

CITY COUNCIL MEETING  
JANUARY 5, 1983

cc SC  
27-a

On motion of Council Member Pinkerton, Murphy second, Council approved a Right-of-Way Agreement between Carl E. and Janice A. Snell and the City of Lodi for the acquisition of right-of-way for the widening of Turner Road immediately west of Cluff Avenue, which Agreement included the following provisions, and authorized the City Manager and City Clerk to execute the Agreement on behalf of the City:

2. City agrees to pay Grantor, Carl E. Snell and Janice A. Snell, the sum of \$32,840.00 for the certain real property on the attached legal description, when Grantor has transferred to City a Grant Deed for said property,
3. City agrees, in addition to cash payment,
  - a. To be responsible for the installation of curb, gutter, sidewalk and street paving at such time as City deems necessary;
  - b. To allow an 18" encroachment of a fence or masonry wall in that portion of the City's right-of-way in front of the porch as it is presently constructed at this address;
  - c. That City will not require Grantor to connect the dwelling to public sewer and water facilities so long as the property is owned and used as a single family dwelling by Grantor;

Council further determined that a 2½ foot encroachment can be allowed under the Encroachment Permit to be issued in this matter.

On motion of Mayor Pro Tempore Murphy, Olson second, Council determined to establish four lanes of travel way, with no parking in the area obtained for right-of-way.



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO: City Council  
FROM: City Manager  
DATE: December 27, 1982  
SUBJECT: Anagnos Right-of-Way Acquisition, Turner Road

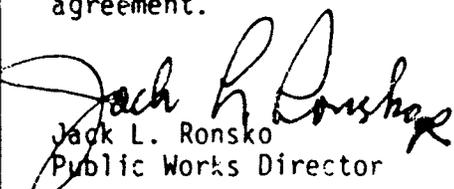
RECOMMENDED ACTION: That the City Council approve the attached Right-of-Way Agreement with Mrs. Panagiota Anagnos and authorize the City Manager and City Clerk to execute the agreement for the City.

BACKGROUND INFORMATION: The City Council directed the Public Works Department to acquire the necessary rights-of-way to complete the construction of Turner Road, west of Cluff Avenue.

The Anagnos property was appraised by Mr. Craig Hubbard of Stockton at \$9200, the amount in the agreement. In addition, the owners have requested that the City do certain other work, as described in Paragraph 3 of the agreement.

We would like to bring your attention in particular to Paragraph 3b and 3c. In 3b, the owner is requesting that any interim widening be at the sole cost of the City, understanding that any work not done by the City will be the responsibility of the developer at the time the property develops. Under 3c, the owner would like to continue to farm any land not needed for immediate widening. Since it is time to prune now, they would appreciate knowing what, if any work, the City Council envisions accomplishing during the summer of 1983.

Other than those 2 items, everything is pretty consistent with previous agreements, and it is our recommendation that the City Council approve the agreement.

  
Jack L. Ronsko  
Public Works Director

Attachment

JLR:GER:drrw

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.

5601

# CASA DE LODI TRAILER PARK

## PARCEL 3 8.455 AC.

## PARCEL 4 0.547 AC.

## TURNER ROAD

## ROAD

## ANAGNOS

OWNER'S CERTIFICATE

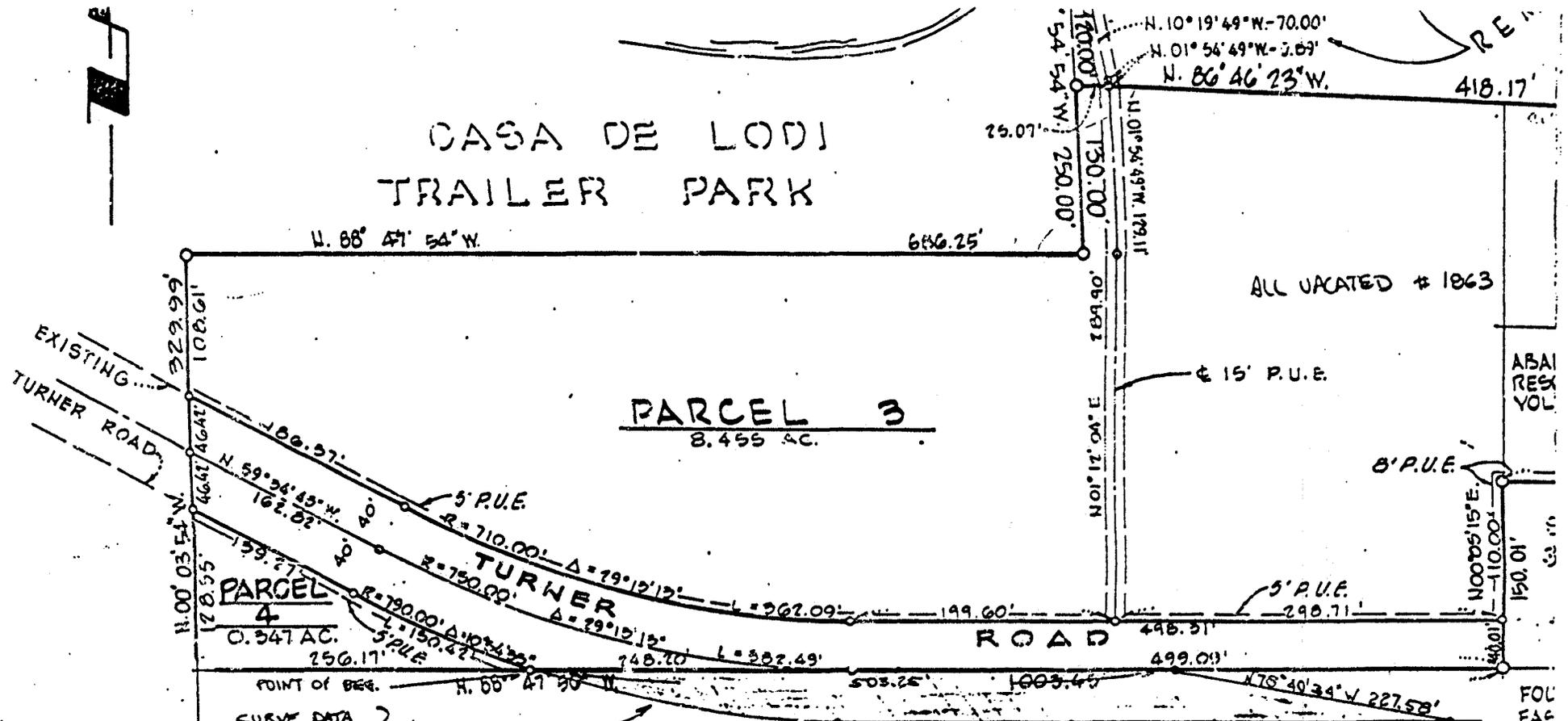
CURVE DATA  
 $\Delta = 18^{\circ} 18' 38''$   
 $L = 252.4$  FEET  
 $R = 790$  FEET

WE THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PARCEL MAP DO HEREBY CONSENT TO THE PREPARATION AND RECORDING OF THE SAME. WE ALSO HEREBY OFFER TO DEDICATE FOR PUBLIC USE ALL STREETS SHOWN ON SAID MAP AND ALL EASEMENTS FOR PUBLIC UTILITIES DESIGNATED AS PUBLIC UTILITY EASEMENTS (P.U.E.) AS SHOWN ON SAID MAP SUCH PARCELS OF LAND TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND.

WILLIAM ALCO INDUSTRIAL PARK A PARTNERSHIP

FIRST AMERICAN TITLE INSURANCE CO  
 CORPORATION, TRUSTEE UNDER DEED OF  
 VOLUME 4355, PAGE 825 OFFICIAL REC  
 COUNTY.

*A. D. ...*



August 13, 1982

Clarification of Turner Road Rights-of-Way Acquisition  
and Construction Between Beckman Road and Cluff Avenue

**BACKGROUND INFORMATION:** In January of this year, the City Council received a copy of the attached letter dated January 14, 1982, from Morris & Venell Architects requesting that the City purchase the right-of-way fronting the Jerome and Snell parcels in order that Turner Road could be constructed to its full width to accommodate the anticipated traffic from the proposed Cal Cushion Development within the Willow Oaks Industrial Park. The Council then gave staff direction to obtain appraisals on the Jerome and Snell parcels. At the following Council meeting, the attached memo of March 5, 1982, was reviewed with the City Council. The Council indicated that the questions within this memo would be answered upon obtaining the appraisals for the Snell and Jerome properties.

The Council has now directed staff to proceed on the acquisition of the Jerome property and the Snell appraisal. Therefore, the following questions from the March 5 memo still need clarification:

1. Since Cal Cushion is apparently not going to develop within the Willow Oaks Subdivision, does this change any previous Council positions?
2. Is it the Council's intention to also acquire the Turner Road rights-of-way fronting the Anagnos property?
3. Once the right-of-way is obtained, is it the City's intent to pay for any of the widening of Turner Road?

The estimated right-of-way acquisition costs and construction costs are shown below:

<u>Total R/W Costs</u>	<u>Construction Cost</u>	<u>Total</u>
\$50,000 to \$180,000	\$53,000	\$103,000 to \$233,000

Based on the attached letter from the City Attorney dated January 21, 1982, the Willow Oaks Industrial Park developer apparently indicated to the City Attorney that they (Willow Oaks Industrial Park) would pay for the street improvements fronting the Snell and Jerome properties if the City purchased the right-of-way.

City Council  
August 13, 1982  
Page 2

4. If Turner Road is to be widened at City cost, is the widening to take place in front of Jerome, Snell and Anagnos properties?
5. If widening is to take place, is it the Council's intent to construct all of the street improvements including parking lane, curb, gutter, sidewalk, street lights, or only those improvements necessary to provide the ultimate for travel lane?
6. If it is the Council's intent for the City to be responsible for widening, does the Council want to consider reimbursement at the time the properties develop or convert to a higher use?
7. Does the Council have any preference on what City funds should be used for the right-of-way acquisition and any Turner Road widening?

Jack L. Gonsky  
Public Works Director

Attachments

JLR/cen

**MORRIS & WENELL**

Willow Oaks  
Architects and planners, inc.

301 West Locust Street  
Lodi, California 95240  
Phone (209) 369-8258

January 14, 1982

Mr. Jack Ronsko  
CITY OF LODI  
221 West Pine Street  
Lodi, California 95240

Dear Mr. Ronsko:

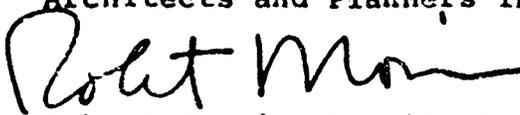
As architects for the Willow Oaks Industrial Park and Cal-Cushion Inc., we are formally requesting the public condemnation of Assessor Parcel Nos. 049-020-02 and 049-020-16, Owners Snell and Jerome respectively. We also ask that this request be placed upon the next City Council agenda for review and action.

Cal-Cushion Inc. of Lodi is proposing a new facility that will accommodate 300-400 employees. This high employment, along with trucks from Sanitary City Disposal and other area industries, will generate a considerable amount of traffic at the intersections of Turner and Cluff Roads. Therefore, it is our professional opinion that in the best interest of the City of Lodi and the two property owners, the City condemn this property so Turner Road may be constructed to its full design width at this point.

Please find enclosed a parcel map indicating this requested condemnation. If you need any additional information, please do not hesitate to call.

Sincerely,

MORRIS & WENELL  
Architects and Planners Inc.

  
Robert Morris, Architect  
President

RM:rf

Enclosure

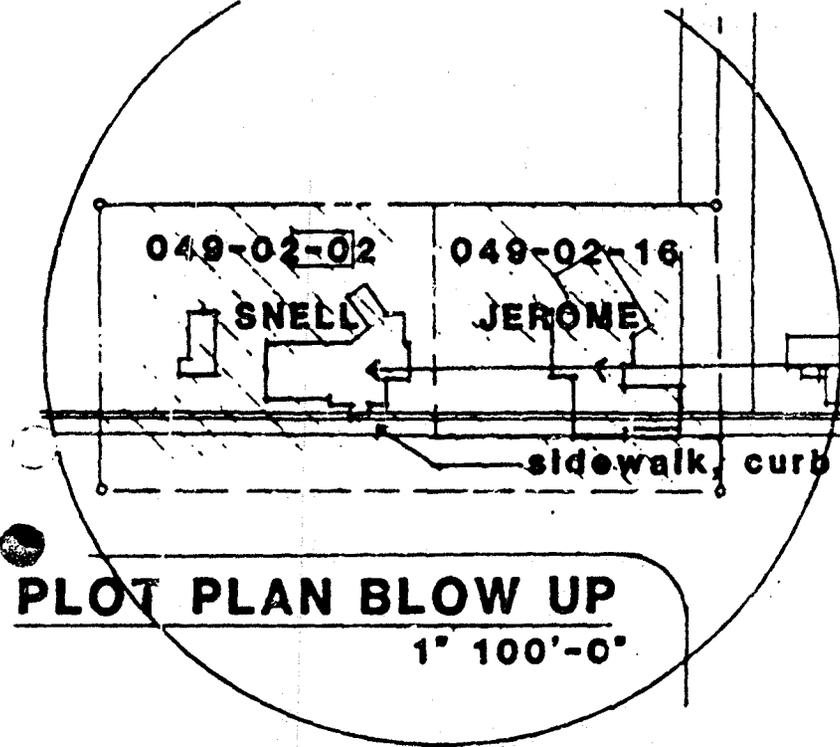
**RECEIVED**

JAN 18 1982



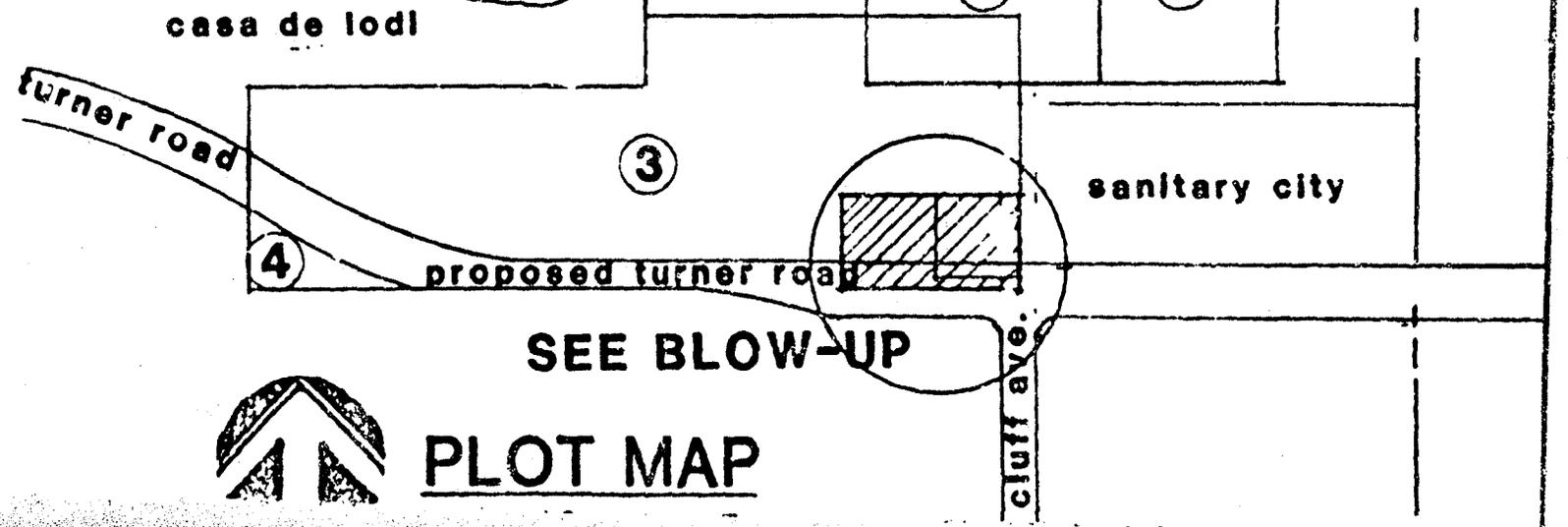
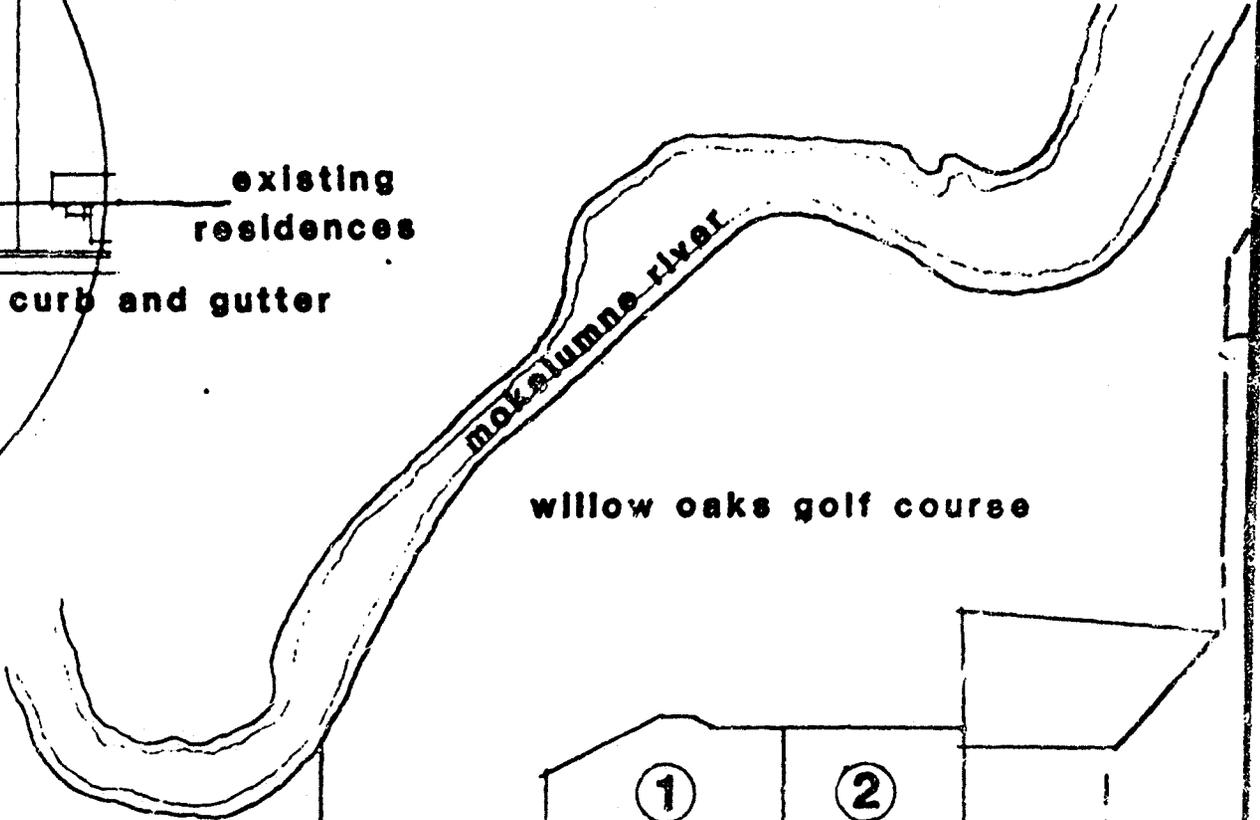
**CITY OF LODI**  
PUBLIC WORKS DEPARTMENT

Robert P. Morris • Larry Wenell



**PLOT PLAN BLOW UP**

1" 100'-0"



SEE BLOW-UP



**PLOT MAP**

MEMORANDUM, City of Lodi, Public Works Department

TO: City Council  
FROM: Public Works Director  
DATE: March 5, 1982  
SUBJECT: Clarification of Staff Direction to Construct  
Turner Road (at Cluff Avenue) to its Ultimate Width

---

The exact motion, moved by Pinkerton and seconded by Murphy, is as follows:

"That we try to acquire the property so we can continue the streets and tie it into the existing contract and get it done at a reasonable price so it's done, out of the way, and so we have a development with an access to the Industrial area of the City of Lodi."

Because of the exact wording of the motion, we, the staff, feel that clarification is needed on the following items:

1. Is it the Council's intention to acquire the required rights-of-way from Snell, Jerome, and Anagnos?

For Council's information, it has been past practice of the City Council to use their condemnation power where portions of future street alignments were needed as part of a proposed development for installation of utilities, additional street width, drainage, etc. However, it has been in the past, the developer's responsibility to pay for the appraisal, condemnation, and any litigation costs, the right-of-way needs and to make the necessary installations required for his development.

For Council information, the appraisal work will cost \$3,000 and the rights-of-way costs and preliminary construction estimates are as follows:

	<u>Right-of-Way Costs*</u>	<u>Construction Costs</u>	<u>Total</u>
Jerome	\$ 700	\$ 8,000	\$ 8,700
Snell	5,500	11,000	16,500
Anagnos	<u>10,800</u>	<u>34,000</u>	<u>44,800</u>
TOTAL	\$17,000	\$53,000	\$70,000

\*Based on \$0.50 per square foot. No value given to severance.

2. Is it the intent that the City pay all of the above costs?

This is questioned based on the memo that was in the last Council packet from City Attorney Stain. From this memo it appears the

developer has indicated to the City Attorney that they would be willing to pay for the improvements in front of Snell and Jerome properties if the City purchased the rights-of-way.

3. Is it the City Council's intent to construct all of the street improvements, including parking lane, curb, gutter and sidewalk, or only those improvements necessary to provide the ultimate four (4) travel lanes?
4. It was clear that the Council wanted this work done in conjunction and together with the work under the Assessment District. Since the Assessment District contract has been let and it is the contractor's intent to install the underground utilities and do the roadway construction on Turner Road first, it doesn't appear that we will be able to do the additional work on Turner Road in conjunction with the Assessment District contract. It is assumed that the Council doesn't want to delay the District work.
5. If it is the Council's intent for the City to be responsible for the construction costs, does the Council want to consider reimbursement at the time the properties develop and convert to a higher use?
6. If it is the Council's intent for the City to pay for the right-of-way and the additional street construction, does the Council have any preference on what City funds should be used?
7. If Cal-Cushion does not develop (the City has no guarantee) is it still the Council's intent to widen Turner Road?

Jack L. Ronsko  
Public Works Director

JLR/esh