy City Attorney

DM:jls
7/14/05
Or.Dept:DSD
W.O. #411033
Drawing No. 20060-B
R-2006-58
MMS #2253

EXHIBIT "A"

**LEGAL DESCRIPTION
EMERGENCY ACCESS EASEMENT VACATION AND
GENERAL UTILITY AND ACCESS EASEMENT VACATION
WITHIN PARCELS 1 AND 2 OF PARCEL MAP 19142**

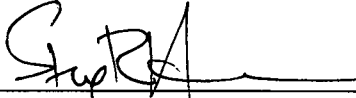
That portion of a 24 foot wide emergency access easement per Map No. 12845 and that portion of a general utility and access easement granted per Parcel Map No. 19142 all within Parcels 1 and 2 of Parcel Map No. 19142 filed in the Office of the County Recorder of San Diego County in the City of San Diego, County of San Diego, State of California described as follows:

BEGINNING at the southwest corner of said Parcel 1; thence along the westerly line of a general utility and access easement shown on said map the following courses; North 15°17'08" East 159.67 feet to the beginning of a tangent curve concave westerly and having a radius of 200.00 feet; thence along said curve northerly 106.33 feet through a central angle of 30°27'43"; thence tangent from said curve North 15°10'35" West 60.68 feet to the beginning of a tangent curve concave easterly and having a radius of 80.00 feet; thence along said curve northerly 50.97 feet through a central angle of 36°30'25" to a point of reverse curvature with a curve concave westerly and having a radius of 54.00 feet, a radial line of said curve from said point bears North 68°40'10" West; thence along said curve northerly 44.56 feet through central angle of 47°17'02" to a point of reverse curvature with a curve concave easterly and having a radius of 100.00 feet, a radial line of said curve from said point bears North 64°02'48" East; thence along said curve northerly 113.57 feet through central angle of 65°04'22"; thence tangent from said curve North 39°07'10" East 17.67 feet to the northerly line of said Parcel 1; thence along said northerly line South 62°50'39" East 28.68 feet to a point on a non-tangent curve concave southwesterly and having a radius of 30.00 feet, a radial line of said curve from said point bears South 01°02'33" West; thence leaving said northerly line along said curve easterly 19.94 feet through a central angle of 38°04'37"; thence tangent from said curve South 50°52'50" East 9.44 feet to a point of cusp with a curve concave southerly and having a radius of 30.00 feet, a radial line of said curve from said point bears South 39°07'10" West; thence along said curve westerly and southwesterly 47.12 feet through a central angle of 90°00'00" to a point of compound curvature with a curve concave easterly and having a radius of 74.00 feet, a radial line of said curves from said point bears South 50°52'50" East; thence along said curve southerly 82.73 feet through a central angle of 64°03'29" to a point of reverse curvature with a curve concave westerly and having a radius of 80.00 feet, a radial line of said curve from said point bears South 65°03'41" West; thence along said curve southerly 65.70 feet through central angle of 47°03'21" to a point of reverse curvature with a curve concave easterly and having a radius of 56.00 feet, a radial line of said curve from said point bears South 67°52'58" East; thence along said curve southerly 36.45 feet through central angle of 37°17'37"; thence tangent from said curve South 15°10'35" East 60.68 feet to the beginning of a tangent curve concave westerly and having a radius of 224.00 feet;

thence along said curve southerly 119.09 feet through a central angle of 30°27'43";
thence tangent from said curve South 15°17'08" West 155.24 feet to the southerly line
of said Parcel 1; thence along said southerly line North 85°10'39" West 24.41 feet to
the **POINT OF BEGINNING**.

CONTAINING: 0.312 Acres, more or less.

Prepared by me or under my direction.



Stephen R. Hawxhurst, LS 7355
RBF CONSULTING
9755 Clairemont Mesa Boulevard, Suite 100
San Diego, California 92124
August 20, 2004
JN 25-100141.002



P.T.S. 8416
W.O. #411033
Dwg. No. 20060-B
A.NO.02-610

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE NORTH LINE OF PARCEL 1 OF PARCEL MAP 19102, I.E. NORTH 85°10'39" WEST.


ASSESSOR'S PARCEL NO.

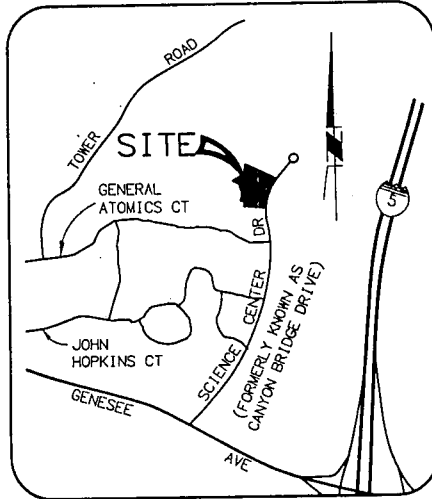
340-180-13, 340-180-14

REFERENCE DRAWINGS

PARCEL MAP NO. 19142, PARCEL MAP NO. 18732
 PARCEL MAP NO. 19102, MAP NO. 12845
 CITY DWG. 32020-D; 20032-B

LEGEND

- P.O.B. INDICATES POINT OF BEGINNING
-  INDICATES GENERAL UTILITY AND ACCESS EASEMENT GRANTED PER P.M. 19142 AND EMERGENCY ACCESS EASEMENT GRANTED PER MAP NO. 12845 VACATED 0.312 ACRE
- (R) INDICATES RADIAL BEARING
- ① INDICATES EXISTING GENERAL UTILITY AND ACCESS EASEMENT GRANTED PER P.M. NO. 19142 (TO REMAIN).
- ② INDICATES EXISTING GENERAL UTILITY AND ACCESS EASEMENT GRANTED PER P.M. NO. 19102 (TO REMAIN).
- ③ INDICATES EXISTING GENERAL UTILITY AND ACCESS EASEMENT GRANTED PER DOCUMENT RECORDED 8/5/03 AS FILE NO. 2003-0939977 O.R. (CITY DWG. NO. 20032-B) (TO REMAIN)



VICINITY MAP
NO SCALE



JN 25-100141 141EX001.DWG 3/19/03

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 9735 CLAREMONT MEBA BOULEVARD, SUITE 100
 SAN DIEGO, CALIFORNIA 92124-1224
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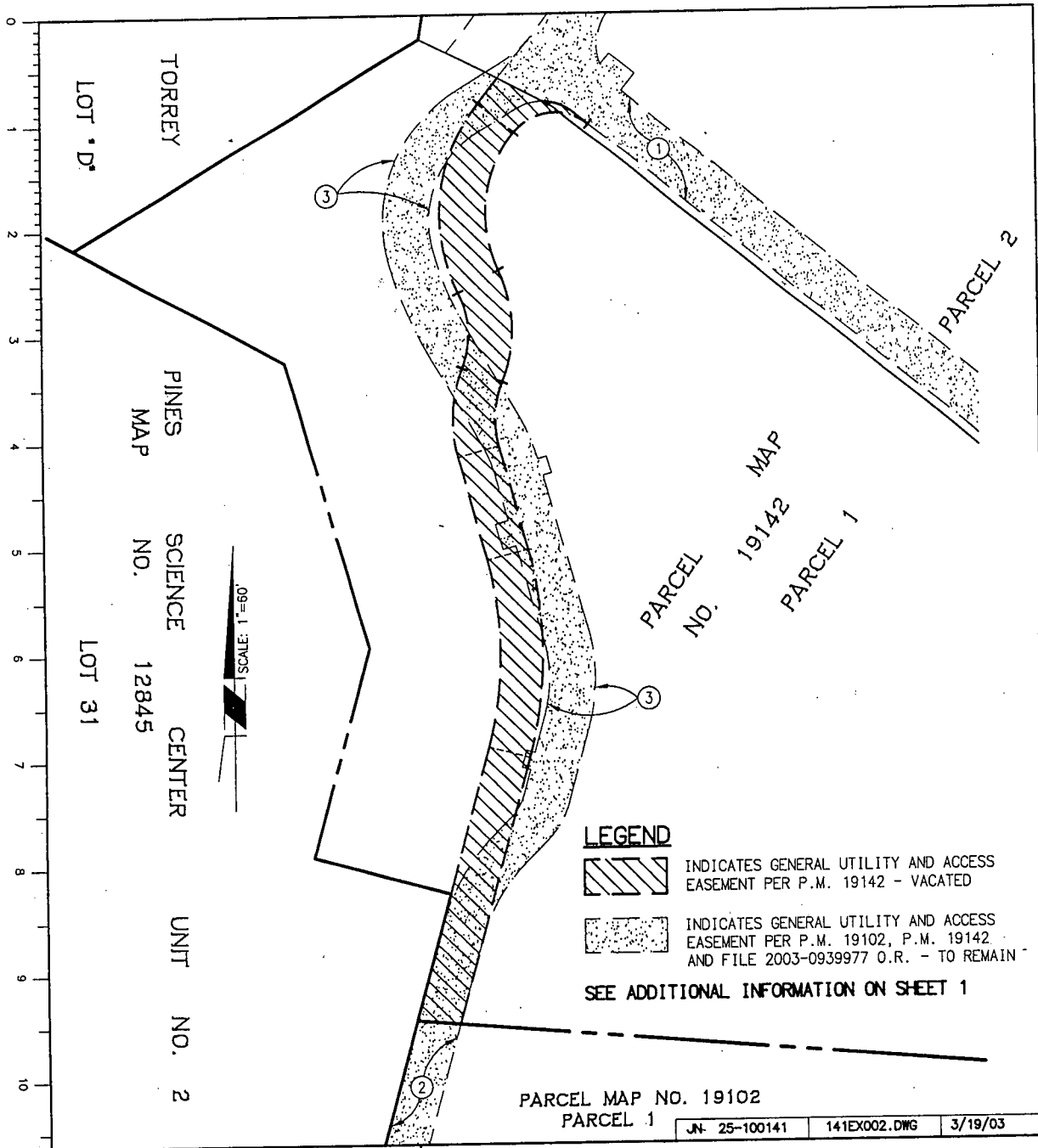
Stephen R. Hawkhurst
 DATE 4.14.05
 STEPHEN R. HAWKHURST LS 7355

**EMERGENCY ACCESS EASEMENT VACATION and
 GENERAL UTILITY AND ACCESS EASEMENT VACATION
 IN PARCELS 1 AND 2 OF PARCEL MAP 19142**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 8416 A.NO.02-610 W.O. 411033
ORIGINAL	RBF				SHEET 1 OF 3 SHEETS	
					<i>Stephen R. Hawkhurst</i> FOR CITY/ENGINEER	1906-6257 CCS 83 COORDINATES
					DATE 15 JUN 05	266-1697 LAMBERT COORDINATES
						20060-1-B
STATUS						

R-300816

EXHIBIT B



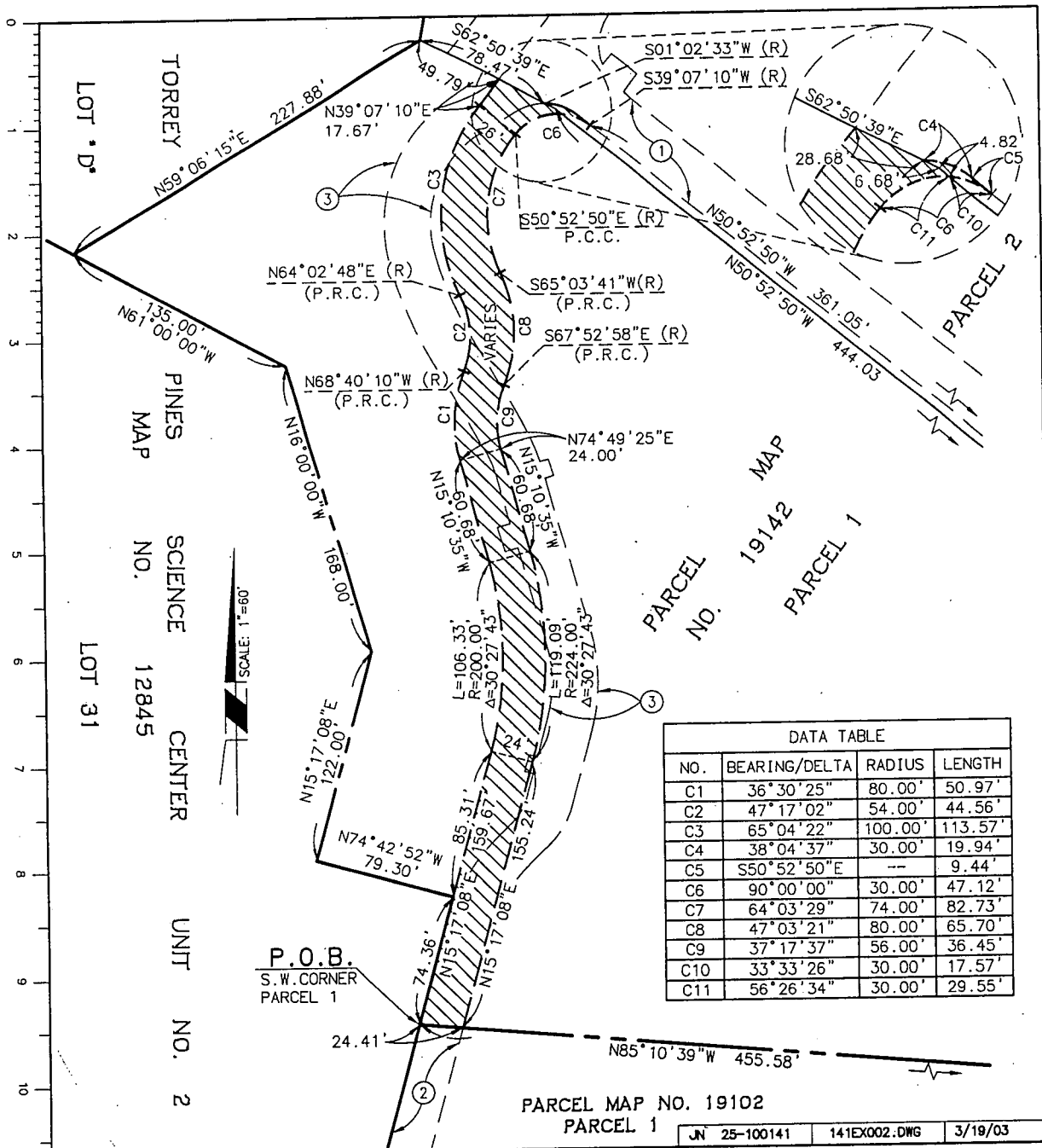
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EMERGENCY ACCESS EASEMENT VACATION and GENERAL UTILITY AND ACCESS EASEMENT VACATION IN PARCELS 1 AND 2 OF PARCEL MAP 19142

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 8416 A.NO.02-610 W.O. 411033
ORIGINAL	RBF				SHEET 2 OF 3 SHEETS	
					<i>[Signature]</i> FOR CITY ENGINEER	1906-6257 CCS 83 COORDINATES
					15 JUN '05 DATE	266-1697 LAMBERT COORDINATES
						20060-2-B
STATUS						

R-300816

EXHIBIT B



DATA TABLE			
NO.	BEARING/DELTA	RADIUS	LENGTH
C1	36°30'25"	80.00'	50.97'
C2	47°17'02"	54.00'	44.56'
C3	65°04'22"	100.00'	113.57'
C4	38°04'37"	30.00'	19.94'
C5	S50°52'50"E	---	9.44'
C6	90°00'00"	30.00'	47.12'
C7	64°03'29"	74.00'	82.73'
C8	47°03'21"	80.00'	65.70'
C9	37°17'37"	56.00'	36.45'
C10	33°33'26"	30.00'	17.57'
C11	56°26'34"	30.00'	29.55'



JN 25-100141	141EX002.DWG	3/19/03
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EMERGENCY ACCESS EASEMENT VACATION and GENERAL UTILITY AND ACCESS EASEMENT VACATION IN PARCELS 1 AND 2 OF PARCEL MAP 19142

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS 8416 A.NO.02-610 W.O. 411033
ORIGINAL	RBF				SHEET 3 OF 3 SHEETS	
					<i>[Signature]</i> 15 JUL 05 FOR CITY ENGINEER DATE	1906-6257 CCS 83 COORDINATES
						266-1697 LAMBERT COORDINATES
						20060-3-B
STATUS						

R- 300816