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CITY COUNCIL MEETING
MAY 16, 1984

ORDER OF ABANDON-
MENT OF ALLEY
NORTH OF LOUIE
BETWEEN CALIFOR-
NIA AND LINCOLN

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the office of the City Clerk, Mayor Snider called for the public hearing to consider the vacation of an alley north of Louie Avenue between California Street and Lincoln Avenue, Lodi.

ORDER NO.
083-06

The matter was introduced by Public Works Director Ronsko who presented diagrams of the subject area.

Community Development Director Schroeder reported that the Planning Commission, at its May 15, 1984 meeting, determined that no public need existed and recommended that the City Council abandon the subject alley with the following conditions:

- a) that a public utility easement be retained in the area occupied by the utility company and city facilities; and
- b) that a 3 foot easement be acquired along the south line of the alley to provide for the existing arms on utility poles.

City Clerk to execute a quit claim deed in favor of the owners:

- a) that the Order be subject to maintaining the original 20 feet as a public utility easement, and in those areas where there is overhang, that the abandonment be subject to receipt by the City of an additional 3' "overhead only" public utility easement.

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CITY COUNCIL MEETING
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Council was further apprised that the Public Works Department recommends that the alley be abandoned subject to maintaining the original 20 feet as a public utility easement, and in those areas where there is overhang, that the abandonment be subject to receipt by the City of an additional 3' "overhead" public utility easement.

There were no persons in the audience wishing to speak in favor of the vacation.

Ms. Linda Wheeler, 405 Louie Avenue, Lodi, addressed the Council on the matter indicating the her deed to her property did not show any alley.

There being no further persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, with questions being directed to Staff and to Ms. Wheeler, on motion of Council Member Olson, Reid second, adopted Order No. 083-06 - Order of Abandonment of the alley north of Louie between California and Lincoln with the following conditions and authorized the City Manager and City Clerk to execute a quit claim deed in favor of the owners:

a) that the Order be subject to maintaining the original 20 feet as a public utility easement, and in those areas where there is overhang, that the abandonment be subject to receipt by the City of an additional 3' "overhead only" public utility easement.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
DATE: May 11, 1984
SUBJECT: Order of Abandonment of Alley North of Louie between California and Lincoln

RECOMMENDED ACTION: That the City Council adopt an Order of Abandonment to abandon the easement shown on the attached map subject to certain conditions, and authorize the City Manager to execute a quit claim deed in favor of the owners.

BACKGROUND INFORMATION: Steve Zimbellman, owner of the property at 435 Louie Avenue, has requested the abandonment. The alley, as shown, has never been opened to vehicular traffic and no garages abut the 20-foot strip of land. The abandoned alley will be retained as a public utility easement to provide for existing utilities.

In asking for clearance from the various utilities, it was found that while there is no need for the alley as a vehicular access, power poles had been installed along the south line in typical alley fashion. As a consequence, the cross arms and wires overhang the south property approximately two and one-half feet.

The Public Works Department is, therefore, recommending that the alley be abandoned subject to maintaining the original 20 feet as a public utility easement, and in those areas where there is overhang, that the abandonment be subject to receipt by the City of an additional 3' "overhead only" public utility easement.

Pacific Bell, City Utilities, and Lodi Cable TV have been notified of the proposed abandonment and their approval has been secured on the basis of the additional easement. The Planning Commission concurs in the recommendation.

Jack L. Ronsko
Jack L. Ronsko
Public Works Director *R*

Attachment

JLR/GER/eeh

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT
N/O LOUIE AVE
CALIFORNIA - LINCOLN

STRI

PALM AVE.

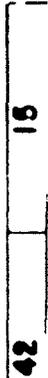
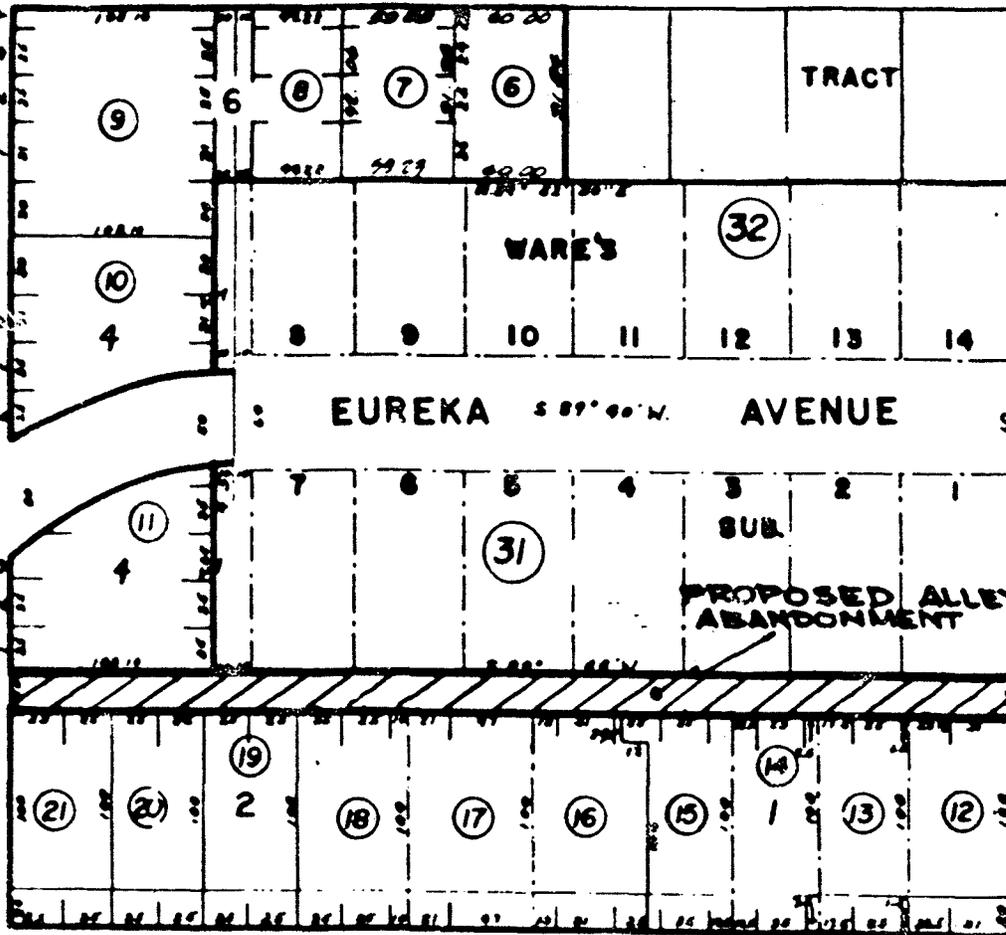
AVENU

N. 0° 28' W

CALIFORNIA

S. 0° 23' E

LINCOLN



LOUIE AVE. N. 89° 40' E

FORRESTS ADDITION

(36)

Drawn MED	No	Date	Approved	Approved By
Checked				
Date 4-10-84				
			Public Works Director	Date
			RCE	

**ORDER VACATING AN ALLEY NORTH OF LOUIE AVENUE
BETWEEN CALIFORNIA STREET AND LINCOLN AVENUE,
LODI, CALIFORNIA**

WHEREAS, this City Council, acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this state, did on the sixteenth day of May, 1984 pass and adopt a Resolution of Intention No. 84-045 therein declaring the intention of said City Council to vacate an alley north of Louie Avenue, between California Street and Lincoln Avenue, Lodi, California, County of San Joaquin, State of California, and more particularly described as follows, to wit:

the alley located north of Louie Avenue, between California Street and Lincoln Avenue, Lodi, California with the following conditions:

- a) that a public utility easement be retained in the area occupied by utility company and city facilities; and**
- b) that a 3 foot easement be acquired along the south line of the alley to provide for existing arms on utility poles.**

WHEREAS, notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and of record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated in Resolution No. 84-045 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, City Hall, Lodi, California, beginning at 8:00 p.m. on Wednesday, May 16, 1984, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place a public hearing was held and conducted and testimony received for and against the vacation contemplated, and from the evidence submitted the City Council of the City of Lodi did determine that said alley is unnecessary for present or future public use and did so find and declare;

that the Planning Commission did find that the subject vacation was consistent with the general plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the findings and under the authority of Section 8323 of the Streets and Highway Code of the State of California, there is hereby abandoned the alley located north of Louie Avenue between California Street and Lincoln Avenue, Lodi, California, with the conditions heretofore set forth.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: May 16, 1984

I hereby certify that the foregoing order vacating the alley north of Louie Avenue between California Street and Lincoln Avenue, Lodi, California, with the conditions heretofore stated was passed and adopted by the Lodi City Council in a regular meeting held May 16, 1984 by the following vote:

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

Noes: Council Members - None

Absent: Council Members - None

Alice M. Reimche
Alice M. Reimche
City Clerk