



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 28, 2021

SUBJECT: Resolution to Vacate an Existing Public Utility Easement for Storm Drain, Encumbering a Portion of Lot 80 per Map No. 2503, La Mesa Industrial Center, Addressed as 8181 Center Drive

ISSUING DEPT: Public Works

SUMMARY:

Issues:

Should the City of La Mesa vacate an existing Public Utility Easement for Storm Drain, encumbering a portion of Lot 80 per Map No. 2503, La Mesa Industrial Center, addressed as 8181 Center Drive?

Recommendation:

Vacate an existing Public Utility Easement for Storm Drain, encumbering a portion of Lot 80 per Map No. 2503, La Mesa Industrial Center, addressed as 8181 Center Drive.

Fiscal Impact:

No General Fund money will be used for this project.

City's Strategic Goals:

- Continue to improve high quality municipal services

BACKGROUND:

Map No. 2503, recorded in August of 1948 granted a 6-foot wide easement to the City of La Mesa for public utilities (storm drain), located over the eastern portion of the property. The City does not have any storm drain infrastructure in the easement nor are any facilities planned.

DISCUSSION:


The current owners of the property, plan to redevelop the property. The City's policy

prohibits construction within City easements. The owners have requested that the City vacate the existing easement which has become obsolete due to it never being used for its intended purpose, to accommodate their development plan. Vacating the public utility easement across their property would allow them to proceed with their proposed development plan. The City has reviewed the easement and has determined that the vacation request is reasonable.

CONCLUSION:

Staff recommends that the City of La Mesa vacate the existing Public Utility Easement for Storm Drain, encumbering a portion of Lot 80 per Map No. 2503, La Mesa Industrial Center, addressed as 8181 Center Drive.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Leon Firsht
Director of Public Works/City Engineer



Dann Marquardt, P.E.
Associate Engineer

Attachments: A. Resolution
 B. Vacation Exhibit

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA ORDERING THE VACATION OF AN EXISTING EASEMENT FOR PUBLIC UTILITY PURPOSES (STORM DRAIN) OVER A PORTION OF LOT 80 OF LA MESA INDUSTRIAL CENTER, IN THE CITY OF LA MESA, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 2503, ADDRESSED AS 8181 CENTER DRIVE, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 31, 1948

WHEREAS, an easement for public utility (storm drain) purposes was dedicated over a portion of Lot 80 of the La Mesa Industrial Center, to the City of La Mesa on Map No. 2503;

WHEREAS, the property owners of Lot 80 per Map 2503, addressed as 8181 Center Drive, have requested the vacation of said easement to unencumber their property and facilitate the use of the property;

WHEREAS, the City of La Mesa Public Works/Engineering Division has reviewed the existing and proposed storm drain easements and determined it is in both party's best interest to vacate the City's existing easement;

WHEREAS, a vacation of the easement will be recorded to remove the City's rights and responsibilities for the underlying public storm drain; and

WHEREAS, the City Council finds that:

- a. The property owner will benefit from the vacation through improved utilization of the land and determined it is in both party's best interest to vacate the City's existing easement; and
- b. The vacation is consistent with the General Plan or an approved community plan.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Council of the City of La Mesa, as follows:

1. That the existing easement for public utility purposes (storm drain) encumbering a portion of Lot 80, dedicated per Map 2503 recorded on August 31, 1948, and as described in Exhibit A be ordered vacated.
2. That the City Clerk of the City of La Mesa, California shall cause a certified copy of this resolution, attested to under the seal of the City of La Mesa, with exhibits, to be recorded in the office of the County Recorder of San Diego County, State of California.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 28th day of September, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF THE CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2021-_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)