

CITY COUNCIL MEETING  
AGENDA



574

PROPOSED TURNER  
ROAD AND CLUFF  
AVENUE  
ASSESSMENT  
DISTRICT NO. 1

RES. NO. 81-36,  
81-37, 81-38  
81-39 and 81-40

Agenda item "h" - "Proposed Turner Road and Cluff Avenue Assessment District No. 1" was introduced by City Manager Glaves. Mr. Glaves then introduced Attorney Timothy J. Hachman of the law firm of Blewett, Garretson et al who explained the proposed proceedings in detail for the benefit of the City Council. Following discussion with questions being directed to Mr. Hachman and to Staff, Council, on motion of Councilman Pinkerton, Katnich second, adopted the following Resolutions:

- a) Resolution No. 81-36 - "Resolution Determining Compliance with Division 4 of the Streets and Highway Code and Determining to Undertake Proceedings"
- b) Resolution No. 81-37 - "Resolution Appointing Engineers and Attorneys"
- c) Resolution No. 81-38 - "Resolution Describing Proposed Boundaries"
- d) Resolution No. 81-39 - "Resolution of Intention to Acquire and/or Construct Improvements"
- e) Resolution No. 81-40 - "Resolution Authorizing Negotiations for Sale of Assessment Bonds at Private Sale"

[

|

|

|

**BLEWETT, GARRETSON & HACHMAN,**

A PROFESSIONAL CORPORATION

STEPHEN N. BLEWETT [1900-1999]  
ROBERT N. BLEWETT  
ROLLA L. GARRETSON, JR.  
TIMOTHY J. HACHMAN

ATTORNEYS AND COUNSELORS  
EDEN PARK BUILDING  
141 EAST ACACIA STREET  
STOCKTON, CALIFORNIA 95202

TELEPHONE 468-6735  
AREA CODE 209

April 10, 1981

Mrs. Alice M. Reimche  
City Clerk, City of Lodi  
City Hall  
221 West Pine Street  
Lodi, CA 95240

Dear Alice:

Re: Proposed Turner Road and Cluff Avenue  
Assessment District No. 1

We hand you herewith seven copies of the following resolutions for consideration by the City Council at its meeting on Wednesday, April 15, 1981, which I plan to attend:

1. Resolution Determining Compliance with Division 4 of the Streets and Highways Code and Determining to Undertake Proceedings
2. Resolution Appointing Engineers and Attorneys
3. Resolution Describing Proposed Boundaries
4. Resolution of Intention to Acquire and/or Construct Improvements
5. Resolution Authorizing Negotiations for Sale of Assessment Bonds at Private Sale.

In addition to the foregoing resolutions, there will be filed prior to the Council meeting, the following items:

- a) Petition signed by the property owners requesting formation of the district
- b) Certificate signed by the engineer of work to indicate that more than 60% of the property in area is represented by the signatures on the petition
- c) Proposed Boundary Map of the district

An unsigned copy of the petition and certificate are enclosed for information purposes.

When the plans and specifications have been approved by City personnel and the engineer of work has completed his report for presentation to the Council, we will prepare and present the

Mrs. Alice M. Reimche

-2-

April 10, 1981

resolutions preliminarily approving the report, calling for bids from contractors, and setting the time and place of public hearing.

At this point in the proceeding, there are no follow-up notices to be given, but we will have the proposed boundary map to be signed and recorded.

If there are any questions concerning any of the enclosed, do not hesitate to contact this office.

The parties circulating the petition indicated Wednesday that most of the signatures had been obtained and the others would be available yesterday or today.

Yours very truly,

BLEWETT, GARRETSON & HACHMAN

  
Timothy J. Hachman

TJH/mf

Enc.

CITY COUNCIL

JAMES A. McCARTY, Mayor  
ROBERT G. MURPHY, Mayor Pro Tem  
RICHARD L. HUGHES  
WALTER KATNICH  
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
POST OFFICE BOX 320  
LODI, CALIFORNIA 95241  
(209) 334-5634

HENRY A. GLAVES, Jr.  
City Manager

ALICE M. REINACHE  
City Clerk

RONALD M. STEIN  
City Attorney

April 22, 1981

Donald M. Littlejohn  
P.O. Box 927  
Colusa, CA 95932

Dear Mr. Littlejohn:

Enclosed please find a certified copy of each of the following Resolutions pertaining to Turner Road and Cluff Avenue Assessment District No. 1:

- 1) Resolution No. 81-36 - "A Resolution Determining Compliance with Division 4 of the Streets and Highways Code, and Determining to Undertake Proceedings Pursuant to Special Assessment and Assessment Bond Acts for the Acquisition and/or Construction of Improvements without Further Proceedings Under Said Division 4 of the Streets and Highways Code"
- 2) Resolution No. 81-37 - "Turner Road and Cluff Avenue Assessment District No. 1 - A Resolution Appointing Engineers and Attorneys"
- 3) Resolution No. 81-38 - "Resolution Describing Proposed Boundaries of Assessment District and Directing Recordation of Notice of Assessment"
- 4) Resolution No. 81-39 - "A Resolution of Intention to Acquire and/or Construct Improvements"
- 5) Resolution No. 81-40 - "A Resolution Authorizing Negotiations for Sale of Assessment Bonds at Private Sale"

These Resolutions were passed and adopted by the City Council of the City of Lodi in a regular meeting held April 15, 1981.

Ron Judson has informed this office that he has contacted Tim Hachman and he will be forwarding copies of petitions for him to sign and return.

Very truly yours,

*Alice M. Reinache*  
Alice M. Reinache  
City Clerk

AR:dg  
Enc,

CITY COUNCIL

JAMES A. McCARTY, Mayor  
ROBERT C. MURPHY, Mayor Pro Tem  
RICHARD L. HUGHES  
WALTER KATNICH  
JAMES W. PINKERTON, Jr.

CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
POST OFFICE BOX 320  
LODI, CALIFORNIA 95241  
(209) 334-5634

HENRY A. GLAVES, Jr.  
City Manager

ALICE M. REIMCHE  
City Clerk

RONALD M. STEIN  
City Attorney

April 22, 1981

Blewett, Garretson & Hachman  
A Professional Corporation  
141 E. Acacia  
Stockton, CA

Gentlemen:

Enclosed please find a certified copy of each of the following Resolutions pertaining to Turner Road and Cluff Avenue Assessment District No. 1:

- 1) Resolution No. 81-36 - "A Resolution Determining Compliance with Division 4 of the Streets and Highways Code, and Determining to Undertake Proceedings Pursuant to Special Assessment and Assessment Bond Acts for the Acquisition and/or Construction of Improvements without Further Proceedings Under Said Division 4 of the Streets and Highways Code"
- 2) Resolution No. 81-37 - "A Resolution Appointing Engineers and Attorneys"
- 3) Resolution No. 81-38 - "Resolution Describing Proposed Boundaries of Assessment District and Directing Recordation of Notice of Assessment"
- 4) Resolution No. 81-39 - "A Resolution of Intention to Acquire and/or Construct Improvements"
- 5) Resolution No. 81-40 - "A Resolution Authorizing Negotiations for Sale of Assessment Bonds at Private Sale"

These Resolutions were passed and adopted by the City Council of the City of Lodi in a regular meeting held April 15, 1981.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AR:dg  
Enc.

RESOLUTION NO. 81-36

BEFORE THE CITY COUNCIL OF THE CITY OF  
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

A RESOLUTION DETERMINING COMPLIANCE WITH DIVISION  
4 OF THE STREETS AND HIGHWAYS CODE, AND DETERMINING  
TO UNDERTAKE PROCEEDINGS PURSUANT TO SPECIAL  
ASSESSMENT AND ASSESSMENT BOND ACTS FOR THE  
ACQUISITION AND/OR CONSTRUCTION OF IMPROVEMENTS  
WITHOUT FURTHER PROCEEDINGS UNDER SAID DIVISION  
4 OF THE STREETS AND HIGHWAYS CODE

RESOLVED, by the City Council of the City of Lodi,  
California, that

WHEREAS, all of the owners of more than 60% in area of  
the property subject to assessment therefor have signed and filed  
with the City Clerk of this City a written petition for undertaking  
proceedings pursuant to special assessment and assessment bond acts,  
and to assess the costs thereof upon the properties benefited by  
said improvements, and waiving proceedings under Division 4 of the  
Streets and Highways Code, for the acquisition and/or construction  
of improvements hereinafter more particularly described;

WHEREAS, the costs and expenses of said contemplated improve-  
ments will be assessed upon the district benefited thereby, the  
exterior boundaries of which are the coterminous exterior boundaries  
of the composite and consolidated areas as more particularly shown  
on a map thereof on file in the office of the City Clerk, to which  
reference is hereby made for further particulars. Said map indicates  
by a boundary line the extent of the territory included in the proposed  
district and shall govern for all details as to the extent of the  
assessment district;

WHEREAS, said acquisitions and/or improvements are more particularly described as follows:

(a) The improvement of the following streets by clearing and grading as required, and the construction therein of: Portland cement concrete curbs, gutters, sidewalks and driveway aprons; asphalt concrete paving with aggregate base; sanitary sewer facilities; domestic water mains with firehydrants, valves and services; storm drainage facilities; street lights; street signs; barricades; and all necessary appurtenances to any of the above, to wit:

- (1) Turner Road from the easterly terminus of the existing Turner Road easterly to a point approximately 700 feet east of the intersection with Cluff Avenue;
- (2) Cluff Avenue from its intersection with Turner Road southerly to its intersection with Lockeford Street.

(b) Removal of excess material and compaction of fill in areas where excess material has been removed, the compaction of land, and change of grade or contours, all suitable for the purpose of the stabilization of soils within the District and/or to eliminate any disparity in level or size between the improvements and private property;

(c) The doing of all work auxiliary to any of the above and necessary to complete the same;

(d) The acquisition of all lands and easements necessary for any of said work and improvements.

WHEREAS, the public interest, convenience and necessity will be served by the taking of said proceedings;

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND ORDERED that all of the owners of more than 60% in area of the property subject to assessment for said proposed improvements have filed with the City Clerk of this City a written petition for the acquisition and/or construction of said improvements pursuant to appropriate special assessment and assessment bond acts, without further compliance with the provisions of Division 4 of the Streets and Highways Code of the State of California.

IT IS FURTHER FOUND, DETERMINED AND ORDERED that said proceedings for the acquisition and/or construction of said improvements shall be had pursuant to the Municipal Improvement Act of 1913, and that bonds upon the unpaid assessments thereof shall be issued pursuant to the Improvement Bond Act of 1915, and that the applicable provisions of Part 11.1 of said Act, providing an alternative procedure for the advance payment of assessments and the calling of bonds, shall apply.

IT IS FURTHER FOUND, DETERMINED AND ORDERED that the provisions of Division 4 of the Streets and Highways Code of the State of California, be, and they are hereby, dispensed with.

DATED: April 15, 1981.

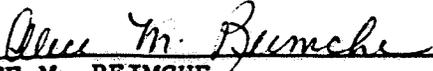
I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81-36 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held April 15, 1981, by the following vote:

AYES: Councilmen - Murphy, Hughes, Pinkerton, Katnich  
and McCarty

NOES: Councilmen - None

ABSENT: Councilmen - None

ABSTENTIONS: Councilmen - None

  
\_\_\_\_\_  
ALICE M. REIMCHE

City Clerk

RESOLUTION NO. 81-37

BEFORE THE CITY COUNCIL OF THE CITY OF  
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

A RESOLUTION APPOINTING ENGINEERS AND ATTORNEYS

RESOLVED, by the City Council of the City of Lodi,  
California, that

WHEREAS, said Council intends to undertake assessment proceedings for the acquisition and/or construction of improvements in the City of Lodi, California; and

WHEREAS, the public interest and general welfare will be served by appointing and employing an engineer and attorneys for the preparation and conduct of said proceedings and work in connection with said improvements;

NOW, THEREFORE, IT IS ORDERED as follows:

1. That MORTON & PITALO, INC., Civil Engineers, Sacramento, California, be, and they are hereby appointed as Engineer of Work and are employed to do and perform all engineering work necessary in and for said proceedings, and that their compensation be assessed as an incidental expense of said proceedings. Said compensation is hereby fixed as follows:

(a) For preparation of the report to the City Council, making all surveys necessary to prepare plans and specifications, preparation of plans and specifications, assisting in calling for bids, coordination of construction contract, preparation of assessment diagram and assessment roll, setting of necessary controls and grade and alignment stakes, and cost of as-built

plans, said compensation is fixed at eight and one-half percent (8-1/2%) of the construction cost;

(b) For all other engineering services necessary in and for said proceedings, said compensation is fixed at prevailing charge rates in effect.

2. That BLEWETT, GARRETSON & HACHMAN, A Professional Corporation, Stockton, California, be, and it is hereby appointed and employed to do and perform all legal services required in the conduct of said proceedings, including the preparation of all papers not required to be prepared by the Engineer, (exclusive of printing, mailing and publication of notices) examining and approving the engineering documents, and advising the Engineer in the preparation of his work, advising all City officials on all matters relating thereto when called upon, and furnishing its legal opinion on the validity of said proceedings and bonds, and that its compensation be, and it is hereby fixed at three percent (3%) of the first \$250,000 of assessments levied, and two percent (2%) of the excess thereof, together with reasonable fees for any services rendered in acquiring easements or in eminent domain or other suits, to be assessed as an incidental expense of said proceedings.

DATED: April 15, 1981.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81-37 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held April 15, 1981, by the following vote:

AYES:	Councilmen - Murphy, Hughes, Pinkerton, Katnich and McCarty
NOES:	Councilmen - None
ABSENT:	Councilmen - None
ABSTENTIONS:	Councilmen - None

  
ALICE M. REIMCHE  
City Clerk

BEFORE THE CITY COUNCIL OF THE CITY OF  
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

RESOLUTION DESCRIBING PROPOSED BOUNDARIES OF  
ASSESSMENT DISTRICT AND DIRECTING RECORDATION  
OF NOTICE OF ASSESSMENT

RESOLVED, by the City Council of the City of Lodi,  
California, that

WHEREAS, this Council proposes to undertake proceedings  
for the formation of an assessment district for the acquisition and/or  
construction of improvements in the City of Lodi;

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The proposed boundaries of said assessment district  
to be assessed in said proceedings, are hereby described as shown  
on a map of said assessment district on file in the office of the  
City Clerk, which indicates by a boundary line the extent of the  
territory included in the proposed assessment district and which  
shall govern for all details as to the extent of the district, reference  
to such map hereby being made for particulars.

Said map contains the name of the City and a distinctive  
designation in words or by number of the district shown thereon.

2. On the original and at least one copy of said map the  
City Clerk shall endorse her certificate evidencing the date and  
adoption of this resolution. The Clerk shall file the original of  
such map in her office and within fifteen (15) days after adoption  
of the resolution fixing time and place of hearing on the formation  
or extent of said district, and in no event later than fifteen (15)  
days prior to such hearing, shall file a copy thereof with the County  
Recorder of San Joaquin County.

3. The County Recorder shall endorse on the copy of the map of the assessment district the time and date of filing, and shall fasten the same securely in a book of maps of assessment districts which he shall keep in his office and shall index such map by the name of the entity conducting the proceedings and by the distinctive designation of the district as shown on such map.

4. After confirmation of the assessment by this Council, the City Clerk shall file in the office of the County Recorder of San Joaquin County a copy of the assessment diagram.

5. The County Recorder shall endorse on the copy of the assessment diagram filed with him the time and date of filing and shall fasten the same in the "Book of Maps of Assessment Districts" in which he is obligated to keep boundary maps of assessment districts and shall index such assessment diagram by the name of the city conducting the proceedings and by reference to the page of the book of maps of assessment districts in which the boundary map of said district was filed in said book.

6. After the recording of the assessment and diagram in the office of the Superintendent of Streets, the City Clerk shall execute and record a notice of assessment in the office of the County Recorder of San Joaquin County in substantially the form provided in Section 3114 of the Streets and Highways Code. From the date of such recording, all persons shall be deemed to have notice of the contents of such assessment, and each of such assessments shall thereupon be a lien upon the property against which it is made, and unless sooner discharged such liens shall so continue for the period of four (4) years from the date of said recordation, or in the event bonds are issued to represent said assessments, then such liens shall

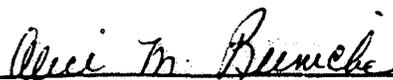
continue until the expiration of four (4) years after the due date of the last installment upon said bonds or of the last principal coupon attached thereto.

7. The appropriate officer or officers are hereby authorized to pay recording fees required by law in connection with the recordation of said notice.

DATED: April 15, 1981.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81-38 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held April 15, 1981, by the following vote:

AYES:	Councilmen - Murphy, Hughes, Pinkerton, Katnich and McCarty
NOES:	Councilmen - None
ABSENT:	Councilmen - None
ABSTENTIONS:	Councilmen - None

  
\_\_\_\_\_  
ALICE M. REIMCHE  
City Clerk

RESOLUTION NO. 81-39

BEFORE THE CITY COUNCIL OF THE CITY OF  
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

A RESOLUTION OF INTENTION TO ACQUIRE AND/OR  
CONSTRUCT IMPROVEMENTS

RESOLVED, by the City Council of the City of Lodi, California, that in its opinion the public interest, convenience and necessity require and that it is the intention of said Council to order the acquisition and/or construction of the improvements hereinafter described.

1. Whenever any public way is herein referred to as running between two public ways, or from or to any public way, the intersections of the public ways referred to are included to the extent that work shall be shown on the plans to be done therein.

2. Said streets and highways are more particularly shown in the records in the office of the County Recorder of San Joaquin County, California, and shall be shown upon the plans herein referred to and to be filed with the Clerk of said City.

3. All of said work and improvements are to be constructed at the places and in the particular locations, of the forms, sizes, dimensions and materials, and at the lines, grades and elevations as shown and delineated upon the plans, profiles and specifications to be made therefor, as hereinafter provided.

4. There is to be excepted from the work herein described any of such work already done to line and grade and marked excepted or shown not to be done on said plans, profiles and specifications.

5. Said improvements to be acquired and/or constructed are more particularly described as follows:

(a) The improvement of the following streets by clearing and grading as required, and the construction therein of: Portland cement concrete curbs, gutters, sidewalks and driveway aprons; asphalt concrete paving with aggregate base; sanitary sewer facilities; domestic water mains with firehydrants, valves and services; storm drainage facilities; street lights; street signs; barricades; and all necessary appurtenances to any of the above, to wit:

- (1) Turner Road from the easterly terminus of the existing Turner Road easterly to a point approximately 700 feet east of the intersection with Cluff Avenue;
- (2) Cluff Avenue from its intersection with Turner Road southerly to its intersection with Lockeford Street.

(b) Removal of excess material and compaction of fill in areas where excess material has been removed, the compaction of land, and change of grade or contours, all suitable for the purpose of the stabilization of soils within the District and/or to eliminate any disparity in level or size between the improvements and private property;

(c) The doing of all work auxiliary to any of the above and necessary to complete the same;

(d) The acquisition of all lands and easements necessary for any of said work and improvements.

6. Notice is hereby given of the fact that in many cases said work and improvements will bring the finished work to a grade different from that formerly existing, and that to said extent said grades are hereby changed and that said work will be done to said changed grades.

7. Said Council does hereby adopt and establish as the official grades for said work the grades and elevations to be shown upon said plans, profiles and specifications. All such grades and elevations are to be in feet and decimals thereof with reference to the datum plane of the City.

8. The descriptions of the acquisitions and/or improvements and the termini of the work contained in this Resolution are general in nature. All items of work do not necessarily extend for the full length of the description thereof. The plans and profiles of the work and maps and descriptions as contained in the Engineer's report shall be controlling as to the correct and detailed description thereof.

9. The costs and incidental expenses of said contemplated acquisitions and improvements are made chargeable upon an assessment district, the exterior boundaries of which are described in Exhibit A, attached hereto, and delineated upon a map thereof, entitled, "Proposed Boundaries of Turner Road and Cluff Avenue Assessment District No. 1", on file with the City Clerk of said City, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in the proposed district and shall govern for all details as to the extent of the assessment district.

10. Said Council further declares that all public streets and highways within said assessment district in use in the performance of a public function as such shall be omitted from the assessment hereafter to be made to cover the costs and expenses of said acquisitions and improvements.

11. Notice is hereby given that serial bonds to represent the unpaid assessments, and bearing interest at not to exceed the maximum rate provided by law, will be issued hereunder in the manner provided in the Improvement Bond Act of 1915, and that

the applicable provisions of Part 11.1 of said Act, providing an alternative procedure for the advance payment of assessments and the calling of bonds, shall apply. The last installment of said bonds shall mature not to exceed nineteen (19) years from the second day of July next succeeding ten (10) months from their date, principal and interest to be reasonably amortized, the proceeds of said bonds to be invested and interest thereon paid into the redemption fund of said bonds.

Said Council finds and declares that a special reserve fund as provided in Part 16 of the Improvement Bond Act of 1915 shall be required, the amount thereof to be determined upon the sale of the bonds.

Said Council hereby covenants with the holders of said assessment bonds to be issued herein that it will, within ninety (90) days following the due date of any delinquent installment of assessments securing the bonds to be issued, commence and thereafter diligently prosecute to completion a foreclosure action regarding such delinquent installment of assessment, upon written demand of the bondholder therefor received not later than forty-five (45) days following said delinquent installment due date.

12. Except as herein provided for the issuance of bonds, all of said improvements shall be done pursuant to the provisions of the Municipal Improvement Act of 1913, Sections 10,000, et seq., of the Streets and Highways Code of the State of California.

13. Reference is hereby made to proceedings had pursuant to Division 4 of the Streets and Highways Code on file with the City Clerk.

14. Said proposed acquisitions and/or improvements are hereby referred to MORTON & PITALO, INC., Civil Engineers, Sacramento, California, being a competent firm employed by said City for that purpose; and said Engineer is hereby directed to make and file with the City Clerk a report in writing, presenting the following:

(a) Maps and descriptions of the lands and easements, and a general description of any works or appliances to be acquired;

(b) Plans and specifications of the proposed improvements to be made pursuant to this Resolution of Intention;

(c) Engineer's statement of the itemized and total estimated costs and expenses of said acquisitions and/or improvements and of the incidental expenses in connection therewith;

(d) Diagram showing the assessment district above referred to, and also the boundaries and dimensions of the respective subdivisions of land within said District as the same existed at the time of the passage of this Resolution of Intention, each of which subdivisions shall be given a separate number upon said diagram;

(e) A proposed assessment of the total amount of the costs and expenses of the proposed acquisitions and/or improvements upon the several subdivisions of land in said district in proportion to the estimated benefits to be received by such subdivisions, respectively, from said acquisitions and improvements, and of the expenses incidental thereto.

15. Notice is hereby given that, in the opinion of the Council, the public interest will not be served by allowing the property owners to take the contract for the construction of the

improvements, and that, pursuant to Section 10502.4 of the Streets and Highways Code, no notice of award of contract shall be published.

16. If any excess shall be realized from the assessment, it shall be used in such amounts as the Council may determine, in accordance with the provisions of law for one or more of the following purposes:

(a) Transfer to the general fund of the City, provided that the amount of any such transfer shall not exceed the lesser of \$1,000 or 5% of the total amount expended from the improvement fund;

(b) As a credit upon the assessment and any supplemental assessment in accordance with the provisions of Section 10427.1 of the Streets and Highways Code;

(c) To reimburse the City for any contributions or advances to or for the construction fund in accordance with the provisions of Section 10427.2 of the Streets and Highways Code;

(d) For the maintenance of the improvements or a specified part thereof.

DATED: April 15, 1981.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81-39 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held April 15, 1981, by the following vote:

AYES:	Councilmen - Murphy, Hughes, Pinkerton, Katnich and McCarty
NOES:	Councilmen - None
ABSENT:	Councilmen - None
ABSTENTIONS:	Councilmen - None

  
ALICE M. REIMCHE  
City Clerk



MORTON & PITALO, INC.  
Civil Engineering, Planning, Surveying  
1767 J Tribute Rd., Sacramento, Ca 95815  
916/920-2411

March 13, 1981  
800085

DESCRIPTION

Assessment District Boundary

All that certain real property situate in the City of Lodi, County of San Joaquin, State of California, described as follows:

A portion of Section 31, Township 4 North, Range 7 East, M.D.M., and a portion of Section 6, Township 3 North, Range 7 East, M.D.M., more particularly described as follows:

BEGINNING at the Northeast corner of Parcel 6, as said parcel is described in deed recorded in Book 3710, Official Records of said County, at Page 677, from which the quarter corner common to said Sections 31 and 6 bears the following three (3) courses: (1) North  $83^{\circ}57'$  West 460.26 feet; (2) South  $00^{\circ}03'28''$  West 504.97 feet; and (3) North  $88^{\circ}48'17''$  West 420.40 feet; thence, from said point of beginning, along the Southeasterly line of said Parcel 6, South  $47^{\circ}50'$  West 282.20 feet to a point on the East line of Lot 17, as said lot is shown upon the map entitled "EDDLEMAN TRACT," filed in Book 1 of Maps and Plats, Page 26, Official Records of said County; thence, along the East line of Lots 17, 15, 13, 11, 9, 7, 5 and 3, as shown on said map entitled "EDDLEMAN TRACT," the following three (3) courses: (1) South  $00^{\circ}03'19''$  West 731.50 feet; (2) South  $00^{\circ}11'08''$  East 724.67 feet; and (3) South  $00^{\circ}29'18''$  East 1907.25 feet to a point on the East line of said Lot 3, said point being 17 feet South of the Southeast corner of said Lot 5; thence, parallel to the North line of said Lot 5, South  $88^{\circ}18'00''$  West 453.90 feet; thence, South  $02^{\circ}01'$  West 307.59 feet; thence, South  $85^{\circ}27'$  East 44 feet; thence, South  $00^{\circ}33'$  West 287 feet to a point on the Northerly right-of-way of LOCKEFORD STREET; thence, along said right-of-way line, North  $85^{\circ}27'00''$  West 1006.8 feet; thence, North  $00^{\circ}29'$  East 300 feet; thence, North  $85^{\circ}27'00''$  West 607.33 feet; thence, North  $00^{\circ}29'$  East 106.17 feet; thence, North  $85^{\circ}03'00''$  West 189.57 feet to a point on the Easterly right-of-way of BECKMAN ROAD; thence, Northerly along the arc of a curve concave to the Northeast, having a radius of 372.0 feet, a distance of 32.25 feet to the Southwest corner of Lot 43, as shown on INDUSTRIAL LITE, Tract No. 1452, filed December 3, 1979, in Book of Maps and Plats, Volume 25, at Page 24, San Joaquin County Records; thence, along the Southerly line of said INDUSTRIAL LITE, South  $38^{\circ}15'00''$  East 1533.63 feet to the centerline of Cluff Avenue; thence, along said centerline, North  $00^{\circ}38'00''$  East 446.00 feet; thence, leaving said centerline, North  $88^{\circ}15'00''$  West 32.00 feet to the Northeast corner of Lot 23 of said INDUSTRIAL LITE; thence, along the North line of said INDUSTRIAL LITE, North  $88^{\circ}15'00''$  West 1292.60 feet; thence, North  $00^{\circ}29'$  East 495 feet; thence, South  $88^{\circ}15'$  East 1316.5 feet to a point in the centerline of Cluff Avenue; thence, North  $00^{\circ}05'13''$  East 1140.00 feet; thence, North

EXHIBIT A

March 13, 1981

800085

Page 2

88°48'03" West 325.00 feet; thence, South 00°05'15" West 150.01 feet; thence,  
North 88°47'56" West 1003.45 feet; thence, North 00°03'54" West 329.99 feet;  
thence, South 88°47'54" East 686.25 feet; thence, North 01°54'54" West 130.00  
feet; thence, South 86°46'23" East 418.17 feet; thence, North 00°05'15" East  
65.00 feet; thence, North 56°14'09" East 220.34 feet; thence, South 89°12'15"  
East 25.00 feet; thence, South 41°36'40" East 63.13 feet; thence, South  
89°12'15" East 400.24 feet; thence, North 00°03'28" East 244.97 feet;  
thence, South 83°58'32" East 460.26 feet to the point of beginning.

EXHIBIT A

RESOLUTION NO. 81- 40

BEFORE THE CITY COUNCIL OF THE CITY OF  
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

A RESOLUTION AUTHORIZING NEGOTIATIONS FOR  
SALE OF ASSESSMENT BONDS AT PRIVATE SALE

RESOLVED, by the City Council of the City of Lodi,  
California, that

WHEREAS, said Council intends to undertake assessment proceedings for the acquisition and/or construction of improvements in said City, and the issuance of bonds upon the unpaid assessments for the financing of said improvements; and

WHEREAS, the public interest and general welfare will be served by negotiating a sale of the bonds to be issued in said proceedings;

NOW, THEREFORE, IT IS ORDERED that BLEWETT, GARRETSON & HACHMAN, A Professional Corporation, employed as attorneys to perform the legal services required in said proceedings, are hereby authorized to negotiate with investment brokers and bond houses for the purpose of procuring a commitment for the purchase of the assessment bonds to be issued herein, and to present the same to this Council for an award of sale thereof upon the best terms available.

\* \* \* \* \*

DATED: April 15, 1981.

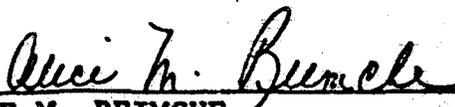
I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81-40 was passed and adopted at a regular meeting of the City Council of the City of Lodi, held April 15, 1981, by the following vote:

**AYES:** Councilmen - Murphy, Hughes, Pinkerton, Katnich  
and McCarty

**NOES:** Councilmen - None

**ABSENT:** Councilmen - None

**ABSTENTIONS:** Councilmen - None

  
\_\_\_\_\_  
ALICE M. REIMCHE  
•City Clerk