

RESOLUTION NUMBER R- 302991

DATE OF FINAL PASSAGE SEP 17 2007

WHEREAS, California Streets and Highways Code section 8330 et seq. provides a procedure for the summary vacation of public service easements by City Council resolution where the easements are no longer required; and

WHEREAS, the affected property owner has requested the vacation of a water easement to facilitate development of the site; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the water easement, for which the easement 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 not inconsistent with the General Plan or an approved Community Plan; and

(d) the water easement system 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,

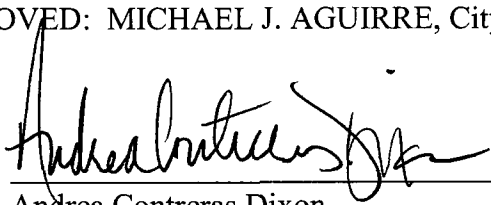
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the water easement, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20681-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 302991<sup>1</sup>, and RR- 302991<sup>2</sup> 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



Andrea Contreras Dixon  
Deputy City Attorney

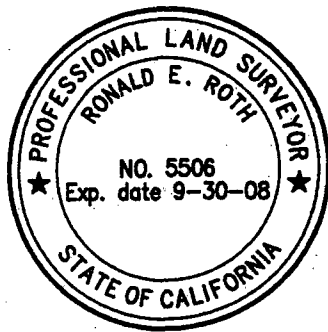
ACD:pev  
06/25/07  
Or.Dept:DSD  
R-2007-1291  
MMS #5011

EXHIBIT 'A'  
LEGAL DESCRIPTION  
WATER EASEMENT VACATION

ALL OF THE WATER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT NO. 2000-0371572 RECORDED JULY 14, 2000 OF OFFICIAL RECORDS, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

ATTACHED HERETO IS CITY DRAWING NO. 20681-B LABELED EXHIBIT "B" AND BY THIS REFERENCE IS MADE A PART HEREOF.

CONTAINS 0.208 ACRE, MORE OR LESS.



*Ronald E. Roth* *Oct/25/07*  
RONALD E. ROTH                      DATE  
L.S. 5506  
EXPIRATION DATE 9-30-08

J.O. NO. 424540  
P.T.S. NO. 72526  
DWG. NO. 20681-B

# EXHIBIT "B"


## ASSESSOR'S PARCEL NO.'S

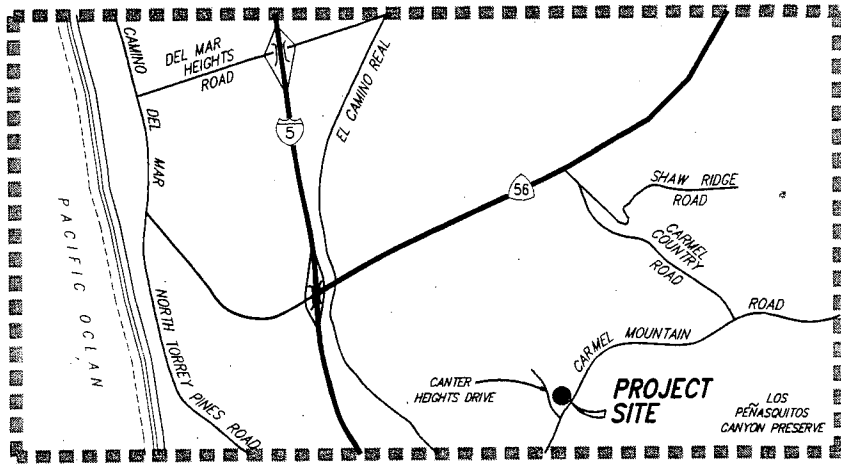
307-761-32 307-100-08, 09, 10

## REFERENCE DRAWINGS

18846-B, 29236-D

## LEGEND

 INDICATES WATER EASEMENT VACATED  
AREA = 0.208 ACRE



**VICINITY MAP**

NO SCALE



**PROJECT DESIGN CONSULTANTS**  
Planning | Landscape Architecture | Environmental | Engineering | Survey  
 701 B Street, Suite 800  
 San Diego, CA 92101  
 619.226.8471 Fax  
 619.234.0549 Fax

*Ronald E. Roth*  
 RONALD E. ROTH P.L.S. 5506  
 MY REGISTRATION EXPIRES 9-30-2008

4/25/07  
 DATE

DOCUMENT NO. 302991-1  
 FILED SEP 17 2007  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

## WATER EASEMENT VACATION

IN PORTIONS OF THE SE 1/4 SECTION 29 T14S R3E  
 S.B.M. AND  
 LOT "A" PER CARMEL VALLEY NEIGHBORHOOD 10  
 UNIT 12 SOUTH, MAP NO. 15067,

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	P.T.S. NO. 72526
ORIGINAL	PDC				SHEET 1 OF 2 SHEETS	J.O. NO. 424540
	ACA		5-16-07		<i>[Signature]</i> 10M5C07 FOR CITY ENGINEER DATE	1917-6267
						NAD '83 COORDINATES
						278-1707
						LAMBERT COORDINATES
						20681-1-B

# EXHIBIT "B"

CARMEL VALLEY  
NEIGHBORHOOD 10 LOT 'A'  
UNIT 12 SOUTH  
MAP NO. 15067

SCALE 1" = 40'

0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

WATER EASEMENT GRANTED TO THE CITY OF  
SAN DIEGO PER FILE NO. 2000-0371572  
RECORDED JULY 14, 2000 O.R.  
**VACATED**

PORTION  
NE 1/4 NE 1/4  
NW 1/4 SW 1/4  
SE 1/4  
SECTION 29  
T14S R3W S.B.M.

PORTION  
N 1/2 NE 1/4  
SW 1/4 SE 1/4

PORTION  
SE 1/4 NE 1/4  
NW 1/4 SW 1/4  
SE 1/4

CARMEL MOUNTAIN ROAD DEDICATED PER  
DOCUMENT RECORDED OCTOBER 15, 1999  
AS FILE NO. 1999-0897355, O.R.  
(SEE CITY DWG. NO. 29236-D)

CARMEL MOUNTAIN ROAD DEDICATED PER  
DOCUMENT RECORDED FEBRUARY 23, 2000  
AS FILE NO. 2000-0095400, O.R.  
(SEE CITY DWG. NO. 18846-B)

**CARMEL MOUNTAIN ROAD**

55'  
59'

**PROJECT DESIGN CONSULTANTS**  
Planning | Landscape Architecture | Environmental | Engineering | Survey

701 B Street, Suite 800  
San Diego, CA 92101  
(619)291-1111  
P.O. BOX 10460 San

DOCUMENT NO. 302991-2  
FILED **SEP 17 2007**  
OFFICE OF THE CITY CLERK  
SAN DIEGO, CALIFORNIA

## WATER EASEMENT VACATION

IN PORTIONS OF THE SE 1/4 OF SECTION 29 T14S R3E S.B.M. AND LOT "A" PER CARMEL VALLEY NEIGHBORHOOD 10 UNIT 12 SOUTH, MAP NO. 15067,

DESCRIPTION	BY	APPROVED	DATE	FILMED
ORIGINAL	PDC			
	AEA		5-16-07	

CITY OF SAN DIEGO, CALIFORNIA  
SHEET 12 OF 2 SHEETS  
*[Signature]* 16 MAY 07  
FOR CITY ENGINEER DATE

P.T.S. NO. 72526
J.O. NO. 424540
1917-6267
NAD '83 COORDINATES
278-1707
LAMBERT COORDINATES
20681-2-B