

CITY COUNCIL MEETING

June 16, 1982

**ORDER VACATING
A PORTION OF
DAISY AVENUE
AMENDED**

Council was apprised that in December 1981, when the Order vacating a portion of Daisy Avenue was filed, a standard paragraph reserving this entire vacated area as an easement was included as part of the Order. In addition, a 10-foot easement for existing utilities was also reserved.

Council amended the order vacating a portion of Daisy Avenue between Pleasant Avenue and Church Street to delete the following paragraph:

"Reserving, however, and excepting from the vacation of said portion of said street, the permanent easement and that right therein to construct, maintain, repair, and operate lines for public utilities, both publicly and privately owned, in, over, and across said Street".

With this deletion, the order will retain only that 10-foot utility easement that is now being used.

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**AMENDED ORDER VACATING A PORTION OF DAISY AVENUE
BETWEEN PLEASANT AVENUE AND CHURCH STREET, LODI**

WHEREAS, this City Council, acting in accordance with the provisions of Part 3 of Division 9 of the Streets and Highways Code of this State did, on the 18th day of November, 1981, pass and adopt its Resolution of Intention No. 81-158 therein declaring the intention of said City Council to vacate a portion of Daisy Avenue between Pleasant Avenue and Church Street, Lodi, and more particularly described in said resolution; and

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 provision stated in said Resolution No. 81-158 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before said City Council in the City Council Chambers, City Hall, Lodi, California, beginning at 8:00 p.m. on Wednesday, December 16, 1981, 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 portion of the street is unnecessary for present or future public use and did so find and declare;

NOW, THEREFORE, pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, it is hereby ordered that there are hereby abandoned and vacated a portion of Daisy Avenue between Pleasant Avenue and Church Street, Lodi, California, and more particularly described as follows:

A portion of the west half of the northwest quarter of Section 1, T.3N.R.6E., M.D.B. & M. being more particularly described as follows:

Beginning at the northeast corner of Parcel 3 as shown on Map of Survey filed for record February 8, 1951, in Volume 8, page 150, Record of Surveys, San Joaquin County Records; thence S. 89° 46' 30" W., along the north line of said Parcel and its westerly extension, 378.10 feet to the northwest corner of Lot 1, as shown on map entitled "Resubdivision of the west one-half of

Block 2, Ayers and Pitchers Addition to the City of Lodi", and filed for record July 3, 1913 in Volume 7, page 19, in the Office of the County Recorder, San Joaquin County; thence S. 85° 41' 03" E., along the north line of said "Resubdivision" and its easterly extension, 378.98 feet to a point in the east line of said Parcel 3; thence N. 0° 22' 00" W., along said East line, 30 feet more or less to the point of beginning.

Reserving an easement over the west 10 feet of the east 198.75 feet.

Dated: June 16, 1982

I hereby certify that the above Order was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 16, 1982 by the following vote:

Ayes: Council Members - Murphy, Olson, Pinkerton, Snider and Reid

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

Alice M. Reimche
ALICE M. REIMCHE
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
DATE: June 10, 1982
SUBJECT: Amend Order Vacating a Portion of Daisy Avenue

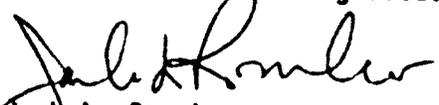
RECOMMENDED ACTION: That the City Council adopt a resolution amending the order vacating a portion of Daisy Avenue between Pleasant Avenue and Church Street to delete the vacation reservation which was a part of that order.

BACKGROUND INFORMATION: In December 1981, when the order vacating a portion of Daisy Avenue was filed, a standard paragraph reserving this entire vacated area as an easement was included as part of the order. In addition, a 10-foot easement for existing utilities was also reserved.

This resolution will delete the following paragraph from the order:

"Reserving, however, and excepting from the vacation of said portion of said street, the permanent easement and that right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in, over, and across said street."

With this deletion, the order will retain only that 10-foot utility easement that is now being used.


Jack L. Ronsko
Public Works Director

JLR/SB/eeh

APPROVED:

HENRY A. GLAVES, City Manager

FILE NO.

CITY COUNCIL MEETING

JUNE 16, 1982

CC-510

PUC APPLICATION

City Clerk Reimche presented a Notice which had been received from Pacific Telephone Company stating they have filed an amendment to their application, originally filed August 1, 1980, with the California Public Utilities Commission. The filing seeks an increase in rates to offset an increase in depreciation expenses due largely to recent approvals by the Federal Communications Commission and the CPUC of new depreciation rates for telephone terminal equipment that reflect the shorter lives of the equipment brought about by advances in technology and increasing competition. A Public Hearing on the amendment will be held at 10:00 a. m. , July 12, 1982 at the CPUC, 350 McAllister Street in San Francisco.