

RESOLUTION NUMBER R- 303812
DATE OF FINAL PASSAGE JUN 10 2008

A RESOLUTION AUTHORIZING WATER EASEMENT VACATIONS IN PARCELS 1 AND 2 OF PARCEL MAP NO. 20393.

WHEREAS, California Streets and Highways Code section 8330 et seq. (and specifically Sections 8333 and 8335), and San Diego Municipal Code section 125.1010(c) provide a procedure for the summary abandonment or vacation of public service easements by City Council resolution where the easement has been superseded by relocation and there are no other public facilities located within the easement; and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 abandonment of an unnecessary vacation of the public service water easement in Parcels 1 and 2 of Parcel Map No. 20393 as depicted on Engineering Drawing No. 20817-B, to unencumber his property. Said public service water easement [easement] is located in Southeastern San Diego, in the Southeastern Community Plan area, on the south side of Imperial Avenue easterly of 40th Street; and

WHEREAS, the existing public utility facilities located within the easement to be abandoned have been superseded with a new sewer as shown on Engineering Drawing No. 34444-D; and

WHEREAS, there are no other public facilities located within the easement to be abandoned, and there is no present or prospective public use of the existing easement in its present location; and

WHEREAS, this action is exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15301; 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, a public hearing was required by law implicating due process rights of individuals affected by the decision, and the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, this matter was set for public hearing on JUN 10 2008, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego finds that:

- (a) the public service easement to be abandoned herein does not contain public utility facilities or does not contain active public utility facilities that would be affected by the abandonment;
- (b) The easement has been superseded by relocation and there are no other public facilities located within the easement;
- (c) There is no present or prospective public use for the easement, either for the facility or purpose for which it was originally acquired or for any other public use of a like nature that can be anticipated;
- (d) The public will benefit from the action through improved utilization of the land made available by the abandonment;
- (e) The abandonment is consistent with any applicable land use plan; and,

(f) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the abandonment or the purpose for which the easement was acquired no longer exists.

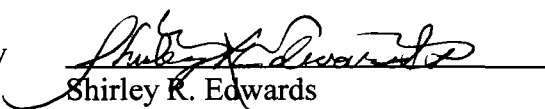
BE IT FURTHER RESOLVED, the Council of the City of San Diego finds:

1. That the public service water easement located within Parcels 1 and 2 of Parcel Map 20393, as more particularly described in the legal description marked as Exhibit "A," and shown on Drawing No. 20817-B, marked as Exhibit "B," and on file in the office of the City Clerk as Document Nos. RR- 303812-1 and RR- 303812-2, which are by this reference incorporated herein and made a part hereof, is ordered summarily abandoned.

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. From and after the date of recordation of this Resolution, the abandoned public service easement shall no longer constitute a public service easement. Upon such recordation, the abandonment is complete.

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this action is exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15301.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Shirley R. Edwards
Chief Deputy City Attorney

SRE:pev
05/13/08
Or.Dept:DSD
R-2008-1067
MMS #6274

 - 303812

EXHIBIT A

LEGAL DESCRIPTION Water Easement Vacation

Those portions of Parcel 1 and Parcel 2 of Parcel Map No. 20393, in the City of San Diego, County of San Diego State of California, filed in the office of the County Recorder of San Diego County, more particularly described as follows:

Parcel "A":

Beginning at a point on the Westerly line of Lot 8 of Map No. 13977, said point being common with the Easterly corner of Parcel 2 of said Parcel Map No. 20393; thence proceeding Southerly along the Westerly line of said Lot 8 South 30°18'45" West (South 30°19'12" West per Parcel Map No. 20393), 218.37 feet to a point on the Westerly line of a 26' wide water easement granted per Map No. 13977, said point being on a 213 foot radius curve concave Easterly having a radial Bearing of North 84°59'31" East to the center of said curve; thence proceeding Northerly along said curve and Westerly line of said 26 foot wide water easement through a central angle of 05°57'29" an arc distance of 22.15 feet; Thence North 00°57'00" East, 20.96 feet; Thence North 89°03'00" West, 178.71 feet; Thence North 00°04'07" West, 17.98 feet; Thence North 89°03'00" West, 141.48 feet; Thence North 00°57'00" East, 26.00 feet to the **TRUE POINT OF BEGINNING**; Thence continuing North 00°57'00" East, 63.00 feet; Thence North 89°03'00" West, 173.34 feet; Thence North 00°57'00" East, 26.00 feet; Thence South 89°03'00" East, 5.00 feet; Thence North 00°57'00" East, 13.73 feet; Thence South 89°03'00" East, 10.00 feet; Thence South 00°57'00" West, 13.73 feet; Thence South 89°03'00" East, 184.34 feet; Thence South 00°57'00" West, 89.00 feet; Thence North 89°03'00" West, 26.00 feet to the **TRUE POINT OF BEGINNING**.

Said Parcel "A" containing 0.160 acres, more or less.

Together with the following:

Parcel "B":

A 24 foot wide easement granted to the City of San Diego per Doc. Rec. June 1, 2006 as File No. 2006-0387743, O.R.

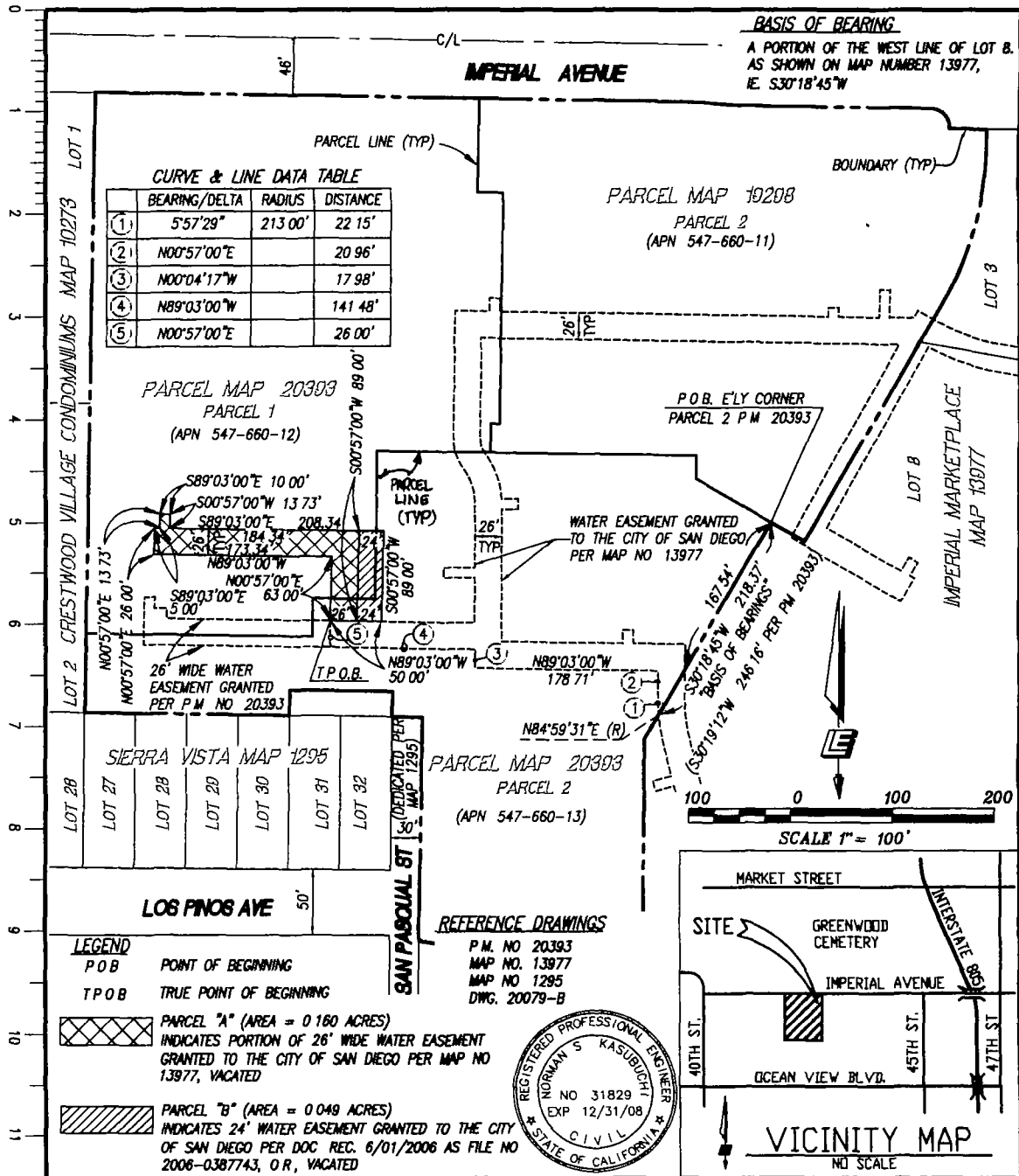
Said Parcel "B" containing 0.049 acres, more or less.

LEPPERT ENGINEERING CORPORATION

Norman S. Kasubuchi 3/25/08
By: Norman S. Kasubuchi, RCE 31897
Expires: 12/31/08



DOCUMENT NO. 303812-1
FILED JUN 10 2008
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA



CURVE & LINE DATA TABLE

BEARING/Delta	RADIUS	DISTANCE
① 5°57'29"	213.00'	22.15'
② N00°57'00"E		20.96'
③ N00°04'17"W		17.98'
④ N89°03'00"W		141.48'
⑤ N00°57'00"E		26.00'

PARCEL MAP 20393
PARCEL 1
(APN 547-660-12)

PARCEL MAP 19208
PARCEL 2
(APN 547-660-11)

P.O.B. E'LY CORNER
PARCEL 2 P.M. 20393

26' WIDE WATER
EASEMENT GRANTED
PER P.M. NO. 20393

WATER EASEMENT GRANTED
TO THE CITY OF SAN DIEGO
PER MAP NO. 13977

SIERRA VISTA MAP 1295
LOT 27 LOT 28 LOT 29 LOT 30 LOT 31 LOT 32

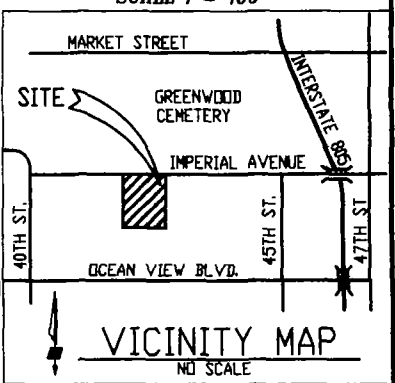
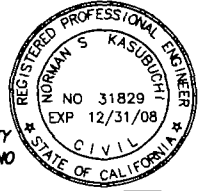
PARCEL MAP 20393
PARCEL 2
(APN 547-660-13)

LEGEND
P.O.B. POINT OF BEGINNING
T.P.O.B. TRUE POINT OF BEGINNING

PARCEL "A" (AREA = 0.160 ACRES)
INDICATES PORTION OF 26' WIDE WATER EASEMENT
GRANTED TO THE CITY OF SAN DIEGO PER MAP NO.
13977, VACATED

PARCEL "B" (AREA = 0.049 ACRES)
INDICATES 24' WATER EASEMENT GRANTED TO THE CITY
OF SAN DIEGO PER DOC. REC. 6/01/2006 AS FILE NO.
2006-0387743, O.R., VACATED

REFERENCE DRAWINGS
P.M. NO. 20393
MAP NO. 13977
MAP NO. 1295
DWG. 20079-B



PREPARED BY:
LEPPERT ENGINEERING CORPORATION
5180 GOVERNOR DRIVE, SUITE 205
SAN DIEGO, CA 92122
Norman S. Kasubuchi
NORMAN S. KASUBUCHI, RCE 31829 EXP 12/31/08

4/8/2008
DATE

WATER EASEMENT VACATION IN PARCEL 1 AND 2 OF PARCEL MAP NO. 20393

DESCRIPTION	BY	APPROVED	DATE	FILED	CITY OF SAN DIEGO, CALIFORNIA	PTS NO 148268
ORIGINAL	LEC				SHEET 1 OF 1 SHEET	JOB NO. 430220
	✓	Jm	4/10/08		<i>Norman S. Kasubuchi</i> 11 APR '08	1834-6297
					FOR CITY ENGINEER	NAD 83 COORDINATES
						194-1737
						LAMBERT COORDINATES
						20817-B

DOCUMENT NO. **303812**
JUN 10 2008
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

EXHIBIT B

39
6/10

RESOLUTION NUMBER R- 303813

DATE OF FINAL PASSAGE JUN 10 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO RATIFYING THE ELECTION RESULTS OF
MAY 21, 2008, FOR THE PROJECT AREA COMMITTEE FOR
THE BARRIO LOGAN REDEVELOPMENT PROJECT AREA.

WHEREAS, the Council of the City of San Diego [the Council] by resolution
No. R- 296209 amended the Procedures for the Formation of Project Area Committee for
the Barrio Logan Redevelopment Project; and

WHEREAS, the Council by resolution No. R-303614, authorized a one-year extension of
the Barrio Logan Project Area Committee (PAC) and authorized staff to notice and conduct the
annual PAC election in accordance with the PAC bylaws; and

WHEREAS, election of the Project Area Committee [PAC] was conducted on May 21,
2008 ; and

WHEREAS, pursuant to California Health and Safety Code section 33386, the
Redevelopment Agency of the City of San Diego [the Agency], through its staff, shall
consult with the PAC for a three-year period after the adoption of the Redevelopment
Plan, and for one-year extensions thereafter by approval of the Council of the City of San
Diego; NOW, THEREFORE,

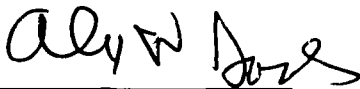
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the persons elected as members of the Project Area Committee for the Barrio Logan
Redevelopment Project, as noted by the City Clerk's verification of the election results of May

22, 2008 attached as Exhibit A and incorporated by this reference, are approved as newly elected members to the PAC.

2. That the Council concurs that the election results of May 21, 2008 are valid and binding in accordance with the procedures adopted by Resolution No. R-296209

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Alex W. Sachs
Deputy City Attorney

AWS:mm
05/22/08
Or Dept:CCDC
R-2008-1096
MMS#6316

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of JUN 10 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6-10-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

EXHIBIT A

BARRIO LOGAN REDEVELOPMENT PROJECT AREA COMMITTEE ELECTION RESULTS MAY 21, 2008

The following individuals were elected to the Barrio Logan Redevelopment PAC on May 21, 2008:

Business Owners – 2 Seats

- **Glenna Schmidt**
- **Jim Torti**

Residential Tenants – 2 Seats

- **Geber Hernandez**
- **Daniel Ortiz**

Residential Owner-Occupant – 2 Seats

- **Armida Sainz-Ramirez**
- **Maribel Arellano**

Community Organization – 1 Seat

- **Rachael Ortiz**

I have witnessed and verified that the **seven (7)** members were elected to the aforementioned positions.

Witnessed: Clarisa Santiago
Clarisa Santiago, Elections Filing Coordinator, Office of the City Clerk

Election results are NOT official until affirmed by City Council

 **303813**