

RESOLUTION NUMBER R- 301874
DATE OF FINAL PASSAGE SEP 19 2006

WHEREAS, the affected property owner has requested the vacation of the unnecessary water and sewer easement in Parcel 1 and 2, Parcel Map 18339 as depicted on Engineering Drawing No. 20215-B to unencumber his property; and

WHEREAS, California Streets and Highways code Section 8333(c) and San Diego Municipal Code Section 125.1010 (c) both provide for the summary abandonment of easements by City Council resolution where the easement to be vacated has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the easement vacation is located in the Rancho Bernardo Community Plan area, and the portion of the sewer easement has never been used for sewer purposes and a water main within the easement has been abandoned in place; and

WHEREAS, a new water easement of approximately equal value, as shown on Engineering Drawing 19114-B was granted per Document No. 2004-1147581 on December 6, 2005 and the new water main was constructed within it; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the water and sewer 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,

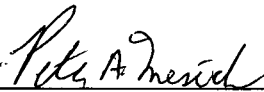
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the water and sewer easement located within Parcel 1 and 2, Parcel Map 18339, as more particularly described in the legal description marked as Exhibit "A", and as shown on Drawing No. 20215-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR-301874-1, and RR-301874-2 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 State CEQA Guidelines Section 15060(c)(2).

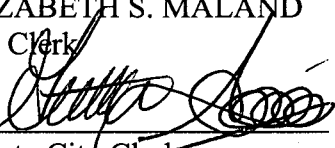
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Peter A. Mesich
Deputy City Attorney

PAM:cfq
07/07/06
Or.Dept:DSD
COR.COPY 9/11/06
R-2007-14
MMS#3460

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 12 2006.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9-19-06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor


EXHIBIT "A"
LEGAL DESCRIPTION
PORTION WATER AND SEWER EASEMENT VACATION WITHIN PARCELS 1 AND 2 OF PARCEL
MAP 18339

THAT PORTION OF A 24 FOOT WATER AND SEWER EASEMENT ALL WITHIN PARCELS 1 AND 2, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARCEL MAP THEREOF NO. 18339, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SEPTEMBER 10, 1999, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF PARCEL 1 OF SAID PARCEL MAP 18339, THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 1

1. SOUTH 81°56'48" WEST 3.60 FEET; TO THE WESTERLY LINE OF A SEWER AND WATER EASEMENT GRANTED TO THE CITY OF SAN DIEGO ON PARK TERRACE, ACCORDING TO MAP THEREOF NO. 13075. THENCE LEAVING SAID SOUTHERLY LINE, ALONG SAID SEWER AND WATER EASEMENT LINE.
2. NORTH 08°02'40" WEST 1.74 FEET; TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SEWER AND WATER EASEMENT LINE
3. SOUTH 81°57'20" WEST 188.72 FEET; THENCE
4. SOUTH 36°57'20" WEST 19.88 FEET; THENCE
5. SOUTH 08°02'40" EAST 18.44 FEET; THENCE
6. NORTH 81°58'06" EAST 24.00 FEET; TO A POINT ON THE EASERLY LINE OF SAID SEWER AND WATER EASEMENT THENCE
7. NORTH 08°02'40" WEST 8.51 FEET; THENCE
8. NORTH 81°57'20"EAST 178.78 FEET; TO A POINT ON THE WESTERLY LINE OF A SEWER AND WATER EASEMENT GRANTED TO THE CITY OF SAN DIEGO ON PARK TERRACE, ACCORDING TO MAP THEREOF NO. 13075. THENCE ALONG SAID SEWER AND WATER EASEMENT
9. NORTH 08°02'40" WEST 24.00 FEET; TO THE TRUE POINT OF BEGINNING

CONTAINING 0.114 ACRES MORE OR LESS.


MARK J. ROWSON
RCE 30836, EXPIRES 3/31/06

July 26, 2005
DATE

RR
DOCUMENT NO. 301874-1

FILED SEP 12 2006

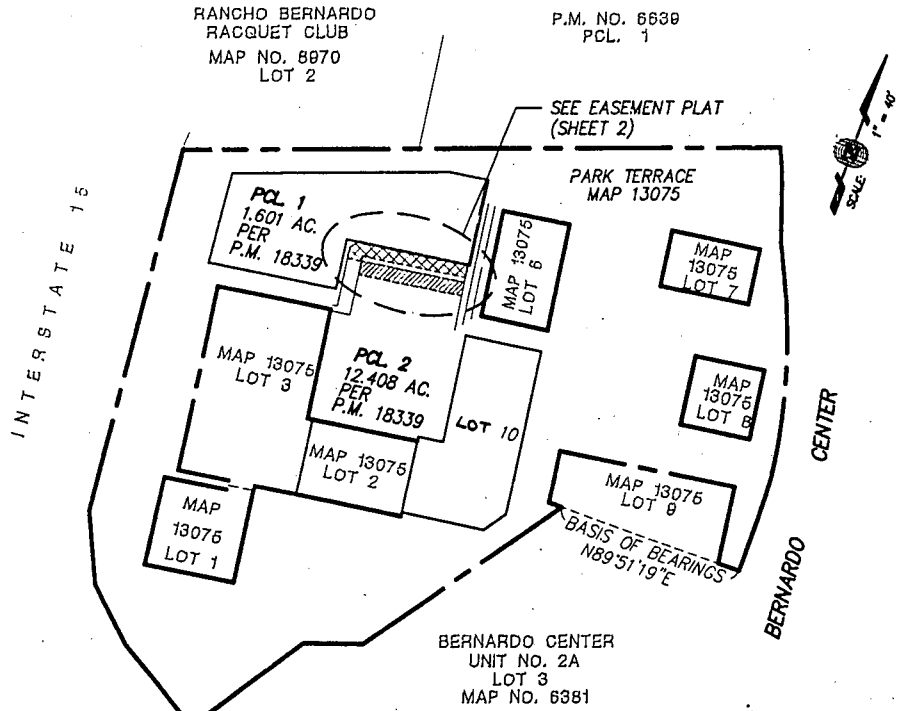
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



J.O. NO. 422230
P.T.S. NO. 23683
DWG NO. 20215-B

R-301874

EXHIBIT 'B'



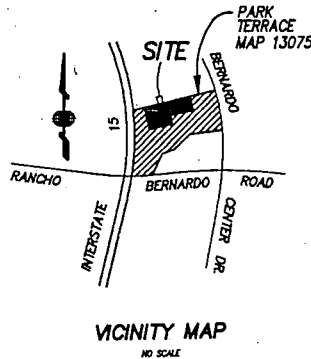
REFERENCE MAPS & DRAWINGS

PARCEL MAP NO. 18339 & MAP NO. 13075.
IMPROVEMENT PLAN NO. 30108-D.

ASSESSOR'S PARCEL NUMBER:
273-251-20, 23, 24 & 25

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS A PORTION OF THE SOUTHERLY LINE OF PARK TERRACE AS SHOWN ON MAP NO. 13075, I.E. N89°51'19"E.



Latitude 33

Planning and Engineering

4933 Paramount Dr. 2nd Flr.
San Diego, Ca. 92123
Tel 658-751-0633 Fax 658-751-0634



RR-301874-2
DOCUMENT NO. _____
FILED SEP 12 2006
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

Mark J. Rowson
MARK J. ROWSON R.C.E. 30836 DATE APRIL 22, 2005
MY REGISTRATION EXPIRES 03-31-2006 BE NT

**WATER AND SEWER EASEMENT VACATION -
IN PARCEL 1 AND 2, PARCEL MAP 18339**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S. NO. 23683
ORIGINAL	LAT33				SHEET 1 OF 2 SHEETS	J.O. NO. 422230
					FOR CITY ENGINEER	1952-6305 CBS 83
						312-1745 LAMBERT COORDINATES
						20215-1-B

RR-301874

SEP 12 2006

Passed by the Council of The City of San Diego on _____, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SEP 19 2006

Date of final passage _____

AUTHENTICATED BY:

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

(Seal)

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

R-301874