



(R-2006-380)

RESOLUTION NUMBER R- 301023

ADOPTED ON NOV 14 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provides for the summary vacation of public service easements by City Council where the easement to be vacated has been superceded by relocation and there are no other public facilities located within the easement; and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 affected property owner has requested the vacation of the unnecessary water easement in Lots 70, 71, 72, "BB" and "Z" in Carmel Valley Neighborhood 10 Unit 7 West Map No. 14937, as depicted on Engineering Drawing No. 20365-B, 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 water 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;

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

(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 water easement located within Lots 70, 71, 72, "BB" and "Z" of Carmel Valley Neighborhood 10 Unit 7 West Map No. 14937, as more particularly described in the legal description marked as Exhibit "A", and as shown on Drawing No. 20365-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR-301028⁻¹, and RR-301028⁻², 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.

BE IT FURTHER RESOLVED, that this activity is exempt from CEQA pursuant to CEQA guidelines section 15060(c).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



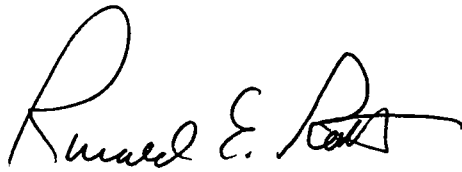
David Miller
Deputy City Attorney

DM:cfq
10/17/05
Or.Dept:DSD
R-2006-380
MMS#2633

EXHIBIT "A"

LEGAL DESCRIPTION WATER EASEMENT VACATION

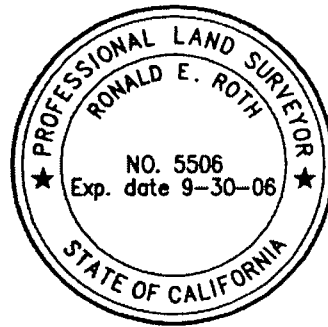
ALL OF THAT 15.00 FOOT WIDE EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED FEBRUARY 16, 2000 AS DOCUMENT NO. 2000-0079782, OF OFFICIAL RECORDS; AND AS SHOWN ON CITY OF SAN DIEGO DRAWING NO. 19165-B; VACATED.



8/30/05

RONALD E ROTH, PLS 5506
(MY LICENSE EXPIRES 09-30-06)

DATE



W.O. No. 424349
DWG. No. 20365-1-B
P.T.S. No. 69052

R-301028

EXHIBIT B

ASSESSOR'S PARCEL NO.

307-721-36, 37, 38, 43 AND 44

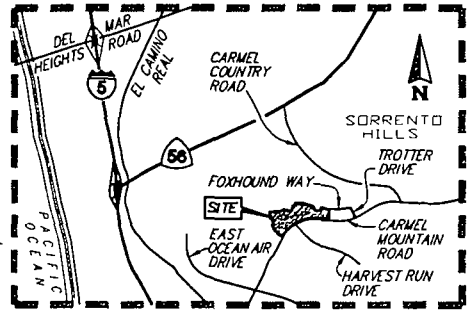
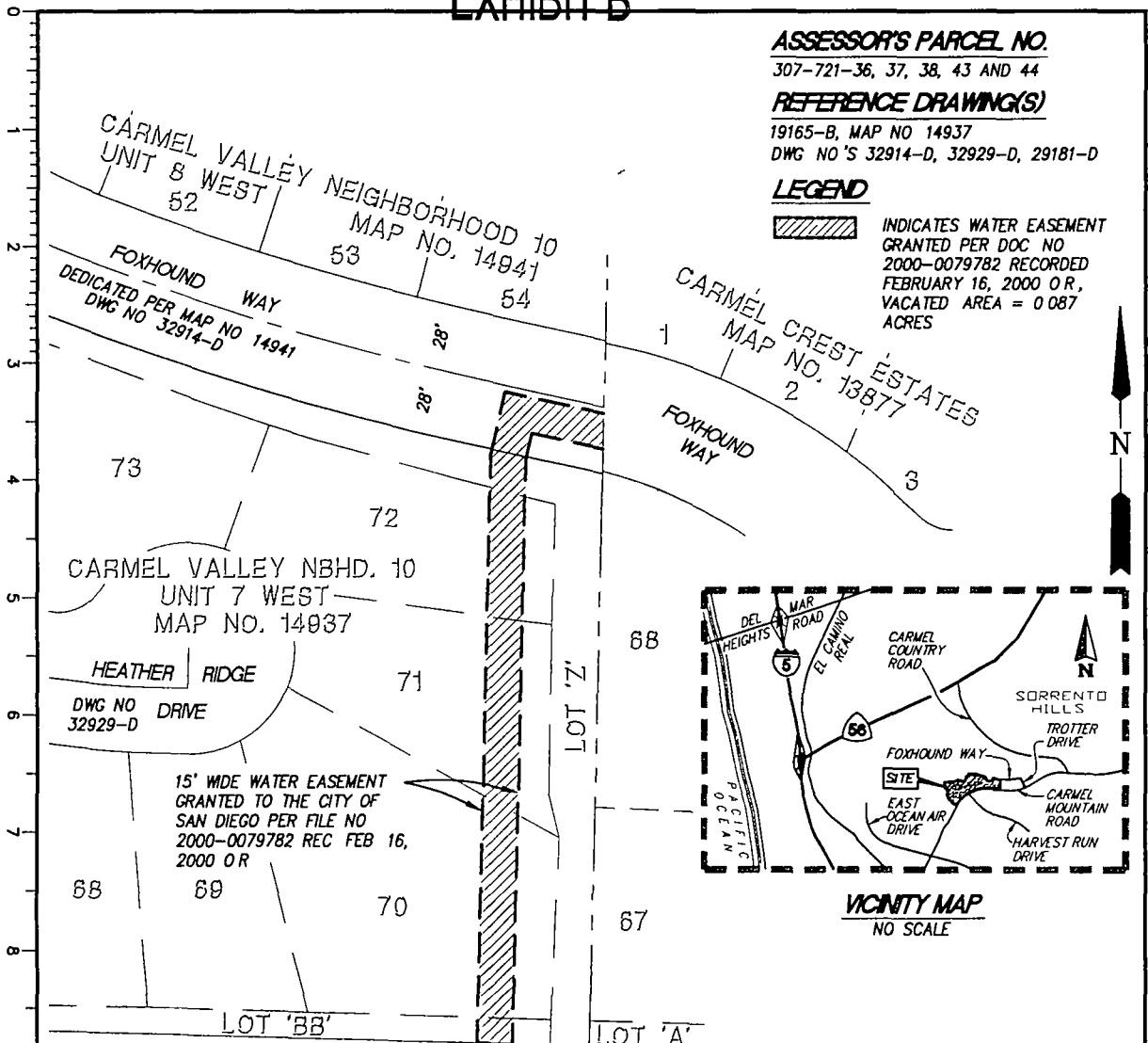
REFERENCE DRAWING(S)

19165-B, MAP NO 14937
 DWG NO 'S 32914-D, 32929-D, 29181-D

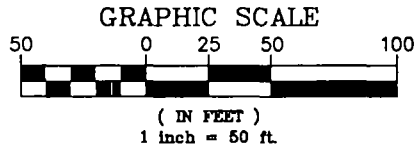
LEGEND



INDICATES WATER EASEMENT GRANTED PER DOC NO 2000-0079782 RECORDED FEBRUARY 16, 2000 O.R., VACATED AREA = 0.087 ACRES



CARMEL MOUNTAIN ROAD
 DEDICATED PER DOCUMENT
 RECORDED OCTOBER 15, 1999 AS
 FILE NO 1999-0697333, O R
 DWG NO 29181-D



PROJECT DESIGN CONSULTANTS
 Planning | Landscape Architecture | Environmental | Engineering | Survey
 701 B Street, Suite 800 San Diego, CA 92101
 619 235 6471 Tel 619 234 0349 Fax
Ronald E. Roth 8/31/05
 RONALD E. ROTH PLS 5506 DATE
 MY REGISTRATION EXPIRES 9-30-2006

WATER EASEMENT VACATION

IN LOTS 70, 71, 72, "BB" AND "Z" PER
 CARMEL VALLEY NEIGHBORHOOD 10 UNIT 7 WEST,
 MAP NO 14937

| DESCRIPTION | BY | APPROVED | DATE | FILMED | CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT | | JO NO 424349 |
|-------------|-----|----------|------|--------|--|--|----------------------------------|
| ORIGINAL | PDC | | | | | | P.T.S NO 69052 |
| | | | | | | | 1918-6267 |
| | | | | | FOR CITY ENGINEER DATE | | CCS '83 COORDINATES 278-1707 |
| | | | | | | | LAMBERT COORDINATES 20365-1-B |

R-301028