



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Public Hearing to Consider Adopting Resolution Vacating Right-of-Way for Roadway Purposes Located at 2223 West Kettleman Lane

MEETING DATE: July 17, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Public hearing to consider adopting resolution vacating right-of-way for roadway purposes located at 2223 West Kettleman Lane.

BACKGROUND INFORMATION: Pastor Scott Hubbard, on behalf of Lodi First Nazarene Church, has requested the City vacate an existing right-of-way for roadway purposes on church property located at 2223 West Kettleman Lane, as shown in Exhibit A. The 25-foot wide right-of-way was granted to the City to reserve a north/south roadway alignment from Kettleman Lane to the parcel north of the church property, which is now Roget Park. As development along Tienda Drive progressed, the right-of-way was no longer needed to provide access to the Roget property. Vacating this right-of-way will not impact current or future traffic circulation.

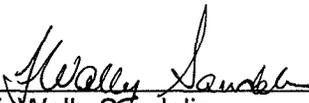
AT&T requested a 15-foot public utility easement be established for its existing utilities along the west side of the property. The church provided the 15-foot public utility easement description to the City and is in the process of having it recorded by the County. There are no other existing or planned public facilities within the right-of-way, and there is no goal or policy in the General Plan that addresses a need for a right-of-way in this location. All public and private utility companies have been contacted in writing and have approved the vacation of the right-of-way. Staff concurs with the applicant's request for vacation of the right-of-way for roadway purposes.

The proposed vacation was approved by the Lodi Planning Commission on Wednesday, February 13, 2013. Minutes of the meeting are attached as Exhibit B. On June 5, 2013, Council adopted a Resolution of Intent (Resolution No. 2013-98) to vacate right-of-way located at 2223 West Kettleman Lane, as shown in Exhibit C, and set the public hearing for July 17, 2013.

Staff recommends City Council adopt the resolution to vacate the right-of-way for roadway purposes.

FISCAL IMPACT: Not applicable.

FUNDING AVAILABLE: Not applicable.


 F. Wally Sandelin
 Public Works Director

Prepared by Chris Boyer, Assistant Engineer

FWS/CRB/pmf

Attachments

cc: Charlie Swimley, City Engineer/Deputy Public Works Director
 Denise Wiman, Senior Engineering Technician

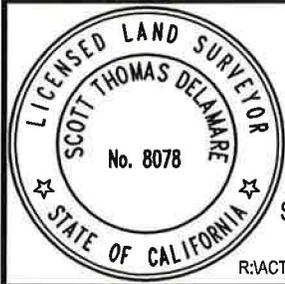
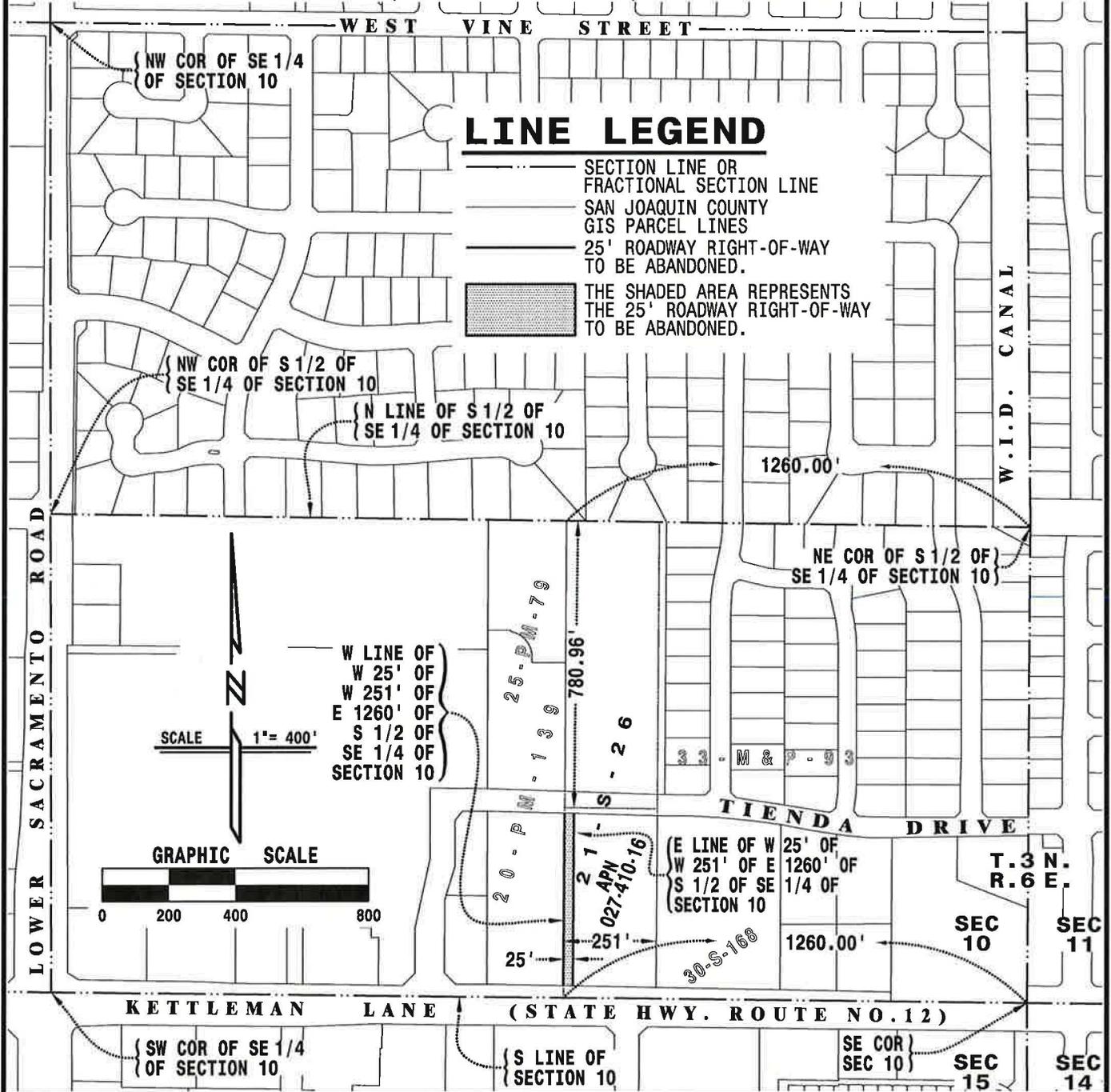
APPROVED:


 Konradt Bartlam, City Manager

EXHIBIT "A"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR ROADWAY RIGHT-OF-WAY ABANDONMENT

LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, T.3 N., R.6 E., M.D.B.M.
CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA



df DF ENGINEERING, INC.

CIVIL ENGINEERING AND SURVEYING
3421 TULLY ROAD · SUITE J · MODESTO, CA 95350
TELEPHONE (209) 529-7450 · FAX (209) 529-0457

SIGNED: *Scott Thomas Delamare* February 21, 2013
SCOTT THOMAS DELAMARE LS 8078 DATE

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AUTHOR	STD		
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SCALE	1" = 400'		
DATE	Feb, 2013		

request of the Planning Commission for approval of a Tentative Parcel Map to divide one parcel into four lots at 2540 Legacy Way. (Applicant: Foster Advantage, Inc. File No. 12-P-01)

Associate Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Vice Chair Jones asked why this wasn't done sooner. Director Bartlam stated that the owner chose not to divide and now the new owner wishes to do so.

Commissioner Olson asked what the plan is for the new parcels. Director Bartlam stated that staff is only aware that the applicant is requesting a division of the lot, but Mr. Murphy may know more about what the applicant intends to do with the parcels.

Hearing Opened to the Public

- Joe Murphy, with Dillon and Murphy representative of the owner, came forward to answer questions. Mr. Murphy stated that he does not believe the owner intends to develop the property herself.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Jones second, approved the request for a Tentative Parcel Map to divide one parcel into four lots at 2540 Legacy Way subject to the conditions in the resolution. The motion carried by the following vote:

Ayes:	Commissioners –	Hennecke Jones, Kiser, Olson and Chair Kirsten
Noes:	Commissioners –	None
Absent:	Commissioners -	Cummins and Heinitz

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Kirsten called for the public hearing to consider the request of the Planning Commission review for consistency with the General Plan related to proposed abandonment of a portion of an existing Access Easement on private property located at 2223 West Kettleman Lane

Associate Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the request to be forwarded to the City Council.

Vice Chair Jones asked if the City paid for the easement. Director Bartlam stated that he was not aware of a payment. Mr. Bereket stated that there was not a payment made to the City.

Commissioner Kiser asked if this is the same property that the church came to the Planning Commission for an expansion plan. Director Bartlam stated that this is the same property.

Hearing Opened to the Public

- None

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Jones second, approved the request for consistency with the General Plan related to proposed abandonment of a portion of

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

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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:

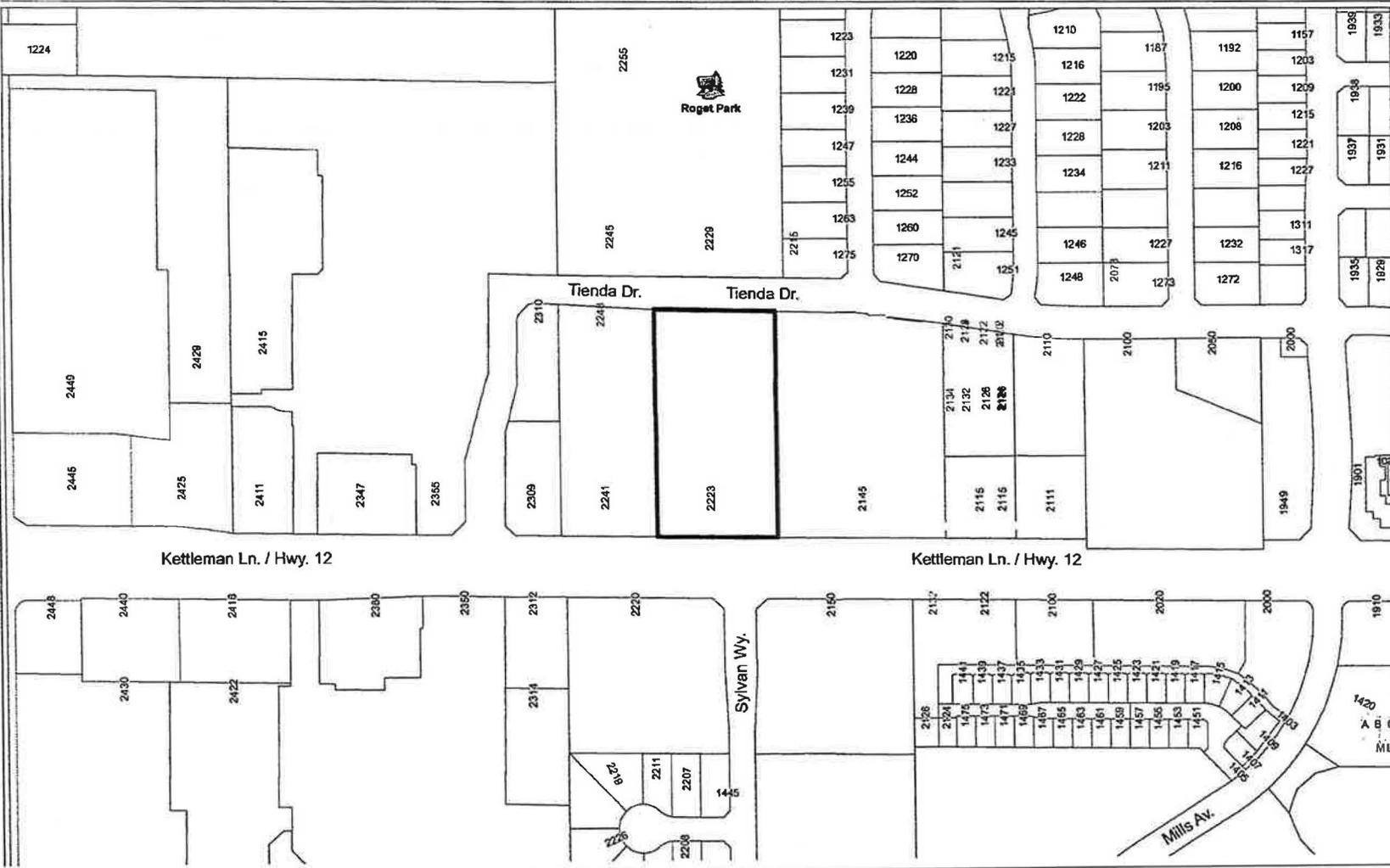
- AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Mounce, and Mayor Nakanishi
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk



Vicinity Map



Legend

Project Area

Map Scale
1:2,400



NAD_1983_StatePlane_California_III_FIPS_0403_Feet
© 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.

Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION

RESOLUTION NO. 2013-138

A RESOLUTION OF THE LODI CITY COUNCIL
SUMMARILY VACATING AND ABANDONING RIGHT-OF-WAY
FOR ROADWAY PURPOSES LOCATED AT
2223 WEST KETTLEMAN LANE

=====

WHEREAS, Pastor Scott Hubbard, on behalf of Lodi First Nazarene Church, has requested the City vacate an existing 25-foot wide right-of-way for roadway purposes on its property located at 2223 West Kettleman Lane, as shown in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the right-of-way was dedicated to the City to reserve a north/south roadway alignment from Kettleman Lane to the parcel north of the church property, which is now Roget Park. As development along Tienda Drive progressed, the right-of-way was no longer needed to provide access to the Roget property. Vacation of this right-of-way will not impact current or future traffic circulation; and

WHEREAS, the proposed vacation was approved by the Lodi Planning Commission on Wednesday, February 13, 2013; and

WHEREAS, all public and private utility companies have been contacted in writing. AT&T requested a 15-foot public utility easement for its existing utilities along the west side of the property. There are no other existing or planned public facilities located within the right-of-way and all other public and private utility companies have approved the vacation of the right-of-way without further comment or conditions.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council finds and declares as follows:

1. The above recitals are true and correct.
2. The vacation was approved by the Lodi Planning Commission on Wednesday, February 13, 2013.
3. The right-of-way for roadway purposes is considered a limited "Public Service Easement" (Streets and Highways Code Section 8306) and is subject to summary abandonment procedures and need not be referred to the Planning Commission (Streets and Highways Code Section 8333).
4. The 25-foot wide right-of-way for roadway purposes on its property located at 2223 West Kettleman Lane, as shown on Exhibit A attached hereto and incorporated herein, is summarily vacated as of the date of recordation of this Resolution and from and after that date no longer constitutes a public right-of-way.

5. The City Clerk is hereby authorized and instructed to record this Resolution pursuant to Streets and Highways Code Section 8336.

Dated: July 17, 2013

=====

I hereby certify that Resolution No. 2013-138 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 17, 2013, by the following vote:

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

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL-OLSON
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION FOR
ROADWAY RIGHT-OF-WAY ABANDONMENT

All of that real property being a portion of the "25' Right of Way" in the southern "2.98 Ac." parcel as shown on the "Map of Survey" filed in Book 21 of Surveys at Page 26, San Joaquin County Records, lying in Section 10, Township 3 North, Range 6 East, Mount Diablo Meridian, City of Lodi, County of San Joaquin, State of California, described as follows:

The West 25 feet of the West 251.00 feet of the East 1260.00 feet of the South one-half of the Southeast one-quarter of said Section 10.

EXCEPTING THEREFROM the North 780.96 feet of said West 251.00 feet.

ALSO EXCEPTING THEREFROM the real property known as public road Tienda Drive, as described in the Street Easement Deed recorded September 11, 1998 as Instrument Number 98107561.

ALSO EXCEPTING THEREFROM the real property known as public road Kettleman Lane (State Highway Route 12) as described in the Street Easement Deed recorded September 11, 1998 as Instrument Number 98107561 in regard to the North 19 feet of said Kettleman Lane, and as described in the Easement Deed recorded December 20, 1926 in Volume 175 at Page 64, Official Records of San Joaquin County in regard to the South 25 feet of the North 44 feet of said Kettleman Lane.

A plat attached hereto is hereby made a part of this Legal Description.

END OF DESCRIPTION



DF ENGINEERING, INC.

CIVIL ENGINEERING AND SURVEYING
 3421 TULLY ROAD · SUITE J · MODESTO, CA 95350
 TELEPHONE (209) 529-7450 · FAX (209) 529-0457

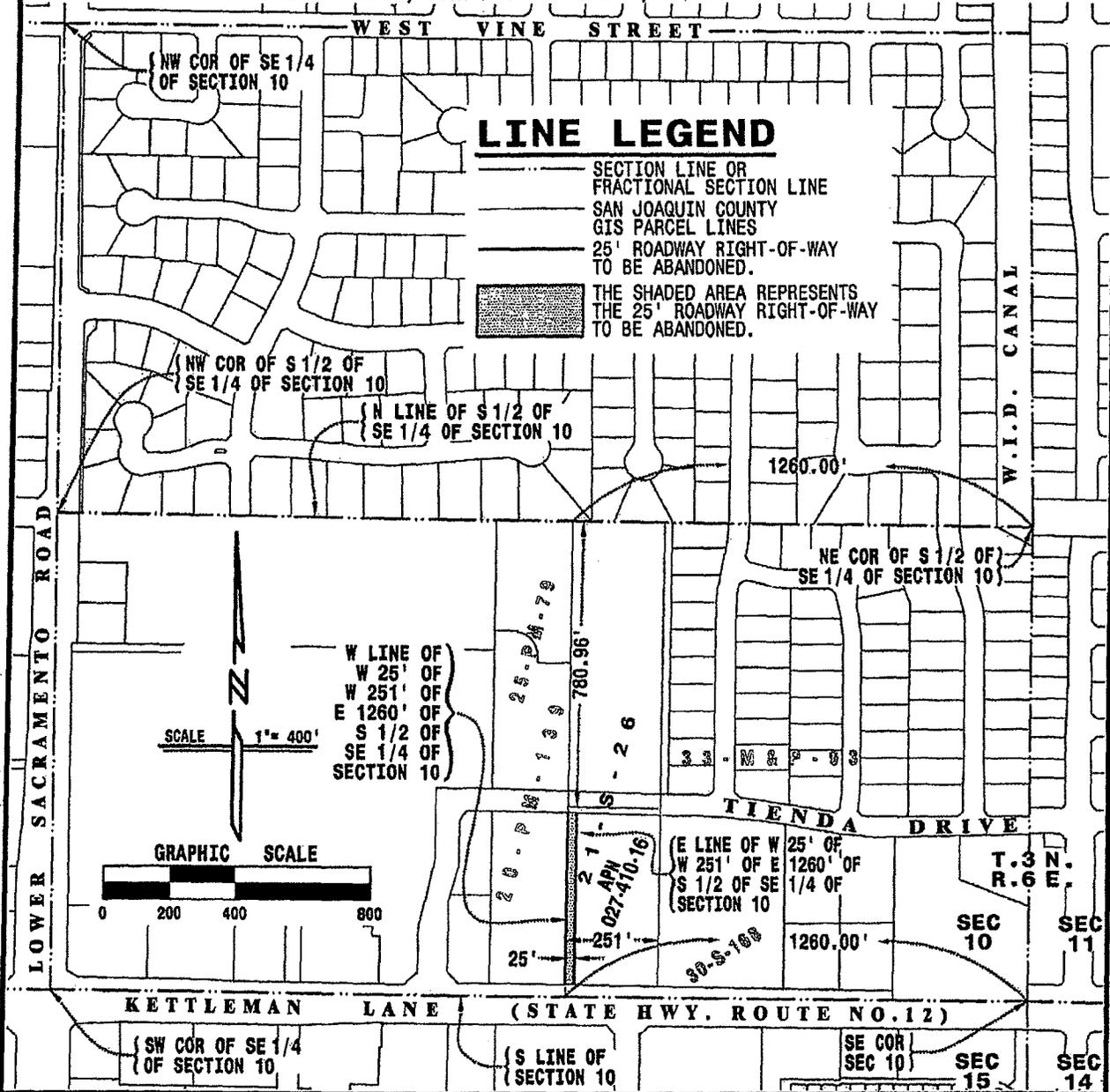
SIGNED: *Scott Thomas Delamare* February 21, 2013
SCOTT THOMAS DELAMARE LS 8078 DATE

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JOB	1301		
AUTHOR	STD		
CK. BY	BJD		
SCALE	N/A		
DATE	Feb, 2013		

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ROADWAY RIGHT-OF-WAY ABANDONMENT**
LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 10, T.3 N., R.6 E., M.D.6.M.
CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA



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SIGNED: *Scott Thomas Delamare* February 21, 2013
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CK. BY	BJD
SCALE	1" = 400'
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DECLARATION OF MAILING

LETTER AND RESOLUTION SUMMARILY VACATING AND ABANDONING RIGHT-OF-WAY FOR ROADWAY PURPOSES LOCATED AT 2223 WEST KETTLEMAN LANE

On July 18, 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 summarily vacating and abandoning right-of-way for roadway purposes located at 2223 West Kettleman Lane, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

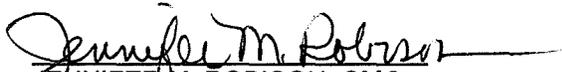
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on July 18, 2013, at Lodi, California.

ORDERED BY:

**RANDI JOHL-OLSON
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 cityclerk@lodi.gov

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

July 18, 2013



TO: Interested Parties

**VACATION: TO SUMMARILY VACATE AND ABANDON RIGHT-OF-WAY FOR
ROADWAY PURPOSES LOCATED AT 2223 WEST KETTLEMAN
LANE**

This is to inform you that the City Council, at its regular meeting on July 17, 2013, considered the above matter and declared the area vacated and abandoned.

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

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

A handwritten signature in black ink, appearing to be "R. Johl-Olson", written over a horizontal line.

Randi Johl-Olson
City Clerk

RJO/jmr

Enclosure

cc: Public Works Department

RESOLUTION NO. 2013-138

A RESOLUTION OF THE LODI CITY COUNCIL
SUMMARILY VACATING AND ABANDONING RIGHT-OF-WAY
FOR ROADWAY PURPOSES LOCATED AT
2223 WEST KETTLEMAN LANE

=====

WHEREAS, Pastor Scott Hubbard, on behalf of Lodi First Nazarene Church, has requested the City vacate an existing 25-foot wide right-of-way for roadway purposes on its property located at 2223 West Kettleman Lane, as shown in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the right-of-way was dedicated to the City to reserve a north/south roadway alignment from Kettleman Lane to the parcel north of the church property, which is now Roget Park. As development along Tienda Drive progressed, the right-of-way was no longer needed to provide access to the Roget property. Vacation of this right-of-way will not impact current or future traffic circulation; and

WHEREAS, the proposed vacation was approved by the Lodi Planning Commission on Wednesday, February 13, 2013; and

WHEREAS, all public and private utility companies have been contacted in writing. AT&T requested a 15-foot public utility easement for its existing utilities along the west side of the property. There are no other existing or planned public facilities located within the right-of-way and all other public and private utility companies have approved the vacation of the right-of-way without further comment or conditions.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council finds and declares as follows:

1. The above recitals are true and correct.
2. The vacation was approved by the Lodi Planning Commission on Wednesday, February 13, 2013.
3. The right-of-way for roadway purposes is considered a limited "Public Service Easement" (Streets and Highways Code Section 8306) and is subject to summary abandonment procedures and need not be referred to the Planning Commission (Streets and Highways Code Section 8333).
4. The 25-foot wide right-of-way for roadway purposes on its property located at 2223 West Kettleman Lane, as shown on Exhibit A attached hereto and incorporated herein, is summarily vacated as of the date of recordation of this Resolution and from and after that date no longer constitutes a public right-of-way.

5. The City Clerk is hereby authorized and instructed to record this Resolution pursuant to Streets and Highways Code Section 8336.

Dated: July 17, 2013

=====

I hereby certify that Resolution No. 2013-138 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 17, 2013, by the following vote:

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

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL-OLSON
City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION FOR
ROADWAY RIGHT-OF-WAY ABANDONMENT

All of that real property being a portion of the "25' Right of Way" in the southern "2.98 Ac." parcel as shown on the "Map of Survey" filed in Book 21 of Surveys at Page 26, San Joaquin County Records, lying in Section 10, Township 3 North, Range 6 East, Mount Diablo Meridian, City of Lodi, County of San Joaquin, State of California, described as follows:

The West 25 feet of the West 251.00 feet of the East 1260.00 feet of the South one-half of the Southeast one-quarter of said Section 10.

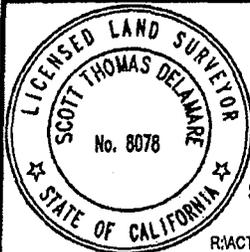
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JOB	1301
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CK. BY	BJD
SCALE	N/A
DATE	Feb, 2013

**VACATION / ABANDONMENT
MAILING LIST**

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

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					TIENDA	
2741014	BDC LODI PLAZA LP ETAL BCD CLOVIS LP SAN JOAQUIN COUNTY OFFICE OF ED ATTN	1556 PARKSIDE DR	WALNUT CREEK C	94596 DR\2309		
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



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

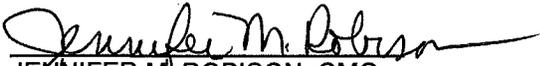
LEGAL AD

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 11:50am (time) on 6/6/13 (date) 2 (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

=====

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 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

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

=====

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

=====

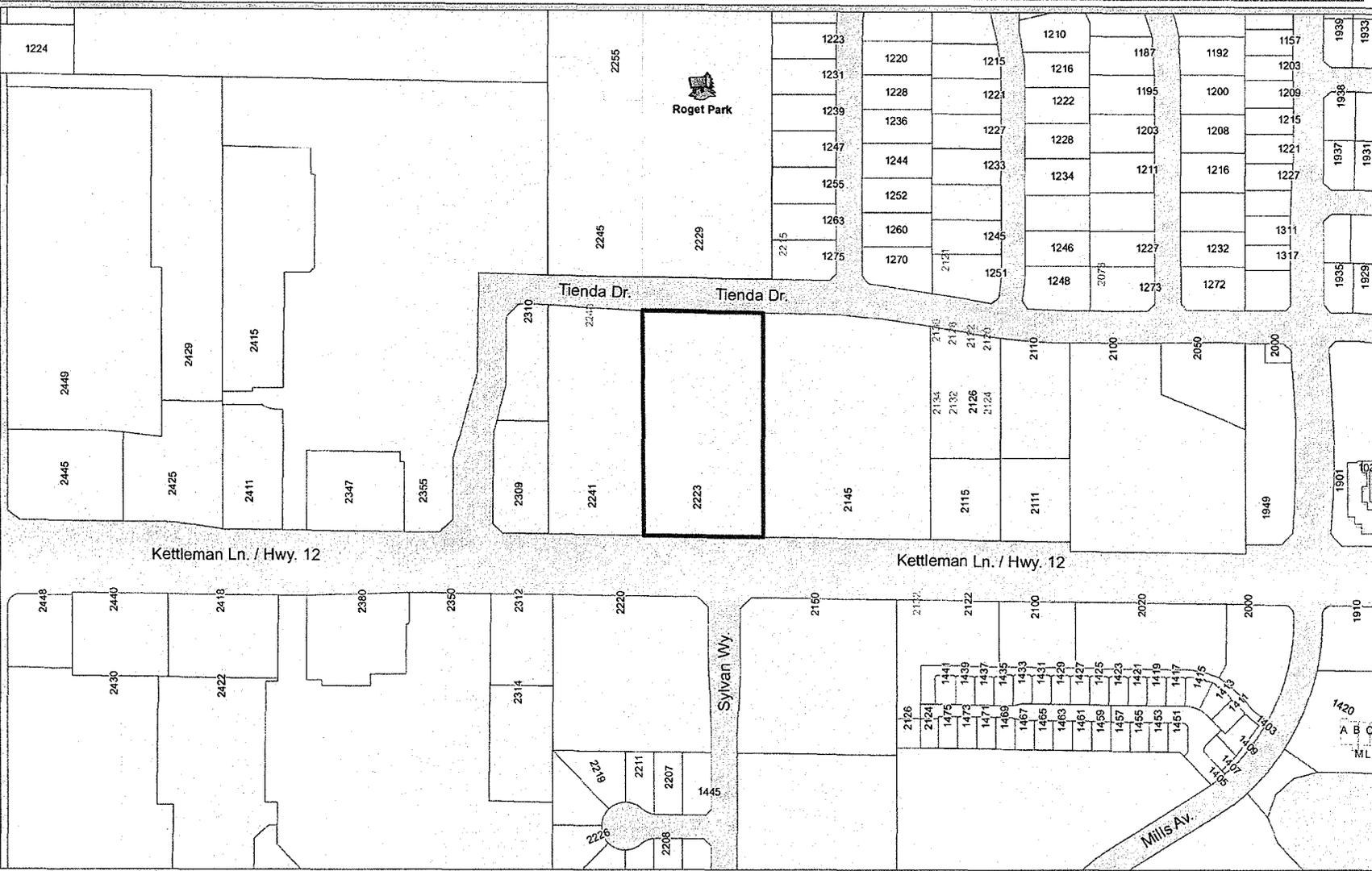
I hereby certify that Resolution No. 2013-98 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2013, by the following vote:

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


RANDI JOHL
City Clerk

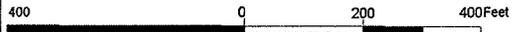


Vicinity Map



Legend
Project Area

Map Scale
1:2,400



NAD_1983_StatePlane_California_III_FIPS_0403_Feet
© 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

Notes

**VACATION / ABANDONMENT
MAILING LIST**

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

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:

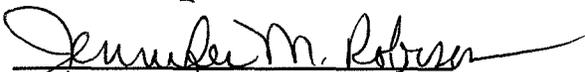
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

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


RANDI JOHL
City Clerk



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

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