

RESOLUTION NUMBER R- 300962

ADOPTED ON OCT 24 2005

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provides for the summary vacation of public service easements by City Council where the easement to be vacated has been superceded by relocation and there are no other public facilities located within the easement; and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 easement was intended to allow the City to construct and maintain sewer facilities in the easement area; and

WHEREAS, the easement has been superceded by a sewer lateral that performs the same function; and

WHEREAS, there are no other public facilities located within the easement; and

WHEREAS, the affected property owner has requested the vacation of a sewer easement to 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 which the easement was originally acquired, or for any other public use of a like nature that can be anticipated in that the easement is not needed for public sewer purposes; and

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

(c) the vacation is not inconsistent with the General Plan or an approved Community Plan; and

(d) the public service easement system for which the easement was originally acquired will not be detrimentally affected by the vacation: NOW, THEREFORE,

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

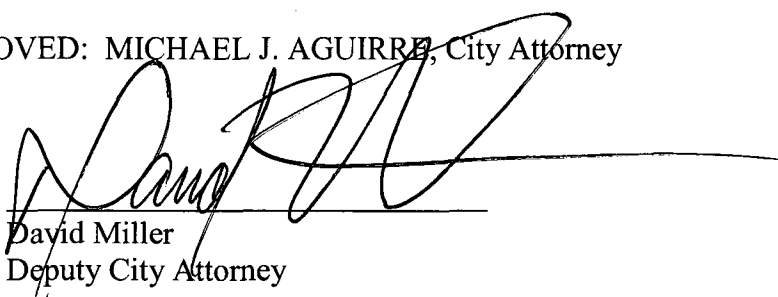
1. That the easement vacation as more particularly described in the legal description marked as Exhibit "A" and as shown on Engineering Drawing No. 19802-B, marked as Exhibit "B" and on file in the office of the City Clerk as

Document No. RR-300962, 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:aml  
09/21/05  
Or.Dept: DSD  
R- 2006-314  
MMS #2510

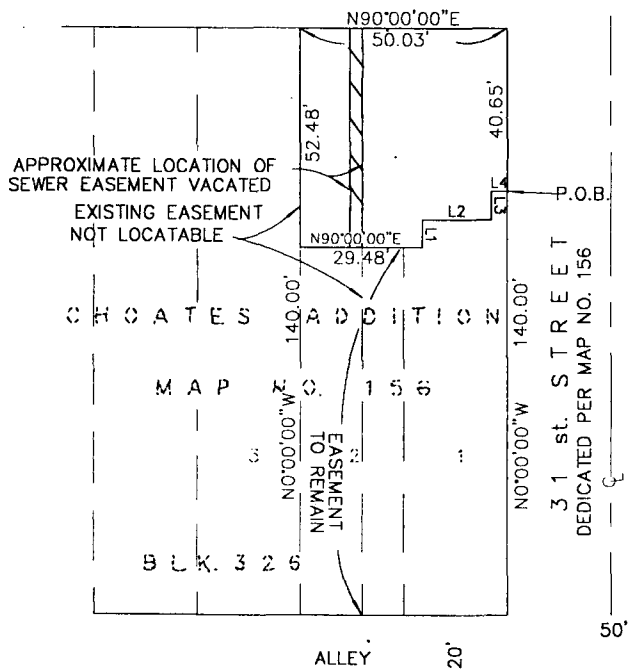
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LEGEND

 INDICATES SEWER EASEMENT PER SEWER EASEMENT RECORDED 6-07-1945 IN BK.1887, PG.218, OF OFFICIAL RECORDS. VACATED

THE LOCATION OF SAID EASEMENT CANNOT BE DETERMINED FROM THE RECORD

80' ————  
 DEDICATED PER MAP NO. 156  
 VALLE AVENUE (S STREET)



P.O.B. INDICATES POINT OF BEGINNING

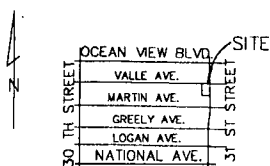
SCALE: 1" = 30'

NUM	DISTANCE	BEARING
L1	6.55'	N0°00'00"W
L2	16.62'	N90°00'00"E
L3	5.28'	S0°00'00"E
L4	3.93'	S89°47'07"E

A.P.N. 545-602-01  
 BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE EASTERLY R.W. LINE OF 31st. STREET PER MAP 156, I.E., NORTH

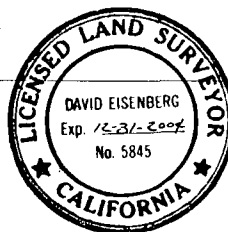
REFERENCES:  
 MAP NO. 156



VICINITY MAP  
 NOT TO SCALE

IRON MOUNTAIN LAND SURVEYS  
 P. O. BOX 1321  
 EL CAJON, CA. 92040

*David Eisenberg*  
 DAVID EISENBERG LS5845 DATE 4-03-2002



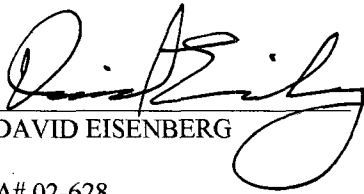
SEWER EASEMENT VACATION—PORTION OF LOTS 1&2, BLK 326, CHOATES ADDITION MAP NO. 156

DESCRIPTION	BY	APPROVED	DATE	FILM	CITY OF SAN DIEGO, CALIFORNIA SHT. 1 OF 1 SHT.	W.O. 120101 NO. A 02-628
		A.E.A	5-1-03		<i>Lu Demmer</i> FOR CITY ENGINEER	1834-6285
					5/1/03 DATE	CCS 83 COORD. 194-1725
						LAMBERT COORD. 19802-B

R- 300962

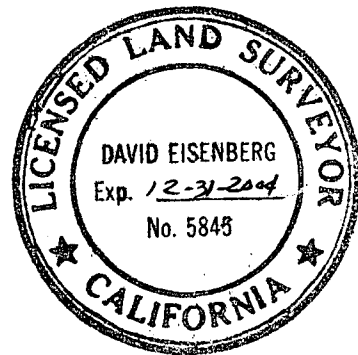
EXHIBIT 'A'  
SEWER EASEMENT VACATION

ALL THAT SEWER EASEMENT PER DOCUMENT RECORDED 6-7-1945 IN BOOK 1887 PAGE 218 OF OFFICIAL RECORDS WITHIN DEED RECORDED 5-6-2002 AS DOCUMENT NO. 2002-0380571 OF OFFICIAL RECORDS BEING A PORTION OF LOTS 1 AND 2 BLOCK 326 OF CHOATES ADDITION IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA ACCORDING TO MAP NO. 156 FILED IN THE OFFICE OF THE COUNTY RECORDER JULY 14, 1886.



DAVID EISENBERG

A# 02-628  
DWG # 19802-B  
WO# 120101



R- 300962