

RESOLUTION NUMBER R-

ADOPTED ON

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

WHEREAS, the affected property owner has requested the vacation of a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines Road, to unencumber this property; and

WHEREAS, the City Council finds that:

(a) there is no present or prospective use for the public street system, for which the right-of-way was originally acquired, or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; 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 public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

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

1. That a Portion of La Jolla Scenic Drive North, a Portion of La Jolla Scenic Drive and a Portion of Torrey Pines, as described in the legal description marked as Exhibit "A," and as more particularly shown on Drawing No. XXXXX-B, labeled Exhibit "B", on file in the Office

of the City Clerk as Document No. RR_____ which is by this reference incorporated herein and made a part hereof, is ordered vacated.

2. That said street vacation is conditioned upon the dedication of 'General Utility Easements' over portions of the vacated public right-of-way, satisfactory to the City Engineer.

3. The City Engineer shall advise the City Clerk of the completion of the aforementioned condition, and the City Clerk shall then cause a certified copy of this Resolution with Drawing No. XXXXX-B (labeled Exhibit 'B') and Exhibit "A", attested by him under seal, to be recorded in the Office of the County Recorder.

APPROVED: MICHAEL AGUIRRE, City Attorney

By

Deputy City Attorney

Or.Dept: Dev. Serv.

SA: 6098

WO: 42-1438

Dwg: XXXXX-B

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