

CITY COUNCIL MEETING
AUGUST 5, 1987

VACATION OF PUBLIC
UTILITY EASEMENTS
IN LOTS 26, 27,
AND 28, INDUSTRIAL
LITE SUBDIVISION,
CLUFF AVENUE

RES. NO. 87-102

CC-52(b)

Council adopted Resolution No. 87-102 - Resolution of Vacation of Public Utility Easements in Lots 26, 27, and 28, Industrial Lite Subdivision. Council was apprised that these public utility easement abandonments have been requested by the owner of 419 North Cluff Avenue to allow for more buildable space on the lots. The owner of 419 North Cluff has paid the required fees to process this abandonment. Pacific Bell, PG&E, King Videocable Company, and City utilities have been notified of this proposed abandonment and their approval has been secured.



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
MEETING DATE: August 5, 1987
AGENDA TITLE: Adopt Resolution of Vacation of Public Utility Easements in Lots 26, 27 & 28, Industrial Lite Subdivision, Cluff Avenue

RECOMMENDED ACTION: That the City Council adopt a resolution vacating the five-foot public utility easements along the westerly line of Lots 26, 27 and 28 in Industrial Lite Subdivision.

BACKGROUND INFORMATION: These public utility easement abandonments have been requested by the owner of 419 N. Cluff Avenue to allow for more buildable space on the lots.

The owner of 419 S. Cluff Avenue has paid the required fees to process this abandonment. Pacific Bell, PG&E, King Videocable Company, and City utilities have been notified of this proposed abandonment and their approval has been secured.

Under Section 8333 of the Streets and Highways Code, a local agency may summarily vacate a public service easement if "the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation". Since these easements have not been used for public utilities for over five years, this Department recommends that the request to vacate these easements be granted without Planning Commission referral or the normal posting, publishing, and public hearing.

Attached is a copy of the proposed resolution and a sketch showing the area of the proposed abandonment.

Jack L. Ronsko
Public Works Director

JLR/WF/ma

Attachments

APPROVED:

THOMAS A. PETERSON, City Manager

FILE NO.

RESOLUTION NO. 87-102

RESOLUTION OF VACATION OF PUBLIC UTILITY EASEMENTS
IN LOTS 26, 27 & 28, INDUSTRIAL LITE SUBDIVISION

WHEREAS, in Industrial Lite Subdivision as recorded December 3, 1979, there were dedicated easements for public utilities located in Lots 26, 27, and 28 of Industrial Lite Subdivision, more particularly described as follows and delineated on the attached map:

The westerly 5 feet of Lots 26, 27, and 28 of Industrial Lite Subdivision as recorded in Book of Maps and Plats, Volume 25, Page 24, San Joaquin County Records.

Except the northerly 2 feet of Lot 26 and the southerly 8 feet of Lot 28.

WHEREAS, the owner of 419 North Cluff Avenue has requested that the City of Lodi abandon such easements to allow for more buildable space on the lots; and

WHEREAS, such easements have not been used for public utilities for the past five years; and

WHEREAS, the Streets and Highways Code of the State of California, Division 9, Part 3, Chapter 4, Sections 8300 et seq., provides that the legislative body of a local agency may summarily vacate a public service easement if the easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, in accordance with Streets and Highways Code Sections 8300 et seq., it is the desire of the City Council of the City of Lodi to vacate such easements.

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

That the public utility easements located in Lots 26, 27, and 28 of Industrial Lite Subdivision be vacated; and

That from and after the date this resolution is recorded, such easements will no longer constitute public service easements.

Dated: August 5, 1987

I hereby certify that Resolution No. 87-102 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 5, 1987, by the following vote:

Ayes: Councilmembers - Olson, Snider and Reid

Noes: Councilmembers - .one

Absent: Councilmembers - Hinchman and Pinkerton

Attest.

Alice M. Reimche
ALICE M. REIMCHE
City Clerk

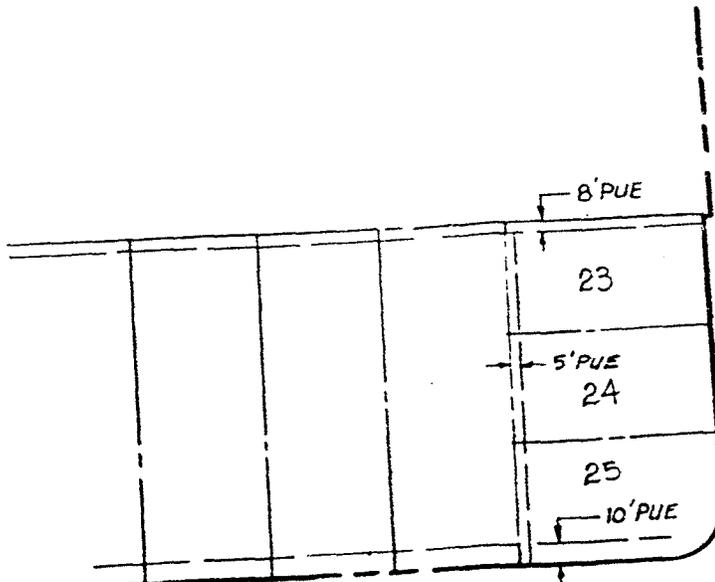


CITY OF LODI

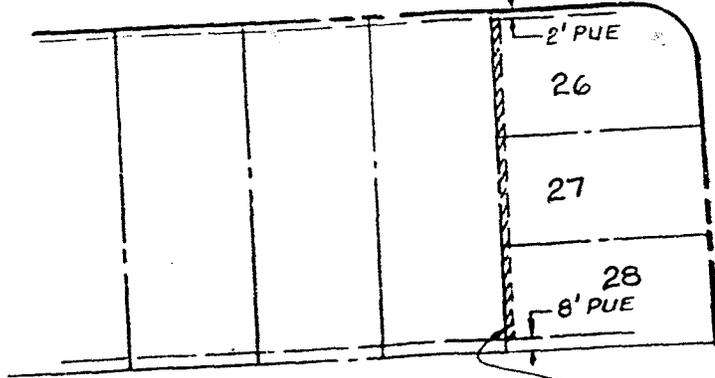
PUBLIC WORKS DEPARTMENT

EASEMENT ABANDONMENTS

LOTS 26, 27, 28
INDUSTRIAL LITE SUB'D



BLACK DIAMOND WAY



CLUFF AVE.



EASEMENT 1
Proposed Abandonment
(5' P.U.E)

Dr. <i>W</i>	No.	Date	Revision	Appr.	Approved By	
Ch						
Date					Public Works Director RCE	Date