

RESOLUTION NUMBER R- 300834

ADOPTED ON SEP 19 2005

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE VACATION AND ABANDONMENT OF CITY-OWNED SEWER LINE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM DEED CONVEYING ALL THE CITY'S INTEREST IN CERTAIN SEWER EASEMENTS TO THE CURRENT PROPERTY OWNERS.

WHEREAS, in 1960, the City acquired a sewer easement in the Creekside Village Subdivision over privately owned property located north of Iris Avenue and east of 27th Street; and

WHEREAS, the City also acquired a sewer access easement pursuant to the Creekside Village Subdivision Map No. 14022 that is located within a portion of that sewer easement; and

WHEREAS, the City has completed the installation of the sewer in the adjacent street so that the City no longer requires the sewer easement or the sewer access easement; and

WHEREAS, the vacation and abandonment of these easements will clear title to these properties and permit better utilization of the property; and

WHEREAS, an appraisal prepared for the City by Kent J. Carpenter, MAI, dated September 29, 2004, set the fair market value of the easement interests at \$31,200 and City valuation staff believes this amount still represents the current fair market value of the easement interests; NOW, THEREFORE,

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


1. That the portion of the City-owned sewer line located in Lots 24 through 32 and Lot 47 of Block 440 of Creekside Village Subdivision Map No. 14022 is vacated and abandoned.

2. That the City Manager or designee is authorized to execute a Quitclaim Deed, the form of which is on file in the Office of the City Clerk as Document No. RR- 300834 , conveying to the current owners of record all of the City's right, title, and interest in that portion of the sewer easement crossing Lots 25 through 32 and Lot 47, APN 630-440-24 through 630-440-32 and APN 630-440-47, and in that portion of the sewer easement crossing Lots 25 through 32, APN 630-440-25 through 630-440-32, of Block 440 of the Creekside Village Subdivision on Map No. 14022, as shown and legally described in Exhibit A to the Quitclaim Deed, for the purpose of vacating and abandoning the easements no longer required by the City due to the installation of the sewer in the adjacent street.

3. That the Council waives Council Policy 700-10 regarding the date of the appraisal.

4. That the Auditor is authorized to accept \$31,200 and to deposit that amount into Sewer Revenue Fund No. 41506.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Elisa A. Cusato
Deputy City Attorney

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