



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Set Public Hearing for October 18, 2000, to Consider Intention to Vacate the Public Utility Easement Along the South Ten (10) Feet of Lots 90, 97, 98, 99, and 100 of Sunwest, Unit No. 12

MEETING DATE: September 20, 2000

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached Resolution of Intention to abandon the public utility easement along the south ten (10) feet of Lots 90, 97, 98, 99, and 100 of the Sunwest, Unit No. 12 subdivision; refer the matter to the Planning Commission for approval; and set a public hearing for the regular Council meeting of October 18, 2000.

BACKGROUND INFORMATION: The Sunwest, Unit No. 12 development is within the Kettleman Lane Lift Station service area. Since siting and construction of the Kettleman Lane Lift Station would have been premature at the time of development of this subdivision, a public utility easement along the south ten (10) feet of Lots 90, 97, 98, 99, and 100 was dedicated on the final map to allow construction of a temporary 6-inch sanitary sewer main from Vienna Drive to a temporary sanitary sewer lift station installed in Heidelberg Drive (Exhibit A). These temporary facilities were to be abandoned with future development when connection to the Kettleman Lane Lift Station was available.

Construction of the Kettleman Lane Lift Station (aka Tienda Drive Lift Station) was completed and accepted by the City Council in September 1999. As a condition of development for the Sunwest XIV subdivision, the temporary lift station and sewer main serving the Sunwest, Unit No. 12 development has recently been abandoned and sewer mains extended to the Kettleman Lane Lift Station located at the intersection of Mills Avenue and Tienda Drive (Exhibit A). The Sunwest XIV improvements are complete and have been accepted by the City. The 10-foot public utility easement within the Sunwest, Unit No. 12 development, therefore, is no longer needed. The developer of the Sunwest XIV development has also provided written approval for the easement abandonment from PG&E, Pacific Bell, and MediaOne.

FUNDING: Abandonment fee paid by FCF Development Associates, LLC, A California Limited Liability Company, developer of Sunwest XIV.

Richard C. Prima, Jr.
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician
RCP/JHM/lm
Attachments

cc: Randy Hays, City Attorney
Rad Bartlam, Community Development Director

APPROVED:

H. Dixon Flynn -- City Manager

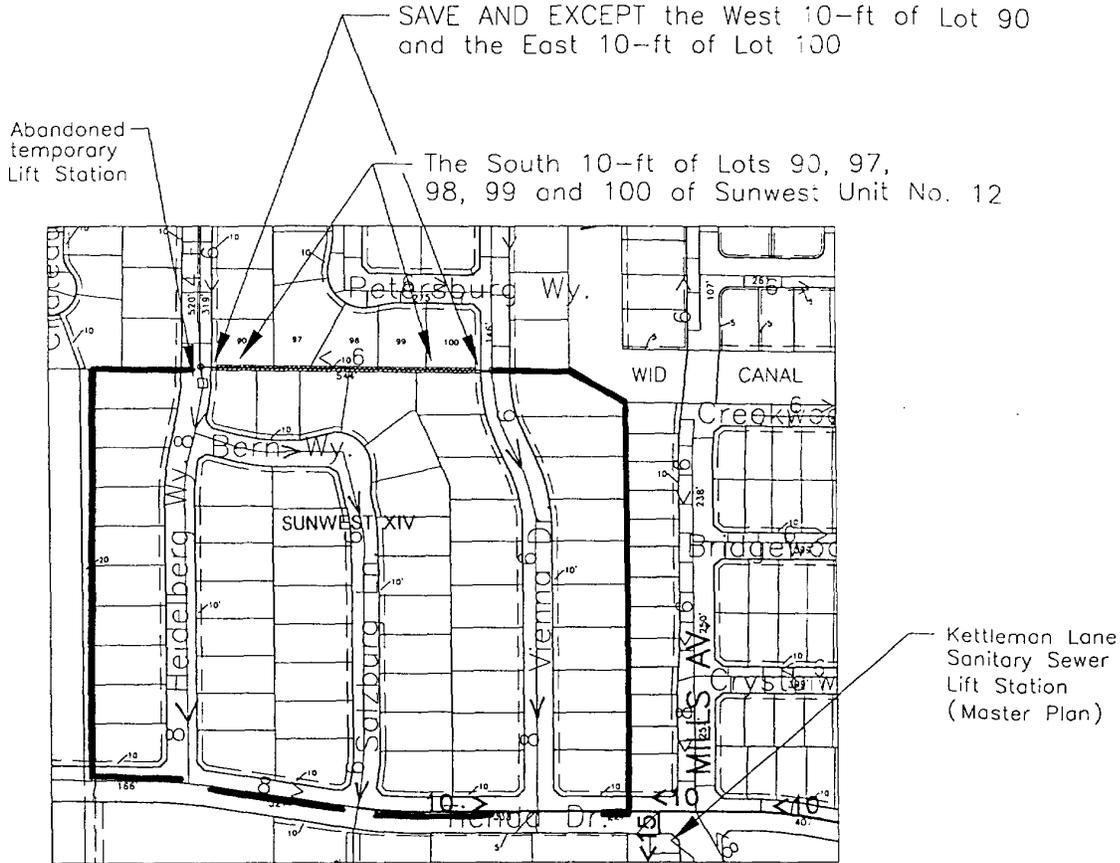


CITY OF LODI

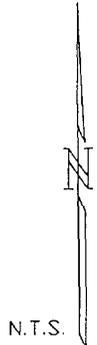
PUBLIC WORKS DEPARTMENT

EXHIBIT A

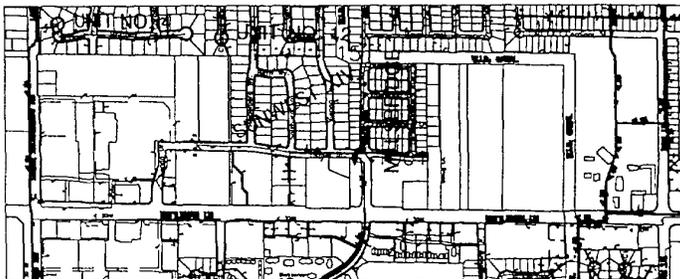
PUBLIC UTILITY EASEMENT
ABANDONMENT



DETAIL



SUNWEST SUBDIVISIONS



VICINITY MAP

RESOLUTION NO. 2000-171

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE PUBLIC
UTILITY EASEMENT ALONG THE SOUTH TEN (10) FEET
OF LOTS 90, 97, 98, 99, AND 100 OF SUNWEST,
UNIT NO. 12

=====

BE IT RESOLVED by the City Council of the City of Lodi as follows:

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the public utility easement along the south ten (10) feet of Lots 90, 97, 98, 99, and 100 of Sunwest, Unit No. 12, as shown on Exhibit A attached hereto and thereby made a part hereof.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, October 18, 2000, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to October 18, 2000 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: September 20, 2000

=====

I hereby certify that Resolution No. 2000-171 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 20, 2000, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mayor Mann
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

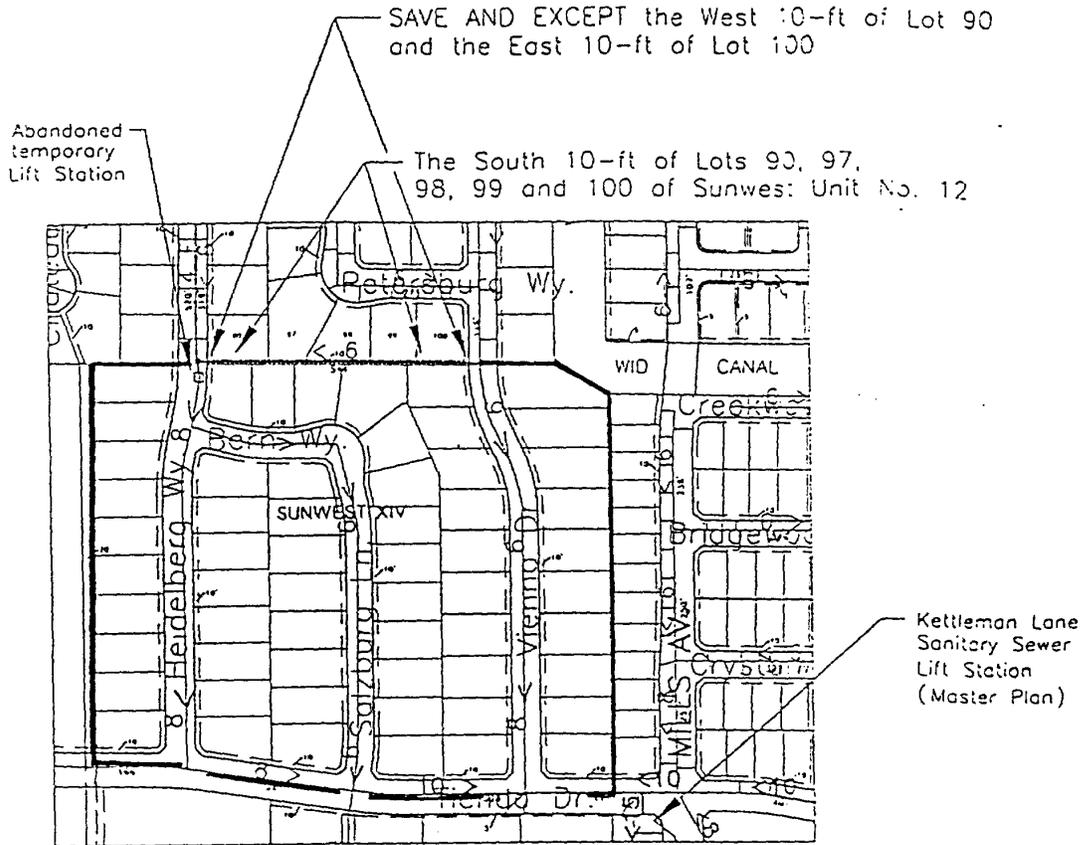

SUSAN J. BLACKSTON
City Clerk



CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A

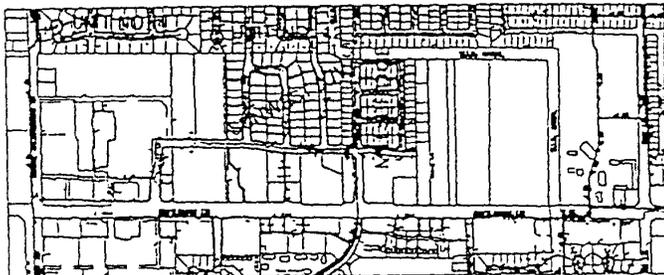
PUBLIC UTILITY EASEMENT
ABANDONMENT



DETAIL

N.T.S.

SUNWEST SUBDIVISIONS



VICINITY MAP



MEMORANDUM
Office of the Lodi City Clerk

TO: Community Development Director

FROM: Susan J. Blackston 
City Clerk

DATE: September 21, 2000

SUBJECT: A Resolution Of The Lodi City Council Declaring Its Intention To Vacate The Public Utility Easement Along The South Ten (10) Feet Of Lots 90, 97, 98, 99, And 100 Of Sunwest, Unit No. 12

Please be advised that the Lodi City Council at its regular meeting of September 20, 2000 adopted Resolution No. 2000-171 entitled, "A Resolution Of The Lodi City Council Declaring Its Intention To Vacate The Public Utility Easement Along The South Ten (10) Feet Of Lots 90, 97, 98, 99, And 100 Of Sunwest, Unit No. 12" (Exhibit A).

Further, the City Council referred the matter to the Planning Commission for its recommendation and set the matter for a Public Hearing before the Lodi City Council on October 18, 2000.

SJB/JMP

Attachment

cc: Public Works Department



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: October 18, 2000

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, October 18, 2000** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Intention to Vacate the Public Utility Easement along the south ten (10) feet of Lots 90, 97, 98, 99 and 100 of Sunwest, Unit No. 12

FURTHER, NOTICE IS HEREBY GIVEN that the City Council has referred this item to the Planning Commission for discussion and recommended action on **Wednesday, October 11, 2000** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: September 20, 2000

Approved as to form:

Randall A. Hays
City Attorney



DECLARATION OF MAILING

Set A Public Hearing For October 18, 2000 to consider
Intention to Vacate - lots 90, and 97-100 of Sunwest, Unit 12

On September 21, 2000 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 21, 2000, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

APN;OWNER;ADDRESS;CITY;STATE;ZIP

02726031;BURNS, GREGORY LEE & SUZANNE ;2112 ST ANTON DR ;LODI ;CA;95242

02726036;PARKER, VICKI L ;1126 CHATEAU CT ;LODI ;CA;95242

02726037;ROGERO, GRANT W & KARIN D ;1134 CHATEAU CT ;LODI ;CA;95242

02739012;KIRST, JOHN J & CAROL A TR ;PO BOX 1259 ;WOODBIDGE ;CA;95258

02739013;KIRST, JOHN J & CAROL A TR ;PO BOX 1259 ;WOODBIDGE ;CA;95258

02735002;KANEKO, GEORGE I & MARIE M ;1127 HEIDELBERG WAY ;LODI ;CA;95242

02735004;WEISZ, BYRON L & DEBRA G TR ;1151 HEIDELBERG WAY ;LODI ;CA;95242

02739017;FLEMMER, LOWELL B & VIOLET ;2031 BERN WAY ;LODI ;CA;95242

02735005;HAYS, RANDALL A & DORETTA V ;1150 HEIDELBERG WAY ;LODI ;CA;95242

02735007;FITZHUGH, JOHN & VICKI TR ;1126 HEIDELBERG WAY ;LODI ;CA;95242

02735008;ROBINSON, DEAN N TR ETAL ;1114 HEIDELBERG WAY ;LODI ;CA;95242

02735010;BEESKAU, ARTHUR JAMES TR ETAL;1121 GENEVA LN ;LODI ;CA;95242

02735011;FUENTES, RAMON & MARY M ;1133 GENEVA LN ;LODI ;CA;95242

02735012;LAWLEY, RODNEY R & PENNY A ;2058 PETERSBURG WAY ;LODI ;CA;95242

02735013;WUTZKE, GERHARD ;2046 PETERSBURG WAY ;LODI ;CA;95242

02735015;RIZZOLO, MARK E & TAMMI S ;1155 VIENNA DR ;LODI ;CA;95242

02735036;HAMMOND, EVANS REID & PAMELA M;2029 PETERSBURG WAY ;LODI ;CA;95242

02739014;OKUHARA, JON T & WENDY M ;1842 ALDER TREE WAY ;LODI ;CA;95242

02739015;CHANG, LYMAN M & LING K ;1159 HEIDELBERG WAY ;LODI ;CA;95242

02739016;FCF DEVELOPMENT ASSOCIATES ET;PO BOX 607 ;ACAMPO ;CA;95220

02739024;STERN, CHERYL K ;1209 SALZBURG LN ;LODI ;CA;95242

02739018;FLEMMER, BRENT & SHARON ;2023 BERN WAY ;LODI ;CA;95242

02739019;GIANNONI, JOHN M JR & KERRY ;2000 W KETTLEMAN LN #107 ;LODI ;CA;95242

02739020;PRUDHEL, DAVID & DOLORES ;1254 INGLEWOOD CT ;LODI ;CA;95242

02739021;KARGER, LLOYD C & ELIZABETH M ;1241 LILAC ST ;LODI ;CA;95242

02739023;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242

02739025;FERRERO, GEORGE & ROSEMARIE ;PO BOX 216 ;WOODBIDGE ;CA;95258

02739026;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242
02739027;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242
02739037;FERRERO, GEORGE E ;PO BOX 216 ;WOODBIDGE ;CA;95258
02739050;FLEMMER, LOWELL B ;2031 BERN WAY ;LODI ;CA;95242
02739051;FERRERO, GEORGE E ;PO BOX 216 ;WOODBIDGE ;CA;95258
02735003;BAUMBACH, JAMES & DEBORAH ;1139 HEIDELBURG WY ;LODI ;CA;95242
02735006;CUNNINGHAM, FRANK E & GAIL TR ;1138 HEIDELBERG WAY ;LODI ;CA;95242
02735009;PERAK, DENNIS W TR ETAL ;2104 ST ANTON DR ;LODI ;CA;95242
02735014;ESCALANTE, LARRY & LANELL ;2034 PETERSBURG WAY ;LODI ;CA;95242
02726035;DUFFY, JAMES P & YVONNE M TR ;1118 CHATEAU CT ;LODI ;CA;95242
02735001;BECKMAN, WILLIAM TROY TR ;1115 HEIDELBERG WAY ;LODI ;CA;95242

38



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: RESOLUTION OF INTENTION AND SETTING PUBLIC HEARING FOR OCTOBER 18, 2000 TO CONSIDER VACATION OF LOTS 90, AND 97 – 100 OF SUNWEST, UNIT 12

PUBLISH DATE(s): MONDAY, SEPTEMBER 25, 2000
MONDAY, OCTOBER 2, 2000

TEAR SHEETS WANTED: ONE

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: SEPTEMBER 22, 2000

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper - Copy to File

Faxed to the Sentinel at 369-1084 at _____(time) on _____(date) _____(pages)
Sharon _____ Phoned to confirm receipt of all pages at _____(time) _____Jac _____Jen (initials)

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2000-171

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE PUBLIC
UTILITY EASEMENT ALONG THE SOUTH TEN (10) FEET
OF LOTS 90, 97, 98, 99, AND 100 OF SUNWEST,
UNIT NO. 12

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BE IT RESOLVED by the City Council of the City of Lodi as follows:

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Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

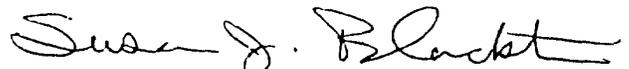
BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, October 18, 2000, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard.

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California.

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Dated: September 20, 2000

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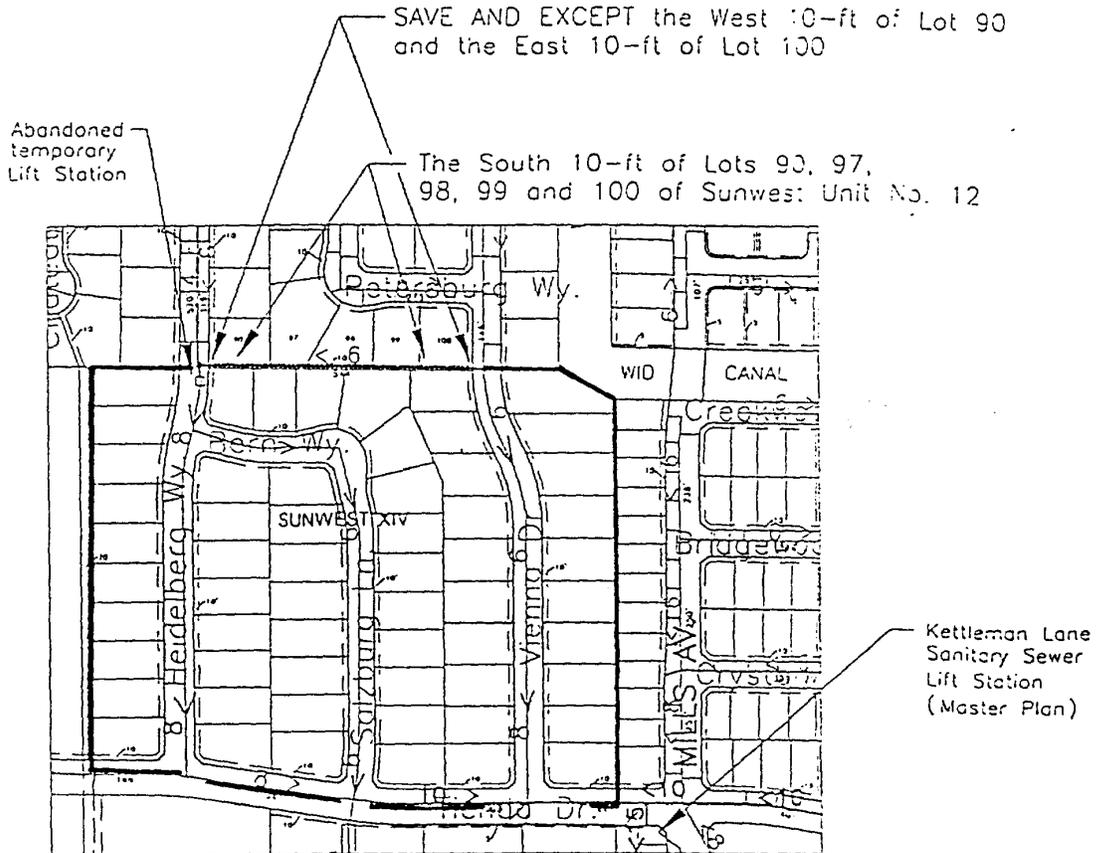

SUSAN J. BLACKSTON
City Clerk



CITY OF LODI
PUBLIC WORKS DEPARTMENT

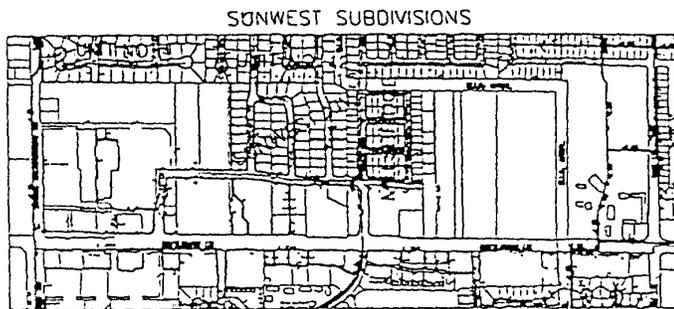
EXHIBIT A

PUBLIC UTILITY EASEMENT
ABANDONMENT



N.T.S.

DETAIL



VICINITY MAP



DECLARATION OF POSTING

On Friday, September 22, 2000 in the City of Lodi, San Joaquin County, California, a copy of Resolution No. 2000-171 attached hereto, marked Exhibit "A", was posted at the following three locations:

Lodi Public Library
Lodi Police Public Safety Building
Lodi City Hall Lobby

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 22, 2000, at Lodi, California.

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK

Jacqueline L. Taylor
Deputy City Clerk


Jennifer M. Perrin
Deputy City Clerk

NOTICE OF PUBLIC HEARING

EXHIBIT A

RESOLUTION NO. 2000-171

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE PUBLIC
UTILITY EASEMENT ALONG THE SOUTH TEN (10) FEET
OF LOTS 90, 97, 98, 99, AND 100 OF SUNWEST,
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Dated: September 20, 2000

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I hereby certify that Resolution No. 2000-171 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 20, 2000, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mayor Mann
NOES: COUNCIL MEMBERS – None
ABSENT: COUNCIL MEMBERS – None
ABSTAIN: COUNCIL MEMBERS – None

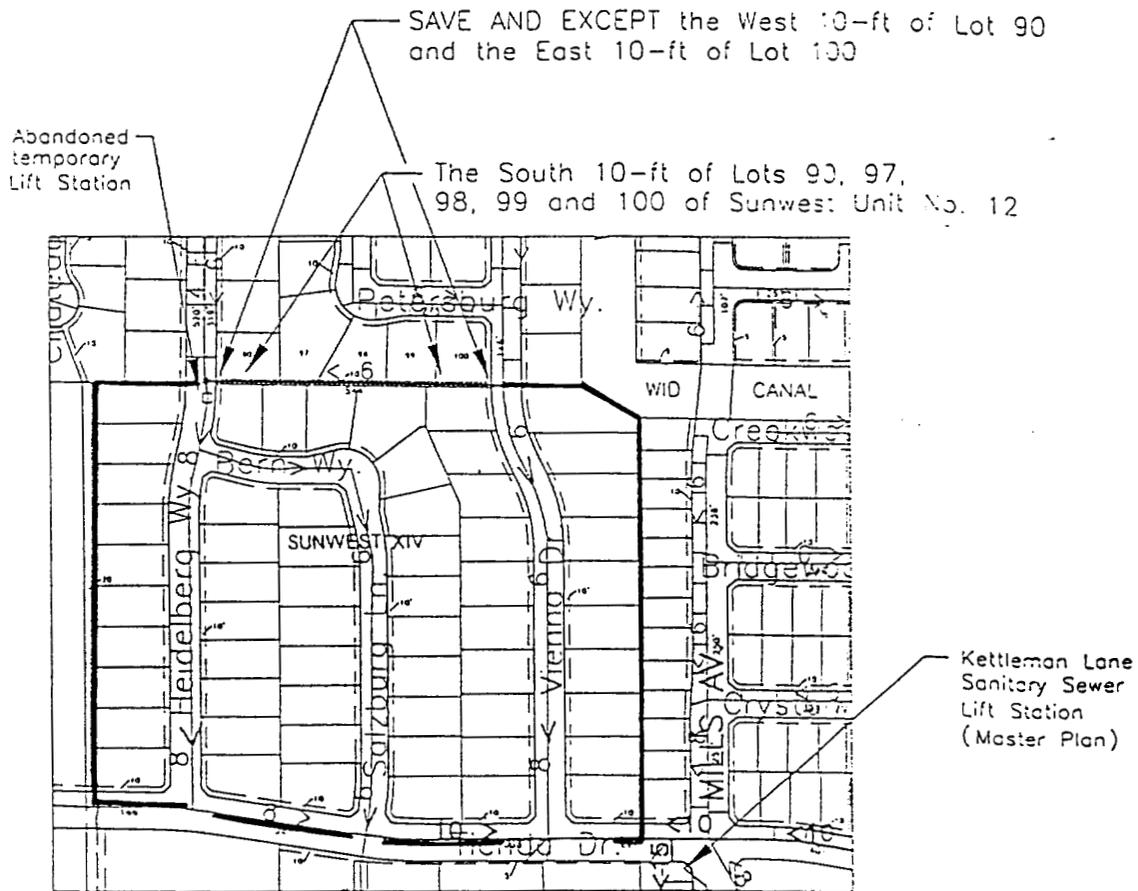
Susan J. Blackston
SUSAN J. BLACKSTON
City Clerk



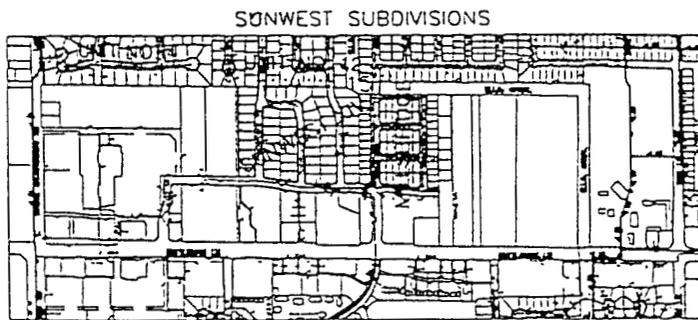
CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A

PUBLIC UTILITY EASEMENT
ABANDONMENT



DETAIL



VICINITY MAP



DECLARATION OF MAILING

Resolution to Consider Intention to Vacate
Lots 90, and 97-100 of Sunwest, Unit 12 and
Setting Of The Public Hearing For
October 18, 2000

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Executed on September 22, 2000, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2000-171

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE THE PUBLIC
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Dated: September 20, 2000

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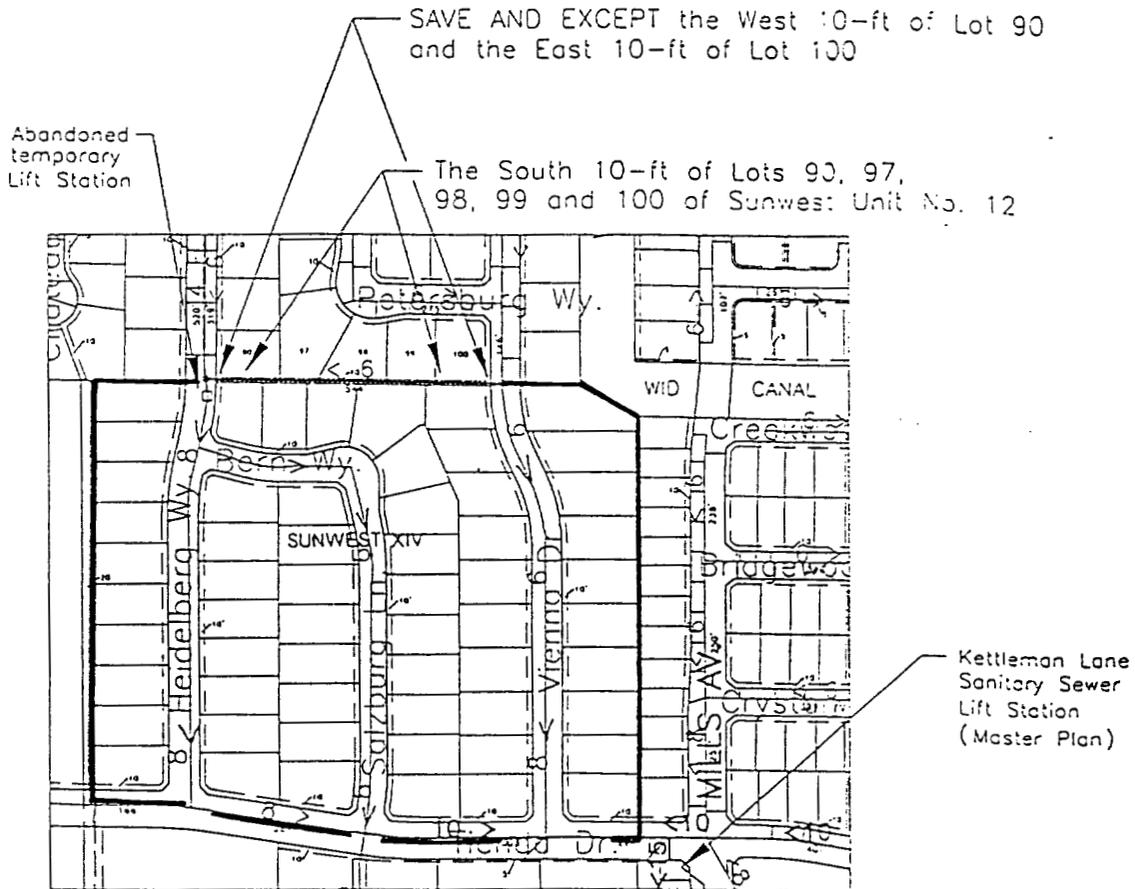
- AYES: COUNCIL MEMBERS – Hitchcock, Land, Nakanishi, Pennino and Mayor Mann
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

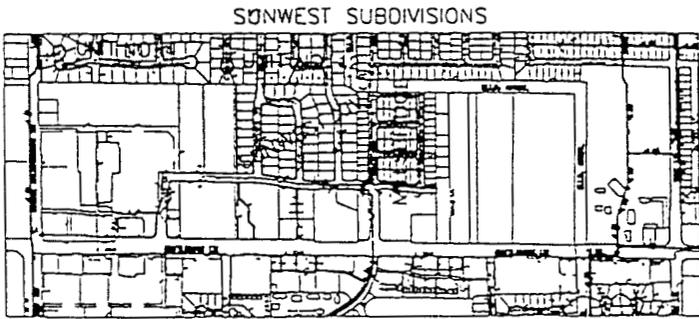


CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A
PUBLIC UTILITY EASEMENT
ABANDONMENT



DETAIL



VICINITY MAP

APN;OWNER;ADDRESS;CITY;STATE;ZIP

02726031;BURNS, GREGORY LEE & SUZANNE ;2112 ST ANTON DR ;LODI ;CA;95242
02726036;PARKER, VICKI L ;1126 CHATEAU CT ;LODI ;CA;95242
02726037;ROGERO, GRANT W & KARIN D ;1134 CHATEAU CT ;LODI ;CA;95242
02739012;KIRST, JOHN J & CAROL A TR ;PO BOX 1259 ;WOODBIDGE ;CA;95258
02739013;KIRST, JOHN J & CAROL A TR ;PO BOX 1259 ;WOODBIDGE ;CA;95258
02735002;KANEKO, GEORGE I & MARIE M ;1127 HEIDELBERG WAY ;LODI ;CA;95242
02735004;WEISZ, BYRON L & DEBRA G TR ;1151 HEIDELBERG WAY ;LODI ;CA;95242
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02735005;HAYS, RANDALL A & DORETTA V ;1150 HEIDELBERG WAY ;LODI ;CA;95242
02735007;FITZHUGH, JOHN & VICKI TR ;1126 HEIDELBERG WAY ;LODI ;CA;95242
02735008;ROBINSON, DEAN N TR ETAL ;1114 HEIDELBERG WAY ;LODI ;CA;95242
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02739016;FCF DEVELOPMENT ASSOCIATES ET;PO BOX 607 ;ACAMPO ;CA;95220
02739024;STERN, CHERYL K ;1209 SALZBURG LN ;LODI ;CA;95242
02739018;FLEMMER, BRENT & SHARON ;2023 BERN WAY ;LODI ;CA;95242
02739019;GIANNONI, JOHN M JR & KERRY ;2000 W KETTLEMAN LN #107 ;LODI ;CA;95242
02739020;PRUDHEL, DAVID & DOLORES ;1254 INGLEWOOD CT ;LODI ;CA;95242
02739021;KARGER, LLOYD C & ELIZABETH M ;1241 LILAC ST ;LODI ;CA;95242
02739023;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242
02739025;FERRERO, GEORGE & ROSEMARIE ;PO BOX 216 ;WOODBIDGE ;CA;95258

02739026;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242
02739027;PAOLETTI, JEANNE E TR ;12373 N LOWER SAC RD ;LODI ;CA;95242
02739037;FERRERO, GEORGE E ;PO BOX 216 ;WOODBIDGE ;CA;95258
02739050;FLEMMER, LOWELL B ;2031 BERN WAY ;LODI ;CA;95242
02739051;FERRERO, GEORGE E ;PO BOX 216 ;WOODBIDGE ;CA;95258
02735003;BAUMBACH, JAMES & DEBORAH ;1139 HEIDELBURG WY ;LODI ;CA;95242
02735006;CUNNINGHAM, FRANK E & GAIL TR ;1138 HEIDELBERG WAY ;LODI ;CA;95242
02735009;PERAK, DENNIS W TR ETAL ;2104 ST ANTON DR ;LODI ;CA;95242
02735014;ESCALANTE, LARRY & LANELL ;2034 PETERSBURG WAY ;LODI ;CA;95242
02726035;DUFFY, JAMES P & YVONNE M TR ;1118 CHATEAU CT ;LODI ;CA;95242
02735001;BECKMAN, WILLIAM TROY TR ;1115 HEIDELBERG WAY ;LODI ;CA;95242

38