



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution of Vacation of a Surplus Portion of Woodhaven Lane at 1245 Woodhaven Lane Frontage

MEETING DATE: November 3, 2004

PREPARED BY: Public Works Director

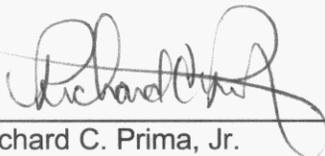
RECOMMENDED ACTION: That the City Council adopt a resolution of vacation of a surplus portion of Woodhaven Lane at the 1245 Woodhaven Lane frontage.

BACKGROUND INFORMATION: Woodhaven Lane, also known as the southerly extension of Chestnut Street, was accepted as a part of the Bennett/Compton Reorganization annexation process, LAFCO Resolution No. 92-102, on June 3, 1992. The abandonment of the surplus street right-of-way of Woodhaven Lane, a 72-foot street, is recommended by the Public Works Department staff for purposes of providing a proposed private masonry wall, landscaping, and irrigation systems for the Wine and Roses Residences development to be installed within private property. Per Streets and Highways Code, Section 8334, excess right-of-way may be summarily vacated if not required for street purposes. The surplus street right-of-way lies west and outside of the existing street improvements, as shown on Exhibit A, and no utilities occupy this area.

A public utility easement will be retained over the proposed abandonment.

Pacific Gas & Electric, SBC Pacific Bell, AT&T Broadband and the City of Lodi Electric Utility Department and Street and Water/Wastewater Divisions have approved the abandonment of street right-of-way outside of the existing street improvements with retention of a public utility easement.

FUNDING: Not applicable.

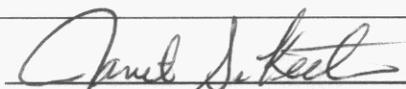

Richard C. Prima, Jr.
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician

RCP/JM/pmf

Attachment

cc: D. Stephen Schwabauer, City Attorney
Rad Bartlam, Community Development Director
George Bradley, Street Superintendent
Frank Beeler, Assistant Water/Wastewater Superintendent

APPROVED: 
Janet S. Keeter, Interim City Manager

When Recorded, Please Return to:
Lodi City Clerk
P. O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2004-234

A RESOLUTION OF THE LODI CITY
COUNCIL SUMMARILY VACATING A
PORTION OF WOODHAVEN LANE

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WHEREAS, that portion of Woodhaven Lane shown on Exhibit A attached hereto and incorporated herein was acquired from San Joaquin County through the Bennett/Compton Annexation, LAFC 3-92 on June 16, 1992; and

WHEREAS, that portion of Woodhaven Lane shown on Exhibit A is not required for street purposes and lies outside of the existing street improvements; and

WHEREAS, pursuant to California Streets and Highways Code Section 8334, an excess right-of-way of a street or highway not required for street or highways purposes may be summarily vacated; and

WHEREAS, no public utilities are located in that portion of Woodhaven Lane desired to be vacated.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi finds and declares as follows:

1. The above recitals are true and correct.
2. The proposed vacation is the disposition of a remainder of a larger parcel, which was acquired and used for street purposes, and, in accordance with California Government Code Section 65402(a), the City Council of the City of Lodi hereby provides that Government Code Section 65402(a) does not apply to this vacation.
3. That portion of Woodhaven Lane shown on Exhibit A attached hereto and incorporated herein is summarily vacated as of the date of recordation of this Resolution and from and after that date no longer constitutes a street or highway.
4. The vacation is made pursuant to Chapter 4, Part 3 of the Streets and Highways Code of the State of California.
5. A public utility easement shall be retained over a portion of Woodhaven Lane shown on Exhibit A attached hereto and incorporated herein.

6. The City Clerk is hereby authorized and instructed to record this Resolution pursuant to Streets and Highways Code Section 8336.

Dated: November 3, 2004

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I hereby certify that Resolution No. 2004-234 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 3, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, and
Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Beckman

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

