

RESOLUTION NUMBER R- 302664

DATE OF FINAL PASSAGE MAY 22 2007

WHEREAS, San Diego Municipal Code section 125.1010(c) et seq. provides a procedure for the summary abandonment of easements by City Council resolution where the easement to be vacated has been superseded by relocation and there are no other public facilities located within the easement; and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 affected property owner has requested the vacation of the unnecessary recreation easement in Lots 11, 13 and 14 of Del Mar Mesa Estates Unit No. 2, Map No. 14081 as depicted on Engineering Drawing No. 20469-1-B, to unencumber his property; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the recreation 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; and

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

(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; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the


decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented;; NOW, THEREFORE,

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

1. That the recreation easement located within Lots 11, 13 and 14 of Del Mar Estates Unit No. 2, Map No. 14081, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20469-1-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 302664-¹, and RR- 302664-², 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 her under seal, to be recorded in the office of the County Recorder.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Roopal Shah
Deputy City Attorney

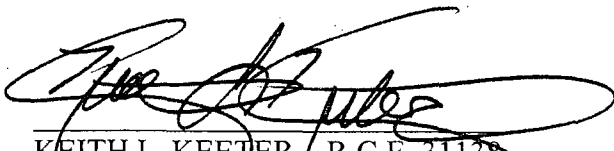
RS:pev
04/23/07
Or.Dept:DSD
R-2007-1029
MMS #4694
EASEMENT AABANDONMENT&STREET VACATIONS – Summary Vacation 11-01-04

EXHIBIT "A"
LEGAL DESCRIPTION
VACATION OF A RECREATION EASEMENT

THOSE PORTIONS OF LOTS 11,13, AND 14 OF DEL MAR MESA ESTATES UNIT 2, ACCORDING TO MAP THEREOF NO. 14081, FILED NOVEMBER 22, 2000 IN THE OFFICE OF COUNTY RECORDER OF THE SAN DIEGO COUNTY, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THAT 20 FOOT WIDE RECREATIONAL EASEMENT IN LOTS 11,13, AND 14 OF SAID MAP

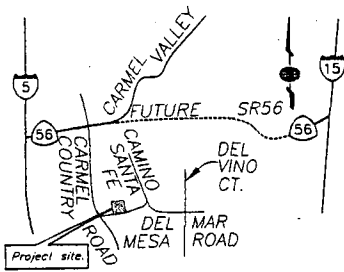
SAID EASEMENT CONTAINS AN AREA OF 0.607 ACRES MORE OR LESS


KEITH L. KEETER, R.C.E. 31138
My Registration Expires 06-30-2006



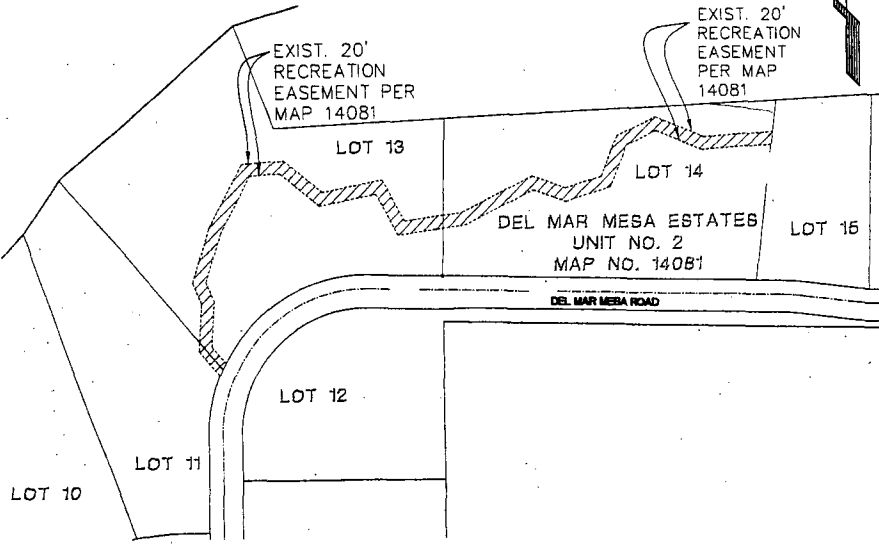
PTS 90510
DWG NO. 20469-1-B
JOB NO. 038000

EXHIBIT "B"
 DEL MAR MESA ESTATES UNIT NO. 2
 MAP NO. 14081



VICINITY MAP
 NO SCALE

1" = 200'



LEGEND:

- LOT LINE
- INDICATES RECREATIONAL EASEMENT GRANTED PER MAP 14081, VACATED 0.607 ACRES

REFERENCES:

30187-D AND MAP NO. 14081

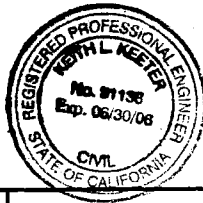
ASSESSOR'S PARCEL NUMBER:

307-660-03,04 AND 06

Latitude 33

Planning and Engineering

4933 PARAMOUNT DRIVE, SECOND FLOOR
 SAN DIEGO, CA 92123
 858-751-0633 Fax 858-751-0634



Keith L. Keeter 4-19-06
 KEITH L. KEETER R.C.E. 31138 DATE
 REGISTRATION EXPIRES 06-30-2006

RECREATION EASEMENT VACATED

LOTS 11, 13, AND 14 OF DEL MAR MESA ESTATES UNIT NO. 2 MAP NO. 14081

J.O. 038000

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA DEVELOPMENT REVIEW DEPARTMENT SHEET 1 OF 2 SHEET	T.M. NO.
ORIGINAL	LAT33				<i>Keith L. Keeter</i> 4/20/06 FOR CITY ENGINEER DATE	90510
						1922-6264 CCS '83 COORDINATES
						282-1704 LAMBERT COORDINATES
						20469-1-B

R. 302664