

REQUEST TO
OBTAIN EASEMENT
FROM MR. BATCH
WHICH EASEMENT
IS NECESSARY
FOR THE
DEVELOPMENT
OF LOBAUGH
MEADOWS

Council was presented with the following letter which had been received from Kenneth Glantz of Glantz-Deimler-Dorman:

"The Honorable City Council
City of Lodi
City Hall
221 W. Pine Street
Lodi, CA 95240

Re: Storm Drainage Easement for 48" pipeline
Mills Avenue to G-South Basin

Dear Council Members,

The City of Lodi does not presently have a right of way or an easement for the proposed 48" Storm Drain trunk line between Mills Avenue and the proposed G-South Basin. The physical location of the existing main sanitary sewer interceptor and a P.G. & E. power pole line have necessitated the acquisition of a new easement 20 feet in width, the centerline of which would be located 20 feet south of the centerline of Century Boulevard. This easement would be located on the Delmar Batch property, but is within the Adopted Specific Plan right of way for the future Century Boulevard.

In accordance with established City policy, the developers of "The Meadows" have initiated and diligently pursued attempts at negotiating with Mr. Batch to acquire the necessary easement. Initially we met with Mr. Batch and two city staff members at City Hall on February 3 to discuss our easement needs and also to determine his farming schedule so that we could dovetail our construction schedule with his. This scheduling discussion included the excavation of the drainage basin as well as the installation of the pipeline. It was agreed at this meeting that we could schedule our construction between the time of current crop harvest (estimated as March 15) and new crop planting (estimated at June 1, 1984). Although our initial meeting, and all subsequent discussions have been friendly and amiable, it has now become apparent that we are not going to come to a negotiated settlement with Mr. Batch within the time frame that is dictated by both his farming and our construction schedule.

After our first discussions at City Hall, I personally met with Mr. Batch on the job site on February 16 to define and locate, in the field, our specific needs and to discuss possible effects on his farming operations. Also, I talked with Mr. Batch's attorney, Mr. John Cammack of Stockton on February 16 and February 23 regarding our offer and Mr. Batch's concerns. I talked with Mr. Batch by telephone on five (5) occasions between February 25 and March 27 in attempts to set a specific meeting time for settlement of the issue. I have also left calls on two occasions in that period with his attorney, and they have not been returned.