

# STAFF REPORT



# ITEM NO. 9

## CITY OF OCEANSIDE

DATE: May 2, 2007

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF A RESOLUTION SUMMARILY VACATING A 20-FOOT-WIDE PUBLIC WATERLINE EASEMENT- LOCATED ON LOT "A" OF MAP NO. 11409**

### **SYNOPSIS**

Staff recommends that the City Council adopt a resolution summarily vacating portions of a waterline easement located within lot "A" of Rancho Del Oro Master Subdivision East, Map No. 11409 and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder. The waterline within this easement was relocated into Old Grove Road and Avenida De La Plata.

### **BACKGROUND**

The City has received a request from AMB DFS Pacific Coast, LLC owner, proposing the vacation of those portions of a waterline easement that was granted to the City of Oceanside per Document No. 1962-079867, recorded on May 9, 1962, of San Diego County Official Records.

The above easements lie within Lot "A" of Map No. 11409, on file in the office of the San Diego County Recorder, as File No. 2006-0349972 of San Diego County Official Records.

The existing waterline was relocated to Old Grove Road and Avenida De La Plata with the improvement of Pacific Coast Business Park per City improvement plan No. W-2160.

### **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Easements Vacation Law provides the City Council with the authority to summarily vacate an easement that has been superseded by relocation, provided there are no other public facilities located within the easement. All the waterline facilities were relocated and there are no other public facilities located within the easement to be vacated.

**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.

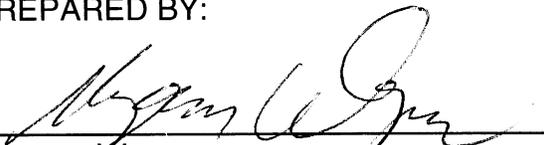
**CITY ATTORNEY'S ANALYSIS**

The referenced 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 portions of a water line easement located within lot "A" of Rancho Del Oro Master Subdivision East, Map No. 11409, and authorize the City Clerk to file a certified copy of the resolution with the San Diego County Recorder.

PREPARED BY:

  
Maryam Wagner  
Senior Engineering Assistant

SUBMITTED BY:

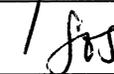
  
Peter A. Weiss  
Interim City Manager

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 \_\_\_\_\_  
18 City Attorney

18 ATTEST:

19 \_\_\_\_\_  
20 City Clerk  
21

22  
23  
24  
25  
26  
27  
28  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF OCEANSIDE CALIFORNIA SUMMARILY VACATING A  
WATER LINE EASEMENT LOCATED ON LOT "A" OF THE  
MAP NO. 11409**

## EXHIBIT "A"

### Easement Vacation

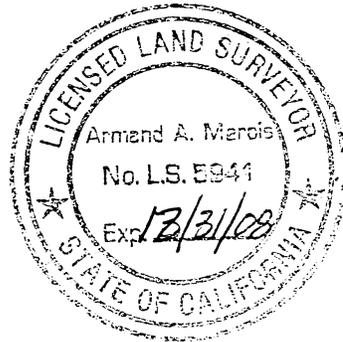
THAT PORTION OF AN EASEMENT GRANTED TO THE CITY OF OCEANSIDE FOR WATERLINE PURPOSES, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, ON MAY 9, 1962, AS FILE/PAGE NO. 79867 OF OFFICIAL RECORDS, LYING WITHIN "LOT A" OF RANCHO DEL ORO - MASTER SUBDIVISION MAP EAST, ACCORDING TO THE MAP THEREOF NO. 11409 IN THE CITY OF OCEANSIDE, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER, OF SAID SAN DIEGO COUNTY, DECEMBER 27, 1985, BEING A STRIP OF LAND 20.00 FEET IN WIDTH, LYING 10.00 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

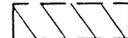
BEGINNING AT A POINT IN THE SOUTHEASTERLY LINE OF SAID "LOT A", BEING THE SOUTHWESTERLY TERMINUS OF THAT CERTAIN COURSE (NORTH 52°31'03" EAST, 226.44 FEET) AS SHOWN ON SAID MAP 11409; THENCE LEAVING SAID LOT LINE ALONG SAID CENTERLINE OF EASEMENT, NORTH 23°32'19" EAST, 786.91 FEET (NORTH 23°36'26" EAST, 786.91 FEET PER SAID FILE/PAGE NO. 79867), TO THE BEGINNING OF A 1000.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 366.79 FEET THROUGH A CENTRAL ANGLE OF 21°00'56"; THENCE NORTH 44°33'15" EAST, 1008.17 FEET (NORTH 44°37'22" EAST, PER SAID FILE/PAGE NO. 79867), TO THE BEGINNING OF A 1500.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, THENCE ALONG SAID CURVE, AN ARC DISTANCE OF 403.39 FEET THROUGH A CENTRAL ANGLE OF 15°24'30"; THENCE NORTH 29°18'45" EAST, 498.89 FEET (NORTH 29°12'52" EAST, PER SAID FILE/PAGE NO. 79867) TO THE BEGINNING OF A 1000.00 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.64 FEET, THROUGH A CENTRAL ANGLE OF 2°16'16" TO A POINT IN THE NORTHERLY LINE OF SAID "LOT A", BEING THE TERMINUS OF SAID CENTERLINE OF EASEMENT, BEING VACATED HEREIN.

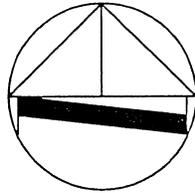
THE SIDELINES OF SAID 20.00 FOOT WIDE STRIP OF LAND TO BE EXTENDING OR SHORTENED SO AS TO TERMINATE IN THE SOUTHEASTERLY AND NORTHERLY BOUNDARY LINES OF SAID LOT "A".

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION

 3/1/07  
ARMAND A. MAROIS DATE  
PLS 5941



 AREA TO BE VACATED  
 ( ) DATA PER MAP 11409



SCALE 1"=500'

LOT B  
MAP 11409

N'LY LINE  
OF LOT A

OCEAN RANCH BLVD.

CENTERLINE OF EXISTING 20'  
WIDE WATERLINE EASEMENT TO  
THE CITY OF OCEANSIDE PER  
DOC. REC. MAY 9, 1962 AS  
FILE/PAGE NO. 79867 O.R.

$R=1500.00'$   
 $L=403.39'$   
 $\Delta=15^{\circ}24'30''$

$498.89'$   
 $N29^{\circ}08'45''E$   
 $\Delta=2^{\circ}16'16''$   
 $R=1000.00'$   
 $L=39.64'$

LOT A  
MAP 11409

$N44^{\circ}33'15''E$   
 $1008.17'$

$\Delta=21^{\circ}00'56''$   
 $R=1000.00'$   
 $L=366.79'$

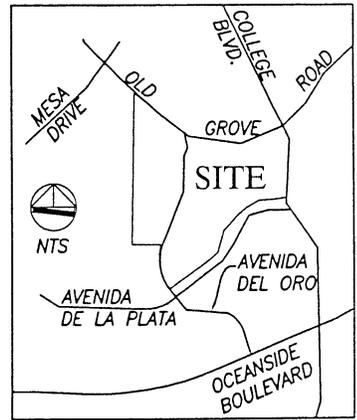
$N23^{\circ}32'19''E$   
 $786.91'$

SE'LY LINE  
OF LOT A

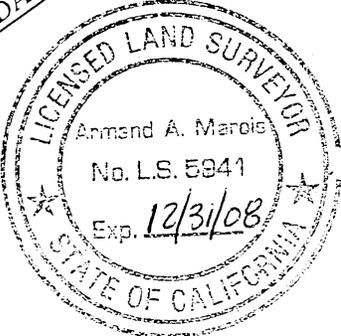
PM  
16852

P.O.B.

$(N52^{\circ}31'03''E 226.44')$   
 AVENIDA DE LA PLATA



VICINITY MAP



  
 ARMAND A. MARCIS P.L.S. 5941

**bha, Inc.**  
 land planning, civil engineering, surveying  
 5115 Avenida Encinas  
 Suite L  
 Carlsbad, California 92008-4387  
 (760) 931-8700  
 SHEET 1 OF 1

| REVISION | BY | APPROVED | DATE | CITY OF OCEANSIDE | EXHIBIT "B" |
|----------|----|----------|------|-------------------|-------------|
|          |    |          |      |                   |             |
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