

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA ORDERING THE SUMMARY VACATION OF  
THE 5.5-FOOT-WIDE EASEMENT FOR TREE PLANTING  
AND MAINTENANCE PURPOSES ALONG SHOWROOM  
PLACE

WHEREAS, Spectrum Development Group, Inc. is constructing the Eastlake Marriott Springhill Suites Hotel within a vacant lot located at the northwest corner of Fenton Street and Showroom Place and is requesting the vacation of an existing 5.5-foot tree planting and maintenance easement along Showroom Place at the north easterly boundary of the project to accommodate for a proposed driveway; and

WHEREAS, said easement was dedicated to the City in Map No. 14395, recorded on May 16<sup>th</sup>, 2002; and

WHEREAS, the City is processing Design Review Application DR19-0029 and Conditional Use Permit CUP19-0029 for the Eastlake Marriott Springhill Suites to be constructed in Parcel "A" of Certificate of Compliance No. ER399 and with address of 870 Showroom Place, and as part of the Conditions of Approval for the project, city staff will require the vacation of the 5.5-foot-wide tree planting and maintenance easement along Showroom Place where the proposed driveway for the hotel will be located; and

WHEREAS, at present, Parcel "A" sits vacant and the location where the tree planting and maintenance easement is being proposed to be vacated has never been used, because it is the location of the entrance to the property; and

WHEREAS, Section 8333(a) of the California Street and Highway Code states that the local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it hereby orders the summary vacation of the 5.5-foot-wide easement for tree planting and maintenance purposes along Showroom Place granted in Map No. 14395 to the City of Chula Vista within Parcel "A" of Certificate of Compliance No. ER399, and based on the Streets and Highways Code Division 9, Part 3, Chapter 4, Section 8333(a), which states that the local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it hereby orders the City Clerk to record without acknowledgment, certificate of acknowledgment, or further proof in the office of the recorder of San Diego County, this adopted City Council Resolution of Vacation.

Presented by:

Approved as to form by:

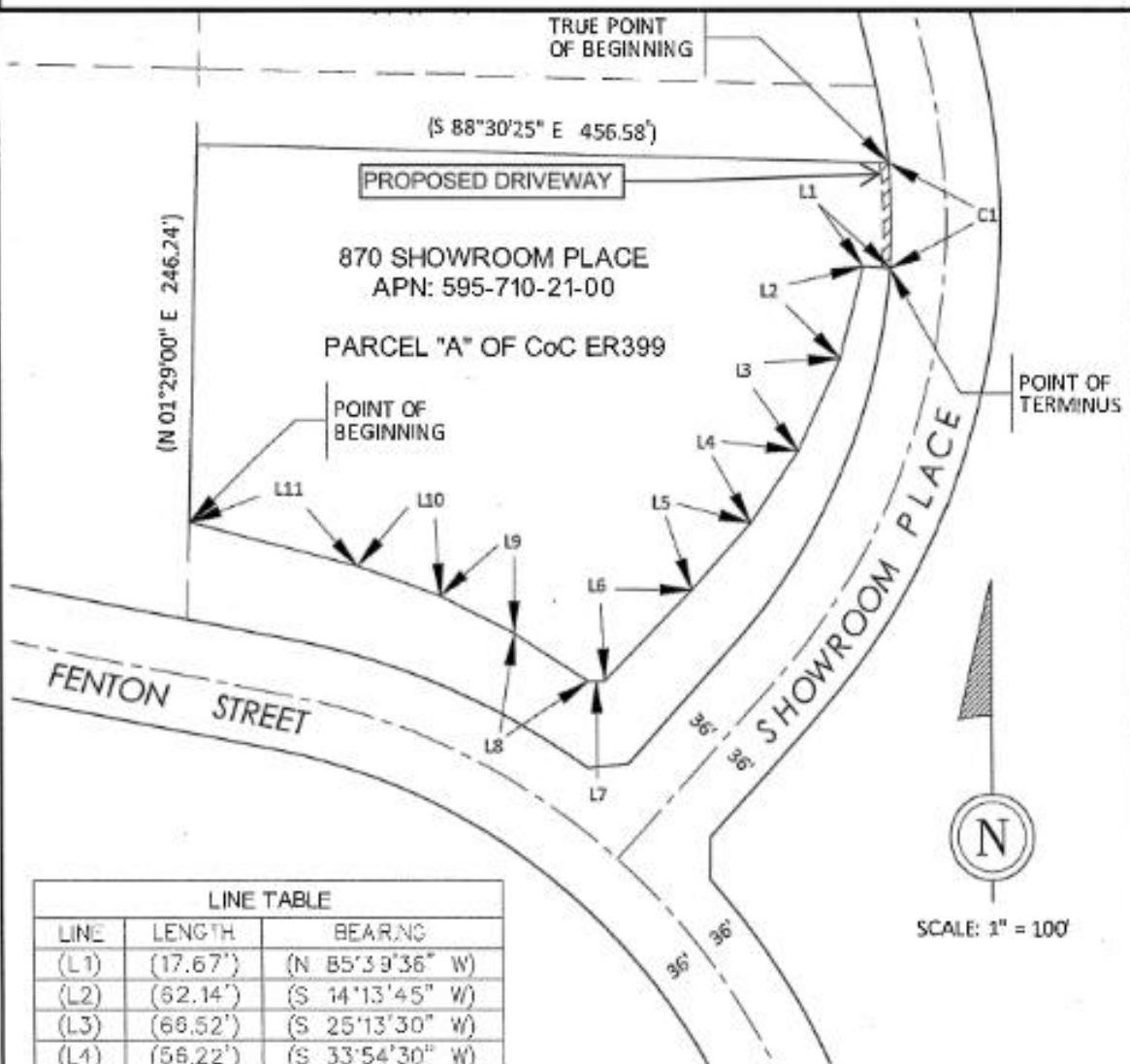
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Kelly G. Broughton, FASLA  
Director of Development Services

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Glen R. Googins  
City Attorney

**ATTACHMENT 1**  
**LOCATION OF PROPOSED TREE PLANTING AND MAINTENANCE EASEMENT VACATION**



LINE TABLE		
LINE	LENGTH	BEARING
(L1)	(17.67')	(N 85°39'36" W)
(L2)	(62.14')	(S 14°13'45" W)
(L3)	(66.52')	(S 25°13'30" W)
(L4)	(56.22')	(S 33°54'30" W)
(L5)	(58.48')	(S 42°00'00" W)
(L6)	(82.82')	(S 44°15'00" W)
(L7)	(10.94')	(S 89°50'00" W)
(L8)	(57.57')	(N 57°23'19" W)
(L9)	(54.43')	(N 63°21'30" W)
(L10)	(57.36')	(N 70°08'15" W)
(L11)	(115.32')	(N 75°45'15" W)

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	69.10'	414.00'	09°33'47"

## LEGEND



INDICATES EASEMENT AREA  
OF VACATION - 379.80 SQ. FT.

**KARN**

ENGINEERING AND SURVEYING, INC.

129 W. HIG STREET  
FALLBROOK, CA 91028  
760-728-1134