

CITY COUNCIL MEETING

January 7, 1981

CC-7(e)
CC-43
328

LETTER RECEIVED
FROM LODI
UNIFIED SCHOOL
DISTRICT RE
INTENTION TO SELL
MILLSWOOD SCHOOL
SITE

A letter was presented which had been received from Constantine I. Baranoff, Administrative Director, Facilities and Planning, Lodi Unified School District, indicating the school district's intention to sell the Millswood School site.



Lodi Unified School District

FACILITIES and PLANNING, 815 W. LOCKEFORD ST., LODI, CA. 95240 (209) 369-7411 - 466-0353

December 30, 1980

Mr. James Schroeder
Community Development Director
City of Lodi
221 West Pine Street
Lodi, California 95240

Subject: Disposal of Millswood School Site

Dear Mr. Schroeder:

On December 16, 1980, the Lodi Unified School District Board of Trustees adopted Resolution 80-52, declaring intention to sell real property being the Millswood School Site.

On March 17, 1981, we will receive written and oral bids for the 19.72± acre parcel.

In accordance with Government Code Section 65402, we are notifying you of our intent to dispose of the property.

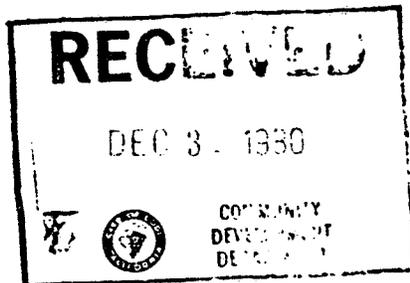
Enclosed is a copy of the resolution and a map of the parcel.

Sincerely,

Constantine I. Baranoff
Administrative Director
Facilities and Planning

CIB:j

Encl. 2



BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL
DISTRICT OF THE COUNTY OF SAN JOAQUIN
STATE OF CALIFORNIA

Resolution No. 80-52

RESOLUTION DECLARING INTENTION TO SELL REAL PROPERTY BEING
THE MILLSWOOD SCHOOL SITE PARCEL

- - - - -

WHEREAS, the LODI UNIFIED SCHOOL DISTRICT OF SAN JOAQUIN
COUNTY is the owner of all that certain real property described
as follows, to wit:

A portion of the East one-half of Section 3, Township 3 North, Range 6 East,
Mount Diablo Base and Meridian, being Parcel "D" as shown on that Map filed
in Volume 5 of Parcel Maps at Page 138, San Joaquin County Records and being
more particularly described as follows:

Beginning at the Southeast corner of MILLSWOOD, Unit No. 1 as filed in
Book 24 of Maps and Plats at page 86, San Joaquin County Records; thence
South 89° 51' 30" West, 470.83 feet to the South line of MILLSWOOD, Unit No.
2, as filed in Book 24 of Maps and Plats at page 97, San Joaquin County
Records; thence along the South line of Citadel Way the following five courses
and distances: along a curve to the right having a radius of 65 feet; a
central angle of 77° 41' 34" and an arc length of 88.14 feet; thence North 79°
50' West, 50.0 feet; thence South 89° 51' 30" West, 322.35 feet; thence South
79° 33' West, 50.0 feet; thence along a curve to the right having a radius of
65 feet, a central angle of 36° 29' 07" and an arc length of 41.39 feet;
thence South 68° 16' 50" West, 118.48 feet to the East line of MILLSWOOD, Unit
No. 1; thence South 1° 58' 42" East, 720.0 feet; thence North 89° 50' 37" East,
1098.84 feet to the East line of said Section 3; thence North 0° 44' West, 796.3
feet to the point of beginning and containing 19.72 acres, more or less.

SUBJECT to a public roadway over the East 30 feet thereof.

and

WHEREAS, the real property is not needed for school classroom buildings or for any other purpose by the LODI UNIFIED SCHOOL DISTRICT OF SAN JOAQUIN COUNTY;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the LODI UNIFIED SCHOOL DISTRICT OF SAN JOAQUIN COUNTY in regular open meeting that it hereby declares its intention to sell the said real property to the highest bidder therefore pursuant to the provisions of Section 39360 et seq., of the Education Code of the State of California.

BE IT FURTHER RESOLVED that the minimum price for which said real property will be sold is SIX HUNDRED TWENTY-THREE THOUSAND DOLLARS (\$623,000.00).

BE IT FURTHER RESOLVED that Constantine I. Baranoff, Director of Facilities and Planning of the Lodi Unified School District, or his designee, is hereby authorized and directed to open sealed bids and to call for oral bids regarding the same of the above-described real property. However, the final acceptance of a bid or the rejection of all bids shall only be made by this Board.

BE IT FURTHER RESOLVED that the terms on which the said real property will be sold are as follows: Each bid shall be sealed and addressed to the Board of Trustees of the LODI UNIFIED SCHOOL DISTRICT OF SAN JOAQUIN COUNTY, c/o Constantine I. Baranoff, Director of Facilities and Planning, or his designee, 815 West Lockeford Street, Lodi, California 95240. Such bids will be received by Mr. Baranoff

at said address until 7:30 p.m., on Tuesday,
March 17th, 1981. Each bid must be submitted
together with a certified check, cashier's check payable to the
Lodi Unified School District or cash deposit for ten percent (10%)
of the amount of the bid. The balance of the purchase price is to
be paid by the successful bidder upon execution and delivery of
deed by this District to said hereinabove described real property.

Buyer is to deposit into escrow the balance of the purchase
price within ten (10) days after notification by the District of
the acceptance of the bid. The amount of the bid must be net to
the District which will not pay any charges in connection with the
transaction, except that the District will pay for the full cost
of publishing this resolution and for one-half ($\frac{1}{2}$) of the cost of a
California Land Title Association Standard Coverage Form Policy of
title insurance. Buyer shall have the right to select the escrow
holder.

The successful bidder shall purchase said real property subject
to any and all rights, restrictions, rights of way, reservations,
conditions and covenants of record and, said purchase shall also be
subject to any and all open and apparent rights, restrictions, rights
of way, reservations, conditions and covenants. Further, the
successful bidder shall purchase said real property subject to any
and all off-record rights if any there be. District in no way
guarantees that the legal description of the property as set forth
herein will itself conform to a field survey of the property.

BE IT FURTHER RESOLVED that bids must be submitted for the entire property hereinabove described.

BE IT FURTHER RESOLV that Tuesday, the 17th day of March, 1981, at the hour of 7:30 p.m., be the time when, and the Boardroom, 815 West Lockeford Street, Lodi, California, be the place where sealed proposals to purchase the said real property will be opened and considered. Before accepting any written proposal the Director of Facilities and Planning or his designee will call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property for a price exceeding by at least five percent (5%) the highest written proposal and upon the same terms as herein specified then the oral bid which is the highest and which is made by a responsible person, shall be accepted, unless all bids are rejected. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror; however, final acceptance, if any, of the final bid shall be made only by the Board. A meeting is scheduled for this purpose and other business on March 24th, 1981, at 7:00 p.m., at the Boardroom located at 815 West Lockeford Street, Lodi, California.

Prior to the acceptance of private bids the Board is required by Education Code Section 39360 et seq., to follow procedures listed below:

A) Public Entity Offers

First priority must be given to any public entity or entities or to nonprofit charitable or public benefit corporations which offer

to purchase the property within a 60 day allowable period. A special priority is granted to local public agencies desiring to acquire the subject property or appropriate portions thereof for outdoor recreation or other open space purposes. If more than one entity extends an offer for the property, the governing board may exercise its discretion in selecting the offer to be accepted. If no offer is made within the 60 day period, or if no satisfactory agreement on an offer can be reached, within the allowable time, then the governing board may move on to the receipt and consideration of private bid proposals.

The publication of this resolution shall serve as notice to any and all public entities to which notice is required, including by way of example, but not by way of limitation, public notice to:

Public districts

Public authorities

Public agencies

Public corporations

Any political subdivision of this State

The Federal Government

Nonprofit public benefit corporations organized for charitable purposes and existing after December 31, 1979.

B) Notice to Local Planning Agency

Prior to the final acceptance of a bid, the governing board must have notified the local planning agency having jurisdiction of the property of the governing board's intent to dispose of the property. Within 40 days of its receipt of the notice, the planning agency shall issue its report stating whether the proposed disposition conforms to the content of the general plan adopted by said agency.

Failure of the planning agency to so report within 40 days shall be conclusively deemed a finding that the proposed disposition is in conformity with the agency's adopted general plan.

The Board of Trustees of the Lodi Unified School District of San Joaquin County reserves to itself the right to reject any or all bids, either oral or written, and the right to withdraw the property from sale.

BE IT FURTHER RESOLVED that notice of the adoption of this resolution, and of the time and place of holding said sale shall be given by posting copies of this resolution, signed by the members of the Board of Trustees, or by a two-thirds majority thereof, in three (3) public places in the Lodi Unified School District of San Joaquin County as follows, to wit:

One on the bulletin board near the front door of the District Office, 815 W. Lockeford Street, Lodi, California;

One on the bulletin board in the Lodi City Hall, 221 West Pine Street, Lodi, California; and,

One on the bulletin board in the Lodi Public Library 201 West Locust Street, Lodi, California, and,

One at the location of the property to be sold, the street location of which is the west side of the intersection of Mills Street and Lockeford Street, not less than fifteen (15) days before the date of the meeting, and by publishing the notice not less than once a week for three (3) successive weeks before the meeting in the Lodi News Sentinel, a newspaper of general circulation in the County of San Joaquin, in which the District is situated.

PASSED AND ADOPTED by the Board of Trustees of the LODI
UNIFIED SCHOOL DISTRICT OF SAN JOAQUIN COUNTY, California, this
16th day of December, 1981, in regular open
meeting by a two-thirds vote of all its members.

AYES: Vatsula, Johnston, Meyer, Wisenor, Abrahamson, Ball

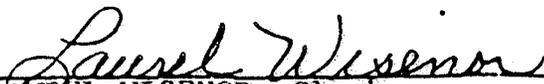
NOES: None

ABSENT: Buck



JOHN VATSULA, President
Board of Trustees
Lodi Unified School District
of San Joaquin County

ATTEST:



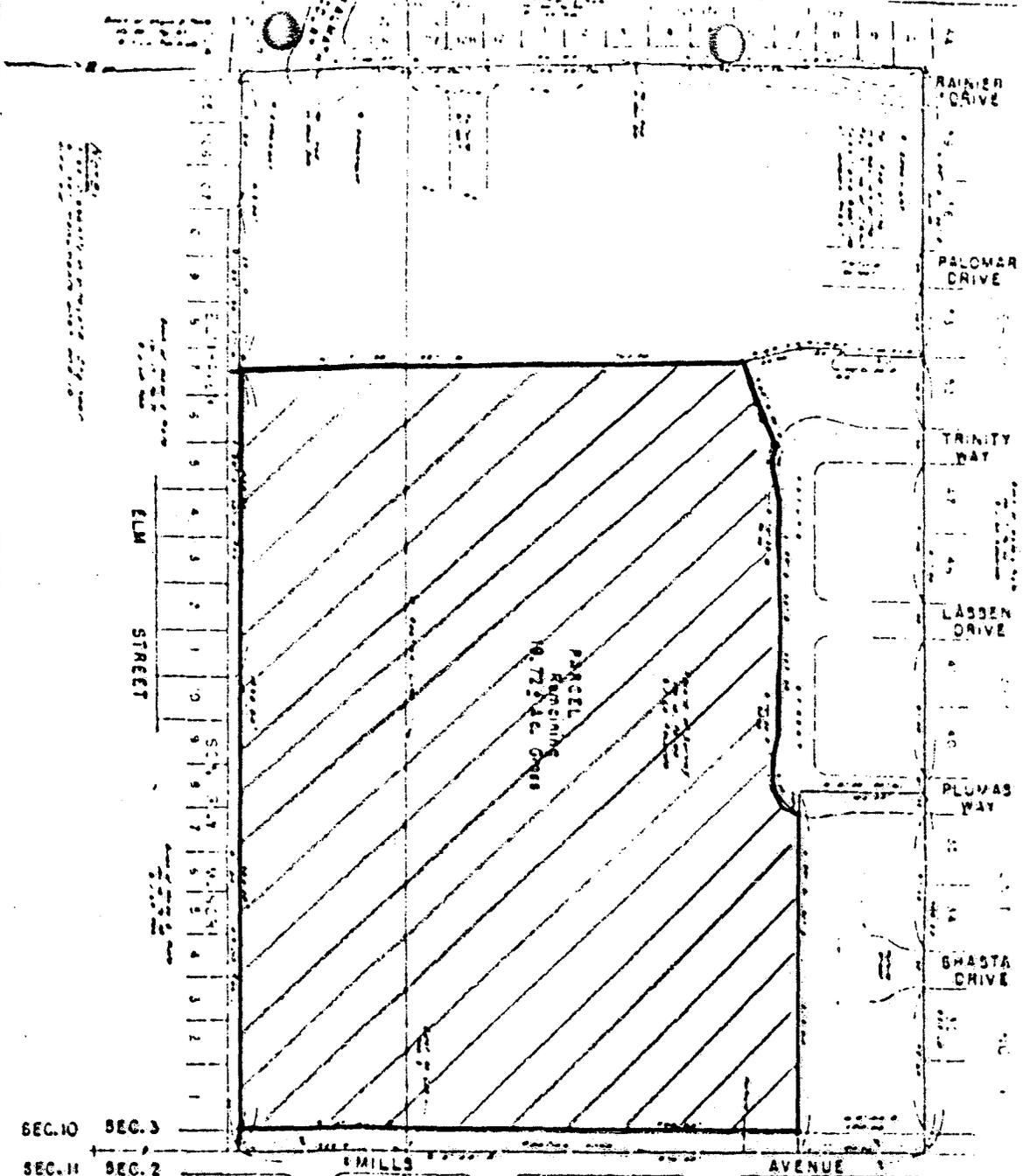
LAUREL WISENOR, Clerk
Board of Trustees

APPROVED AS TO FORM:

GEORGE A SHERWIN
County Counsel

By _____
MARK F. ORNELLAS

REFERENCE TO STREET AND OTHER FEATURES WHILE THIS PLAT IS BELIEVED TO BE CORRECT, THE COMPANY ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF NEGLIGENCE THEREON. INSURANCE COMPANY



PARCEL MAP OF
 A portion of the East one-half of
 Section 3, T39N R5E, M.D.B. & M.
 City of Lodi, County of San Joaquin, Calif.
 July 1978
 Scale 1/4" = 100'

BERNARD & PIERCE
 CIVIL ENGINEERS
 LODI, CALIF.

Handwritten notes:
 BASIS OF SURVING
 MONUMENTS SET
 SURVEYED CERTIFICATE
 CIVIL ENGINEERS CERTIFICATE
 COUNTY RECORDERS CERTIFICATE
 COUNTY OF CALIFORNIA
 COUNTY OF SAN JOAQUIN

CURVE DATA

Station	1+00	1+10	1+20	1+30	1+40	1+50	1+60	1+70	1+80	1+90	2+00
Curve	100	100	100	100	100	100	100	100	100	100	100
Radius	100	100	100	100	100	100	100	100	100	100	100
Chord	100	100	100	100	100	100	100	100	100	100	100
Angle	100	100	100	100	100	100	100	100	100	100	100

5 1/2 - N12
 3/3 N12