

RESOLUTION NUMBER R- 307686

DATE OF FINAL PASSAGE SEP 17 2012

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO TRANSFER AND CONVEY THE CITY'S RIGHTS, TITLE AND INTEREST IN THAT CERTAIN REAL PROPERTY KNOWN AS ROAD M-6 VIA QUITCLAIM DEED TO SYCAMORE LANDFILL, INC. FOR THE SYCAMORE LANDFILL MASTER PLAN – PROJECT NO. 5617.

WHEREAS, the City of San Diego [City] is the fee owner of that certain real property known as Road M-6 and more particularly described in the legal description attached hereto as “Exhibit A” and depicted in the plat attached hereto as “Exhibit B”; and

WHEREAS, on February 24, 1993, the City, the California Department of Transportation [Caltrans], and the County of San Diego [County] (in its capacity as operator of the Sycamore Landfill) entered into a Settlement Agreement and Release (Settlement Agreement), in which Caltrans relinquished the Road M-6 to the City via quitclaim deed, and which provided the County (as the operator of the Sycamore Landfill) exclusive rights to use Road M-6 as the landfill access road subject to several conditions; and

WHEREAS, Sycamore Landfill, Inc. [SLI] subsequently acquired the Sycamore Landfill from the County and is the current operator of the Sycamore Landfill; and

WHEREAS, due to SLI's exclusive use of Road M-6, the City has determined that its maintenance and repair of Road M-6 is an unwanted financial burden to the City; and

WHEREAS, consistent with the Settlement Agreement and in order to relieve the City of the financial burden of maintaining and repairing Road M-6, the City desires to transfer and convey its rights, title, and interest in Road M-6 to SLI via a quitclaim deed subject to the conditions identified in the Settlement Agreement; and

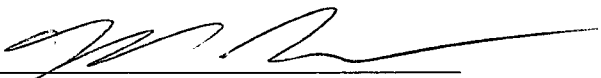
WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the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

WHEREAS, the matter was set for public hearing on SEP 17 2012, 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, by the Council of the City of San Diego that certain real property known as Road M-6 and more particularly described in the legal description attached hereto as "Exhibit A" and depicted in the plat attached hereto as "Exhibit B" may be transferred and conveyed to SLI via quitclaim deed; and

BE IT FURTHER RESOLVED, that the Mayor or his designee is authorized to execute and deliver a quitclaim deed and all other agreements and documents necessary to transfer and convey the City's rights, title, and interest in Road M-6 to SLI on terms and conditions deemed by the Mayor or his designee to be reasonable and in the best interests of the City.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Keith Bauerle  
Deputy City Attorney

KB:mm  
08/31/12  
Or.Dept: DSD  
Doc. No. 431688

EXHIBIT "A"

STREET VACATION  
UNNAMED STREET

All that real property relinquished to the City of San Diego, in the City of San Diego, County of San Diego, State of California per document recorded March 6, 2008 as Document No. 2008-0117850 of Official Records.

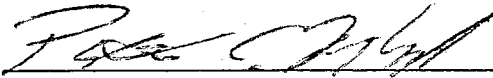
EXCEPTING THEREFROM:

Easement Parcels 26202-2, 26202-3, 26204-2, 26204-3, 26204-4, 26203-2, 26203-4, 26429-2, and 26429-3 all as shown on State Highway Map No. 307 filed in the Office of the County Recorder of San Diego County on March 7, 2001 as File/Page No. 2001-0129708 of Official Records.

Vacated.

Contains 3.974 acres, more or less.

Attached hereto is a Drawing No. 20899-B labeled Exhibit "B" and by this reference made a part hereof is made.

  
Patrick A. McMichael, L.S. 6187      9-9-08  
Date

J.O. 421084  
P.T.S. 5617  
Dwg. 20899-B

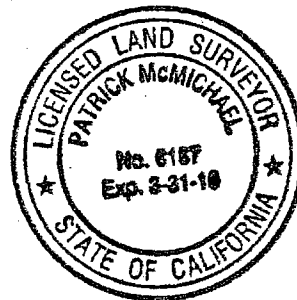
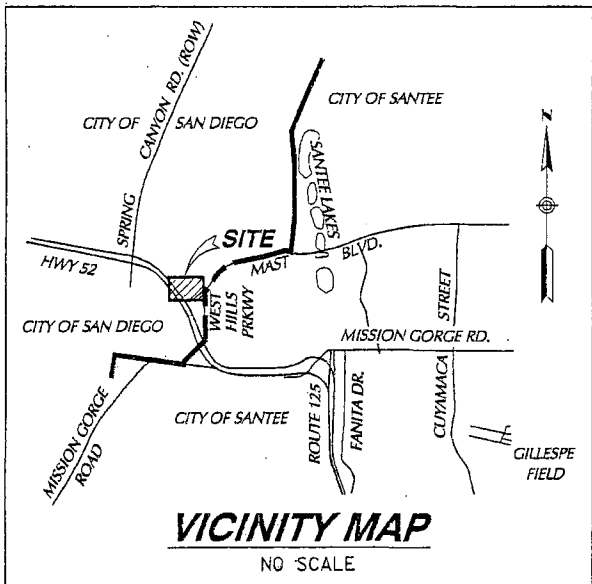





EXHIBIT "B"

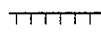
LEGEND




 UNNAMED STREET  
RELINQUISHED TO  
CITY OF SAN DIEGO  
PER DOC. REC.  
3-6-2008 AS F/P  
2008-0117850 O.R.  
VACATED HEREON.  
(AREA= 3,974 ACRES)

 SLOPE EASEMENT  
RELINQUISHED TO  
CITY OF SAN DIEGO  
PER DOC. REC.  
3-6-2008 AS F/P  
2008-0117850 O.R.

 DRAINAGE EASEMENT  
RELINQUISHED TO  
CITY OF SAN DIEGO  
PER DOC. REC.  
3-6-2008 AS F/P  
2008-0117850 O.R.

 INDICATES ACCESS RIGHTS  
RELINQUISHED PER DOC.  
REC. 4-21-1992  
F/P 1992-0232834 O.R.

 INDICATES PARCEL NUMBER  
PER RIGHT OF WAY MAP  
NO. 47533 AND NO. 47534  
AND STATE HIGHWAY  
MAP NO. 307

REFERENCE DRAWING

CITY DWG NO. 11844-D

STATE HWY MAP NO. 307.

STATE RIGHT OF WAY MAP  
NO. 47533.

STATE RIGHT OF WAY MAP  
NO. 47534.

MAP NO. 1703.

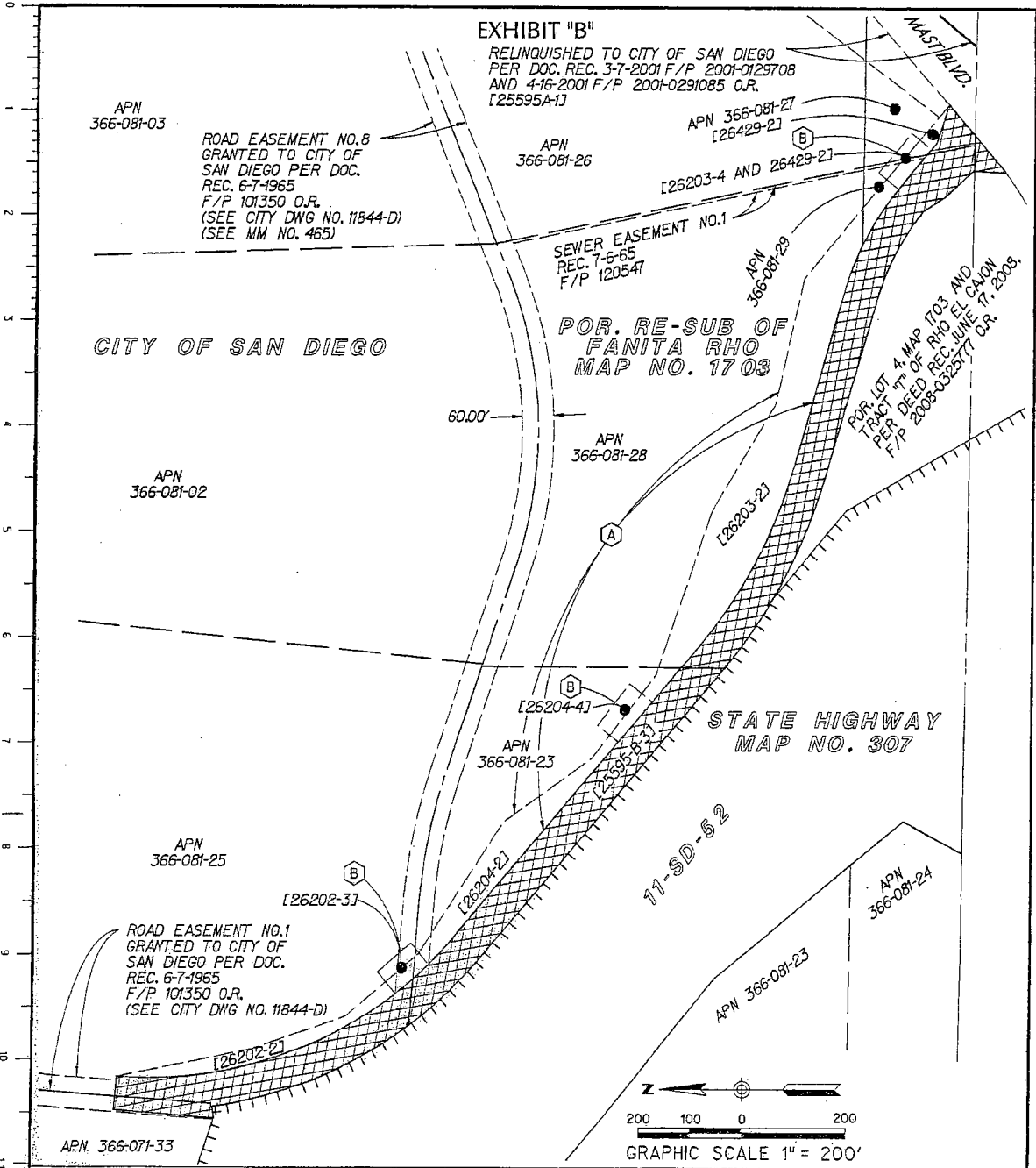


**RICK** 5620 FRIARS ROAD J. 14211C  
SAN DIEGO, CA 92110  
619.291.0707  
ENGINEERING COMPANY (FAX) 619.291.4165  
MI: C:\4211\14211\01\4211c\_ent\_v0601.dgn

*Patrick A. McMichael* 6-21-2012  
PATRICK A. McMICHAE, LS 6187 DATE

STREET VACATION - UNNAMED STREET  
IN A PORTION OF MAP NO. 1703 AND  
TRACT "T" OF RANCHO EL CAJON

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS: 5617
ORIGINAL					SHEET 1 OF 2 SHEETS	JO: 421084
					<i>Gregory P. Hopkins</i> 6-22-2012 FOR CITY ENGINEER DATE	1886 - 6321
						CCS NAD 83 COORDINATES
						246 - 1761
						LAMBERT COORDINATES
						<b>20899-1-B</b>
STATUS						



**RICK** ENGINEERING COMPANY  
 5620 FRIARS ROAD J. 14211C  
 SAN DIEGO, CA 92110  
 619.291.0707  
 (FAX) 619.291.4165

**STREET VACATION - UNNAMED STREET  
 IN A PORTION OF MAP NO. 1703 AND  
 TRACT 'T' OF RANCHO EL CAJON**

DESCRIPTION	BY	APPROVED	DATE	FILMED	CITY OF SAN DIEGO, CALIFORNIA	PTS: 5617
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					<i>Gregory P. Hopkins</i> FOR CITY ENGINEER	1886 - 6321
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						LAMBERT COORDINATES
						<b>20899-2-B</b>
STATUS						