

(R-81-1476)

RESOLUTION NO. R- 254150

Adopted on MAY 11 1981

VACATION OF PORTIONS OF 25TH STREET AND IRIS AVENUE ADJACENT TO
LOT 1 OF SANT'S HEIGHTS MAP NO. 5441

WHEREAS, it is proposed that portions of 25th Street and Iris Avenue adjacent to Lot 1 of Sant's Heights Map No. 5441 be vacated; and

WHEREAS, there is no present or prospective use for the street either for the public street system for which the right-of-way was originally acquired or for any other public use of a like nature that can be anticipated in that the right-of-way is not needed for public street, bikeway, or open space purposes; and

WHEREAS, the public will benefit from the vacation through improved utilization of land; and

WHEREAS, the vacation or abandonment is not inconsistent with the General Plan or an approved Community Plan; and

WHEREAS, the public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, California, that portions of 25th Street and Iris Avenue adjacent to Lot 1 of Sant's Heights Map No. 5441, as more particularly referred to in Resolution of Intention No. R-253957 is unnecessary for present or prospective public street purposes.

BE IT FURTHER RESOLVED, that portions of 25th Street and Iris Avenue adjacent to Lot 1 of Sant's Heights Map No. 5441, as more particularly shown on Drawing No. 15229-B on file in the office of the City Clerk as Document No. RR-253957, which said Drawing is attached hereto and made a part hereof, be, and the same is hereby ordered vacated.

BE IT FURTHER RESOLVED, that The City of San Diego reserves and excepts from the foregoing vacation the permanent easement as more particularly described hereinafter:

Reserving and excepting to The City of San Diego, the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature, including, but not limited to general utilities and all necessary and proper fixtures and equipment for use in connection therewith, through, over, under, upon, along and across the hereinafter described easement, together with the right of ingress thereto and egress therefrom, together with the right to maintain the said easement free and clear of any excavation or fills, the erection or construction of any building or other structures, the planting of any tree or trees thereon, or the drilling or digging of any well or wells thereon, together with the right to otherwise protect from all hazards the operation and use of any right hereby reserved. Upon acquisition of an encroachment permit from the City Engineer pursuant to the Municipal Code of the City, the owners of the underlying fee may utilize the above described parcel of land for structures, the planting or growing of trees or the installation of privately owned pipelines. The City of San Diego shall have the right to reserve and except from vacation and abandonment, easements and rights pursuant to any existing franchise or renewals thereof, at any time, or from time to time, to construct, maintain, operate, replace, remove, renew and enlarge overhead or underground lines of pipe, conduits, cables, wires, poles and other structures, equipment and fixtures for the transportation or distribution of electrical or electronic energy and natural gas and for incidental purposes including access to protect the property from all hazards in, upon, over and across the above described portions of streets to be vacated and abandoned.

The easement reserved herein is in, under, over, upon, along and across portions of 25th Street and Iris Avenue adjacent to Lot 1 of Sant's Heights Map No. 5441 vacated by this document and as more particularly shown on Drawing No.15229-B on file in the office of the City Clerk as Document No.RR- 253957.

BE IT FURTHER RESOLVED, that those certain abutter's rights of access relinquished as shown on Drawing No. 15229-B on file in the office of the City Clerk as Document No. RR-253957, shall not be affected by this vacation.

BE IT FURTHER RESOLVED, that the City Clerk shall cause a certified copy of this resolution, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: John W. Witt, City Attorney

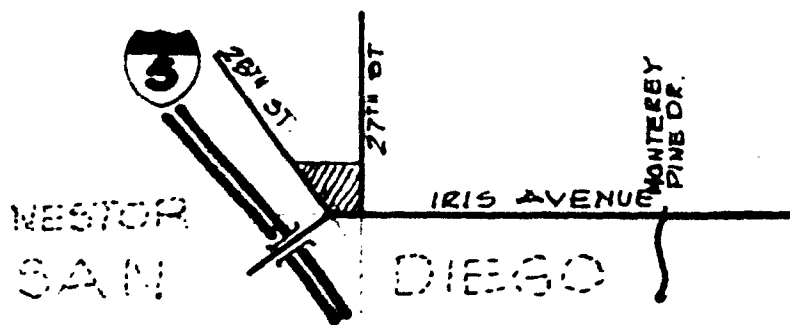
By


Harold O. Valderhaug, Deputy

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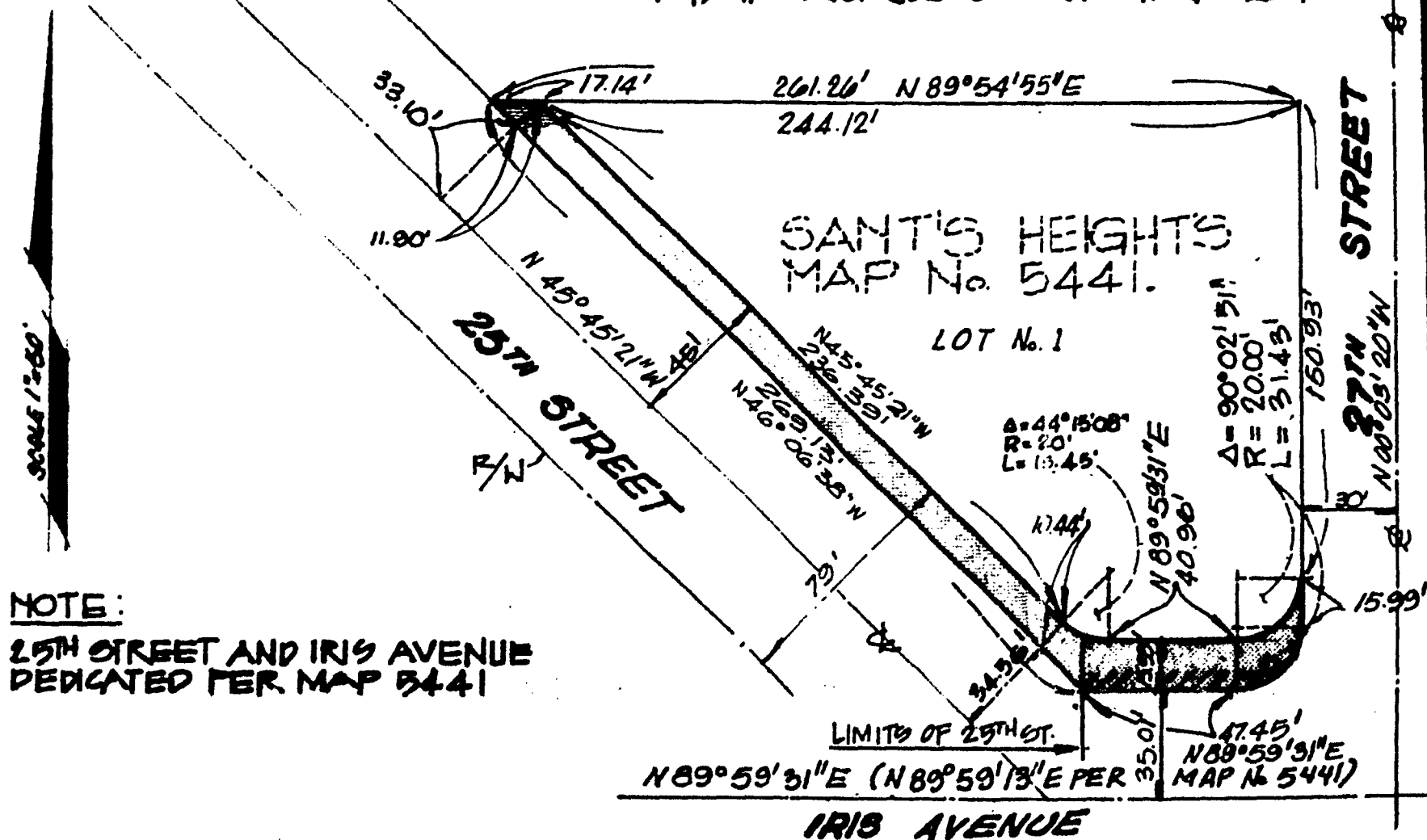
R 254150

02147-00001



VICINITY MAP
NOT TO SCALE

TIBBETTS TRACT
MAP No. 659 L.S. MAP 24



NOTE:

25th STREET AND IRIS AVENUE
DEDICATED PER MAP 5441

AREA = 0.091 ACRE

Passed and adopted by the Council of The City of San Diego on MAY 11 1981,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

By Jane A. Blackwell, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

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