

STAFF REPORT



ITEM NO. 15
CITY OF OCEANSIDE

DATE: December 5, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF A RESOLUTION SUMMARILY VACATING A PUBLIC WATER EASEMENT LOCATED AT 3977 OCEAN RANCH BOULEVARD**

SYNOPSIS

Staff recommends that the City Council adopt a resolution summarily vacating a public water easement located at 3977 Ocean Ranch Boulevard and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

BACKGROUND

The City has received a request from Innovative Development Enterprises, Inc., owner, proposing the vacation of a public water easement. The public water easement was dedicated to the City of Oceanside on Parcel Map No. 19882, filed in the office of the County Recorder of San Diego County on November 10, 2005. The easement lies at 3977 Ocean Ranch Boulevard.

The Developer did not have the on-site sprinkler system designed to accommodate the existing water pressure available to the site. The original calculations for the fire flow assumed available water pressure of 126 psi, but the true pressure turned out to be 80 psi. As a result, the Developer had to install a fire pump in order to provide adequate fire protection. Rather than redesign and reconstruct the public facilities, the Developer chose to designate the system as private, assume maintenance responsibilities, and vacate the City easement. The private water system alignment is the same as the previously proposed public system.

ANALYSIS

The California Streets and Highways Code provides the City Council with the authority to summarily vacate an easement that has been determined to be excess by the easement holder and when there are no other public facilities located in the easement.

FISCAL IMPACT

There is no fiscal impact. The applicant has paid the required fees for the processing of this action.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referred documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

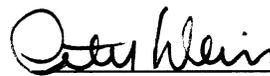
Staff recommends that the City Council adopt a resolution summarily vacating a public water easement located at 3977 Ocean Ranch Boulevard and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:

SUBMITTED BY:



Gary Smith
Associate Civil Engineer



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs - Lawrence, Deputy City Manager

Lauren Wasserman, Interim Development Services Director

Scott O. Smith, City Engineer







1 Section 2. The City Clerk shall cause a certified copy of this resolution to be
2 recorded in the Office of the County Recorder of the County of San Diego in accordance
3 with the provisions of Section §8336 of the Streets and Highways Code. Upon such
4 recordation, the vacation is complete.

5 PASSED AND ADOPTED by the City Council of the City of Oceanside,
6 California this _____ day of _____, 2007, by
7 the following vote:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12 _____
13 Mayor of the City of Oceanside

14 APPROVED AS TO FORM:
15 OFFICE OF THE CITY ATTORNEY

16 _____
17 *[Handwritten Signature]*
18 City Attorney

18 ATTEST:

19 _____
20 City Clerk
21

22
23
24
25
26
27 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE**
28 **CALIFORNIA SUMMARILY VACATING A PUBLIC WATER LINE**
EASEMENT LOCATED AT 3977 OCEAN RANCH BOULEVARD

EXHIBIT "A"

PUBLIC WATERLINE EASEMENT VACATION

LEGAL DESCRIPTION

ALL THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 19882 IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 10, 2005, BEING A STRIP OF LAND 20.00 FEET IN WIDTH LYING 10.00 FEET ON EACH SIDE OF AND PARALLEL WITH THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 2 DISTANT THEREON NORTH 68°25'00" EAST 30.00 FEET FROM THE SOUTHWEST CORNER THEREOF, SAID POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE LEAVING SAID SOUTHERLY LINE ALONG SAID CENTERLINE PARALLEL WITH THE WESTERLY LINE OF SAID PARCEL 2 NORTH 21°35'00" WEST 267.17 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL 2.

THE SIDELINES OF SAID STRIP OF LAND SHALL BE LENGTHENED OR SHORTENED TO MEET AT ALL LOT LINES.

ALSO: BEGINNING AT ABOVE MENTIONED POINT "A"; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 2 SOUTH 68°25'00" WEST 10.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 68°25'00" WEST 10.00 FEET; THENCE LEAVING SAID SOUTHERLY LINE PARALLEL WITH THE WESTERLY LINE OF OF SAID PARCEL 2 NORTH 21°35'00" WEST 10.00 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE NORTH 68°25'00" EAST 10.00 FEET; THENCE PARALLEL WITH SAID WESTERLY LINE SOUTH 21°35'00" EAST 10.00 FEET TO THE TRUE POINT OF BEGINNING.



EXHIBIT "B"

SCALE 1"=60'

OCEAN RANCH BLVD.

N60°56'00"E 289.52'

30.26'

P.O.B.

S21°35'00"E 263.68'

N21°35'00"W 267.17'

20'
10'

PARCEL 2

NO. 19882



S29°04'00"E 289.21'

CORPORATE CENTRE

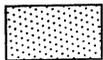
PARCEL 1
P.M.

30.00'

POINT "A"
10.00'

N68°25'00"E 343.79'

PARCEL 3



AREA OF VACATION = 5,444 S.F.

C1 Δ=90°00'00" R=17' L=26.70'
L1 N68°25'00"E 10.00'
L2 N21°35'00"W 10.00'

OWNER: INNOVATIVE DEVELOPMENT ENTERPRISES, INC.	CITY OF OCEANSIDE
SITE ADDRESS: 3977 OCEAN RANCH BLVD., OCEANSIDE CA	PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION
ENGINEER: SPEAR & ASSOCIATES, INC., 475 PRODUCTION STREET SAN MARCOS, CA 92078 PH: 760-736-2040	EASEMENT VACATION PLAT