



**CITY OF LODI  
COUNCIL COMMUNICATION**

**AGENDA TITLE:** Adopt Resolution of Intent to Vacate Right-of-Way Easement Located at 2223 West Kettleman Lane and Set Public Hearing for July 17, 2013

**MEETING DATE:** June 5, 2013

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution of intent to vacate right-of-way easement located at 2223 West Kettleman Lane and set public hearing for July 17, 2013.

**BACKGROUND INFORMATION:** Pastor Scott Hubbard, on behalf of Lodi First Nazarene Church, has requested the City abandon an existing access easement on their property located at 2223 West Kettleman Lane, as shown in Exhibit A. The 25-foot wide easement was dedicated to the City in 1971 to reserve a north/south roadway alignment from Kettleman Lane. As development along Tienda Drive progressed, the easement is no longer needed. Abandonment of this easement will not impact current or future traffic circulation.

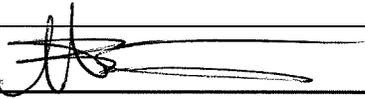
Staff has determined there are no existing or planned public facilities within the easement, and there is no goal or policy in the General Plan that addresses a need for an easement in this location. Staff concurs with the applicant's request for abandonment.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

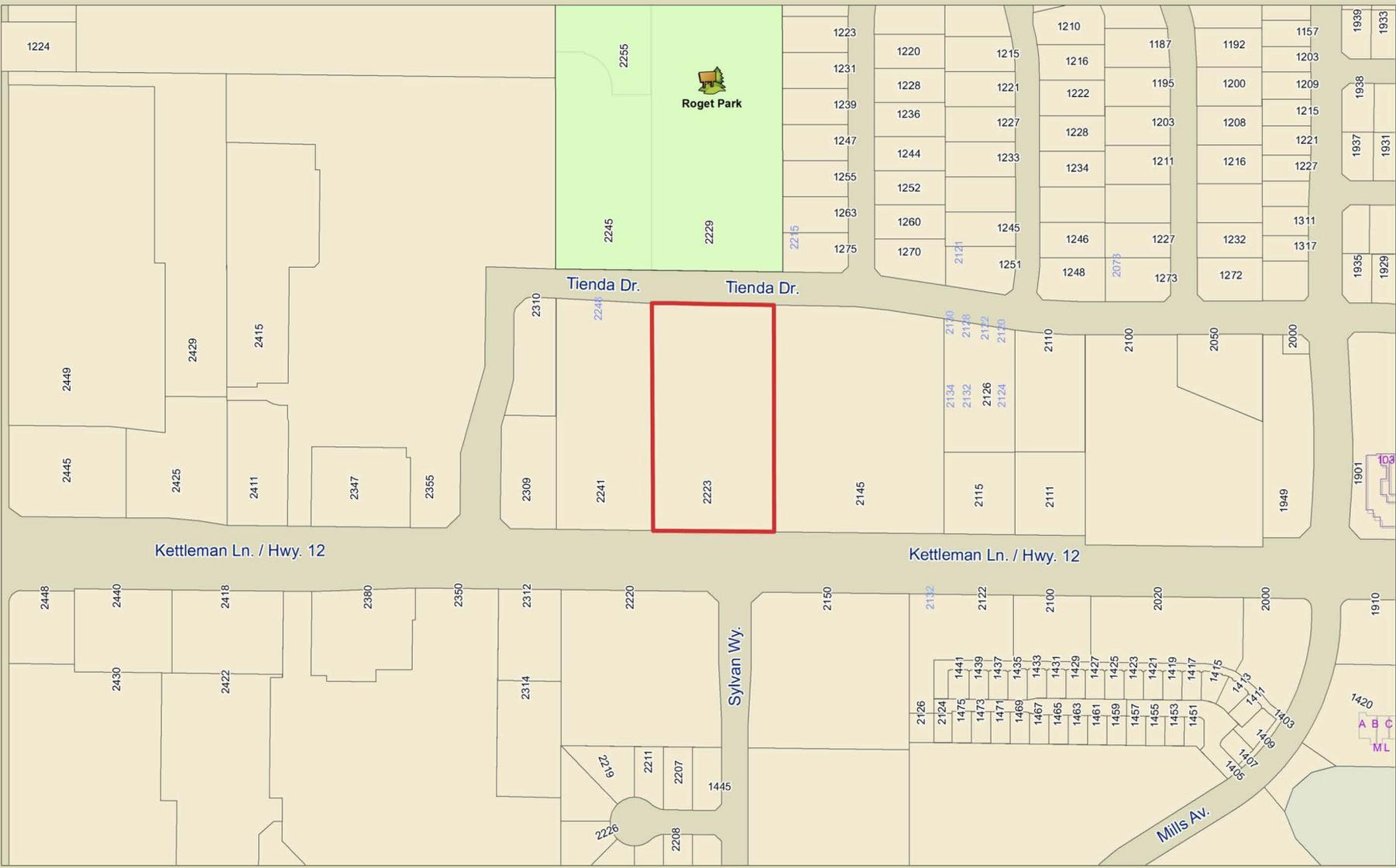
  
\_\_\_\_\_  
F. Wally Sandelin  
Public Works Director

Prepared by Chris Boyer, Assistant Engineer  
FWS/CRB/pmf  
Attachment  
cc: Charlie Swimley, City Engineer / Deputy Public Works Director  
Development Services Department

**APPROVED:**   
\_\_\_\_\_  
Konradt Bartlam, City Manager



# Vicinity Map



**Legend**  
Project Area

**Map Scale**  
1:2,400

**Notes**



NAD\_1983\_StatePlane\_California\_III\_FIPS\_0403\_Feet  
© City of Lodi Geographic Information Systems

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

RESOLUTION NO. 2013-98

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE, AND TO SET A PUBLIC HEARING SO ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED ABANDONMENT CAN BE HEARD

=====

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

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate the right-of-way easement located at 2223 West Kettleman Lane, as shown on Exhibit A attached hereto and thereby made a part hereof.

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.

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, July 17, 2013, at the hour of 7:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of vacation conspicuously along the line of the portion of street hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 17, 2013 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: June 5, 2013

=====

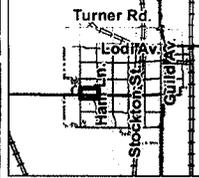
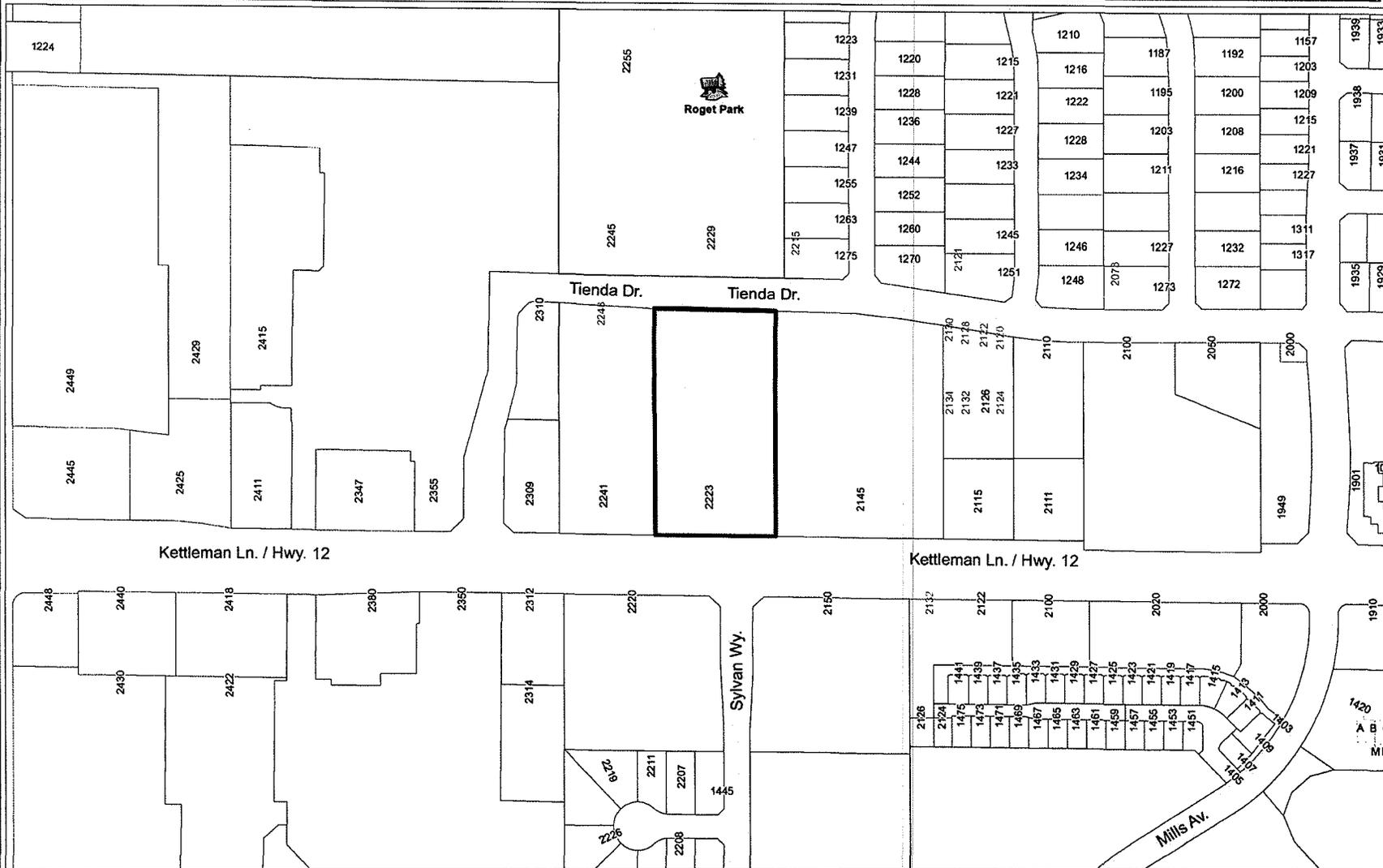
I hereby certify that Resolution No. 2013-98 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2013, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Katakian, Mounce, and Mayor Nakanishi
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk



# Vicinity Map

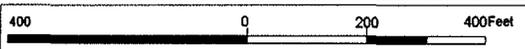


**Legend**

Project Area

**Map Scale**

1:2,400



NAD\_1983\_StatePlane\_California\_III\_FIPS\_0403\_Feet  
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### Notes



*Please immediately confirm receipt  
of this fax by calling 333-6702*

CITY OF LODI  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910

**ADVERTISING INSTRUCTIONS**

**SUBJECT:** RESOLUTION OF INTENTION TO VACATE THE RIGHT-OF-WAY  
EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE

**PUBLISH DATE:** SATURDAY, JUNE 8, 2013  
SATURDAY, JUNE 15, 2013

**LEGAL AD**

**TEAR SHEETS WANTED:** One (1) please

**SEND AFFIDAVIT AND BILL TO:** RANDI JOHL, CITY CLERK  
**LNS ACCT. #0510052** City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, JUNE 6, 2013

**ORDERED BY:** RANDI JOHL  
CITY CLERK

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA BECERRA  
ADMINISTRATIVE CLERK

**Verify Appearance of this Legal in the Newspaper – Copy to File**

Faxed to the Sentinel at 369-1084 at \_\_\_\_\_(time) on \_\_\_\_\_(date) \_\_\_\_\_(pages)  
LNS \_\_\_\_\_ Phoned to confirm receipt of all pages at \_\_\_\_\_(time) \_\_\_\_\_CF \_\_\_\_\_MB \_\_\_\_\_JMR (initials)

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2013-98

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE, AND TO SET A PUBLIC HEARING SO ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED ABANDONMENT CAN BE HEARD

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

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate the right-of-way easement located at 2223 West Kettleman Lane, as shown on map on file in the City Clerk's Office.

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.

BE IT FURTHER RESOLVED that this City Council does hereby fix **Wednesday, July 17, 2013, at the hour of 7:00 p.m.**, in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of vacation conspicuously along the line of the portion of street hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 17, 2013 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: June 5, 2013

=====

I hereby certify that Resolution No. 2013-98 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2013, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

RANDI JOHL  
City Clerk



## DECLARATION OF MAILING

### **LETTER AND RESOLUTION OF INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE**

On June 6, 2013, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing letter and resolution of intention to vacate the right-of-way easement located at 2223 West Kettleman Lane, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

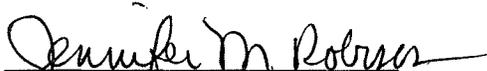
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on June 6, 2013, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK, CITY OF LODI**

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA DITMORE  
ADMINISTRATIVE CLERK

CITY COUNCIL

ALAN NAKANISHI, Mayor  
PHIL KATZAKIAN,  
Mayor Pro Tempore  
LARRY D. HANSEN  
BOB JOHNSON  
JOANNE MOUNCE

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702 / FAX (209) 333-6807  
[www.lodi.gov](http://www.lodi.gov)    [cityclerk@lodi.gov](mailto:cityclerk@lodi.gov)

KONRADT BARTLAM  
City Manager  
RANDI JOHL, City Clerk  
D. STEPHEN SCHWABAUER  
City Attorney



June 6, 2013

TO: Interested Parties

**VACATION: INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT  
LOCATED AT 2223 WEST KETTLEMAN LANE**

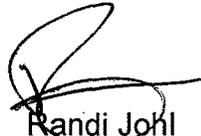
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This is to inform you that the City Council, at its regular meeting on June 5, 2013, adopted a Resolution of Intention to vacate the right-of-way easement located at 2223 West Kettleman Lane and set a public hearing for July 17, 2013.

Enclosed for your information is a copy of the resolution along with a map of the area to be abandoned.

In addition, this matter was heard by the Planning Commission on February 13, 2013. Please contact the Community Development Department at (209) 333-6711 if you have any questions.

Should you have questions regarding the abandonment, please contact the Public Works Department at (209) 333-6706.



Randi Johl  
City Clerk

RJ/jmr

Enclosure

cc: Public Works Director  
Community Development Director

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2013-98

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE, AND TO SET A PUBLIC HEARING SO ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED ABANDONMENT CAN BE HEARD

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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.

BE IT FURTHER RESOLVED that this City Council does hereby fix **Wednesday, July 17, 2013, at the hour of 7:00 p.m.**, in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of vacation conspicuously along the line of the portion of street hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 17, 2013 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: June 5, 2013

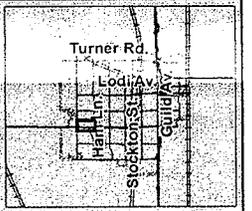
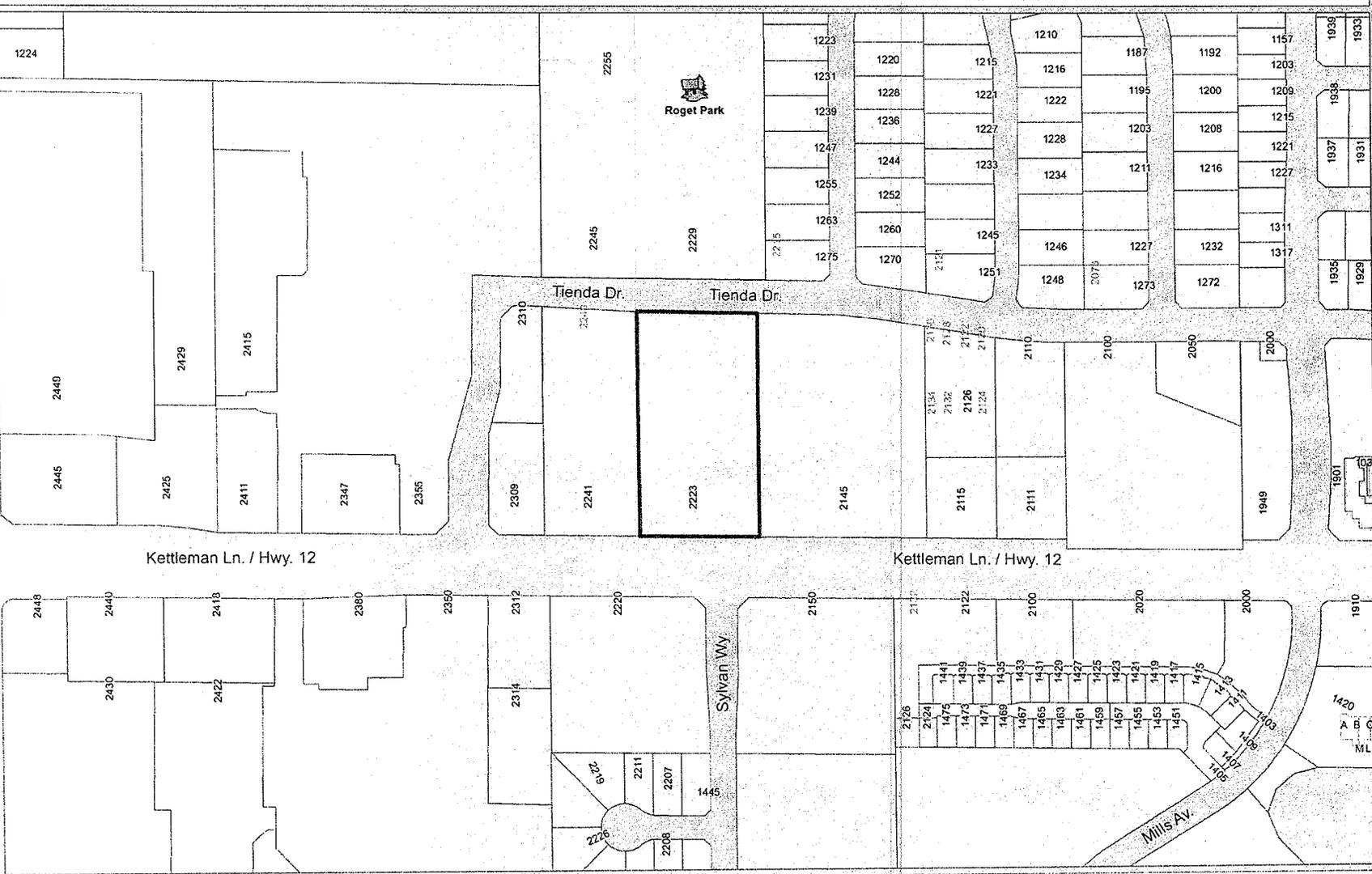
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I hereby certify that Resolution No. 2013-98 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2013, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi
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- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk

# Vicinity Map



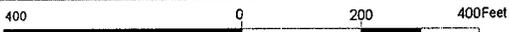
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City of Lodi Geographic Information Systems

**VACATION / ABANDONMENT  
MAILING LIST**

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**RESOLUTION OF INTENTION (Setting Public Hearing)**

Certified copy w/cover letter to:

PG&E  
12 W. Pine Street  
Lodi, CA 95240

AT&T  
6505 Tam O Shanter Drive  
Stockton, CA 95210

AT&T California  
Attn: Engineering/Public Works Dept.  
2300 E. Eight Mile Road  
Stockton, CA 95210

Central Valley Waste Services  
P.O. Box 241001  
Lodi, CA 95241-9501

Chief Deputy County Surveyor  
Attn: Joe Bussalacci  
1810 E. Hazelton Avenue  
Stockton, CA 95205

Certified copies to:

Denise Wiman, Public Works

Chris Boyer, Public Works

Community Development Department

Police Department

Fire Department

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**RESOLUTION OF VACATION (After Public Hearing)**

Certified copy w/cover letter:

PG&E

AT&T

Pacific Bell

Central Valley Waste Services

Chief Deputy County Surveyor

Denise Wiman, Public Works

Wes Fujitani, Public Works

Community Development Department

Police Department

Fire Department

## EASEMENT VACATION 2223 W. KETTLEMAN LANE

APN	OWNER_NAME	OWNER_STREET	OWNER_CITY	OWNER_ZI	SITUS_ADDRESS	
2739005	ARCHIBALD, HELEN TR	10711 THORNTON RD #131	STOCKTON CA	95209 1270	HEIDELBERG	WY
2739006	HYSKE, KENNETH D & NANCY J TR	14200 N CURRY AVE	LODI CA	95240 1275	HEIDELBERG	WY
2739007	CAMPER, BRUCE S & LINDA M	1263 HEIDELBERG WAY	LODI CA	95242 1263	HEIDELBERG	WY
2739008	LEWIS, DANIEL M & JUDY L TR E	PO BOX 963	WOODBIDGE CA	95258 1255	HEIDELBERG	WY
2739009	KIUNKE, TYRON S & ELEANOR J	1247 HEIDELBERG WAY	LODI CA	95242 1247	HEIDELBERG	WY
2739030	THOMAS, MICHAEL V & SUSAN A	1252 HEIDELBERG WAY	LODI CA	95242 1252	HEIDELBERG	WY
2739031	VANDERLANS, GERALD J TR	PO BOX 1771	WOODBIDGE CA	95258 1260	HEIDELBERG	WY
2741011	TARGET CORP PROP TAX DEPT T-853	PO BOX 9456	MINNEAPOLIS MI	55440 2375 W KETTLEMAN		LN
2741013					2310 TIENDA DR\2309 W	
2741014	BDC LODI PLAZA LP ETAL BCD CLOVIS LP SAN JOAQUIN COUNTY OFFICE OF ED ATTN	1556 PARKSIDE DR	WALNUT CREEK C	94596	KETTLEMAN LN	
2741015	FLOYD WILSON	PO BOX 213030	STOCKTON CA	95213 2241 W KETTLEMAN		LN
2741016	FAITH COMMUNITY CHURCH NAZAREN	PO BOX 1495	LODI CA	95241 2223 W KETTLEMAN		LN
2741025	EDEN HOUSING INC FIRST LODI PLAZA ASSOCIATE ET	22645 GRAND ST	HAYWARD CA	94541	0	
5814048	MCDONALDS CORP DENISE PARADIS PHNTUS AUSTIN GARDENS INC EMERITUS	4502 GEORGETOWN PL SUITE 100	STOCKTON CA	95207 2312 W KETTLEMAN		LN
5837002	CORP HCP BROFIN PROPERTIES LLC THOMSON	3131 ELLIOTT AVE #500	SEATTLE WA	98121 2150 W KETTLEMAN		LN
5837003	REUTERS	PO BOX 4549	CARLSBAD CA	92018 2220 W KETTLEMAN		LN



## DECLARATION OF POSTING

### **RESOLUTION OF INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE**

On Thursday, June 6, 2013, in the City of Lodi, San Joaquin County, California, a Public Hearing Notice re: intention to vacate the right-of-way easement located at 2223 West Kettleman Lane (attached and marked as Exhibit A), was posted at the following locations:

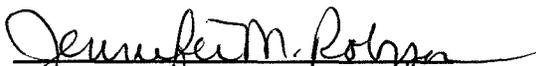
Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

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

Executed on June 6, 2013, at Lodi, California.

ORDERED BY:

**RANDI JOHL  
CITY CLERK**

  
JENNIFER M. ROBISON, CMC  
ASSISTANT CITY CLERK

\_\_\_\_\_  
MARIA DITMORE  
ADMINISTRATIVE CLERK

**NOTICE OF PUBLIC HEARING**

**EXHIBIT A**

RESOLUTION NO. 2013-98

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE THE RIGHT-OF-WAY EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE, AND TO SET A PUBLIC HEARING SO ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED ABANDONMENT CAN BE HEARD

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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.

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Dated: June 5, 2013

I hereby certify that Resolution No. 2013-98 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

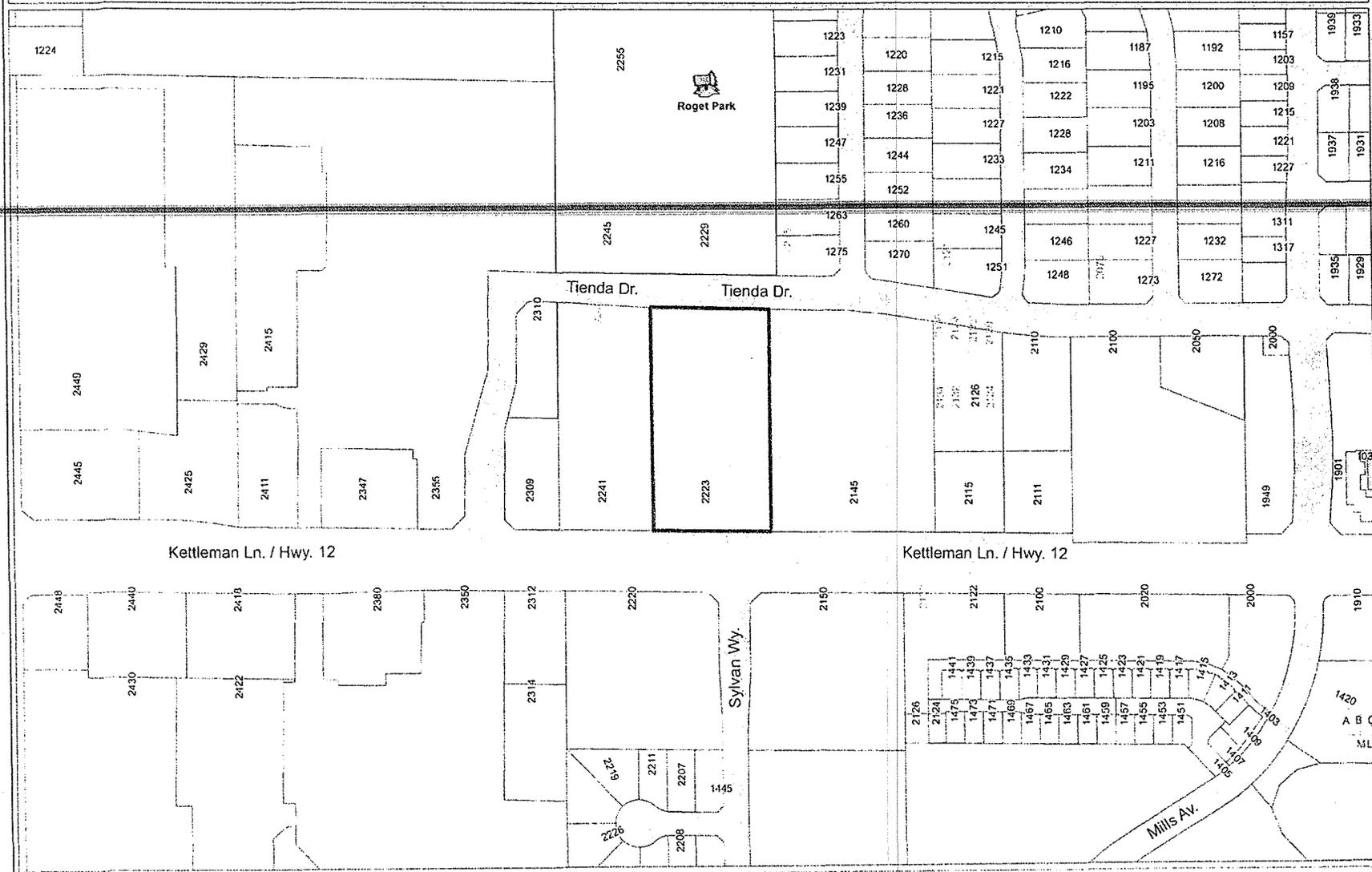
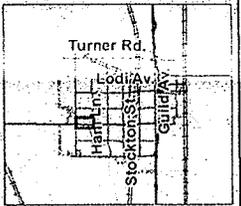
ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JOHL  
City Clerk



LODI

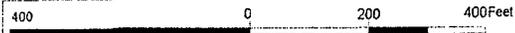
# Vicinity Map



**Legend**

Project Area

**Map Scale**  
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**Notes**



**MEMORANDUM**  
**Office of the Lodi City Clerk**

**TO:** Public Works Director

**FROM:** Randi Johl  
City Clerk 

**DATE:** June 6, 2013

**SUBJECT:** RESOLUTION OF INTENTION TO VACATE THE RIGHT-OF-WAY  
EASEMENT LOCATED AT 2223 WEST KETTLEMAN LANE

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Please be advised that the City Council, at its meeting of June 5, 2013, adopted the attached resolution declaring its intention to vacate the right-of-way easement located at 2223 West Kettleman Lane and set the matter for public hearing on July 17, 2013.

Pursuant to law, the Public Works Department is required to post at least three copies of the subject resolution and map in the area to be abandoned at least 15 days prior to the Public Hearing. Upon completion of the posting, please forward a copy of the Affidavit of Posting to me for our records.

Please contact me should you have any questions.

RJ/jmr

Attachment