(R-2011-769) A

337

RESOLUTION NUMBER R- 306770

DATE OF FINAL PASSAGE APR 19 2011

A RESOLUTION OF INTENTION SPECIFYING THE TIME AND PLACE OF HEARING FOR EASEMENT VACATION NO. 826905 FOR THE FLOWER HILL PROMENADE PROJECT NO. 172026

WHEREAS, the affected property owner has requested that 15-foot wide water easement located within Parcel 1 and 2 of Parcel Map No. 20470, north of Via De La Valle, east of Interstate 5, and west of San Andres Drive as dedicated to the City of San Diego, recorded October 23, 1975 as Document No. 75-293687, as shown on Parcel Map No. 20470, recorded in The Office of County Recorder, San Diego County, on April 17, 2008, together with a 15-foot wide water easement acquired per the easement exchange pursuant to City Council Resolution No. 219240, adopted September 7, 1977, and as shown on City Drawing No. 16259-D, be vacated as Easement Vacation No. 826905; 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; NOW THEREFORE,

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

1. That the City Council declares that it intends to vacate water easements, being described as Easement Vacation No. 826905, described in the legal description marked as Exhibit "A," and as more particularly shown on Drawing No. 36393-B marked as Exhibit "B."

2. That Easement Vacation No. 826905 is being conducted under Division 9, Part 3, Chapter 3 of the California Streets and Highways Code, and Chapter 12, Article 5, Division 10, of the San Diego Municipal Code.

3. That the City Council will hold a public hearing for the vacation of the above-mentioned water easement on April 19, 2011 at 2:00 p.m. in the City Council Chambers located at 202 "C" Street, San Diego, CA 92101.

APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Nina Fain
Deputy City Attorney

NF:js
03/08/2011
Or.Dept:DSD
R-2011-769
PL#2010-00941

EXHIBIT 'A

LEGAL DESCRIPTION

WATER EASEMENT VACATED

BEING A 15.00 FOOT WIDE WATER EASEMENT DEDICATED TO THE CITY OF SAN DIEGO, RECORDED OCTOBER 23, 1975 AS DOCUMENT NO. 75-293687, AND AS SHOWN ON PARCEL MAP NO. 20470, IN THE CITY SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF RECORDED IN THE OFFICE OF SAID COUNTY RECORDER ON APRIL 17, 2008, TOGETHER WITH A 15.00 FOOT WIDE WATER EASEMENT ACQUIRED PER THE EASEMENT EXCHANGE PURSUANT TO CITY COUNCIL RESOLUTION NO. 219240, ADOPTED SEPTEMBER 7, 1977, AND AS SHOWN ON CITY DRAWING NO. 16259-D; ALL OF OFFICIAL RECORDS.

ATTACHED HERETO IS A PLAT LABELED _____-B AND BY THIS REFERENCE MADE A PART HEREOF.

SAID PARCEL CONTAINS 0.370 ACRE, MORE OR LESS.

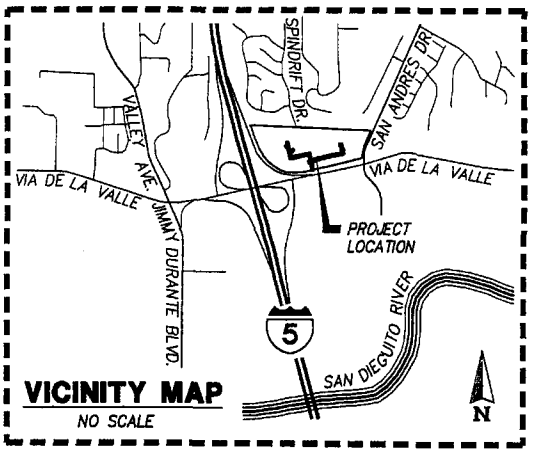
GARY L. HUS DATE
LS 7019

PTS NO. 172026

P:\2454\MAPPING\PLATS\'B' Sheet Vacation\Legals\2454 Water Esmt Vacated.doc

R- 306770

EXHIBIT B



VICINITY MAP
NO SCALE

ASSESSOR'S PARCEL NO.'S:

298-490-43 & 44

REFERENCE DRAWINGS:

- PARCEL MAP NO. 20470
- DWG. NO. 16259-D

LEGEND:

INDICATES 15' WIDE WATER EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER DOCUMENT RECORDED OCTOBER 23, 1975 AS FILE NO. 75-293687, O.R. AND AS SHOWN ON PARCEL MAP NO. 20470, TOGETHER WITH 15' WIDE WATER EASEMENT ACQUIRED PER THE EASEMENT EXCHANGE PURSUANT TO CITY COUNCIL RESOLUTION NO. 219240 ADOPTED SEPTEMBER 7, 1977 AND AS SHOWN ON CITY DRAWING NO. 16259-D; VACATED.
AREA = 0.370 ACRE

LICENSED LAND SURVEYOR
GARY L. HUS
NO. 7019
Exp. date 6-30-12
STATE OF CALIFORNIA

GARY L. HUS, L.S. 7019 DATE

PROJECT DESIGN CONSULTANTS
Planning | Landscape Architecture | Engineering | Survey
701 B Street, Suite 900 San Diego, CA 92101
619.235.6471 Tel 619.234.0349 Fax

WATER EASEMENT VACATION

IN PARCEL 1 AND 2 OF PARCEL MAP NO. 20470

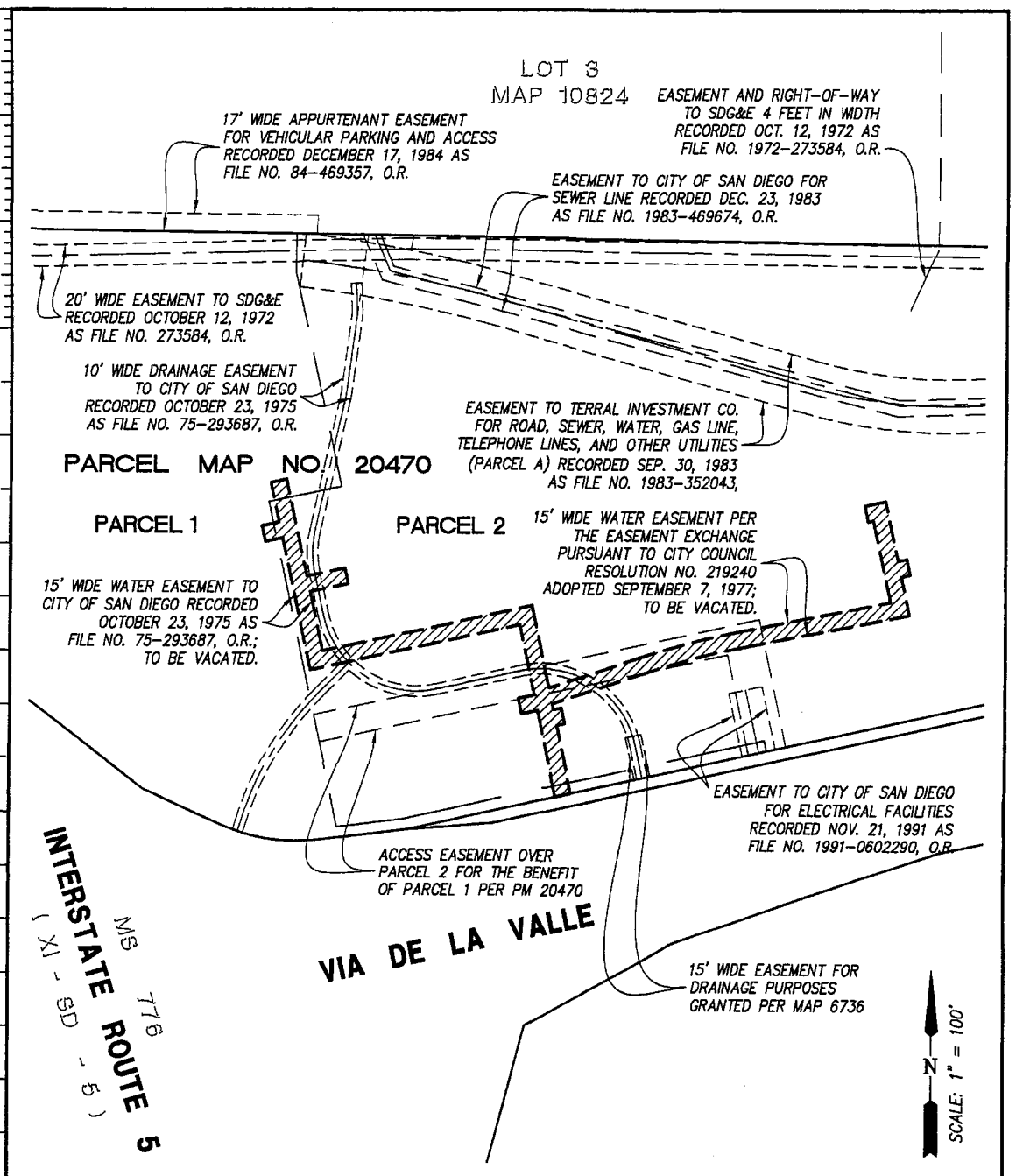
DESCRIPTION	BY	APPRVD.	DATE	FILMED
ORIGINAL	PDC			

CITY OF SAN DIEGO, CALIFORNIA
SHEET 1 OF 2 SHEETS

FOR CITY ENGINEER DATE

P.T.S. NO. 172026
1936-6251
CCS83 COORDINATES
296-1691
LAMBERT COORDINATE
-1-B

EXHIBIT B



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WATER EASEMENT VACATION

IN PARCEL 1 AND 2 OF PARCEL MAP NO. 20470

DESCRIPTION	BY	APPRVD.	DATE	FILMED
ORIGINAL	PDC			

CITY OF SAN DIEGO, CALIFORNIA
SHEET 2 OF 2 SHEETS

FOR CITY ENGINEER _____ DATE _____

P.T.S. NO. 172026
1936-6251
CCS83 COORDINATES
296-1691
LAMBERT COORDINATE
_____-2-B

R- 306770