

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE:

March 24, 1987

NO.

FROM: THE CITY MANAGER'S OFFICE

SUBJECT:

Regarding Council Intention to Adopt a Resolution of Necessity Regarding Eminent Domain Pursuant to the Code of Civil Procedure - Property Located at 18695 North Kennison Lane Within San Joaquin County.

PREPARED BY: City Attorney

RECOMMENDED ACTION: City take the initial step in eminent domain proceedings by adoption of a resolution of necessity for the acquisition of well site 10R, which must be adopted by a vote of two-thirds of all of the Council members.

BACKGROUND INFORMATION: At the March 4, 1987 City Council meeting, Council set a hearing for April 1, 1987, to consider adoption of a resolution of necessity for the acquisition of water well site 10R by eminent domain proceedings, pursuant to Code of Civil Procedure (CCP) Section 1245.220. Pursuant to CCP Section 1245.235, notice of said hearing was mailed to property owners William and Marion Johnson on March 5, 1987. On March 18, 1987, 1987, the City received written notice, pursuant to CCP Section 1245.235, from the Johnson's attorney that the Johnsons request to be heard at the April 1, 1987 hearing.

The grounds for objection to the right to take are set forth in CCP Section 1250.360 and 1250.370. A copy of these sections are attached hereto for your review.

The City's right-of-way negotiator, Jerry Heminger, first contacted the owners of the well site for Well 10R in February of 1986. Through numerous contacts, permission to drill for a test well was granted in August of 1986. The test well bore out the fact that there is sufficient water for installation of a well, and lab testing confirmed that the water would meet public health standards for drinking water. The site is shown on the attached sketch.

Since confirmation and approval of the site and layout by the California State Department of Public Health, we have been back negotiating with the owners, and at this time we have neither agreement nor deed. If we are to get any use this year of the water from this well, it is imperative that we proceed as rapidly as possible with drilling. At the present time, we have no producing wells east of Cherokee Lane and, as a result, water pressure and fire protection in our industrial area are limited.

Also on the Council agenda is the award of the well drilling contract for Well 10R. It is our plan to continue to negotiate with the owner. If we reach agreement for acquisition, or obtain a right of entry prior to the Council meeting on Wednesday, April 1, 1987, the award on the drilling contract will be made. If, however, we do not reach agreement for acquisition, but only a right of entry, we recommend this item be acted upon.

If no agreement of any kind is reached, we also recommend that this item be acted upon, and the award on the drilling contract not be made at this time.

Pursuant to Code of Civil Procedure (CCP) Section 1240.030, the power of eminent domain may be exercised to acquire property for proposed project only if all of the following are established:

- a) The public interest and necessity require the project
- b) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c) The property sought to be acquired is necessary for the project.

CCP Section 1240.040 provides that a public entity may exercise the power of eminent domain only if it has adopted a resolution of necessity that meets the requirements of CCP Section 1245.210 et seq. Pursuant to CCP Section 1245.240, the resolution of necessity must be adopted by a vote of two-thirds of all of the members of the governing body of the public entity.

Pursuant to CCP Section 1245.250(b), the resolution of necessity creates a presumption that the matters referred to in Section 1240.030 are true. This presumption is a presumption affecting the burden of producing evidence.

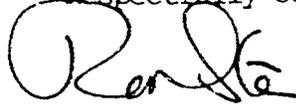
It is important to be aware that once the resolution of necessity has been adopted, according to CCP Section 1245.260, the City must commence an eminent domain proceeding to acquire the property within six months after the date of adoption, or if the City has filed such proceeding, the City must serve the complaint and the summons relating to the proceeding. If they do not, the property owner may file an action for inverse condemnation, to

- 1) Require the City to take the property and pay compensation therefor, and/or
- 2) Recover damages from the City for the interference with the possession and use of the property resulting from adoption of the resolution.

Page Three

However, the City Council is permitted to rescind the resolution of necessity as a matter of right at any time before the property owner commences an action under CCP 1245.260.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald M. Stein". The signature is stylized with a large initial "R" and a cursive "Stein".

Ronald M. Stein
City Attorney

RMS:vc

attachments

cccwlsit/txta.0lv

§1250.320. Contents of Answer.

(a) The answer shall include a statement of the nature and extent of the interest the defendant claims in the property described in the complaint.

(b) Where the defendant seeks compensation provided in Article 6 (commencing with Section 1263.510) (goodwill) of Chapter 9, the answer shall include a statement that the defendant claims compensation under Section 1263.510, but the answer need not specify the amount of such compensation. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"; W. Cal. Pro. "Pleading" §1037.

§1250.325. Disclaimer.

(a) A defendant may file a disclaimer at any time, whether or not he is in default, and the disclaimer supersedes an answer previously filed by the defendant. The disclaimer need not be in any particular form. It shall contain a statement that the defendant claims no interest in the property or in the compensation that may be awarded. Notwithstanding Section 1250.330, the disclaimer shall be signed by the defendant.

(b) Subject to subdivision (c), a defendant who has filed a disclaimer has no right to participate in further proceedings or to share in the compensation awarded.

(c) The court may implement the disclaimer by appropriate orders including, where justified, awarding costs and litigation expenses. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"; W. Cal. Pro. "Pleading" §1037.

§1250.330. Signature.

Where a party is represented by an attorney, his pleading need not be verified but shall be signed by the attorney for the party. The signature of the attorney constitutes a certificate by him that he has read the pleading and that to the best of his knowledge, information, and belief there is ground to support it. If the pleading is not signed or is signed with intent to defeat the purposes of this section, it may be stricken. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"; W. Cal. Pro. "Pleading" §1037.

§1250.340. Amendments, Supplements, Deletions.

(a) Subject to subdivisions (b) and (c), the court may allow upon such terms and conditions as may be just an amendment or supplement to any pleading. In the case of an amendment or supplement to the complaint, such terms and conditions may include a change in the applicable date of valuation for the proceeding and an award of costs and litigation expenses which would not have been incurred had the proceeding as origi-

nally commenced been the same as the proceeding following such amendment or supplement.

(b) A public entity may add to the property sought to be taken only if it has adopted a resolution of necessity that satisfies the requirements of Article 2 (commencing with Section 1245.210) of Chapter 4 for the property to be added.

(c) Property previously sought to be taken may be deleted from the complaint only if the plaintiff has followed the procedure for partial abandonment of the proceeding as to that property. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"

§1250.345. Waiver of Objection.

Subject to the power of the court to permit an amendment of the answer, if the defendant fails to object to the complaint, either by demurrer or answer, he is deemed to have waived the objection. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"

ARTICLE 5**Objections to Right to Take**

Demurrer or answer. §1250.350.
Grounds for objection. §1250.360.
Additional grounds for objection. §1250.370.

§1250.350. Demurrer or Answer.

A defendant may object to the plaintiff's right to take, by demurrer or answer as provided in Section 430.30, on any ground authorized by Section 1250.360 or Section 1250.370. The demurrer or answer shall state the specific ground upon which the objection is taken and, if the objection is taken by answer, the specific facts upon which the objection is based. An objection may be taken on more than one ground, and the grounds may be inconsistent. **Leg.H.** 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Fms Pl & Pr. "Eminent Domain"

§1250.360. Grounds for Objection.

Grounds for objection to the right to take, regardless of whether the plaintiff has adopted a resolution of necessity that satisfies the requirements of Article 2 (commencing with Section 1245.210) of Chapter 4, include:

(a) The plaintiff is not authorized by statute to exercise the power of eminent domain for the purpose stated in the complaint.

(b) The stated purpose is not a public use.

(c) The plaintiff does not intend to devote the property described in the complaint to the stated purpose.

(d) There is no reasonable probability that the plaintiff will devote the described property to the stated purpose within (1) seven years, or (2) 10 years where the property is taken pursuant to the

CCP

Federal Aid Highway Act of 1973, or (3) such longer period as is reasonable.

(e) The described property is not subject to acquisition by the power of eminent domain for the stated purpose.

(f) The described property is sought to be acquired pursuant to Section 1240.410 (excess condemnation), 1240.510 (condemnation for compatible use), or 1240.610 (condemnation for more necessary public use), but the acquisition does not satisfy the requirements of those provisions.

(g) The described property is sought to be acquired pursuant to Section 1240.610 (condemnation for more necessary public use), but the defendant has the right under Section 1240.630 to continue the public use to which the property is appropriated as a joint use.

(h) Any other ground provided by law. Leg.H. 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Ems Pl & Pr. "Eminent Domain"

§1250.370. Additional Grounds for Objection.

In addition to the grounds listed in Section 1250.360, grounds for objection to the right to take where the plaintiff has not adopted a resolution of necessity that conclusively establishes the matters referred to in Section 1240.030 include:

(a) The plaintiff is a public entity and has not adopted a resolution of necessity that satisfies the requirements of Article 2 (commencing with Section 1245.210) of Chapter 4.

(b) The public interest and necessity do not require the proposed project.

(c) The proposed project is not planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

(d) The property described in the complaint is not necessary for the proposed project.

(e) The plaintiff is a quasi-public entity within the meaning of Section 1245.320 and has not satisfied the requirements of Article 3 (commencing with Section 1245.310) of Chapter 4. Leg.H. 1975 ch. 1275, operative July 1, 1976.

Ref.: Cal Ems Pl & Pr. "Eminent Domain."

ARTICLE 6 Settlement Offers

§1250.410. Final Offer and Demand—Costs Allowed.

(a) At least 30 days prior to the date of the trial on issues relating to compensation, the plaintiff shall file with the court and serve on the defendant its final offer of compensation in the proceeding and the defendant shall file and serve on the plaintiff its final demand for compensation in the proceeding. Such offers and demands shall be the only offers and demands considered by the

court in determining the entitlement, if any, to litigation expenses. Service shall be in the manner prescribed by Chapter 5 (commencing with Section 1010) of Title 14 of Part 2.

(b) If the court, on motion of the defendant made within 30 days after entry of judgment, finds that the offer of the plaintiff was unreasonable and that the demand of the defendant was reasonable viewed in the light of the evidence admitted and the compensation awarded in the proceeding, the costs allowed pursuant to Section 1268.710 shall include the defendant's litigation expenses.

In determining the amount of such litigation expenses, the court shall consider the offer required to be made by the plaintiff pursuant to Section 7267.2 of the Government Code and any other written offers and demands filed and served prior to or during the trial.

(c) If timely made, the offers and demands as provided in subdivision (a) shall be considered by the court on the issue of determining an entitlement to litigation expenses. Leg.H. 1975 ch. 1275, operative July 1, 1976, 1982 ch. 1059.

Ref.: Cal Ems Pl & Pr. "Eminent Domain"

CHAPTER 6 DEPOSIT AND WITHDRAWAL OF PROBABLE COMPENSATION; POSSESSION PRIOR TO JUDGMENT

Art. 1. Deposit of Probable Compensation	§§1255.010-1255.080
Art. 2. Withdrawal of Deposit	§§1255.210-1255.280
Art. 3. Possession Prior to Judgment	§§1255.410-1255.480

ARTICLE 1

Deposit of Probable Compensation

Deposit with and without appraisal.	§1255.010.
Notice of deposit.	§1255.020.
Determination of probable compensation—Increase and decrease of deposit.	§1255.030.
Where property includes dwelling occupied by defendant.	§1255.040.
Property taken subject to leasehold interest.	§1255.050.
Use of deposit or withdrawal statement, appraisal report in trial.	§1255.060.
Place of deposit—Disbursement.	§1255.070.
Investment of deposit for defendant's benefit.	§1255.075.
Plaintiff's rights not waived.	§1255.080.

§1255.010. Deposit With and Without Appraisal.

(a) At any time before entry of judgment, the plaintiff may deposit with the court the probable amount of compensation, based on an appraisal, that will be awarded in the proceeding. The appraisal upon which the deposit is based shall be one that satisfies the requirements of subdivision (b). The deposit may be made whether or not the plaintiff applies for an order for possession or intends to do so.

RESOLUTION NO. 87-44

RESOLUTION OF NECESSITY REGARDING EMINENT DOMAIN
PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1245.220 ET SEQ.

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

The Council of the City of Lodi finds, determines, and hereby declares:

1. That the public interest, necessity, and convenience require the acquisition, construction, and completion of a public improvement, to wit: the acquisition of a site for well 10R on and across certain real property located at 18695 North Kennison Lane, within San Joaquin County, described as a portion of County Survey No. 3348 in Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian.
2. That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.
3. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
4. That the City of Lodi acquire the hereinafter described real property for a well site for well 10R by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary property and/or to fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Chapter Three of the Code of Civil Procedure of the State of California, to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.
5. To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or monies in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

6. The real property or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements is situated in the County of San Joaquin, State of California, and is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference.

7. Pursuant to Government Code Section 7267.2, a written offer was made to the owners of record in the amount of \$2740.00.

DATED: April 1, 1987

I hereby certify that Resolution No. 87-44 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 1, 1987 by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

Alice M. Reinche
Alice M. Reinche
City Clerk

Exhibit "A"

That certain real property in the County of San Joaquin, State of California, described as follows:

A portion of the Northwest Quarter of Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian being more particularly described as follows:

Commencing at the Northwest corner of said Section 5; thence South, 880.61 feet; thence easterly 50 feet to a point being the Southwest corner of the Johnson property as described in the deed filed in Book 2594 of Official Records, Page 245, San Joaquin County Records and the Northwest corner of the Ramm Ranches property as described in Recorder's Instrument No. 82019868, San Joaquin County Records, also being the True Point of Beginning; thence South along the East line of the Central California Traction property 60.0 feet; thence easterly parallel to the line common to the Johnson and Ramm Ranch properties above described, 60.0 feet; thence North, 60.0 feet; thence westerly, along the line common to the Johnson and Ramm Ranch properties, 60.0 feet to the True Point of Beginning.

Reserving an easement for maintenance and access more particularly described as: Beginning at the True Point of Beginning above described; thence easterly along the line common to the Johnson and Ramm Ranch properties, 60.0 feet; thence South, 5.0 feet; thence westerly, 60.0 feet; thence North, 5.0 feet; to the point of beginning.

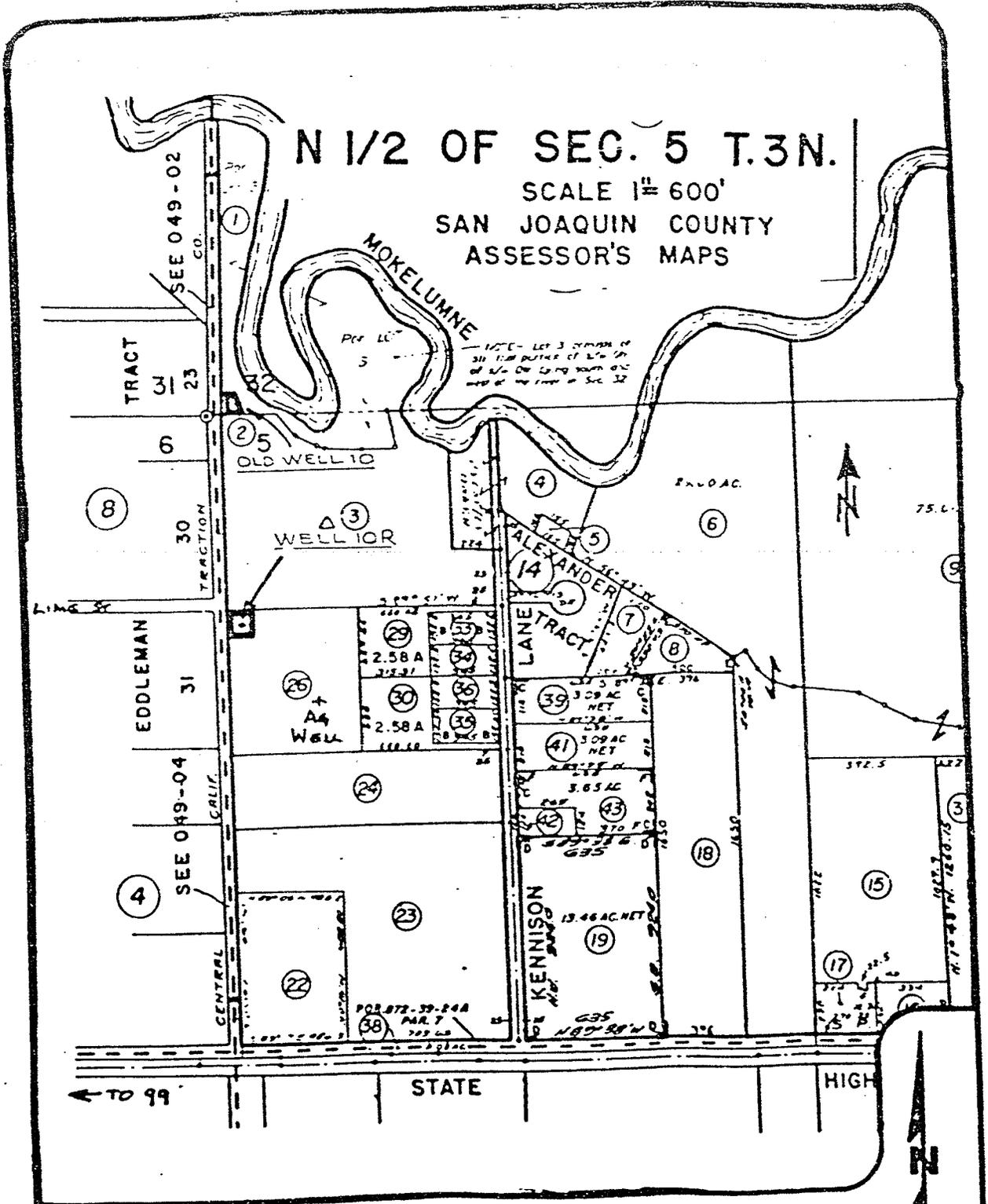
Also an easement to exclude the construction of any sanitary sewer facilities within 100 feet of the following described radius point: Commencing at the True Point of Beginning of the above described; thence South, 50.0 feet; thence easterly, parallel to the line common to the Johnson and Ramm Ranch properties above described 50.0 feet to the said radius point.

Exhibit A

N 1/2 OF SEC. 5 T.3N.

SCALE 1" = 600'

SAN JOAQUIN COUNTY
ASSESSOR'S MAPS



VICINITY MAP

RECEIVED

DECLARATION OF MAILING

1987 MAR -6 PM 3:05

On March 5, 1987, in the City of Lodi, San Joaquin County, California, I caused to be mailed in the United States mail an envelope, with first-class postage prepaid thereon, containing a copy of the notice attached hereto, said envelope was addressed as follows:

William and Marion Johnson
907 Tara Place
Lodi, CA 95240

There is a regular daily communication by mail between the City of Lodi, California, and the place to which said envelope was addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 6, 1987, at Lodi, California.

Monique Allman
Monique Allman

CITY COUNCIL

FRED M. REID, Mayor
EVELYN M. OLSON
Mayor Pro Tempore
DAVID M. HINCHMAN
JAMES W. PINKERTON, Jr.
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
March 5, 1987

THOMAS A. PETERSON
City Manager

RECEIVED ALICE M. REIMCHE
City Clerk

1987 MAR -5 PM RONALD M. STEIN
City Attorney

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

William and Marion Johnson
907 Tara Place
Lodi, CA 95240

SUBJECT: Notice Regarding Resolution of Necessity
Code of Civil Procedure Section 1245.235

Notice is hereby given that on April 1, 1987, the City Council of the City of Lodi intends to adopt a Resolution of Necessity regarding Eminent Domain, pursuant to Code of Civil Procedure (CCP) Section 1245.220, for the property located at 18695 North Kennison Lane within San Joaquin County described as a portion of County Survey No. 3348 in Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian.

You are notified that you have the right to be heard on the matters referred to in CCP Section 1240.030 as it relates to this property. Specifically, CCP Section 1240.030 permits the City of Lodi to exercise the power of eminent domain to acquire the property for a proposed project only if all of the following are established:

- a. The public interest and necessity require the project.
- b. The project is planned or located in the manner that will be most compatible with the greatest public need and the least private injury.
- c. The property sought to be acquired is necessary for the project.

NOTICE

Pursuant to CCP Section 1245.235, you must file a WRITTEN REQUEST to be heard within 15 days after the notice was mailed. The governing body need not give an opportunity to appear and be heard to any person who fails to file a written request. If you intend to be heard on the matter, please bring in or mail your request to Alice Reimche, City Clerk, 221 W. Pine Street, Call Box 3006, Lodi, 95241, phone 333-6700. YOUR FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN 15 DAYS AFTER THE NOTICE WAS MAILED WILL RESULT IN WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

G.E. Robison
Assistant City Engineer

GER/ma
cc: City Clerk
City Attorney

ROBERT H. MULLEN
C. M. B. D. SULLIVAN
THOMAS J. NEWTON
GEO. R. BARNHISEN
THOMAS J. DRISCOLL JR.
STEPHEN C. SNIDER

MULLEN, SULLIVAN & NEWTON
ATTORNEYS AT LAW
111 WEST TOKAY STREET
P. O. BOX 560
LODI, CALIFORNIA 95241-0560
(209) 334-5144

RECEIVED
OF COUNSEL
ANTHONY N. BERGICH
ROBERT C. LITTS
1987 MAR 18 PM 12:30

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

March 17, 1987

Alice Reimche, City Clerk
City of Lodi
Call Box 3006
Lodi, CA 95241-1910

Re: William and Marian Johnson

Dear Ms. Reimche:

William and Marian Johnson hereby request to be heard at the public hearing scheduled on April 1, 1987, by the City Council in connection with the Resolution of the Necessity regarding Eminent Domain of their property located at 18695 N. Kennison Lane.

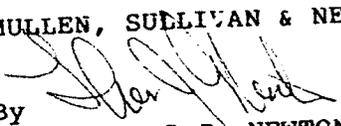
This request is made pursuant to the provisions of Section 1245.235. This request is based upon our reading of the notice that indicates that the City intends to condemn the entire parcel when all previous discussions regarding the necessity of the taking of the property have been over a small area intended to be used as the well site.

Please advise me if for any reason this request does not comply with the formal requirements of C.C.P. Section 1245.235.

Very truly yours,

MULLEN, SULLIVAN & NEWTON

By


THOMAS J. NEWTON

TJN:da

cc: Mr. and Mrs. William Johnson

NOTICE OF PUBLIC HEARING

Notice is hereby given that on April 1, 1987 the City Council of the City of Lodi, at its regular meeting to be held on that date at 7:30 p.m. in the Council Chambers located at 221 West Pine Street, Lodi, California, intends to adopt a Resolution of Necessity regarding Eminent Domain, pursuant to Code of Civil Procedure (CCP) Section 1245.220, for the property located at 18695 North Kennison Lane within San Joaquin County described as a portion of County Survey No. 3348 in Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian.

The property owners have been notified that they have the right to be heard on the matters referred to in CCP Section 1240.030 as it relates to this property. Specifically, CCP Section 1240.030 permits the City of Lodi to exercise the power of eminent domain to acquire the property for a proposed project only if all of the following are established:

- a. The public interest and necessity require the project.
- b. The project is planned or located in the manner that will be most compatible with the greatest public need and the least private injury.
- c. The property sought to be acquired is necessary for the project.

Pursuant to CCP Section 1245.234, the property owners must file a WRITTEN REQUEST to be heard within 15 days after the notice was mailed. The governing body need not give an opportunity to appear and be heard to any person who fails to file a written request. If the property owners intend to be heard on the matter, they need to bring in or mail their request to Alice M. Reimche, City Clerk, 221 West Pine Street, Call Box 3006, Lodi, CA 95241, phone 333-6702. THEIR FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN 15 DAYS AFTER THE NOTICE WAS MAILED WILL RESULT IN WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

If the property owners challenge the subject matter in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: March 4, 1987

By Order of the Lodi City Council

Alice M. Reimche
City Clerk

Approved as to form

Ronald M. Stein
City Attorney

PROOF OF PUBLICATION

(2015.5 C.C.P.)

This space is for the County Clerk's Filing Stamp

RECEIVED

1987 MAR 25 PM 1:59

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

STATE OF CALIFORNIA,

County of San Joaquin.

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily, except Sundays and holidays, in the City of Lodi, California, County of San Joaquin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953, Case Number 65990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

March 11,

all in the year 19.....⁸⁷

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 11th day of

March 19⁸⁷

[Signature]
Signature

Proof of Publication of

Notice of Public Hearing
April 1, 1987-City Council Meeting to
adopt a resolution of necessity
regarding Eminent Domain (18695 North
Kennison Lane)

NOTICE OF PUBLIC HEARING

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Dated: March 4, 1987
By Order of the Lodi City Council
Alice M. Reimche
City Clerk
Approved as to form
Ronald A. Stein
City Attorney
Mar. 11, 1987