



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO : City Council
FROM : City Manager
MEETING DATE: January 7, 1987
AGENDA TITLE: Adopt Resolution of Vacation of Public Utility Easement at
2335 St. Anton Drive

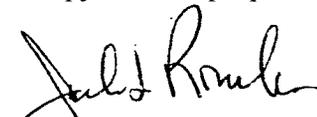
RECOMMENDED ACTION: That the City Council adopt a resolution vacating the public utility easement at 2335 St. Anton Drive.

BACKGROUND INFORMATION: The owners of Lot 47 of Sunwest Unit No. 7 have requested that the City abandon the easement **shown** on the attached map. This easement was dedicated to **provide** for the extension of sanitary sewer service to the new subdivisions to the northeast, Sunwest 5 and 6. Prior to the installation of the pipe, the Vine Street basin was filled, providing a better and less expensive route for the installation.

Under Section 8333 of the Streets and Highways Code, a local agency may summarily vacate an easement if "the easement has been superceded by relocation and there are no other public facilities located within the easement."

This department therefore recommends that the request to abandon this easement be granted without Planning Commission referral or the normal posting, publishing, and public hearing.

A copy of the proposed resolution is attached for your review.


Jack L. Ronsko
Public Works Director

JLR/GER/ma

Attachment

APPROVED:


THOMAS A. PETERSON, City Manager

FILE NO.

RESOLUTION NO.

RESOLUTION OF VACATION OF PUBLIC UTILITY EPESEMENT A? 2335 ST. ANTOI DRIVE

WHEREAS, on September 11, 1986, there was dedicated an easement for public utilities located in Lot 47 of Sunwest Unit No. 7 of Lodi, more particularly described as follows and delineated on the attached map:

The west 8.00 feet of Lot 47 of Sunwest Unit No. 7 as filed for record in Volume 28, Page 1, Book of Maps and Plats, San Joaquin County Records, excepting therefrom the south 10.00 feet; and

WHEREAS, the owners of Lot 47 of Sunwest Unit No. 7 have requested that the City of Lodi abandon such easement; and

WHEREEGS, such easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the Streets and Highways Code of the State of California, Division 9, Part 3, Chapter 4, Sections 8300 et seq., provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, in accordance with Streets and Highways Code Sections 8300 et seq., it is the desire of the City Council of the City of Lodi to vacate such easement.

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

That the public utility easement located in Lot 47 of Sunwest Unit No. 7 be vacated; and

That from and after the late this resolution is recorded, such easement will no longer constitute a public service easement.

Dated:

I hereby certify that Resolution No. **was** passed and adopted by the City Council of the City of Lodi in a regular meeting held January 7, 1987, by the following vote:

Ayes: Councilmembers -

Noes: Councilmembers -

Absent: Councilmembers -

Attest:

ALICE M. REIMCHE
City Clerk

RVACATIO/TXTW.02M

