CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Ordinance No. 1713 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Approving And Adopting The Redevelopment Plan For The Lodi Redevelopment Project No. 1"

MEETING DATE: July 3, 2002

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1713.

BACKGROUND INFORMATION: Ordinance No. 1713 entitled, "An Ordinance Of The City Council Of The City Of Lodi Approving And Adopting The Redevelopment Plan For The Lodi Redevelopment Project No. 1" was introduced at the regular City Council meeting of June 19, 2002.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.

Susan J. Blackston
City Clerk

Attachment

APPROVED: _____
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1713

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT NO. 1

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WHEREAS, the City Council of the City of Lodi (the "City Council") has received from the Redevelopment Agency of the City of Lodi (the "Agency") the proposed Redevelopment Plan (the "Redevelopment Plan") for the Lodi Redevelopment Project (the "Project"), as approved and recommended by the Agency, a copy of which is on file at the office of the Agency at 221 West Pine Street, Lodi, California, and at the office of the City Clerk at 221 West Pine Street, Lodi, California, together with the Report of the Agency to the City Council on the proposed Redevelopment Plan, including: (1) the reasons for selection of the Project Area; (2) a description of the physical and economic conditions existing in the Project Area; (3) a description of specific projects proposed by the Agency in the Project Area and an explanation as to how the proposed projects will improve or alleviate the conditions existing in the Project Area; (4) the proposed method of financing redevelopment of the Project Area, including an assessment of the economic feasibility of the Project and an explanation of why the elimination of blight and redevelopment of the Project Area cannot be accomplished by private enterprise acting alone or by the City Council's use of financing alternatives other than tax increment financing; (5) a plan for the relocation of families and persons who may be temporarily or permanently displaced from housing facilities as a result of the Redevelopment Plan; (6) an analysis of the Preliminary Plan for the Project; (7) the Report and Recommendations of the Planning Commission of the City of Lodi (the "Planning Commission"); (8) a record of the summary of consultations with the Project Area Committee; (9) the Final Environmental Impact Report; (10) a neighborhood impact report; (11) a summary of consultations with affected taxing agencies and responses to written objections and concerns expressed by affected taxing agencies during the consultations; and (12) an Implementation Plan; and

WHEREAS, the Planning Commission has reported that the Redevelopment Plan is consistent with the General Plan of the City of Lodi and has recommended approval of the Redevelopment Plan; and

WHEREAS, the Project Area Committee ("PAC") for the Project has submitted its report and recommendations concerning the Redevelopment Plan, and has recommended approval of the Redevelopment Plan; and

WHEREAS, the Agency prepared and circulated a Draft Environmental Impact Report (the "Draft EIR") on the Redevelopment Plan in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.), and environmental procedures adopted by the Agency pursuant thereto, and the Draft EIR was thereafter revised and supplemented to incorporate comments received and responses thereto, and, as so revised and supplemented, a Final Environmental Impact Report (the "Final EIR") was prepared and certified by the Agency; and

WHEREAS, the Agency and the City Council have reviewed and considered the Final EIR on the Redevelopment Plan and have each adopted a Statement of Findings, Facts, and Overriding Considerations applicable to the environmental impacts identified in the Final EIR; and

WHEREAS, the City Council and the Agency held a joint public hearing in the City Council Chambers, 221 West Pine Street, Lodi, California, on June 19, 2002, to consider adoption of the Redevelopment Plan and certification of the Final EIR on the Redevelopment Plan; and

WHEREAS, a notice of said hearing was duly and regularly published in the Lodi News Sentinel, a newspaper of general circulation in the City of Lodi, once a week for four successive weeks prior to the date of said hearing, and a copy of said notice and affidavit of publication are on file with the City Clerk and the Agency; and

WHEREAS, copies of the notice of joint public hearing and a statement concerning acquisition of property by the Agency were mailed by first-class mail to the last known address of each assessee of each parcel of land in the proposed Project Area as shown on the last equalized assessment roll of the County of San Joaquin; and

WHEREAS, copies of the notice of joint public hearing were mailed by first-class mail to all residential and business occupants within the proposed Project Area; and

WHEREAS, copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Project Area; and

WHEREAS, the City Council has considered the Report of the Agency, the Report and Recommendations of the Planning Commission, the Report and Recommendations of the PAC, the Redevelopment Plan, and the Final EIR; has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for or against any and all aspects of the Redevelopment Plan; and has adopted written findings in response to each written objection to the Redevelopment Plan from an affected taxing entity or property owner; and

WHEREAS, all actions required by law have been taken by all appropriate public bodies.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. That the purpose and intent of the City Council with respect to the Project Area is to accomplish the following: (a) the elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including, among others, buildings in which it is unsafe or unhealthy for persons to live or work, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys, and inadequate or deteriorated public improvements, facilities, and utilities; (b) the assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area; (c) the replanning, redesign, and development of portions of the Project Area which are stagnant or improperly utilized; (d) the provision of opportunities for participation by owners and tenants in the revitalization of their properties; (e) the strengthening of retail and other commercial functions in the Project Area; (f) the strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new residential, commercial, and light industrial expansion, employment, and social and economic growth; (g) the expansion of employment opportunities; (h) the expansion, improvement, and preservation of the community's supply of housing available to low- and moderate-income persons and families; and (i) the installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities.

Section 2. The City Council hereby finds and determines that:

(a) The Project Area is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.). This finding is based upon the following facts, as more particularly set forth in the Report of the Agency to the City Council:

(1) The Project Area is predominantly urbanized.

(2) The Project Area is characterized by and suffers from a combination of blighting physical and economic conditions, including, among others: buildings that are deteriorated and dilapidated; buildings suffering from defects in design or physical construction; buildings with serious building code violations; buildings which are defective in design and have faulty or inadequate utilities; buildings which are substandard in design; incompatible uses; lots of irregular form and shape and of inadequate size for proper usefulness which are under multiple ownership; depreciated or stagnant property values and impaired investments; low lease rates; vacant and underutilized parcels; residential overcrowding; a high crime rate; and inadequate public improvements, parking, and utilities.

(3) The combination of the conditions referred to in paragraph (2) above is so prevalent and so substantial that it causes a reduction of, or lack of, proper utilization of the Project Area to such an extent that it constitutes a serious physical and economic burden on the City which cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment.

(b) The Redevelopment Plan will redevelop the Project Area in conformity with the Community Redevelopment Law and in the interests of the public peace, health, safety, and welfare. This finding is based upon the fact that redevelopment of the Project Area will implement the objectives of the Community Redevelopment Law by: aiding in the elimination and correction of the conditions of blight; providing for planning, development, redesign, clearance, reconstruction, or rehabilitation of properties which need improvement; improving, increasing, and preserving the supply of low- and moderate-income housing within the community; providing additional employment opportunities; and providing for higher economic utilization of potentially useful land.

(c) The adoption and carrying out of the Redevelopment Plan is economically sound and feasible. This finding is based on the facts, as more particularly set forth in the Report of the Agency to the City Council, that under the Redevelopment Plan the Agency will be authorized to seek and utilize a variety of potential financing resources, including tax increments; that the nature and timing of public redevelopment assistance will depend on the amount and availability of such financing resources, including tax increments generated by new investment in the Project Area; and that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity.

(d) The Redevelopment Plan is consistent with the General Plan of the City of Lodi, including, but not limited to, the housing element, which substantially complies with state housing law. This finding is based upon the finding of the Planning Commission that the Redevelopment Plan is consistent with the General Plan of the City of Lodi.

(e) The carrying out of the Redevelopment Plan would promote the public peace, health, safety, and welfare of the City of Lodi and will effectuate the purposes and policy

of the Community Redevelopment Law. This finding is based upon the fact that redevelopment, as contemplated by the Redevelopment Plan, will benefit the Project Area by correcting conditions of blight and by coordinating public and private actions to stimulate development and improve the physical and economic conditions of the Project Area.

(f) The condemnation of real property, as provided for in the Redevelopment Plan, is necessary to the execution of the Redevelopment Plan, and adequate provisions have been made for the payment for property to be acquired as provided by law. This finding is based upon the need to ensure that the provisions of the Redevelopment Plan will be carried out and to prevent the recurrence of blight.

(g) The Agency has a feasible method and plan for the relocation of families and persons who may be displaced, temporarily or permanently, from housing facilities in the Project Area. This finding is based upon the fact that the Agency's plan for relocation, as contained in the Report of the Agency to the City Council, and the Redevelopment Plan provide for relocation assistance and benefits according to law and authorize the Agency to provide other assistance as determined to be appropriate under the circumstances.

(h) There are, or shall be provided, within the Project Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons who may be displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment. This finding is based upon the fact that in the event any residential displacement is caused by the Redevelopment Plan, no person or family will be required to move from any dwelling unit until suitable replacement housing is available.

(i) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the Community Redevelopment Law; and dwelling units housing persons and families of low or moderate income within the Project Area shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33334.5, 33413, and 33413.5 of the Community Redevelopment Law.

(j) Inclusion of any lands, buildings, or improvements in the Project Area which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the entire area of which they are a part; and any area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion. This finding is based upon the fact that the boundaries of the Project Area were chosen as a unified and consistent whole to include all properties contributing to or affected by the blighting conditions characterizing the Project Area.

(k) The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based upon the facts, as more particularly set forth in the Report of the Agency to the City Council, that because of the higher costs and more significant risks associated with development of blighted areas, individual developers are unable and unwilling to invest in blighted areas without substantial public assistance and that funds of other public sources and programs are insufficient to eliminate the blighting conditions.

(l) The Project Area is a predominantly urbanized area as defined by subdivision (b) of Section 33320.1. This finding is based upon the facts, as more particularly set forth in the Report of the Agency to the City Council, that approximately 99.7 percent of the land

in the Project Area has been or is developed for urban uses and approximately 0.3 percent of the land in the Project Area is an integral part of an area developed for urban uses.

(m) The time limitations in the Redevelopment Plan, which are the maximum time limitations authorized under the Community Redevelopment Law, are reasonably related to the proposed projects to be implemented in the Project Area and the ability of the Agency to eliminate blight within the Project Area. This finding is based upon the facts that redevelopment depends, in large part, upon private market forces beyond the control of the Agency and shorter time limitations would impair the Agency's ability to be flexible and respond to market conditions as and when appropriate and would impair the Agency's ability to maintain development standards and controls over a period of time sufficient to assure area stabilization. In addition, shorter time limitations would limit the revenue sources and financing capacity necessary to carry out proposed projects in the Project Area.

Section 3. The Council is satisfied that permanent housing facilities will be available within three (3) years from the time occupants of the Project Area are displaced and that, pending the development of the facilities, there will be available to the displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

Section 4. In order to implement and facilitate the effectuation of the Redevelopment Plan, certain official actions must be taken by the City Council; accordingly, the City Council hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) directs the various officials, departments, boards, and agencies of the City of Lodi having administrative responsibilities in the Project Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; (c) stands ready to consider and take appropriate action on proposals and measures designed to effectuate the Redevelopment Plan; and (d) declares its intention to undertake and complete any proceeding, including the expenditure of moneys, necessary to be carried out by the City under the provisions of the Redevelopment Plan.

Section 5. The Council is satisfied that written findings have been adopted in response to each written objection received from affected taxing entities or property owners either before or at the noticed public hearing. Having considered all evidence and testimony presented for or against any aspect of the Redevelopment Plan, the Council hereby overrules all written and oral objections to the Redevelopment Plan.

Section 6. The mitigation measures, as identified in Council Resolution No. 2002-131, adopted on June 19, 2002, and Agency Resolution No. RDA2002-05, adopted on June 19, 2002, making findings based upon consideration of the Final EIR on the Redevelopment Plan, are incorporated and made part of the proposed Redevelopment Plan.

Section 7. That certain document entitled "Redevelopment Plan for the Lodi Redevelopment Project No. 1," a copy of which is on file in the office of the City Clerk and attached hereto, is hereby incorporated by reference herein and designated as the official "Redevelopment Plan for the Lodi Redevelopment Project No. 1."

Section 8. The City of Lodi Building Department is hereby directed for a period of at least two (2) years after the effective date of this Ordinance to advise all applicants for building permits within the Project Area that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

Section 9. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency, and the Agency is hereby vested with the responsibility for carrying out the Redevelopment Plan.

Section 10. The City Clerk is hereby directed to record with the County Recorder of San Joaquin County a notice of the approval and adoption of the Redevelopment Plan pursuant to this Ordinance, containing a description of the land within the Project Area and a statement that proceedings for the redevelopment of the Project Area have been instituted under the Community Redevelopment Law.

Section 11. The City Clerk is hereby directed to transmit a copy of the description and statement recorded pursuant to Section 10 of this Ordinance, a copy of this Ordinance, and a map or plat indicating the boundaries of the Project Area, to the auditor and assessor of the County of San Joaquin, to the governing body of each of the taxing agencies which receives taxes from property in the Project Area, and to the State Board of Equalization within thirty (30) days following adoption of this Ordinance.

Section 12. The City Clerk is hereby ordered and directed to certify to the passage of this Ordinance and to cause the same to be published once in the Lodi News Sentinel, a newspaper of general circulation, published and circulated in the City of Lodi.

Section 13. If any part of this Ordinance or the Redevelopment Plan which it approves is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance or of the Redevelopment Plan, and this City Council hereby declares that it would have passed the remainder of this Ordinance or approved the remainder of the Redevelopment Plan if such invalid portion thereof had been deleted.

Section 14. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

Approved this 3rd day of July, 2002

PHILLIP A. BENNINO
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1713 was introduced at a special joint meeting of the Lodi City Council and the Redevelopment Agency of the City of Lodi held June 19, 2002 and was thereafter passed, adopted, and ordered to print at an adjourned regular meeting of said Council held July 3, 2002 by the following vote:

AYES: COUNCIL MEMBERS – Land and Mayor Pennino

NOES: COUNCIL MEMBERS – Nakanishi

ABSENT: COUNCIL MEMBERS – Howard

ABSTAIN: COUNCIL MEMBERS – Hitchcock

I further certify that Ordinance No. 1713 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Susan J. Blackston

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

Randall A. Hays

RANDALL A. HAYS
City Attorney

REDEVELOPMENT PLAN

FOR THE

LODI REDEVELOPMENT PROJECT NO. 1

Prepared by the

REDEVELOPMENT AGENCY OF THE CITY OF LODI

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REDEVELOPMENT PLAN
FOR THE
LODI REDEVELOPMENT PROJECT

I. [§100] INTRODUCTION

This is the Redevelopment Plan (the "Plan") for the Lodi Redevelopment Project No. 1 (the "Project") in the City of Lodi (the "City"), County of San Joaquin, State of California; it consists of the text, the Legal Description of the Project Area Boundaries (Attachment No. 1), the Project Area Map (Attachment No. 2), the Redevelopment Land Use Map (Attachment No. 3), and the Proposed Public Improvements (Attachment No. 4). This Plan was prepared by the Redevelopment Agency of the City of Lodi (the "Agency") pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.), the California Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the area within the boundaries of the Project (the "Project Area") as described in this Plan conforms to the General Plan for the City of Lodi (the "General Plan"), adopted by the City Council of the City of Lodi (the "City Council") on June 12, 1991.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commission of the City of Lodi (the "Planning Commission") by Resolution No. 01-20, on July 11, 2001.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the Project Area. Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed and by which tools are

provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions.

The purposes of the Community Redevelopment Law will be attained through, and the major goals of this Plan are:

A. The elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including, among others, buildings in which it is unsafe or unhealthy for persons to live or work, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys, and inadequate or deteriorated public improvements, facilities, and utilities.

B. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.

C. The replanning, redesign, and development of portions of the Project Area which are stagnant or improperly utilized.

D. The provision of opportunities for participation by owners and tenants in the revitalization of their properties.

E. The strengthening of retail and other commercial functions in the Project Area.

F. The strengthening of the economic base of the Project Area by stimulating new investment.

G. The expansion of employment opportunities.

H. The provision of an environment for social and economic growth.

I. The expansion, improvement, and preservation of the community's supply of housing available to low- and moderate-income persons and families.

J. The installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities.

II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area are described in the "Legal Description of the Project Area Boundaries," attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Project Area Map," attached hereto as Attachment No. 2 and incorporated herein by reference.

III. [§300] PROPOSED REDEVELOPMENT ACTIONS

A. [§301] General

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Project Area by:

1. The acquisition of certain real property and the assembly of adequate sites for the development and construction of residential, commercial, and industrial facilities;

2. The demolition or removal of certain buildings and improvements;

3. Providing relocation assistance to displaced Project occupants;

4. The conservation of the residential use of property within designated areas through the establishment of a Residential Conservation Area, as more particularly described in the Residential Conservation Area Map, attached hereto and incorporated herein as Attachment No. 5.

5. The installation, construction, or reconstruction of streets, utilities, and other public improvements;

6. The management of any property acquired by and under the ownership and control of the Agency;

7. Providing for participation by owners and tenants presently located in the Project Area and the extension of preferences to business occupants and other tenants desiring to remain or relocate within the redeveloped Project Area;

8. The disposition of property for uses in accordance with this Plan;

9. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan; and

10. The rehabilitation of structures and improvements by present owners, their successors, and the Agency.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law.

B. [§302] Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Project Area

1. [§303] Opportunities for Owners and Business Tenants

In accordance with this Plan and the rules for participation adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Project Area shall be given a reasonable opportunity to participate in the redevelopment of the Project Area consistent with the objectives of this Plan.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to participate in the redevelopment of the Project Area or to reenter into business within the redeveloped Project Area if they otherwise meet the requirements prescribed in this Plan and the rules for participation adopted by the Agency.

2. [§304] Rules for Participation Opportunities, Priorities, and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency shall promulgate rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Project Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and business tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of

occupancy in the area; accommodation of as many participants as possible; similarity of land use; the necessity to assemble sites for integrated, modern development; conformity of a participant's proposal with the intent and objectives of this Plan; and service to the community of a participant's proposal.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the elimination and changing of land uses; 2) the construction, widening, or realignment of streets; (3) the ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan and development criteria adopted by the Agency in implementation of this Plan; (4) the reduction in the total number of individual parcels in the Project Area; and (5) the construction or expansion of public facilities.

3. [§305] Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

4. [§306] Conforming Owners

The Agency may, at its sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to

remain as a conforming owner without a participation agreement with the Agency provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agency to enter into a participation agreement with the Agency in the event that such owner desires to: (a) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (b) acquire additional property within the Project Area.

C. [§307] Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. To the extent now or hereafter permitted by law, the Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements (within or without the Project Area), which land, buildings, facilities, structures, or other improvements are or would be of benefit to the Project.

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method. Eminent domain proceedings, if used, must be commenced within twelve (12) years from the date the ordinance adopting this Plan becomes effective.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization, or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape, or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions, and requirements of this Plan and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed, unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

2. [§310] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain.

E. [§311] Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

F. [§312] Payments to Taxing Agencies to Alleviate Financial Burden

Pursuant to Section 33607.5 of the Community Redevelopment Law, the Agency is required to and shall make payments to affected taxing entities to alleviate the financial burden and detriment that the affected taxing entities may incur as a result of the adoption of this Plan. The payments made by the Agency shall be calculated and paid in accordance with the requirements of Section 33607.5.

G. [§313] Relocation of Persons, Business Concerns, and Others Displaced by the Project

1. [§314] Assistance in Finding Other Locations

The Agency shall assist all persons, business concerns, and others displaced by the Project in finding other locations and facilities. In order to carry out the Project with a minimum of hardship to persons, business concerns, and others, if any, displaced by the Project, the Agency shall assist such persons, business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations, and otherwise suitable to their respective needs. The Agency may also provide housing inside or outside the Project Area for displaced persons.

2. [§315] Relocation Payments

The Agency shall make relocation payments to persons, business concerns, and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.) and Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

H. [§316] Demolition, Clearance, and Building and Site Preparation

1. [§317] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

2. [§318] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, playgrounds, and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, industrial, public, and other uses provided for in this Plan.

Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities, or other improvements which an owner or operator of the site would otherwise be obliged to provide.

I. [§319] Property Disposition and Development

1. [§320] Real Property Disposition and Development

a. [§321] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding. Property acquired by the Agency for rehabilitation and resale shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project Area, without charge to any public body. All real property acquired by

the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. [§322] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of San Joaquin County.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

c. [§323] Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any publicly-owned building, facility, structure, or other improvement either within or without the

Project Area, for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and other improvements identified in Attachment No. 4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefor.

In addition to the public improvements authorized under Section 318 and the specific publicly-owned improvements identified in Attachment No. 4 of this Plan, the Agency is authorized to install and construct, or to cause to be installed and constructed, within or without the Project Area, for itself or for any public body or entity for the benefit of the Project Area, public improvements and public utilities, including, but not limited to, the following: (1) over- and underpasses; (2) sewers; (3) natural gas distribution systems; (4) water distribution systems; (5) parks, plazas, and pedestrian paths; (6) playgrounds; (7) parking facilities; (8) landscaped areas; and (9) street improvements.

The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant to this Section 323, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan or out of any other available funds.

d. [§324] Development Plans

All development plans (whether public or private) shall be submitted to the Agency for approval and architectural review. All development in the Project Area must conform to City design review standards.

2. [§325] Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

J. [§326] Rehabilitation, Conservation, and Moving of Structures

1. [§327] Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

2. [§328] Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

K. [§329] Low- and Moderate-Income Housing

1. [§330] Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs within the Project Area or within the territorial jurisdiction of the Agency in accordance with all of the provisions of Sections 33413 and 33413.5 of said Community Redevelopment Law.

2. [§331] Inclusionary Housing

Whenever new or substantially rehabilitated dwelling units are developed by the Agency or by other public or private entities or persons within the Project Area, the Agency shall comply with the inclusionary housing requirements set forth in Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law.

3. [§332] Increased and Improved Housing Supply

Pursuant to Section 33334.2 of the Community Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving, and preserving the City's supply of housing for persons and families of very low, low, or moderate income unless certain findings are made as required by that section to lessen or exempt such requirement. In carrying out this purpose, the Agency may exercise any or all of its powers.

The Agency may use these funds to meet, in whole or in part, the replacement housing provisions in Section 330, above, or the inclusionary housing provisions in Section 331, above. These funds may be used inside or outside the Project Area provided, however, that funds may be used outside the Project Area only if findings of benefit to the Project are made as required by said Section 33334.2 of the Community Redevelopment Law.

The funds for this purpose shall be held in a separate Low and Moderate Income Housing Fund until used. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Fund.

L. [§333] Residential Conservation Area

The Agency has designated a Residential Conservation Area, which is described more particularly by the Residential Conservation Area Map, attached hereto and incorporated herein as Attachment No. 5. The Residential Conservation Area consists of cohesive residential neighborhoods that the Agency intends to maintain and improve for residential use. The Agency shall maintain and improve the residential character of the Residential Conservation Area and eliminate blight and deterioration by use of redevelopment actions including, but not limited to, the installation, construction or reconstruction of streets, utilities and other public improvements by the Agency and rehabilitation and construction of structures and improvements by present owners, their successors and the Agency.

IV. [§400] USES PERMITTED IN THE PROJECT AREA

A. [§401] Redevelopment Land Use Map

The "Redevelopment Land Use Map," attached hereto as Attachment No. 3 and incorporated herein by reference, illustrates the location of

the Project Area boundaries, major streets within the Project Area, and the proposed land uses to be permitted in the Project for all land, public, semi-public and private.

B. [§402] Designated Land Uses

1. [§403] Residential Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for residential uses shall be used for residential uses consistent with the Land Use Element of the General Plan as it currently exists or as it may be amended from time to time.

2. [§404] Commercial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for commercial uses shall be used for commercial uses consistent with the Land Use Element of the General Plan as it currently exists or as it may be amended from time to time.

3. [§405] Industrial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 3) for industrial uses shall be used for industrial uses consistent with the Land Use Element of the General Plan.

C. [§406] Other Land Uses

1. [§407] Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment No. 3), the major public streets within the Project Area include Kettleman Lane, Cherokee Lane, Lodi Avenue, Victor Road, Lockeford Street, Stockton Street, Church Street, Pine Street and Central Avenue.

Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development. Existing streets, alleys, and easements may be abandoned, closed, or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the General Plan, the objectives of this Plan, and the

City's design standards, shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:

a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

b. The requirements imposed by such factors as topography, traffic safety and aesthetics; and

c. The potential need to serve not only the Project Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

2. [§408] Other Public, Semi-Public, Institutional, and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Attachment No. 3), the Agency is authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way, and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved and as permitted under the Land Use Element of the General Plan. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

3. [§409] Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan.

4. [§410] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

D. [§411] General Controls and Limitations

All real property in the Project Area is made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

1. [§412] Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area.

2. [§413] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agency for retention and rehabilitation shall be repaired, altered,

reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§414] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under the General Plan.

4. [§415] Number of Dwelling Units

The number of dwelling units permitted in the Project Area shall not exceed the number of dwelling units permitted under the General Plan.

5. [§416] Limitation on Type, Size, and Height of Buildings

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances, and regulations.

6. [§417] Open Spaces, Landscaping, Light, Air, and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

7. [§418] Signs

All signs shall conform to City sign ordinances and other requirements as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Agency and/or the City prior to installation for review and approval pursuant to the procedures of this Plan.

8. [§419] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

9. [§420] Incompatible Uses

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors, as determined by the Agency, would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

10. [§421] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

11. [§422] Subdivision of Parcels

No parcel in the Project Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agency.

12. [§423] Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agency must determine that:

a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;

b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;

c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and

d. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under applicable City codes and ordinances.

E. [§424] Design for Development

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the Agency and any other property, in the discretion of the Agency, in accordance with architectural, landscape, and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

F. [§425] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been approved by the Agency as consistent with this Plan and processed in a manner consistent with all City requirements. An application shall be deemed consistent with this Plan if it is consistent with the General Plan, applicable zoning ordinances and any adopted design for development.

The Agency is authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for same has been

granted all approvals required by the City and the Agency at the time of application.

V. [§500] METHODS OF FINANCING THE PROJECT

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, the State of California, the federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the City until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities.

B. [§502] Tax Increment Funds

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State of California, the County of San Joaquin, the City, any district, or any other public corporation (hereinafter sometimes called "taxing agencies"), after the effective date of the ordinance approving this Plan shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the

effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Joaquin, last equalized on the effective date of said ordinance, shall be used in determining the assessed valuation of the taxable property in the Project on said effective date).

2. Except as provided in subdivision 3, below, that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of the taxes in excess of the amount identified in subdivision 1, above, which are attributable to a tax rate levied by a taxing agency which was approved by the voters of the taxing agency on or after January 1, 1989, for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency.

The portion of taxes mentioned in subdivision 2, above, are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the Agency are not a debt of the City or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes described in subdivision 2 above which can be outstanding at any one time shall not exceed ONE HUNDRED MILLION DOLLARS ($100,000,000).

The Agency shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the date of adoption of this Plan. Loans, advances, or indebtedness may be repaid over a period of time beyond said time limit. This time limit shall not prevent the Agency from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the Agency's housing obligations under Section 33413 of the Community Redevelopment Law. Further, this time limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth immediately below in this Section 502.

The Agency shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law

and this Section 502 beyond forty-five (45) years from the date of adoption of this Plan.

C. [§503] Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State of California, or any other public or private source will be utilized if available.

VI. [§600] ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the City shall include the requirement of abandonment, removal, and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal, and relocation to be borne by others than those legally required to bear such cost.

B. Provision of advances, loans, or grants to the Agency or the expenditure of funds for projects implementing this Plan as deemed appropriate by the City and to the extent funds are available therefor.

C. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.

D. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.

E. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.

F. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

G. Preservation of historical sites.

H. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

I. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the City do not involve or constitute any commitment for financial outlays by the City unless specifically agreed to and authorized by the City.

VII. [§700] ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

VIII. [§800] DURATION OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years from the date of adoption of this Plan by the City Council; provided, however, that subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the termination of this Plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts unless the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, in which case the Agency shall retain its authority to implement requirements under Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.

IX. [§900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Section 33354.6 and/or 33450-33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

ATTACHMENT NO. 1

civil engineers

BAUMBACH & PIAZZA, INC.

323 West Elm Street
Lodi, California 95240-2003

Phone (209) 368-6618
FAX (209) 368-6610

September 3, 2001

JOB NO. 0048

CITY OF LODI

REDEVELOPMENT PROJECT NO. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARY

Commencing at a brass disk at the Southwest corner of the Southeast quarter of Section 12, Township 3 North, Range 6 East, Mount Diablo Base and Meridian; thence South 11° 03' 40" West 97.99 feet to an angle point on the South line of State Highway Route No. 12 and the True Point of Beginning; thence along the South line of said Highway the following four courses: (1) South 86° 52' 18" West, 55.24 feet, (2) South 83° 26' 17" West, 500.90 feet, (3) South 84° 34' 39" West, 299.36 feet, (4) North 89° 46' 57" West, 453.16 feet; thence North 03° 15' 30" East, 703.0 feet to the North line of Tamarack Drive; thence South 86° 41' 04" West, 10.0 feet; thence North 03° 04' 04" East, 67 feet; thence South 86° 41' 04" West, 25 feet; thence North 03° 04' 04" East, 100 feet; thence North 86° 41' 04" East, 25 feet; thence North 03° 04' 04" East, 215 feet; thence North 86° 22' 04" East, 12.70 feet; thence North 02° 25' 44" East, 329.86 feet; thence North 86° 41' 04" East, 22.86 feet; thence North 03° 00' 04" East, 112.7 feet; thence South 86° 41' 04" West, 32.91 feet; thence North 03° 04' 04" East, 36.96 feet; thence North 86° 41' 04" East, 10 feet; thence North 03° 04' 04" East, 252.60 feet more or less to the North line of Park Street; thence along said North line and its westerly projection South 86° 39' 04" West, 223.11

feet to the West line of School Street; thence along the West line of School Street the following four courses: (1) North 03° 05' 34" East, 417.09 feet, (2) North 03° 00' 04" East, 558.90 feet, (3) North 02° 54' 29" East, 1322.86 feet, (4) North 03° 12' 49" East, 943.28 feet to the South line of Chestnut Street; thence along the South line of Chestnut Street, South 85° 21' 00" West, 325.78 feet to the southerly projection of the East line of Church Street; thence along the East line of Church Street, North 02° 50' 00" East, 165.00 feet; thence South 85° 21' 00" West, 250.00 feet to the West line of an alley; thence along the West and South lines of said alley the following three courses: (1) North 2° 50' 00" East, 10.00 feet, (2) North 29° 45' 17" West, 33.11 feet, (3) South 85° 21' 00" West, 495.00 feet to the East line of Lee Avenue; thence along the East line of Lee Avenue, South 02° 50' 00" West, 200.00 feet to the South line of Chestnut Street; thence along the South line of Chestnut Street, South 85° 21' 00" West, 301.39 feet to the East line of Hutchins Street; thence along the East line of Hutchins Street, South 01° 04' 00" East, 73.86 feet; thence South 89° 31' 30" West, 944.15 feet; thence North 01° 04' 00" West, 296.40 feet; thence South 89° 31' 30" West, 57.85 feet; thence South 01° 04' 00" East, 5.00 feet; thence South 89° 31' 30" West, 390.00 feet; thence South 01° 04' 00" East, 384.80 feet; thence South 89° 31' 30" West, 232.00 feet; thence North 1° 04' 00" West, 240.00 feet to the Northeast corner of Lot 24 of TURNAGE SUBDIVISION as filed in Volume 11 of Maps and Plats, page 119, San Joaquin County Records; thence South 89° 31' 30" West, 100.00 feet to the Northwest corner of said Lot 24' thence along the East line of Orange Avenue, North

01° 04' 00" West, 134.80 feet; thence South 89° 31' 30" West, 50.00 feet; thence South 01° 04' 00" East, 10.80 feet; thence South 89° 31' 30" West, 97.30 feet; thence North 01° 07' 15" West, 40.00 feet; thence South 89° 31' 30" West, 157.34 feet to the West line of Fairmont Avenue; thence along the West line of Fairmont Avenue, South 01° 11' 30" East, 78.00 feet; thence South 89° 31' 30" West, 219.11 feet to the West line of the CULBERTSON TRACT as filed in Volume 11 of Maps and Plats, page 53, San Joaquin County Records; thence North 01° 11' 30" West, 114.80 feet to the Southeast corner of Lot 29 of the CULBERTSON TRACT; thence South 89° 31' 30" West, 219.11 feet to the Southwest corner of Lot 30 of said CULBERTSON TRACT; thence along the West line of said CULBERTSON TRACT, South 01° 11' 30" East, 161.00 feet; thence South 89° 31' 30" West, 259.11 feet to the West line of Ham Lane; thence along the West line of Ham Lane, North 01° 11' 30" West, 270.00 feet to the centerline of Lodi Avenue; thence continue along the West line of Ham Lane, North 01° 05' 20" West, 91.14 feet; thence along the North line of Lot 17 of HUTCHINS HOMESTEAD ADDITION NO. 3 and its westerly project, North 89° 33' 37" East, 180.96 feet to the Northeast corner of said Lot 17; thence North 01° 12' 00" West, 10.00 feet; thence North 89° 33' 37" East, 115.96 feet; thence along the West line of Sunset Drive, South 01° 19' 00" East, 10.00 feet; thence North 89° 33' 37" East, 175.96 feet to the Northeast corner of Lot 51 of said subdivision last described; thence North 01° 26' 00" West, 9.21 feet; thence North 89° 33' 37" East, 115.96 feet; thence along the West line of Fairmont Avenue, South 01° 32' 00" West, 4.21 feet; thence North 89° 33' 37" East, 175.96 feet; thence South

01° 45' 00" East, 5.00 feet to the Northwest corner of Lot 86 of said subdivision last described; thence North 89° 33' 37" East, 115.96 feet to the Northeast corner of said Lot 86; thence along the West line of Orange Avenue, North 01° 45' 00" West, 24.85 feet; thence North 89° 33' 10" East, 187.60 feet; thence South 01° 45' 00" East, 25.00 feet; thence North 89° 33' 10" East, 127.60 feet; thence along the West line of Avena Avenue, South 01° 45' 00" East, 0.80 feet; thence North 89° 31' 30" East, 192.50 feet; thence North 01° 45' 00" West, 22.00 feet; thence North 89° 31' 30" East, 132.50 feet; thence along the West line of Cresent Avenue South 01° 45' 00" East, 24.80 feet; thence North 89° 31' 30" East, 380.20 feet; thence along the West line of Rose Avenue North 01° 45' 00" West, 60.00 feet; thence North 89° 31' 30" East, 230.10 feet; thence along the East line of an alley South 01° 45' 00" East, 56.70 feet; thence North 89° 31' 30" East, 150.10 feet; thence along the West line of California Street North 01° 45' 00" West, 56.70 feet; thence along the westerly projection of the South lines of Lots 14 and 6 of Block 8 of HUTCHINS HIGH SCHOOL ADDITION as filed in Volume 6 of Maps and Plats, page 27, San Joaquin County Records, North 89° 31' 30" East, 380.00 feet to the Southeast corner of said Lot 6; thence along the West line of Hutchins Street the following nine courses: (1) North 01° 19' 00" West, 50.00 feet, (2) South 89° 31' 30" West, 10.00 feet, (3) North 01° 19' 00" West, 50.00 feet, (4) North 89° 31' 30" East, 10.00 feet, (5) North 01° 19' 00" West, 50.00 feet, (6) South 89° 31' 30" West, 10.00 feet, (7) North 01° 19' 00" West, 220.00 feet to the North line of Walnut Street, (8) along the West line of Walnut Street, North 89° 31'

30" East, 10.00 feet, (9) North 01° 19' 00" West, 20.12 feet to the westerly extension of the North line of an alley; thence along the North line of the alley and its westerly projection the following five courses: (1) South 87° 09' 56" East, 160.03 feet, (2) South 02° 50' 04" West, 3.26 feet, (3) South 87° 09' 56" East, 50 feet, (4) South 02° 50' 04" West, 6.46 feet, (5) South 87° 09' 56" East, 520.0 feet to the West line of Pleasant Avenue; thence along the West line of Pleasant Avenue, North 03° 00' 04" East, 1050 feet to the South line of Pine Street; thence along the South line of Pine Street North 86° 59' 56" West 360 feet to the southerly projection of the West line of Lee Avenue; thence along the West line of Lee Avenue and its southerly projection North 03° 00' 04" East, 960 feet to the North line of Locust Street; thence along the North line of Locust Street, South 86° 59' 56" East, 360 feet to the West line of Pleasant Avenue; thence along the West line of Pleasant Avenue, North 03° 00' 04" East, 450.85 feet to the westerly projection of the North line of Lockeford Street; thence along the North line of Lockeford Street and its westerly projection South 86° 59' 56" East, 374.90 feet to an angle point; thence leaving the North line of Lockeford Street, South 80° 27' 13" East, 95.2 feet more or less to the Northeast corner of Church and Lockeford Streets; thence South 86° 59' 56" East, 297.5 feet to the Northwest corner of Lockeford and School Streets; thence along the West line of School Street and its northerly projection North 01° 33' 50" East, 322.64 feet to the North line of De Force Avenue; thence along the North line of De Force Avenue, North 88° 48' 10" East, 28.95 feet more or less to the West line of School Street; thence along the West

line of School Street the following seven courses: (1) North 00° 27' 40" East, 111.98 feet, (2) South 89° 01' 06" East, 2.71 feet, (3) North 00° 04' East, 801.9 feet, (4) South 85° 34' 58" West, 20.13 feet, (5) North 00° 33' 35" East, 395.14 feet more or less to the North line of Forrest Avenue, (6) along the North line of Forrest Avenue, North 86° 12' East, 19.46 feet to the West line of School Street, (7) along the West line of School Street and its northerly projection North 00° 11' East, 427.54 feet to the North line of Louie Avenue; thence along the North line of Louie Avenue, North 89° 05' 30" East, 392.45 feet; thence along a curve to the left having a radius of 25 feet, a central angle of 88° 00' and an arc length of 38.40 feet; thence along the West line of Sacramento Street, North 01° 05' 30" East, 664.20 feet; thence North 02° 35' 32" West, 105.78 feet to the North line of Turner Road; thence along the North line of Turner Road the following ten courses: (1) North 82° 26' 47" East, 82.11 feet, (2) North 89° 26' 30" East, 8.00 feet, (3) South 82° 25' 42" East, 70.71 feet, (4) North 89° 26' 30" East, 130.45 feet, (5) North 03° 00' 04" East, 15.03 feet, (6) North 89° 26' 30" East, 100.20 feet, (7) North 03° 00' 04" East, 15.03 feet, (8) North 89° 26' 30" East, 246.04 feet, (9) South 78° 54' 30" East, 122.53 feet, (10) North 89° 26' 30" East, 242.59 feet; thence South 0° 33' 30" East, 40.00 feet to the centerline of Turner Road; thence along the East line of Stockton Street as delineated on that Map of "COLONY RANCH" as filed in Volume 24 of Maps and Plats at page 50, San Joaquin County Records and its northerly projection South 03° 10' 40" West, 694.37 feet; thence along a curve to the left having a radius of 20 feet, a central angle of 93° 53' and an arc

length of 32.77 feet; thence along the North line of Donner Avenue and its easterly projection North 89° 17' 40" East, 841.11 feet to the East line of Calaveras Street; thence along the East line of Calaveras Street, South 00° 42' 20" East, 412.49 feet; thence along a curve to the left having a radius of 20 feet, a central angle of 90° and an arc length of 31.42 feet; thence along the North line of Pioneer Drive, North 89° 17' 40" East, 66.79 feet to the Southwest corner of Lot 11 of "LAWRENCE RANCH SUBDIVISION, UNIT NO. 1" as filed in Volume 13 of Maps and Plats, page 143, San Joaquin County Records; thence along the West line of said subdivision last described the following four courses: (1) South 40° 23' 40" West, 79.64 feet, (2) South 00° 42' 20" East, 104.04 feet, (3) South 82° 45' 10" West, 52.31 feet, (4) South 00° 59' 20" East, 358.00 feet to the Northwest corner of Lot 20; thence along the southwesterly line of said Lot 20, South 61° 36' 20" East, 57.38 feet; thence along the West lines of Lots 20 through 24 inclusive, South 00° 59' 20" East, 276.44 feet; thence South 22° 57' 20" East, 53.45 feet to the Southwest corner of Lot 25; thence along the South lines of Lots 25 through 38 inclusive, North 89° 17' 40" East, 818.60 feet to the Southeast corner of Lot 38; thence North 00° 42' 20" West, 840.0 feet to the Northeast corner of Lot 116; thence along the South line of Pioneer Drive, North 89° 17' 40" East, 366.3 feet to the West line of Cherokee Lane; thence North 75° 58' 31" East, 510.71 feet to a point on the East line of Beckman Road, said point also being a point on a curve from which the radial bears South 86° 04' 31" East; thence along the East line of Beckman Road the following ten courses: (1) southeasterly along a curve to the

left having a radius of 770.0 feet, a central angle of 24° 29' 47", an arc length of 329.21 feet and a chord bearing South 08° 19' 24" East, 325.86 feet, (2) South 20° 34' 18" East, 360.71 feet, (3) along a curve to the left having a radius of 1970 feet, a central angle of 06° 01' 42" and an arc length of 207.27 feet, (4) South 26° 36' 00" East, 138.05 feet, (5) South 25° 44' 07" East, 131.90 feet, (6) South 26° 36' East, 38.33 feet, (7) along a curve to the left having a radius of 372 feet, a central angle of 28° 58' 30" and an arc length of 188.12 feet, (8) South 55° 34' 30" East, 157.89 feet, (9) along a curve to the right having a radius of 178 feet, a central angle of 55° 07' 30" and an arc length of 171.26 feet, (10) South 00° 27' 00" East, 119.60 feet; thence South 43° 45' 12" East, 36.35 feet to the North line of Lockeford Street; thence along the North line of Lockeford Street, South 87° 00' East, 1272.54 feet to the northerly projection of the East line of Cluff Avenue; thence along the East line of Cluff Avenue and its northerly projection the following five courses: (1) South 01° 09' 46" East, 331.92 feet, (2) South 89° 48' 44" West, 2.0 feet, (3) South 01° 09' 46" East, 128.89 feet, (4) North 89° 48' 44" East, 2.0 feet, South 01° 09' 46" East, 354.67 feet to the South line of Mounce Street; thence along the South line of Mounce Street, North 89° 48' 44" East, 289.19 feet to the northerly projection of the West line of Parcel "A" as delineated on that map filed in Book 7 of Parcel Maps, page 13, San Joaquin County Records; thence South 01° 09' 46" East, 712.42 feet to the intersection of the southerly projection of the West line of said Parcel "A" and the South line of Pine Street; thence along the South line of Pine Street, North

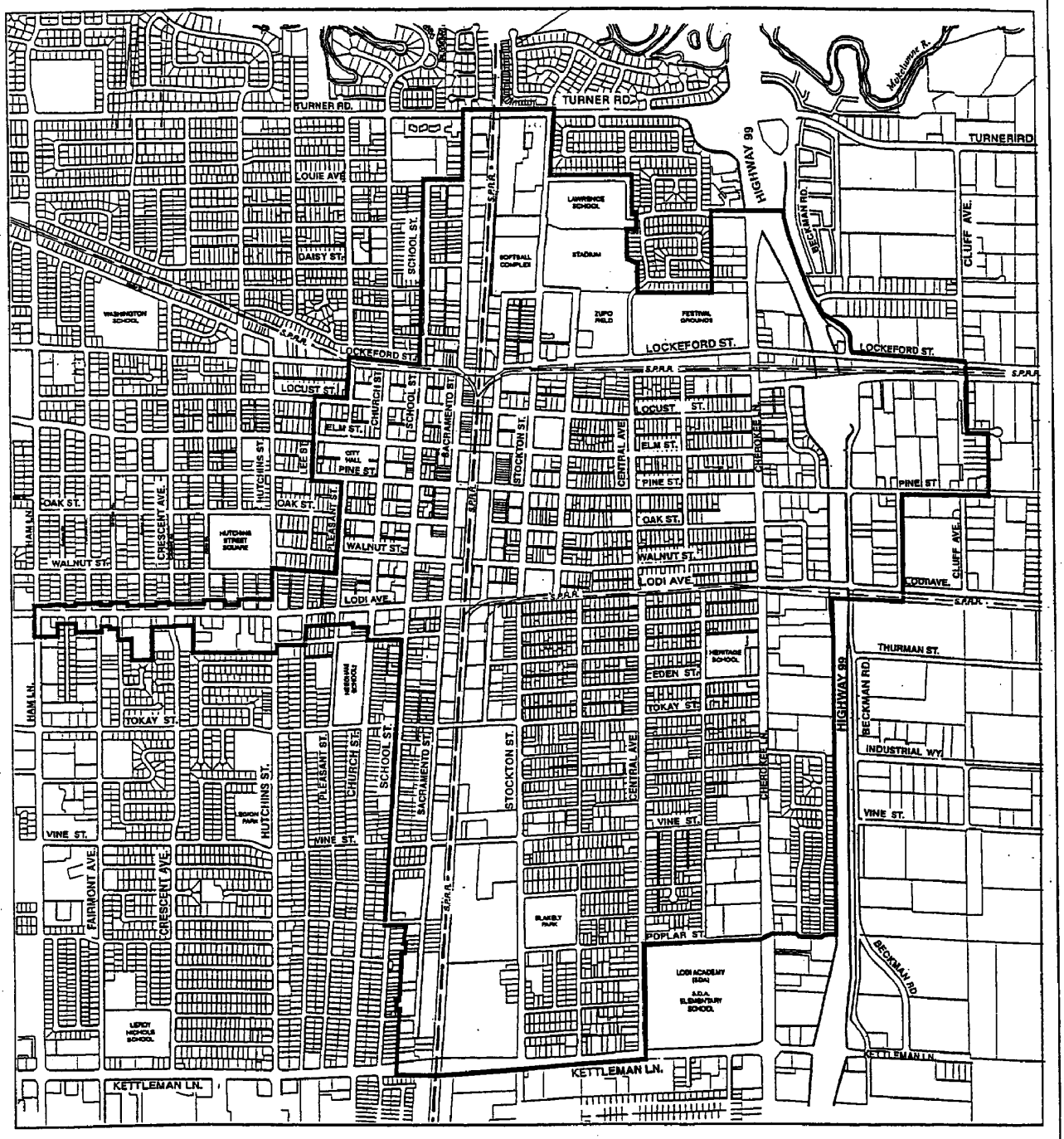
89° 53' 16" West, 321.23 feet to the centerline of Cluff Avenue; thence continuing along the South line of Pine Street, South 89° 31' 32" West, 673.61 feet to a point of non-tangential curvature; thence along a curve to the left having a radius of 30 feet; a central angle of 90° 31' 32", an arc length of 47.40 feet and a chord that bears South 49° 10' 52" West, 42.62 feet to the most southerly corner of that property conveyed to the City of Lodi by deed recorded in Book 3792 of Official Records, page 312, San Joaquin County Records and the East line of Kelley Street; thence along the East line of Kelley Street and its southerly projection, South 01° 09' 47" East, 1200.42 feet to the South line of the Central California Traction Company Right of Way; thence along the South line of said Right of Way, North 87° 16' West, 856.95 feet to the West line of State Highway Route No. 99; thence along the West line of Highway 99 the following four courses: (1) South 00° 49' 00" East, 29.94 feet, (2) South 03° 51' 12" East, 600.66 feet (3) South 00° 48' East, 3032.54 feet, (4) South 01° 10' 10" East, 261.88 feet to the North line of the South half of the Southwest quarter of Section 7, Township 3 North, Range 6 East, Mount Diablo Base and Meridian; thence North 87° 40' 50" West, 138.24 feet; thence South 0° 35' 30" East, 10.0 feet; thence South 47° 19' 10" West, 38.20 feet; thence North 87° 40' 50" West, 266.09 feet; thence North 42° 40' 50" West, 38.20 feet; thence North 0° 35' 30" West, 10.0 feet; thence along the said North line last described, North 87° 40' 50" West, 252.96 feet to the East line of Cherokee Lane; thence South 61° 45' 43" West, 192.91 feet more or less to the intersection of the South line of Poplar Street and the West line of Cherokee Lane; thence

along the South line of Poplar Street the following three courses: (1) South 85° 47' 10" West, 617.50 feet, (2) South 00° 36' 30" East, 10.0 feet, (3) South 85° 47' 10" West, 620.30 feet to the East line of Central Avenue; thence along the East line of Central Avenue South 00° 36' 35" East, 1160.74 feet to the North line of State Highway Route No. 12; thence South 00° 37' 30" East, 110.14 feet; thence along the South line of said Highway 12 the following five courses: (1) South 86° 29' West, 44.05 feet, (2) along a curve to the left having a radius of 3945 feet, a central angle of 4° 05' 08" and an arc length of 281.30 feet to a point of reverse curvature, (3) along a curve to the right having a radius of 5892.19 feet, a central angle of 4° 05' 08" and an arc length of 420.15 feet, (4) South 89° 29' West, 592.36 feet, (5) South 74° 33' 28" West, 71.79 feet to the TRUE POINT OF BEGINNING.

Containing acres more or less.

REGISTERED PROFESSIONAL ENGINEER
TERRY PIAZZA
No. 19638
Exp. 9-30-05
CIVIL
STATE OF CALIFORNIA

ATTACHMENT NO. 2



REDEVELOPMENT PROJECT BOUNDARY

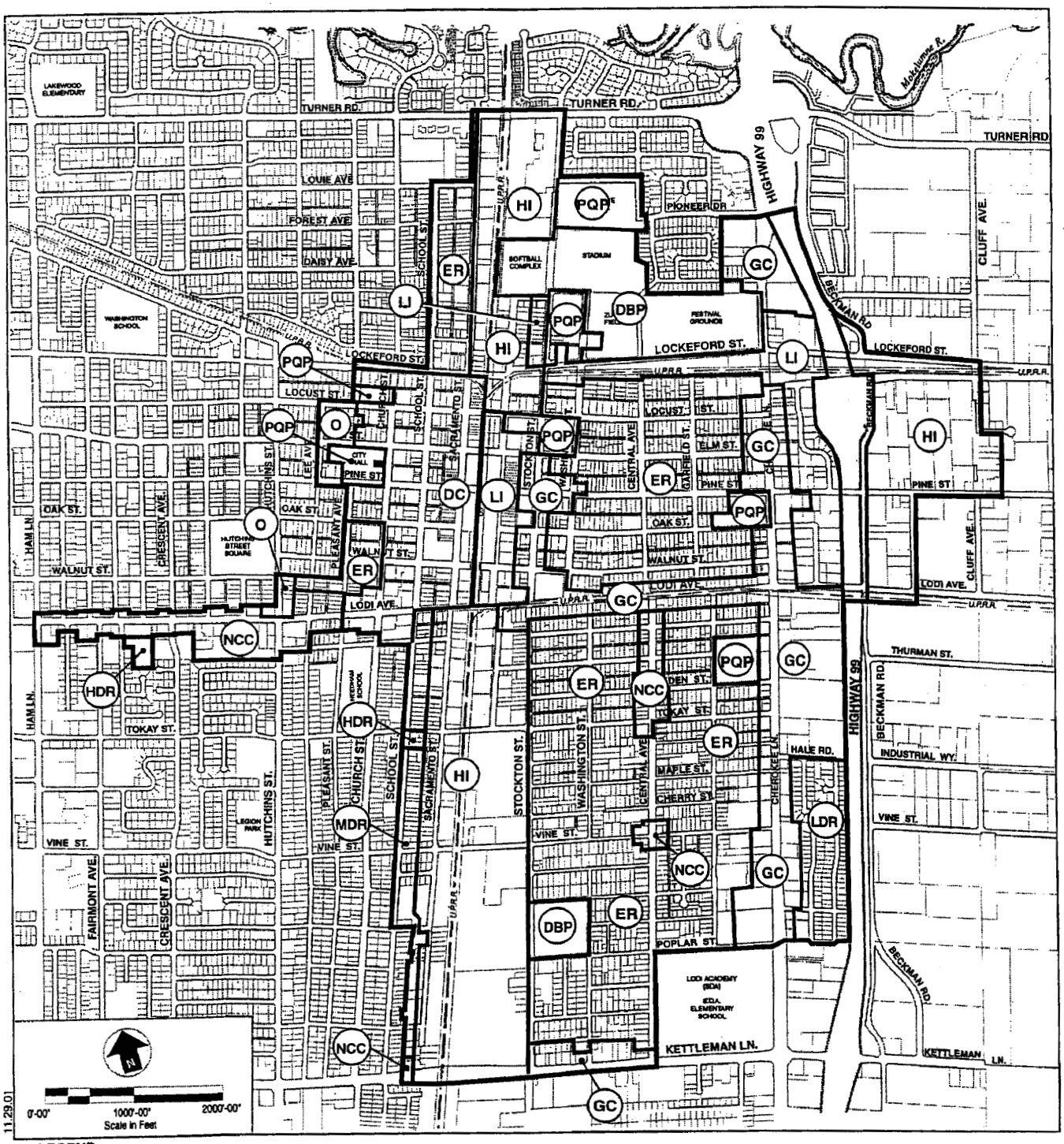
N

0 1400

FEET

SOURCE: John B. Dykstra & Associates, September 2001

ATTACHMENT NO. 3



LEGEND

- HI HEAVY INDUSTRIAL
- LI LIGHT INDUSTRIAL
- GC GENERAL COMMERCIAL
- DC DOWNTOWN COMMERCIAL
- NCC NEIGHBORHOOD/ COMMUNITY COMMERCIAL
- O OFFICE
- DBP DETENTION BASINS AND PARKS
- PQP PUBLIC/QUASI-PUBLIC
- ER EASTSIDE RESIDENTIAL
- LDR LOW DENSITY RESIDENTIAL
- HDR HIGH DENSITY RESIDENTIAL
- MDR MEDIUM DENSITY RESIDENTIAL

SOURCE: City of Lodi, 1990

GENERAL PLAN LAND USE DESIGNATIONS

ATTACHMENT NO. 4

PROPOSED PUBLIC IMPROVEMENTS

The following public improvements are anticipated to be provided in the Project Area:

Public Infrastructure and Facilities Improvements

- Construct parking improvements in commercial areas of the Project Area
- Construct storm drain, wastewater and water distribution improvements in the East Side neighborhood, along Cherokee Lane and in Downtown Lodi
- Assist in the development of facilities to service residents in the Project Area, including a community center, a library and an education and training center

Building Rehabilitation, Façade Improvement and/or Historic Preservation

- Provide low interest loan and grant funds to pay for rehabilitation, seismic strengthening and/or historic preservation of commercial, industrial and residential buildings
- Provide assistance for façade improvements in the downtown and other areas
- Establish development standards and design guidelines to improve the appearance of buildings and businesses along Cherokee Lane

Neighborhood Preservation, Circulation and Landscaping Improvements

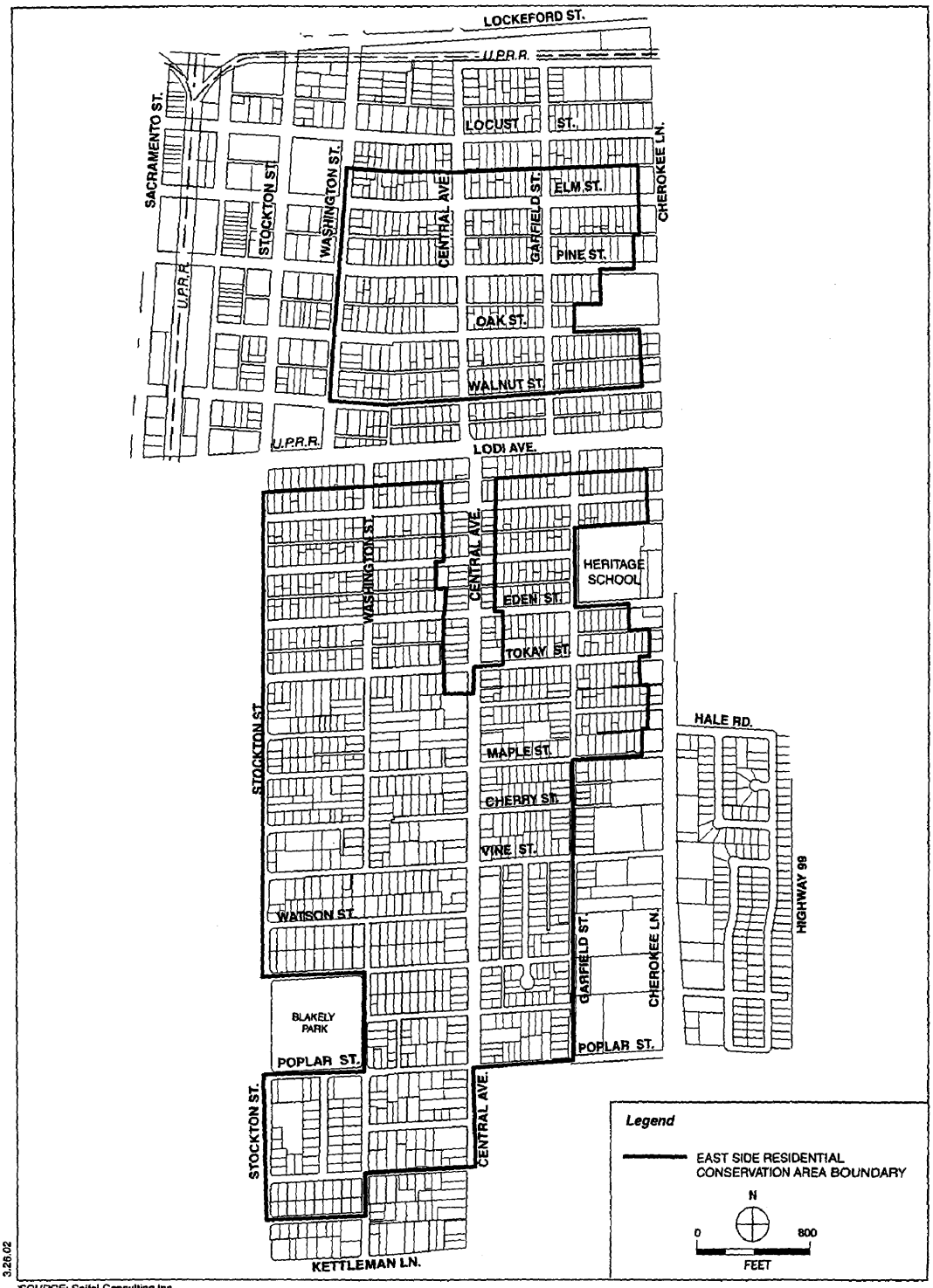
- Create a comprehensive pedestrian and bicycle network, providing linkages and improving access to Downtown from the proposed Multi-Modal Train Station and Transit Center
- Provide pedestrian access to Transit Center, including widening of sidewalks and landscaping street frontages
- Landscape public parking lots and streets, improve street signs and streetlights in Downtown, residential neighborhoods and other areas

- Construct new sidewalks and widen existing sidewalks in Downtown Lodi, residential neighborhoods and other areas

- Improve traffic signalization and traffic circulation at critical intersections, specifically along Cherokee Lane

- Expand code enforcement program

ATTACHMENT NO. 5



SOURCE: Seifel Consulting Inc.

CITY OF LODI REDEVELOPMENT PLAN ADOPTION

EAST SIDE RESIDENTIAL CONSERVATION AREA MAP

Recording Requested by
and When Recorded Return to:

City Clerk
City of Lodi
221 West Pine Street
Lodi, CA 95241-1910

NOTICE OF ADOPTION OF REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT NO. 1

NOTICE IS HEREBY GIVEN that the City Council of the City of Lodi adopted Ordinance No. 1713 on July 3, 2002, approving and adopting the Redevelopment Plan for the Lodi Redevelopment Project No. 1.

A legal description of the boundaries of the Project Area is attached hereto as Exhibit A and incorporated herein by reference.

Proceedings for the redevelopment of the Project Area have been instituted under the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.).

Filed for recordation with the County Recorder of San Joaquin County by order of the City Council of the City of Lodi, California.

Dated: July 9, 2002

Susan J. Blackston
City Clerk, City of Lodi

Attachment

followup/RDANoticeAdoptPlan.doc

EXHIBIT A

civil engineers

BAUMBACH & PIAZZA, INC.

323 West Elm Street
Lodi, California 95240-2003

Phone (209) 368-6618
FAX (209) 368-6610

September 3, 2001

JOB NO. 0048

CITY OF LODI

REDEVELOPMENT PROJECT NO. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARY

Commencing at a brass disk at the Southwest corner of the Southeast quarter of Section 12, Township 3 North, Range 6 East, Mount Diablo Base and Meridian; thence South 11° 03' 40" West 97.99 feet to an angle point on the South line of State Highway Route No. 12 and the True Point of Beginning; thence along the South line of said Highway the following four courses: (1) South 86° 52' 18" West, 55.24 feet, (2) South 83° 26' 17" West, 500.90 feet, (3) South 84° 34' 39" West, 299.36 feet, (4) North 89° 46' 57" West, 453.16 feet; thence North 03° 15' 30" East, 703.0 feet to the North line of Tamarack Drive; thence South 86° 41' 04" West, 10.0 feet; thence North 03° 04' 04" East, 67 feet; thence South 86° 41' 04" West, 25 feet; thence North 03° 04' 04" East, 100 feet; thence North 86° 41' 04" East, 25 feet; thence North 03° 04' 04" East, 215 feet; thence North 86° 22' 04" East, 12.70 feet; thence North 02° 25' 44" East, 329.86 feet; thence North 86° 41' 04" East, 22.86 feet; thence North 03° 00' 04" East, 112.7 feet; thence South 86° 41' 04" West, 32.91 feet; thence North 03° 04' 04" East, 36.96 feet; thence North 86° 41' 04" East, 10 feet; thence North 03° 04' 04" East, 252.60 feet more or less to the North line of Park Street; thence along said North line and its westerly projection South 86° 39' 04" West, 223.11

feet to the West line of School Street; thence along the West line of School Street the following four courses: (1) North 03° 05' 34" East, 417.09 feet, (2) North 03° 00' 04" East, 558.90 feet, (3) North 02° 54' 29" East, 1322.86 feet, (4) North 03° 12' 49" East, 943.28 feet to the South line of Chestnut Street; thence along the South line of Chestnut Street, South 85° 21' 00" West, 325.78 feet to the southerly projection of the East line of Church Street; thence along the East line of Church Street, North 02° 50' 00" East, 165.00 feet; thence South 85° 21' 00" West, 250.00 feet to the West line of an alley; thence along the West and South lines of said alley the following three courses: (1) North 2° 50' 00" East, 10.00 feet, (2) North 29° 45' 17" West, 33.11 feet, (3) South 85° 21' 00" West, 495.00 feet to the East line of Lee Avenue; thence along the East line of Lee Avenue, South 02° 50' 00" West, 200.00 feet to the South line of Chestnut Street; thence along the South line of Chestnut Street, South 85° 21' 00" West, 301.39 feet to the East line of Hutchins Street; thence along the East line of Hutchins Street, South 01° 04' 00" East, 73.86 feet; thence South 89° 31' 30" West, 944.15 feet; thence North 01° 04' 00" West, 296.40 feet; thence South 89° 31' 30" West, 57.85 feet; thence South 01° 04' 00" East, 5.00 feet; thence South 89° 31' 30" West, 390.00 feet; thence South 01° 04' 00" East, 384.80 feet; thence South 89° 31' 30" West, 232.00 feet; thence North 1° 04' 00" West, 240.00 feet to the Northeast corner of Lot 24 of TURNAGE SUBDIVISION as filed in Volume 11 of Maps and Plats, page 119, San Joaquin County Records; thence South 89° 31' 30" West, 100.00 feet to the Northwest corner of said Lot 24' thence along the East line of Orange Avenue, North

01° 04' 00" West, 134.80 feet; thence South 89° 31' 30" West, 50.00 feet; thence South 01° 04' 00" East, 10.80 feet; thence South 89° 31' 30" West, 97.30 feet; thence North 01° 07' 15" West, 40.00 feet; thence South 89° 31' 30" West, 157.34 feet to the West line of Fairmont Avenue; thence along the West line of Fairmont Avenue, South 01° 11' 30" East, 78.00 feet; thence South 89° 31' 30" West, 219.11 feet to the West line of the CULBERTSON TRACT as filed in Volume 11 of Maps and Plats, page 53, San Joaquin County Records; thence North 01° 11' 30" West, 114.80 feet to the Southeast corner of Lot 29 of the CULBERTSON TRACT; thence South 89° 31' 30" West, 219.11 feet to the Southwest corner of Lot 30 of said CULBERTSON TRACT; thence along the West line of said CULBERTSON TRACT, South 01° 11' 30" East, 161.00 feet; thence South 89° 31' 30" West, 259.11 feet to the West line of Ham Lane; thence along the West line of Ham Lane, North 01° 11' 30" West, 270.00 feet to the centerline of Lodi Avenue; thence continue along the West line of Ham Lane, North 01° 05' 20" West, 91.14 feet; thence along the North line of Lot 17 of HUTCHINS HOMESTEAD ADDITION NO. 3 and its westerly project, North 89° 33' 37" East, 180.96 feet to the Northeast corner of said Lot 17; thence North 01° 12' 00" West, 10.00 feet; thence North 89° 33' 37" East, 115.96 feet; thence along the West line of Sunset Drive, South 01° 19' 00" East, 10.00 feet; thence North 89° 33' 37" East, 175.96 feet to the Northeast corner of Lot 51 of said subdivision last described; thence North 01° 26' 00" West, 9.21 feet; thence North 89° 33' 37" East, 115.96 feet; thence along the West line of Fairmont Avenue, South 01° 32' 00" West, 4.21 feet; thence North 89° 33' 37" East, 175.96 feet; thence South

01° 45' 00" East, 5.00 feet to the Northwest corner of Lot 86 of said subdivision last described; thence North 89° 33' 37" East, 115.96 feet to the Northeast corner of said Lot 86; thence along the West line of Orange Avenue, North 01° 45' 00" West, 24.85 feet; thence North 89° 33' 10" East, 187.60 feet; thence South 01° 45' 00" East, 25.00 feet; thence North 89° 33' 10" East, 127.60 feet; thence along the West line of Avena Avenue, South 01° 45' 00" East, 0.80 feet; thence North 89° 31' 30" East, 192.50 feet; thence North 01° 45' 00" West, 22.00 feet; thence North 89° 31' 30" East, 132.50 feet; thence along the West line of Cresent Avenue South 01° 45' 00" East, 24.80 feet; thence North 89° 31' 30" East, 380.20 feet; thence along the West line of Rose Avenue North 01° 45' 00" West, 60.00 feet; thence North 89° 31' 30" East, 230.10 feet; thence along the East line of an alley South 01° 45' 00" East, 56.70 feet; thence North 89° 31' 30" East, 150.10 feet; thence along the West line of California Street North 01° 45' 00" West, 56.70 feet; thence along the westerly projection of the South lines of Lots 14 and 6 of Block 8 of HUTCHINS HIGH SCHOOL ADDITION as filed in Volume 6 of Maps and Plats, page 27, San Joaquin County Records, North 89° 31' 30" East, 380.00 feet to the Southeast corner of said Lot 6; thence along the West line of Hutchins Street the following nine courses: (1) North 01° 19' 00" West, 50.00 feet, (2) South 89° 31' 30" West, 10.00 feet, (3) North 01° 19' 00" West, 50.00 feet, (4) North 89° 31' 30" East, 10.00 feet, (5) North 01° 19' 00" West, 50.00 feet, (6) South 89° 31' 30" West, 10.00 feet, (7) North 01° 19' 00" West, 220.00 feet to the North line of Walnut Street, (8) along the West line of Walnut Street, North 89° 31'

30" East, 10.00 feet, (9) North 01° 19' 00" West, 20.12 feet to the westerly extension of the North line of an alley; thence along the North line of the alley and its westerly projection the following five courses: (1) South 87° 09' 56" East, 160.03 feet, (2) South 02° 50' 04" West, 3.26 feet, (3) South 87° 09' 56" East, 50 feet, (4) South 02° 50' 04" West, 6.46 feet, (5) South 87° 09' 56" East, 520.0 feet to the West line of Pleasant Avenue; thence along the West line of Pleasant Avenue, North 03° 00' 04" East, 1050 feet to the South line of Pine Street; thence along the South line of Pine Street North 86° 59' 56" West 360 feet to the southerly projection of the West line of Lee Avenue; thence along the West line of Lee Avenue and its southerly projection North 03° 00' 04" East, 960 feet to the North line of Locust Street; thence along the North line of Locust Street, South 86° 59' 56" East, 360 feet to the West line of Pleasant Avenue; thence along the West line of Pleasant Avenue, North 03° 00' 04" East, 450.85 feet to the westerly projection of the North line of Lockeford Street; thence along the North line of Lockeford Street and its westerly projection South 86° 59' 56" East, 374.90 feet to an angle point; thence leaving the North line of Lockeford Street, South 80° 27' 13" East, 95.2 feet more or less to the Northeast corner of Church and Lockeford Streets; thence South 86° 59' 56" East, 297.5 feet to the Northwest corner of Lockeford and School Streets; thence along the West line of School Street and its northerly projection North 01° 33' 50" East, 322.64 feet to the North line of De Force Avenue; thence along the North line of De Force Avenue, North 88° 48' 10" East, 28.95 feet more or less to the West line of School Street; thence along the West

line of School Street the following seven courses: (1) North 00° 27' 40" East, 111.98 feet, (2) South 89° 01' 06" East, 2.71 feet, (3) North 00° 04' East, 801.9 feet, (4) South 85° 34' 58" West, 20.13 feet, (5) North 00° 33' 35" East, 395.14 feet more or less to the North line of Forrest Avenue, (6) along the North line of Forrest Avenue, North 86° 12' East, 19.46 feet to the West line of School Street, (7) along the West line of School Street and its northerly projection North 00° 11' East, 427.54 feet to the North line of Louie Avenue; thence along the North line of Louie Avenue, North 89° 05' 30" East, 392.45 feet; thence along a curve to the left having a radius of 25 feet, a central angle of 88° 00' and an arc length of 38.40 feet; thence along the West line of Sacramento Street, North 01° 05' 30" East, 664.20 feet; thence North 02° 35' 32" West, 105.78 feet to the North line of Turner Road; thence along the North line of Turner Road the following ten courses: (1) North 82° 26' 47" East, 82.11 feet, (2) North 89° 26' 30" East, 8.00 feet, (3) South 82° 25' 42" East, 70.71 feet, (4) North 89° 26' 30" East, 130.45 feet, (5) North 03° 00' 04" East, 15.03 feet, (6) North 89° 26' 30" East, 100.20 feet, (7) North 03° 00' 04" East, 15.03 feet, (8) North 89° 26' 30" East, 246.04 feet, (9) South 78° 54' 30" East, 122.53 feet, (10) North 89° 26' 30" East, 242.59 feet; thence South 0° 33' 30" East, 40.00 feet to the centerline of Turner Road; thence along the East line of Stockton Street as delineated on that Map of "COLONY RANCH" as filed in Volume 24 of Maps and Plats at page 50, San Joaquin County Records and its northerly projection South 03° 10' 40" West, 694.37 feet; thence along a curve to the left having a radius of 20 feet, a central angle of 93° 53' and an arc

length of 32.77 feet; thence along the North line of Donner Avenue and its easterly projection North 89° 17' 40" East, 841.11 feet to the East line of Calaveras Street; thence along the East line of Calaveras Street, South 00° 42' 20" East, 412.49 feet; thence along a curve to the left having a radius of 20 feet, a central angle of 90° and an arc length of 31.42 feet; thence along the North line of Pioneer Drive, North 89° 17' 40" East, 66.79 feet to the Southwest corner of Lot 11 of "LAWRENCE RANCH SUBDIVISION, UNIT NO. 1" as filed in Volume 13 of Maps and Plats, page 143, San Joaquin County Records; thence along the West line of said subdivision last described the following four courses: (1) South 40° 23' 40" West, 79.64 feet, (2) South 00° 42' 20" East, 104.04 feet, (3) South 82° 45' 10" West, 52.31 feet, (4) South 00° 59' 20" East, 358.00 feet to the Northwest corner of Lot 20; thence along the southwesterly line of said Lot 20, South 61° 36' 20" East, 57.38 feet; thence along the West lines of Lots 20 through 24 inclusive, South 00° 59' 20" East, 276.44 feet; thence South 22° 57' 20" East, 53.45 feet to the Southwest corner of Lot 25; thence along the South lines of Lots 25 through 38 inclusive, North 89° 17' 40" East, 818.60 feet to the Southeast corner of Lot 38; thence North 00° 42' 20" West, 840.0 feet to the Northeast corner of Lot 116; thence along the South line of Pioneer Drive, North 89° 17' 40" East, 366.3 feet to the West line of Cherokee Lane; thence North 75° 58' 31" East, 510.71 feet to a point on the East line of Beckman Road, said point also being a point on a curve from which the radial bears South 86° 04' 31" East; thence along the East line of Beckman Road the following ten courses: (1) southeasterly along a curve to the

left having a radius of 770.0 feet, a central angle of 24° 29' 47", an arc length of 329.21 feet and a chord bearing South 08° 19' 24" East, 325.86 feet, (2) South 20° 34' 18" East, 360.71 feet, (3) along a curve to the left having a radius of 1970 feet, a central angle of 06° 01' 42" and an arc length of 207.27 feet, (4) South 26° 36' 00" East, 138.05 feet, (5) South 25° 44' 07" East, 131.90 feet, (6) South 26° 36' East, 38.33 feet, (7) along a curve to the left having a radius of 372 feet, a central angle of 28° 58' 30" and an arc length of 188.12 feet, (8) South 55° 34' 30" East, 157.89 feet, (9) along a curve to the right having a radius of 178 feet, a central angle of 55° 07' 30" and an arc length of 171.26 feet, (10) South 00° 27' 00" East, 119.60 feet; thence South 43° 45' 12" East, 36.35 feet to the North line of Lockeford Street; thence along the North line of Lockeford Street, South 87° 00' East, 1272.54 feet to the northerly projection of the East line of Cluff Avenue; thence along the East line of Cluff Avenue and its northerly projection the following five courses: (1) South 01° 09' 46" East, 331.92 feet, (2) South 89° 48' 44" West, 2.0 feet, (3) South 01° 09' 46" East, 128.89 feet, (4) North 89° 48' 44" East, 2.0 feet, South 01° 09' 46" East, 354.67 feet to the South line of Mounce Street; thence along the South line of Mounce Street, North 89° 48' 44" East, 289.19 feet to the northerly projection of the West line of Parcel "A" as delineated on that map filed in Book 7 of Parcel Maps, page 13, San Joaquin County Records; thence South 01° 09' 46" East, 712.42 feet to the intersection of the southerly projection of the West line of said Parcel "A" and the South line of Pine Street; thence along the South line of Pine Street, North

89° 53' 16" West, 321.23 feet to the centerline of Cluff Avenue; thence continuing along the South line of Pine Street, South 89° 31' 32" West, 673.61 feet to a point of non-tangential curvature; thence along a curve to the left having a radius of 30 feet; a central angle of 90° 31' 32", an arc length of 47.40 feet and a chord that bears South 49° 10' 52" West, 42.62 feet to the most southerly corner of that property conveyed to the City of Lodi by deed recorded in Book 3792 of Official Records, page 312, San Joaquin County Records and the East line of Kelley Street; thence along the East line of Kelley Street and its southerly projection, South 01° 09' 47" East, 1200.42 feet to the South line of the Central California Traction Company Right of Way; thence along the South line of said Right of Way, North 87° 16' West, 856.95 feet to the West line of State Highway Route No. 99; thence along the West line of Highway 99 the following four courses: (1) South 00° 49' 00" East, 29.94 feet, (2) South 03° 51' 12" East, 600.66 feet (3) South 00° 48' East, 3032.54 feet, (4) South 01° 10' 10" East, 261.88 feet to the North line of the South half of the Southwest quarter of Section 7, Township 3 North, Range 6 East, Mount Diablo Base and Meridian; thence North 87° 40' 50" West, 138.24 feet; thence South 0° 35' 30" East, 10.0 feet; thence South 47° 19' 10" West, 38.20 feet; thence North 87° 40' 50" West, 266.09 feet; thence North 42° 40' 50" West, 38.20 feet; thence North 0° 35' 30" West, 10.0 feet; thence along the said North line last described, North 87° 40' 50" West, 252.96 feet to the East line of Cherokee Lane; thence South 61° 45' 43" West, 192.91 feet more or less to the intersection of the South line of Poplar Street and the West line of Cherokee Lane; thence

along the South line of Poplar Street the following three courses: (1) South 85° 47' 10" West, 617.50 feet, (2) South 00° 36' 30" East, 10.0 feet, (3) South 85° 47' 10" West, 620.30 feet to the East line of Central Avenue; thence along the East line of Central Avenue South 00° 36' 35" East, 1160.74 feet to the North line of State Highway Route No. 12; thence South 00° 37' 30" East, 110.14 feet; thence along the South line of said Highway 12 the following five courses: (1) South 86° 29' West, 44.05 feet, (2) along a curve to the left having a radius of 3945 feet, a central angle of 4° 05' 08" and an arc length of 281.30 feet to a point of reverse curvature, (3) along a curve to the right having a radius of 5892.19 feet, a central angle of 4° 05' 08" and an arc length of 420.15 feet, (4) South 89° 29' West, 592.36 feet, (5) South 74° 33' 28" West, 71.79 feet to the TRUE POINT OF BEGINNING.

Containing acres more or less.

REGISTERED PROFESSIONAL ENGINEER
TERRY PIAZZA
No. 19638
Exp. 9-30-05
CIVIL
STATE OF CALIFORNIA

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI

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H. DIXON FLYNN
City Manager

SUSAN J. BLACKSTON
City Clerk

RANDALL A. HAYS
City Attorney

July 9, 2002

Building Department
City of Lodi
P.O. Box 3006
Lodi, CA 95240

RE: REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT NO. 1

Transmitted herewith is a copy of the Redevelopment Plan for the Lodi Redevelopment Project No. 1, approved and adopted by the City Council of the City of Lodi by Ordinance No. 1713 on July 3, 2002.

Pursuant to Section 33374 of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), after the adoption of a redevelopment plan for a project area, all applicants for building permits in the area, for a period of two years thereafter, shall be advised by the building department of the community that the site for which a building permit is sought for the construction of buildings or for other improvements is within a redevelopment project area.

Dated: July 9, 2002

Susan J. Blackston
City Clerk, City of Lodi

Enclosure

followup/RDALtrBldgDept.doc

CITY COUNCIL

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City Clerk

RANDALL A. HAYS
City Attorney

July 9, 2002

Lodi Redevelopment Agency
P.O. Box 3006
Lodi, CA 95241-1910

RE: ORDINANCE NO. 1713 APPROVING AND ADOPTING THE REDEVELOPMENT PLAN FOR THE LODI REDEVELOPMENT PROJECT NO. 1

Transmitted herewith is a certified copy of Ordinance No. 1713, adopted by the City Council of the City of Lodi on July 3, 2002. Said Ordinance approves and adopts the Redevelopment Plan for the Lodi Redevelopment Project No. 1 and provides in Section 9 thereof that, upon receipt hereof, the Agency is vested with the responsibility for carrying out said Redevelopment Plan.

Dated: July 9, 2002

Susan J. Blackston
City Clerk, City of Lodi

Enclosure

followup/RDALtrTransOrd.doc