

STAFF REPORT



ITEM NO. **18**
CITY OF OCEANSIDE

DATE: February 21, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF A RESOLUTION SUMMARILY VACATING AN INGRESS AND EGRESS AND PUBLIC UTILITIES EASEMENT—LOCATED ON LOT 5 AND 7 OF NO. 14562 AND LOT 113 OF MAP 14750**

SYNOPSIS

Staff recommends that the City Council adopt a resolution summarily vacating a portion of an ingress and egress and public utility easement granted to the City of Oceanside to provide access and pipeline connection to the Pilgrim Creek Reservoir in Morro Hills which are now provided via Village Drive, 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 Arrowood Golf, LLC, and Arrowood Recreation, LLC, owners, proposing the vacation of Ingress and Egress and Public Utility Easement granted to the City of Oceanside as Parcel 2 of Document No. 78-096479, recorded on March 10, 1978, of San Diego County Official Records.

The above easement lies within Lots 5 and 7 of Map No. 14562 and Lot 113 of Map No. 14750, on file in the office of the San Diego County Recorder.

With development of the Morro Hills Golf Course and completion of all improvements on Village Drive, the existing utilities were relocated to Village Drive. The ingress and egress easement was used to access the Pilgrim Creek Reservoir at Morro Hills. The access to the reservoir is now provided over Village Drive. There are no other public facilities located in the area to be vacated.

ANALYSIS

The State of California Public Streets, Highways and Service Easements Vacation Law provides the City Council with the authority to summarily vacate an easement that has been superseded by relocation, provided there are no other public facilities located within the easement.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.

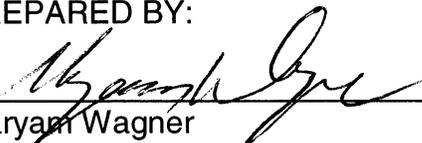
CITY ATTORNEY'S ANALYSIS

The resolution of vacation has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

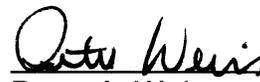
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PREPARED BY:



Maryam Wagner
Senior Engineering Assistant

SUBMITTED BY:



Peter A. Weiss
Interim City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager

Joseph Arranaga, Acting Deputy Public Works Director

Scott O. Smith, Acting 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
3 accordance with the provisions of Section §8336 of the Streets and Highways Code.
4 Upon such 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 *Robert Hamilton* ASST.
18 City Attorney

19 ATTEST:

20 _____
21 City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE
CALIFORNIA SUMMARILY VACATING A INGRESS AND EGRESS AND
PUBLIC UTILITIES EASEMENT LOCATED ON MORRO HILLS GOLF
COURSE

J-12345J

EXHIBIT "A"

INGRESS AND EGRESS AND PUBLIC UTILITY EASEMENT VACATION
(Morro Hills Golf Course)
EAS -VAC-06-006

Those portions of those certain easement for ingress and egress and public utility purposes to the City of Oceanside shown as Parcel 2 in Document recorded March 10, 1978 as File No. 78-096479 of San Diego County Official Records, **lying within** the land more particularly described as follows:

Lots 5 and 7 in the City of Oceanside, County of San Diego, State of California, according to Map No. 14562 and Lot 113 in the City of Oceanside, County of San Diego, State of California, according to Map No. 14750, both on file in the Office of the San Diego County Recorder.

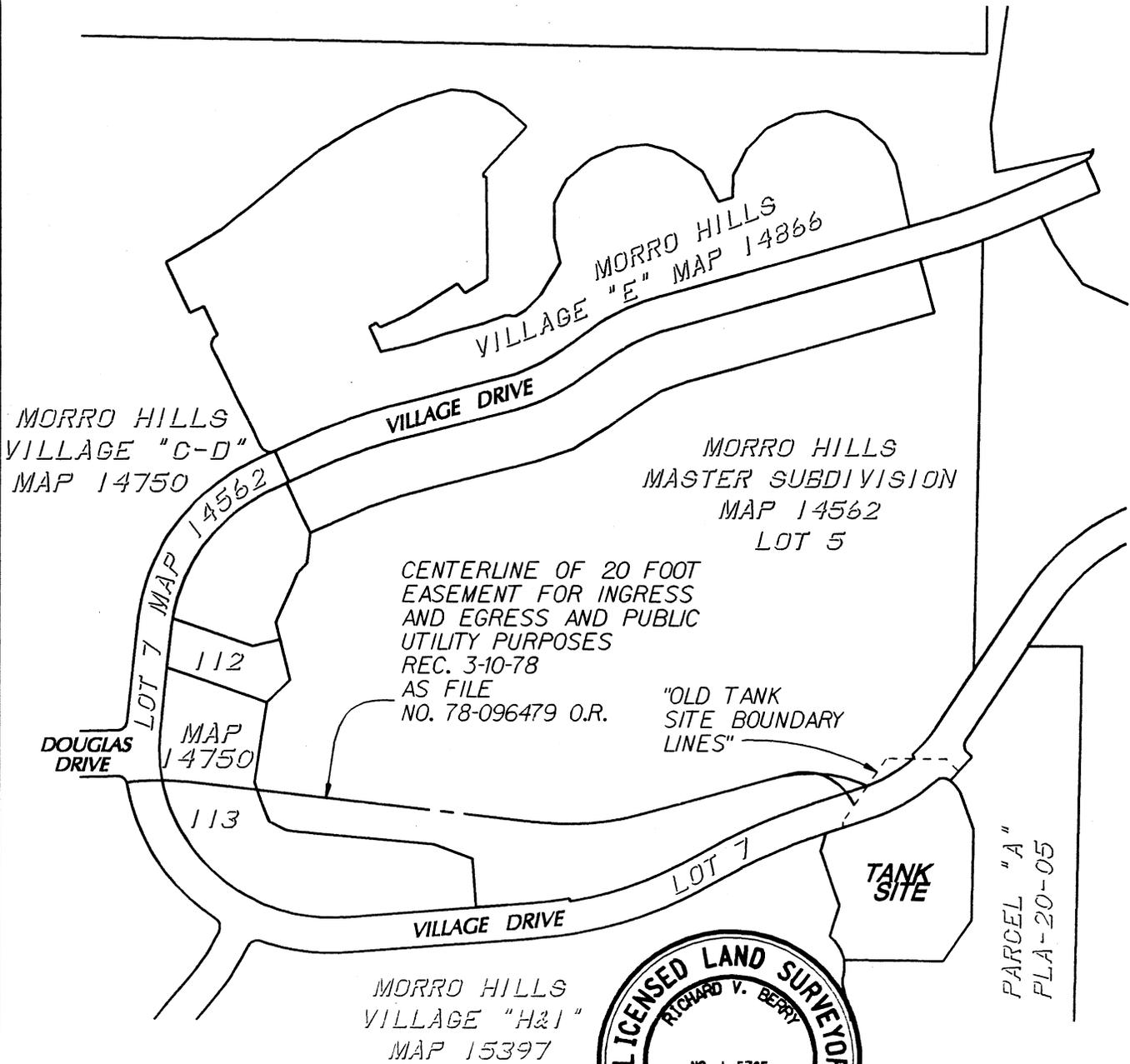
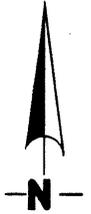
Richard V. Berry 1-08-07
Richard V. Berry, L.S. 5765 Date



Jb/12345j.027

300 150 0

SCALE 1"= 300'



J. 12345-J

REVISION	BY	APPROVED	DATE

CITY OF OCEANSIDE

EXHIBIT "B"

WATER EASEMENT VACATION

EAS-VAC-06-006