

RESOLUTION NUMBER R- 301876

DATE OF FINAL PASSAGE SEP 19 2006

WHEREAS, California Streets and Highways Code Section 8333 (c) and San Diego Municipal Code Section 125.1010(c)(3) provide for the summary vacation of public service easements by City Council where the easement to be vacated has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, that portion of the sewer easement located in Parcel 7 of Parcel Map 19673, as more particularly described in the legal description, marked as attached Exhibit "A", and as shown on Engineering Drawing No. 20272-B, marked and attached as Exhibit "B", and on file in the office of the City Clerk as Document Nos. RR- 301876-1 and RR- 301876-2 [Easement], which are by this reference incorporated herein and made a part hereof, has been superseded by relocation; and

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

WHEREAS, the affected property owner has requested the vacation of the unnecessary Easement within Parcel 7 of Parcel Map 19673 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 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; and

(c) 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 Easement 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)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



David E. Miller/
Deputy City Attorney


DEM:cfq
07/31/06
Or.Dept:DSD
COR.COPY 9/11/06
R-2007-119
MMS#3547

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its 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
SEWER EASEMENT VACATION**

BEING A PORTION OF THAT 20 FOOT SEWER EASEMENT LYING WITHIN PARCEL 7 OF PARCEL MAP NO. 19673 RECORDED MARCH 10, 2005 AS FILE NO. 2005-0200426 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY, LOCATED IN THE CITY OF CHULA VISTA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND GRANTED TO THE CITY OF SAN DIEGO APRIL 10, 1985 PER INSTRUMENT NO. 85-121725 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF PARCEL 8 OF PARCEL MAP 19673 WITH THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY 805, AS SAID RIGHT-OF-WAY IS DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED JULY 22, 1968 AS FILE NO. 123488 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY; THENCE ALONG SAID SOUTHERLY LINE, NORTH 89°38'28" EAST A DISTANCE OF 304.72 FEET TO THE CENTERLINE OF SAID SEWER EASEMENT; THENCE ALONG SAID CENTERLINE, NORTH 00°04'34" EAST A DISTANCE OF 266.26 FEET; THENCE NORTH 52°12'49" WEST A DISTANCE OF 9.20 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 52°12'49" WEST A DISTANCE OF 3.43 FEET TO THE WESTERLY LINE OF SAID SEWER EASEMENT; THENCE ALONG SAID WESTERLY LINE, NORTH 00°04'34" EAST A DISTANCE OF 3.03 FEET; THENCE NORTH 44°59'44" WEST A DISTANCE OF 14.34 FEET TO THE SOUTHERLY LINE OF SAID EASEMENT; THENCE ALONG SAID

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SAN DIEGO CALIFORNIA

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SOUTHERLY LINE, NORTH 89°59'44" WEST A DISTANCE OF 57.13 FEET TO THE BEGINNING OF A TANGENT 290.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°15'26" A DISTANCE OF 107.59 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 68°44'50" WEST A DISTANCE OF 52.13 FEET; THENCE LEAVING SAID SOUTHERLY LINE NORTH 80°03'25" WEST A DISTANCE OF 38.61 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE OF SAID SEWER EASEMENT; THENCE ALONG SAID NORTHERLY LINE, NORTH 68°44'50" EAST A DISTANCE OF 85.16 FEET TO THE BEGINNING OF A TANGENT 310.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°15'26" A DISTANCE OF 115.01 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 89°59'44" EAST A DISTANCE OF 65.41 FEET; THENCE SOUTH 44°59'44" EAST A DISTANCE OF 30.92 FEET TO THE EASTERLY LINE OF SAID SEWER EASEMENT; THENCE ALONG SAID EASTERLY LINE SOUTH 00°04'34" WEST A DISTANCE OF 8.94 FEET; THENCE LEAVING SAID EASTERLY LINE, SOUTH 75°29'47" WEST A DISTANCE OF 17.86 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,418 SQUARE FEET (0.124 ACRE) MORE OR LESS.

Stuart Peace 11-21-05
STUART PEACE R.C.E. 27232
REGISTRATION EXPIRES 3/31/07

A.P.N. 624-060-2700
J.O. 423465
P.T.S. 51937
DWG. NO. 20272-B



EXHIBIT "B"

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SOUTH LINE OF PARCEL 8 OF PARCEL MAP NO. 19673, I.E., N89°38'28"E.

LEGAL DESCRIPTION

A PORTION OF PARCEL 7 OF PARCEL MAP NO. 19673 RECORDED MARCH 10, 2005 AS INSTRUMENT NO. 2005-0200426 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY.



REFERENCE DRAWINGS

20270-B (SEWER EASEMENT PLAT)
21305-D (SEWER IMPROVEMENT PLANS)
33326-D (SEWER IMPROVEMENT PLANS)

ASSESSOR'S PARCEL NO.

624-060-2700

LEGEND

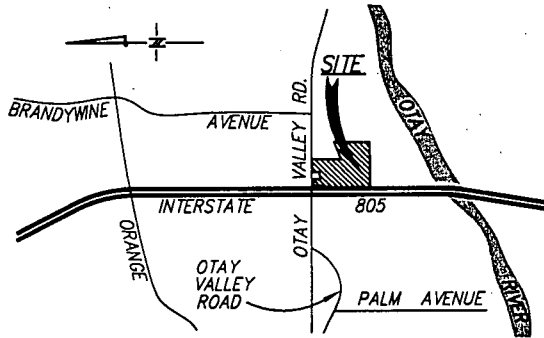
-  INDICATES PORTION SEWER EASEMENT PER DOC. NO. 85-121725 REC. 4-10-1985 VACATED AREA = 5418 S.F. (0.124 AC)
- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING
-  INDICATES ABUTTERS RIGHTS RELINQUISHED PER DOC. NO. 123488, RECORDED JULY 22, 1968. O.R.

NOTE

RECIPROCAL EASEMENT AGREEMENT PER DOCUMENT NO. 2005-0216257, RECORDED MARCH 16, 2005, IS A GENERAL EASEMENT WITH NO LOCATION SET FORTH AND CANNOT BE PLOTTED.

LINE DATA TABLE

NO.	BEARING/DELTA	RADIUS	LENGTH
L1	N52° 12' 49" W	----	9.20'
L2	N52° 12' 49" W	----	3.44'
L3	N0° 04' 34" E	----	3.03'
L4	N44° 59' 44" W	----	14.34'
L5	N89° 59' 44" W	----	57.13'
L6	Δ21° 15' 26"	290.00'	107.59'
L7	S68° 44' 50" W	----	52.13'
L8	N80° 03' 25" W	----	38.61'
L9	N68° 44' 50" E	----	85.16'
L10	Δ21° 15' 26"	310.00'	115.01'
L11	S89° 59' 44" E	----	65.41'
L12	S44° 59' 44" E	----	30.92'
L13	S0° 04' 34" W	----	8.94'
L14	S75° 29' 47" W	----	17.86'



VICINITY MAP
NO SCALE



SE CIVIL ENGINEERING/SURVEYING/PLANNING
STUART ENGINEERING
7525 METROPOLITAN DR., STE. 308
SAN DIEGO, CALIFORNIA 92108
(619) 296-1010
FAX (619) 296-9276
Stuart Peace 11-21-05
STUART PEACE R.C.E. 27232 DATE
REGISTRATION EXPIRES: 3-31-07

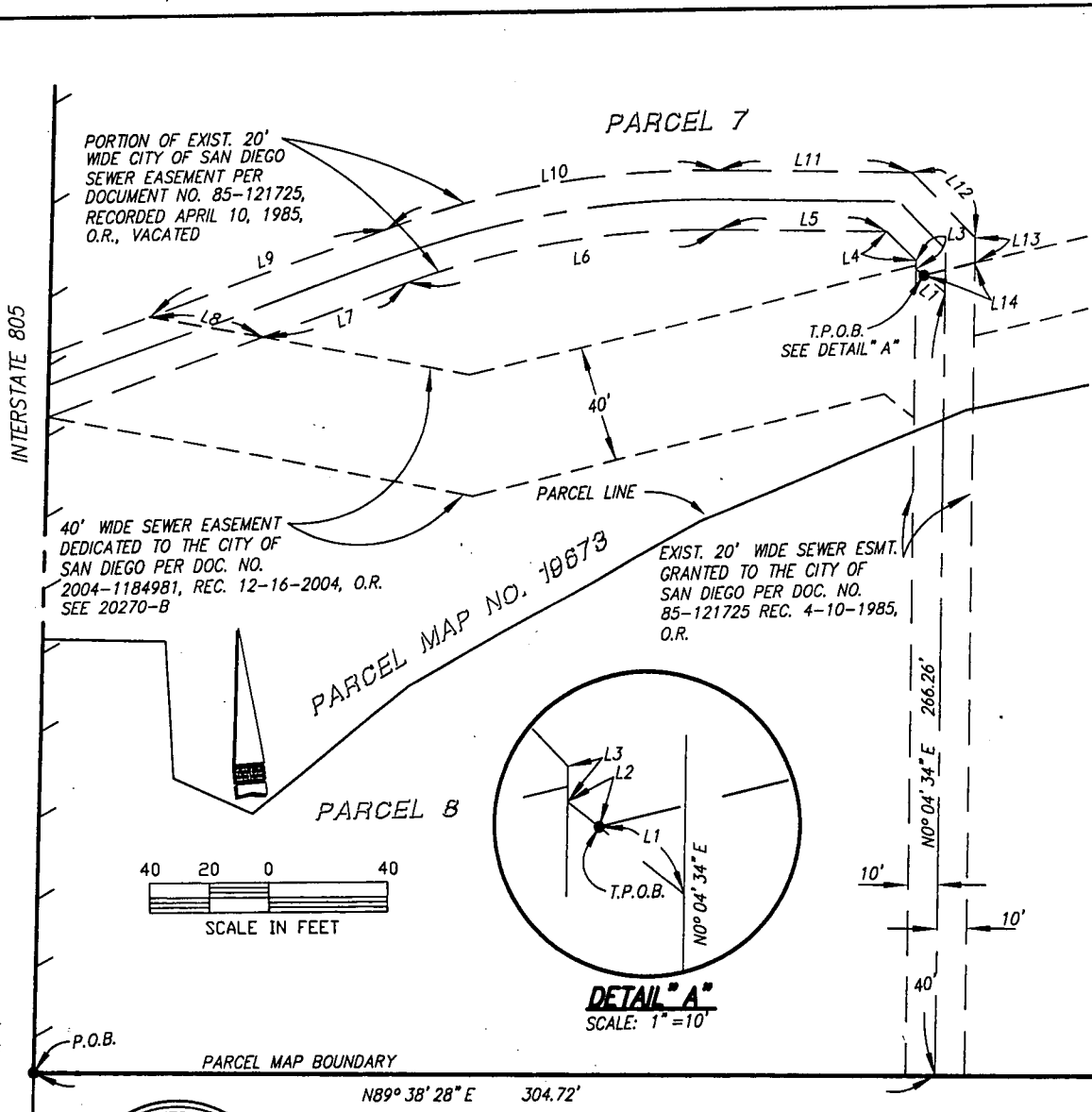
SEWER EASEMENT VACATION PORTION OTAY VALLEY TRUNK SEWER

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 1 OF 2 SHEETS	P.T.S. 51937
ORIGINAL	SE					J.O. NO. 423465
	R.G.	11/30/05			<i>See Annex</i> 12/20/05 FOR CITY ENGINEER DATE	1794-6317 CCS83
						154-1757 LAMBERT COORDINATES
						20272-1-B

DOCUMENT NO. PL 301876-2
FILED SEP 12 2006
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

PL 301876

EXHIBIT "B"



SE CIVIL ENGINEERING/SURVEYING/PLANNING
STUART ENGINEERING
 7525 METROPOLITAN DR., STE. 308
 SAN DIEGO, CALIFORNIA 92108
 (619) 296-1010
 FAX (619) 296-9276

Stuart Peace 11-21-05
 STUART PEACE R.C.E. 27232 DATE
 REGISTRATION EXPIRES: 3-31-07

SEWER EASEMENT VACATION PORTION OTAY VALLEY TRUNK SEWER

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT SERVICES DEPARTMENT SHEET 2 OF 2 SHEETS	P.T.S. 51937
ORIGINAL	SE					J.O. NO. 423465
	R.B.	11/30/05			<i>Lee Jensen</i> FOR CITY ENGINEER	1794-6317 CCS83
					12/20/05 DATE	154-1757 LAMBERT COORDINATES
						20272-2-B
STATUS						

R- 301876

Passed by the Council of The City of San Diego on SEP 12 2006, 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:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

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