

cc 18

CITY COUNCIL MEETING
AUGUST 17, 1983

AGREEMENT WITH
SAN JOAQUIN
COUNTY FOR
CERTAIN SERVICES
FOR 11/8/83
ELECTION

Following introduction of the matter by City Clerk, Council, on motion of Mayor Pro Tempore Snider, Olson second, adopted Resolution No. 83-97 approving a Contract with the County Clerk's Office for certain services involved in the 11/8/83 County-Wide Consolidated Election.

RES. NO. 83-97

Page 12

7/2

to July



SAN JOAQUIN COUNTY
RECEIVED
OFFICE OF THE COUNTY CLERK

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

BRUCE R. AVRIT
ASST COUNTY CLERK

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

MAILING ADDRESS P.O. BOX 810

August 9, 1983

S

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*Hayes - has
Red*

Alice M. Reimche
City Clerk
City of Lodi
221 W. Pine Street
P. O. Box 320
Lodi, CA 95241

Subject: November 8, 1983 Election Costs

Dear Alice:

Pursuant to your request for a more critical estimate of the cost of subject election within the city limits of Lodi, please be advised that, under a full service contract, the county's incurred costs, to be reimbursed by those agencies conducting elections within the City would be approximately \$1.50 per registered voter. As of July 18, 1983, Lodi's voter registration count was 17,000 which at \$1.50 each would be \$25,500.00.

If Delta Junior College and Lodi Unified were to go to election, then the City of Lodi would split the prorated share three ways within those precincts within the City; i.e., a precinct supply kit may cost \$15.00. This cost would be split three ways at \$5.00 per jurisdiction. However, if the cost does not justifiably split, then that cost would be prorated; i.e., the City of Lodi, with its measure, impartial analysis and arguments were to take up three pages of a five page sample ballot, then the City would be billed for three/fifths of the cost for the sample ballots within that ballot type.

Finally, in the event that no other district has a contest going within the City of Lodi, we should be able to rescind the consolidation order or amend the City/County contract so you and your staff could handle more of the responsibilities and thus reduce the County's costs.

Very truly yours,

RALPH W. EPPERSON
COUNTY CLERK

RWE:tb



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RECEIVED

1983 AUG -2 AM 9:02

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

119 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95202
TELEPHONE (209) 944-2671

ALICE H. REIMCHE
CITY CLERK
CITY OF LODI

BRUCE R. AVRIT
ASST COUNTY CLERK

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

MAILING ADDRESS P.O. BOX 810
August 1, 1983

Alice Reimche
City Clerk
City of Lodi
221 W. Pine Street
Lodi, CA 95240

Dear Mrs. Reimche:

Enclosed you will find three copies of the Agreement between San Joaquin County and the City of Lodi which have been signed by George Cunningham, Deputy County Counsel.

Please note the wording in paragraph 1 regarding consolidation whenever possible and in paragraph 4 regarding prorating the cost of the election.

If you should have any questions regarding the agreements, please contact Judy Podesta or the undersigned at (209) 944-2671.

Very truly yours,

RALPH W. EPPERSON
COUNTY CLERK

By: Herbert B. Weekes
Chief Elections Clerk

RWE:HBW:tb

enc.

A G R E E M E N T

THIS AGREEMENT, made this _____ day of _____, 1983, between the County of San Joaquin, a political subdivision of the State of California, hereinafter called "COUNTY" and the City of Lodi, a municipal corporation hereinafter called "CITY".

W I T N E S S E T H

WHEREAS, the City desires to hold a special election to be held on the 8th of November, and the City desires to make use of certain services, facilities, and equipment of the Registration-Election Department and to pay the County for its cost thereof, pursuant to the provisions of this agreement:

NOW, THEREFORE, it is hereby agreed as follows:

1. The County shall consolidate this election with any other entity holding an election on this date.
2. The County agrees to made no changes in precinct boundaries within ninety (90) days of the election.
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IN WITNESS WHEREOF, that the parties hereto have hereunto set their hands and seals the day and year first above written.

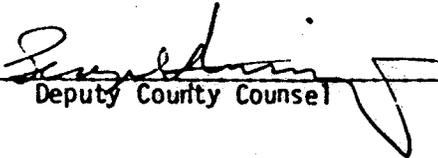
ATTEST: JORETTA J. HAYDE
Clerk of the Board of Supervisors
of the County of San Joaquin,
State of California

Deputy Clerk

Chairman of said Board of Supervisors

" COUNTY "

APPROVED AS TO FORM:



Deputy County Counsel

CITY OF LODI, Amunicipal corporation

Mayor

ATTEST:

"CITY"

City Clerk

APPROVED AS TO FORM:

City Attorney

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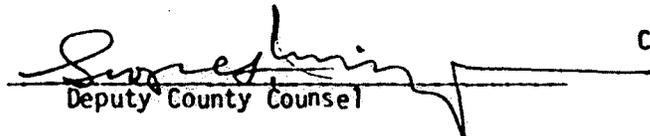
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Clerk of the Board of Supervisors
of the County of San Joaquin,
State of California

Deputy Clerk

Chairman of said Board of Supervisors
" COUNTY "

APPROVED AS TO FORM:



Deputy County Counsel

CITY OF LODI, Amunicipal corporation

Mayor

ATTEST:

"CITY"

City Clerk

APPROVED AS TO FORM:

City Attorney

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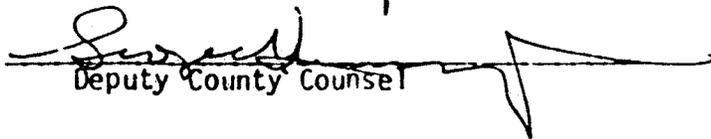
ATTEST: JORETTA J. HAYDE
Clerk of the Board of Supervisors
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State of California

Deputy Clerk

Chairman of said Board of Supervisors
" COUNTY "

APPROVED AS TO FORM:

CITY OF LODI, Amunicipal corporation



Deputy County Counsel

Mayor

ATTEST:

"CITY"

City Clerk

APPROVED AS TO FORM:

City Attorney

7 1/2
8/17

8/17

CC 18

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT G. MURPHY
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager
ALICE M. REIMCHE
City Clerk
RONALD M. STEIN
City Attorney

August 19, 1983

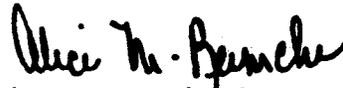
Mr. Ralph W. Epperson
County Clerk
P. O. Box 810
Stockton, CA 95202

Dear Ralph:

Enclosed, please find, executed original and two copies of the Agreement between San Joaquin county and the City of Lodi covering the Consolidated Special Election to be held November 8, 1983, which was approved by the Lodi City Council at its regular meeting of August 17, 1983 and the authorizing Resolution - Resolution No. 83-97.

Please return a fully executed copy to me at your earliest convenience.

Very truly yours;



Alice M. Reimche
City Clerk

AMR:jj
Enc.

RESOLUTION NO. 83-97

RESOLUTION APPROVING AGREEMENT WITH THE
COUNTY OF SAN JOAQUIN FOR CERTAIN SERVICES,
FACILITIES AND EQUIPMENT FOR THE NOVEMBER
8, 1983 CONSOLIDATED SPECIAL ELECTION

RESOLVED, that the City Council of the City of Lodi does hereby approve agreement with the County of San Joaquin for certain services, facilities, and equipment for the November 8, 1983 Consolidated Special Election, a copy of which agreement is attached hereto, marked Exhibit A and thereby made a part hereof.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the subject agreement on behalf of the City.

Dated: August 17, 1983

I hereby certify that Resolution No. 83-97 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 1983 by the following vote:

Ayes: Council Members - Murphy, Pinkerton, Snider,
and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - Reid

Alice M. Reimche
Alice M. Reimche
City Clerk



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

ALICE M. REIMCHE
610 KEEFER AVENUE
STOCKTON, CALIFORNIA 95202
CITY OF LODI
PHONE (209) 944-2871

BRUCE R. AVRIT
ASST COUNTY CLERK

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

MAILING ADDRESS P.O. BOX 810

August 9, 1983

Alice M. Reimche
City Clerk
City of Lodi
221 W. Pine Street
P. O. Box 320
Lodi, CA 95241

Subject: November 8, 1983 Election Costs

Dear Alice:

Pursuant to your request for a more critical estimate of the cost of subject election within the city limits of Lodi, please be advised that, under a full service contract, the county's incurred costs, to be reimbursed by those agencies conducting elections within the City would be approximately \$1.50 per registered voter. As of July 18, 1983, Lodi's voter registration count was 17,000 which at \$1.50 each would be \$25,500.00.

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Very truly yours,


RALPH W. EPPERSON
COUNTY CLERK

RWE:tb



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RECEIVED

RALPH W. EPPERSON
COUNTY CLERK

1983 AUG - 2 AM 9:02

REGISTRATION-ELECTION DIVISION

119 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95202
TELEPHONE (209) 944-2671

ALICE H. REIMCHE
CITY CLERK
CITY OF LODI

BRUCE R. AVRIT
ASST COUNTY CLERK

HERBERT B. WEEKES
CHIEF ELECTIONS CLERK

MAILING ADDRESS P.O. BOX 810
August 1, 1983

Alice Reimche
City Clerk
City of Lodi
221 W. Pine Street
Lodi, CA 95240

Dear Mrs. Reimche:

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Please note the wording in paragraph 1 regarding consolidation whenever possible and in paragraph 4 regarding prorating the cost of the election.

If you should have any questions regarding the agreements, please contact Judy Podesta or the undersigned at (209) 944-2671.

Very truly yours,

RALPH W. EPPERSON
COUNTY CLERK

By: Herbert B. Weekes
Chief Elections Clerk

RWE:HBW:tb

enc.

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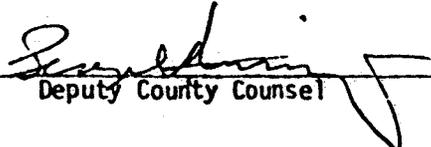
IN WITNESS WHEREOF, that the parties hereto have hereunto set their hands and seals the day and year first above written.

ATTEST: JORETTA J. HAYDE
 Clerk of the Board of Supervisors
 of the County of San Joaquin,
 State of California

 Deputy Clerk

 Chairman of said Board of Supervisors
 " COUNTY "

APPROVED AS TO FORM:



 Deputy County Counsel

CITY OF LODI, Amunicipal corporation

ATTEST:

 City Clerk

 Mayor
 "CITY"

APPROVED AS TO FORM:

 City Attorney

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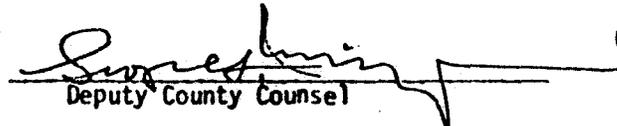
Deputy Clerk

Chairman of said Board of Supervisors

" COUNTY "

APPROVED AS TO FORM:

CITY OF LODI, Amunicipal corporation



Deputy County Counsel

Mayor

ATTEST:

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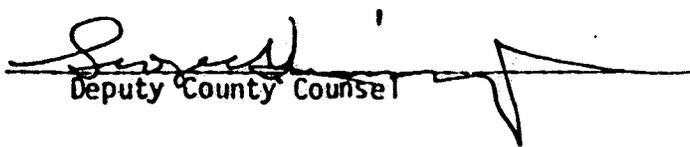
Deputy Clerk

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" COUNTY "

APPROVED AS TO FORM:

CITY OF LODI, Amunicipal corporation



Deputy County Counsel

Mayor

"CITY"

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT C. MURPHY
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

RECEIVED
1983 OCT 19 PM 4:25

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

October 18, 1983

Mr. & Mrs. Gerhard Meinecke
1240 So. Stockton Street
Lodi, CA 95240

Dear Mr. & Mrs. Meinecke:

SUBJECT: Notice Regarding Resolution of Necessity
Code of Civil Procedure Sec. #1245.235

Notice is hereby given that on November 16, 1983, the City Council of the City of Lodi, a municipal corporation, intends to adopt a Resolution of Necessity, regarding Eminent Domain, pursuant to CCP Sec. 1245.220 regarding the property located at 1240 and 1244 South Stockton Street within the City of Lodi described as portions of Lot 48, Lodi Barnhart Tract, filed for record November 6, 1906, in Book 3 of Maps and Plats, Page 48, San Joaquin County Records.

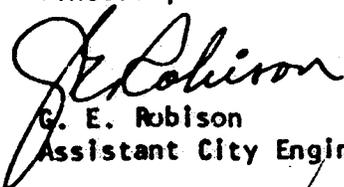
You are hereby notified that you have a right to be heard on the matters referred to in CCP Sec. 1240.030 as it relates to the aforementioned property. Specifically CCP Sec. 1240.030 permits the City of Lodi to exercise the power of Eminent Domain to acquire the property for a proposed project only if all of the following are established:

- a. The public interest and necessity require the project.
- b. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The property sought to be acquired is necessary for the project.

NOTICE

In order to be heard on the matter set forth in CCP Sec. 1240.030, you must file a WRITTEN REQUEST to be heard within 15 days after the notice was mailed. The governing body need not give an opportunity to appear and be heard to any person who fails to so file a written request. If you intend to be heard on the matter set forth in CCP Sec. 1240.030, please contact Alice Reimche, City Clerk, at 221 W. Pine Street, Lodi, phone 334-5634, Ext. 277. YOUR FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN 15 DAYS AFTER THE NOTICE WAS MAILED, WILL RESULT IN WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

Sincerely



G. E. Rubison
Assistant City Engineer

cc: City Clerk
City Attorney

GER/eh

GERHARD MEINECKE
1240 S. STOCKTON ST.
LODI, CALIFORNIA 95240

Lodi 10-31-83.

RECEIVED

1983 NOV -3 AM 8 09

Dear

Mrs. Reimche.

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

I, Gerhard Meinecke, do hereby file
my written request to be heard on
the matter set forth in CCP Sec.
1240.030 as per requested in the notice
dated Oct. 18, 1983.

Your attention to this matter will
greatly be appreciated.

Gerhard Meinecke

**NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL
OF THE CITY OF LODI TO CONSIDER CERTAIN
RECOMMENDED AMENDMENTS TO SECTION 27-13 (b),
OFF-STREET PARKING REQUIREMENTS, OF THE
MUNICIPAL CODE**

**NOTICE IS HEREBY GIVEN that on Wednesday, January 4,
1984 at the hour of 8:00 p.m. or as soon thereafter as the
matter may be heard, the Lodi City Council will conduct a
public hearing in the Council Chambers, City Hall, 221 West
Pine Street, Lodi, California, to consider certain recommended
amendments to Section 27-13 (b), Off Street Parking
Requirements, of the Municipal Code.**

**Information regarding this item may be obtained in the
office of the Community Development Director at 221 West Pine
Street, Lodi, California. All interested persons are invited
to present their views either for or against the above
proposal. Written statements may be filed with the City Clerk
at any time prior to the hearing scheduled herein and oral
statements may be made at said hearing.**

Dated: January 4, 1984

By Order of the City Council

Alice M. Reimche
**ALICE M. REIMCHE
City Clerk**

**NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL
OF THE CITY OF LODI TO CONSIDER CERTAIN
RECOMMENDED AMENDMENTS TO SECTION 27-13 (b),
OFF-STREET PARKING REQUIREMENTS, OF THE
MUNICIPAL CODE**

NOTICE IS HEREBY GIVEN that on Wednesday, December 21, 1983 (January 4, 1984) at the hour of 8:00 p.m. or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to consider certain recommended amendments to Section 27-13 (b), Off Street Parking Requirements, of the Municipal Code.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views either for or against the above proposal. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

Dated: December 21, 1983 (January 4, 1984)

By Order of the City Council

ALICE M. REIMCHE
City Clerk

Southern Pacific Land Company

Southern Pacific Building • One Market Plaza • San Francisco, California 94105 • (415) 541-1000

REAL ESTATE

S. A. BUTTIN
VICE PRESIDENT AND GENERAL MANAGER
R. E. MEDICE
ASSISTANT TO VICE PRESIDENT
C. W. JOHNSON
G. L. OSBORN
ASSISTANTS TO GENERAL MANAGER, REAL ESTATE

March 2, 1983

IN REPLY PLEASE REFER TO

Lodi-City of (LT)

The Honorable Fred Reid
Mayor's Office
City of Lodi
22 West Pine Street
Lodi, CA 95240

Dear Mayor Reid:

As you know, we have been pleased to discuss with the Downtown Development task force the City of Lodi's plans for a broad improvement program that will benefit downtown commerce and the community as a whole.

We are carefully considering the inclusion of our station property, including 17,490 square feet now used by the City for parking.

The parking arrangement is covered by a token lease of \$650 per annum, which just about offsets the tax we pay on the property. This rental has not changed since 1975 and is far below fair rental value.

As we become more involved in the City's plan for downtown development, we feel that use of our property should appropriately produce some benefit beyond a tax offset and provide a reasonable rate of return. Whether or not an improvement district moves forward, we feel the property now used by the City for parking should rent for more than \$7,000 per annum. We recognize the City may not wish to underwrite that amount for public parking, but we have been offering this community assistance since 1954.

As an interim measure, we want to increase the rental on a graduated basis to bring the lease closer to an appropriate return; \$1,950 per annum for 1984, only a 3.7 percent return, and \$3,500 in 1985.

In accord with our discussions with the downtown improvement task force, we will do all we can to promote commercial development of our property.

Will the City please say if this new rental schedule for the leased parking area is acceptable.

Sincerely,



MEMORANDUM

To: Honorable Mayor and Council Members and
City of Lodi Planning Commission

From: City Attorney

Date: October 31, 1983

Re: Contacts by the Public On Agenda Items

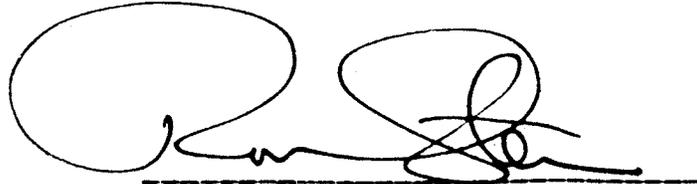
During the recent League of California Cities conference in San Francisco, I had an opportunity to speak with Modesto City Attorney Elwyn Johnson, and during said conversation, we discussed a practice which is followed not only in the City of Lodi but also in the City of Modesto. I suppose that I am writing this Memo just as a reminder of said practice, but also to let you know that I believe that said practice is one that is necessary.

When an individual has an item on the Planning Commission agenda or the City Council agenda and when said individual attempts to contact a member of the Planning Commission or the City Council regarding their item, it has been the policy and continues to be the policy in the City of Modesto and in Lodi, to suggest that the Planning Commissioner and Council person do the following:

- (1) Don't talk to said person;
- (2) Ask the person contacting them to put the questions or comments in writing and send same to the Planning Department or the City Manager to have said questions and comments included in the packet for all of the Planning Commission or City Council persons to review.
- (3) Suggest to the person contacting the Council person or Planning Commissioner that they appear at the appropriate meeting, to give said information.
- (4) Remind the person that the City official will have to make public the fact that they were contacted by this person, and do make the contact known.
- (5) Suggest that if the information which is included in the packet is not sufficient and the time limits of the hearing are not sufficient to give additional evidence, that said person ask for an additional hearing and/or study session to discuss the matter.

The question that I always have in my mind, is what does a proponent or opponent have to say to a Planning Commissioner or Council person privately, that they cannot or choose not to say publicly at a hearing.

It is to be remembered that Council members and Planning Commissioners serve the total community; they do not serve any particular sector of this community. Whether you are contacted by your developer or your friendly dentist, it is important to remember that you chose to serve the whole community, and must act accordingly.

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a horizontal line extending to the right.

RONALD M. STEIN
City Attorney

RMS:vc

RESOLUTION NO.

RESOLUTION OF NECESSITY REGARDING EMINENT DOMAIN
PURSUANT TO GOVERNMENT CODE SECTION 1245.220 ET SEQ.

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

The Council of the City of Lodi finds, determines, and hereby declares:

1. That the public interest, necessity, and convenience require the acquisition, construction, and completion of a public improvement, to wit: street right of way on and across certain real properties located at 1240 and 1244 South Stockton Street within the City of Lodi described as portions of Lot 48, Lodi Barnhart Tract, filed for record November 6, 1906, in Book 3 of Maps and Plats, Page 48, San Joaquin County Records.
2. That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.
3. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
4. That the City of Lodi acquire the hereinafter described real property for street and public utility right of way, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City, as hereinabove set forth.
5. To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, Government Code Section 37350.5, and the Constitution of California relating to eminent domain.
6. To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or monies in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

7. The real property or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements is situated in the County of San Joaquin, State of California, and is more particularly described as follows:

Portions of Lot 48 of Lodi Barnhart Tract as filed in Book 3 of Maps & Plats at Page 48, San Joaquin County Record, and being more particularly described as follows:

Parcel I

Commencing at the intersection of the North line of said Lot 48 and the East line of Stockton Street;
thence along said East line, South $0^{\circ} 00' 20''$ West, 200.0 feet to the true point of beginning;
thence continue South $0^{\circ} 00' 20''$ West, 58.0 feet;
thence parallel to the North line of Lot 48, North $86^{\circ} 25' 20''$ East, 3.13 feet;
thence North $1^{\circ} 32' 36''$ East, 58.12 feet;
thence South $86^{\circ} 25' 20''$ West, 4.69 feet to the true point of beginning.

Parcel II

Beginning at the intersection of the North line of Acacia Street and the East line of Stockton Street;
thence along said East line, North $0^{\circ} 00' 20''$ East, 57.11 feet to a point being South $0^{\circ} 00' 20''$ West, 258.0 feet from the North line of said Lot 48;
thence parallel to the North line of said Lot 48, North $86^{\circ} 25' 20''$ East, 3.13 feet;
thence South $1^{\circ} 32' 36''$ West, 44.14 feet;
thence South $46^{\circ} 47'$ East, 17.88 feet to a point on the North line of Acacia Street;
thence South $86^{\circ} 26' 20''$ West, 15.0 feet to the true point of beginning.

8. Pursuant to Government Code Section 7267.2, a written offer was made to the owners of record in the amount of \$1,045 for Parcel I and \$1,200 for Parcel II.

DATED:



**TITLE INSURANCE
AND TRUST**
San Joaquin County

2027 West March Lane Stockton, California 95207
708 West Lodi Avenue Lodi, California 95240
210 West 11th Street Tracy, California 95376

120 East Center Street Manteca, California 95336
345 North El Dorado Street Stockton, California 95202
1012 West Hammer Lane Stockton, California 95207

IMPORTANT

When replying refer to
Our No. **237674**

Your No.

TELEPHONE NO. : 948-2732

In response to the above referenced application for a policy of title insurance, Title Insurance and Trust Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage Form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed schedules, conditions and stipulations of said policy form.

NOTICE: If the real property covered by this report is a residential condominium unit, a residential lot, or a residential lot improved with a structure containing one to four single family residential units, then the policy issued to an owner in connection herewith, will not be the policy referred to above, but will be the American Land Title Association Residential Policy—1979 Form.

This report, and any supplements or amendments thereto, is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.

Dated as 7:30 A.M. or **November 2, 1982**

Anthony Dunham

(Title Officer)

The estate or interest in the land hereinafter described or referred to covered by this report is a fee.

Title to said estate or interest at the date hereof is vested in:

GERHARD MEINECKE and HANNA MEINECKE, his wife, as Joint Tenants

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form, will be as follows:

D E S C R I P T I O N

That certain real property situated in the City of Lodi, County of San Joaquin, State of California, described as follows:

A portion of Lot forty-eight (48), as shown upon Map entitled, LODI BARNHART TRACT, filed for record November 5, 1906, in Vol. 3 of Maps and Plats, page 48, San Joaquin County Records, described as follows:

BEGINNING at a point on the East line of Stockton Avenue, as shown upon said Map 200 feet South of the point of intersection of the North line of said Lot forty-eight (48), with the East line of Stockton Avenue, said point being also the Southwest corner of the land described in Deed to William Bitzer and Katie Bitzer, recorded November 21, 1946, Recorder's Instrument No. 35976, San Joaquin County Records; thence Easterly along the South line of said Bitzer land, 130 feet; thence Southerly parallel to the said East line of Stockton Avenue, 58 feet; thence Westerly parallel with the South line of said Bitzer land, 130 feet to the said East line of Stockton Avenue; thence Northerly along said East line, 58 feet to the Point of Beginning.

AD/dm
Short term rate not applicable

1. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 1982-83:

1st Installment: \$144.91 Due
 2nd Installment: \$144.91 Open
 Code Area No.: 001-001 Parcel No.: 047-080-33

Land : \$6,048.00
 Improvements : \$26,636.00
 Personal Prpty.: None
 Exemptions : \$7,000.00

NOTE: A direct assessment in the amount of \$0.44 has been included with taxes shown above for GROUNDWATER INVESTIGATION ZONE NO. 1.

2. EASEMENTS for road purposes over any portion of said land, as now established, lying within the lines of Stockton Avenue.

3. EASEMENT affecting the portion of said land and for the purposes stated herein and incidental purposes

In favor of : Not shown
 For : Building setback lines
 Recorded : October 9, 1957 IN BOOK 2007 PAGE 183 OFFICIAL RECORDS
 Affects : A portion of the East boundary

NOTE:

Title of the vestee herein was acquired by deed recorded prior to six months from the date of this report.

LODI BARNHART TRACT

LOT 50

(10)

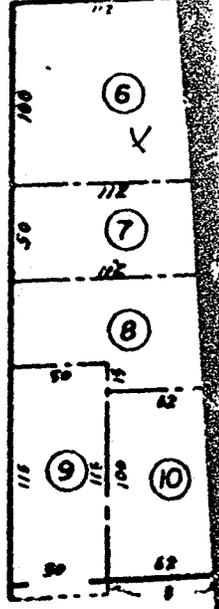
POPLAR

AVENUE

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STREET

STREET



LIEBIG

(9)

TRACT

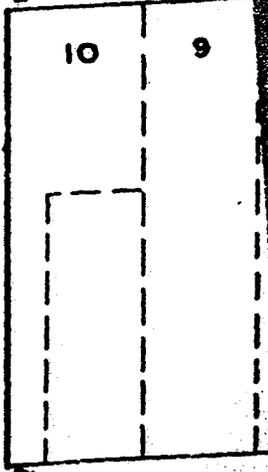
CYPRE

STOCKTON

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LIEBIG

WASHINGTON



ACACIA

STREET

ACACIA

MORTENSON TRACT

(7)

LODI BARNHART TRACT
 LOTS 42-48-49
 SCALE 1"=100'
 SAN JOAQUIN COUNTY
 ASSESSORS MAPS

SECTION 7, T12N, R21E, S12
Hwy Maps

N. 43° 13' 21" E
21.86

N. 86° 26' 20" E.

L O T L I N C

N. 86° 26' 20" E

N. 46° 41' W
17.00

PARCEL II

PARCEL I

N. 32' 36" E.

302.67

L O T

300

40.08

N. 0° 00' 00"

58.420

41.08

30.0

2003 O.K. 957

95.00

95.0

236

(N. 86° 26' 20" E.)

75.5

75.15

N. 10° 32' 30" E.

(N. 86° 26' 25" E.)

60.18

(60)

215.20

(N. 86° 26' 20" E.)

240.08

60.12

(60)

20.24

(N. 86° 26' 20" E.)

FD. 1. Rod 20.24

FD. AXIS

(N. 86° 25' 20" E.)

24.8

(N. 86° 25' 20" E Record)

L B T

300

40.08

N. 0° 00' 00"

58.420

35.6

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FD. 1. Rod 0.3

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**TITLE INSURANCE
AND TRUST**
San Joaquin County

2027 West March Lane Stockton, California 95207
708 West Lodi Avenue Lodi, California 95240
210 West 11th Street Tracy, California 95376

120 East Center Street Manteca, California 95336
345 North El Dorado Street Stockton, California 95202
1012 West Hammer Lane Stockton, California 95207

IMPORTANT
When replying refer to
Our No. 237673

Your No.

TELEPHONE NO. : 948-2732

In response to the above referenced application for a policy of title insurance, Title Insurance and Trust Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage Form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed schedules, conditions and stipulations of said policy form.

NOTICE: If the real property covered by this report is a residential condominium unit, a residential lot, or a residential lot improved with a structure containing one to four single family residential units, then the policy issued to an owner in connection herewith, will not be the policy referred to above, but will be the American Land Title Association Residential Policy—1979 Form.

This report, and any supplements or amendments thereto, is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.

Dated as 7:30 A.M. on November 2, 1982

Anthony Dunham

(Title Officer)

The estate or interest in the land hereinafter described or referred to covered by this report is a fee.

Title to said estate or interest at the date hereof is vested in:

GERHARD MEINECKE and HANNA MEINECKE, his wife, as Joint Tenants

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

1. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 1982-83:

1st Installment: \$131.73 Due
 2nd Installment: \$131.73 Open
 Code Area No.: 001-001 Parcel No 047-080-32

Land : \$6,048.00
 Improvements : \$17,297.00
 Personal Prpty.: None
 Exemptions : None

NOTE: A direct assessment in the amount of \$0.44 has been included with taxes shown above for GROUNDWATER INVESTIGATION ZONE NO. 1.

2. EASEMENTS for road purposes over any portion of said land, as now established, lying within the lines of Stockton Avenue.

3. EASEMENT affecting the portion of said land and for the purposes stated herein and incidental purposes

In favor of : Not shown
 For : Building setback lines
 Recorded : October 9, 1957 IN BOOK 2007 PAGE 183 OFFICIAL RECORDS
 Affects : A portion of the East boundary

NOTE:

Title of the vestee herein was acquired by deed recorded prior to six months from the date of this report.

D E S C R I P T I O N

That certain real property situated in the City of Lodi, County San Joaquin, State of California, described as follows:

A portion of Lot forty-eight (48), LODI BARNHART TRACT, according to the Official Map or Plat thereof filed for record November 5, 1906, in Vol. 3 of Maps and Plats, page 48, described as follows:

BEGINNING at a point on the East line of Stockton Avenue, as shown upon said Map, 258 feet South of the point of intersection of the North line of said Lot forty-eight (48) with the East line of Stockton Avenue; thence Easterly parallel to the North line of said Lot forty-eight (48), 130 feet; thence Southerly parallel to the East line of said Stockton Avenue, 72 feet to the South line of said Lot forty-eight (48); thence Westerly along said South line, 130 feet to a point in the said East line of Stockton Avenue; thence Northerly along said East line, 72 feet to the Point of Beginning.

EXCEPT THEREFROM the South 15 feet.

AD/dm
Short term rate not applicable

LODI BARNHAR

10

LOT 50

POPLAR

AVENUE

LOT 63

49

40

48

48

STOCKTON

LOT 62

30

ACACIA

MORTENSON TRACT

7

THIS MAP IS FOR INFORMATION ONLY
AND DOES NOT CONSTITUTE A WARRANTY

STREET

LIEBIG

9

TRACT

LIEBIG

PARK

STREET

WASHINGTON

STREET

LODI BARNHAR

LOTS 42

SCALE

SAN JOAQUIN

ASSESSOR

here's
requested
cjm

RESOLUTION NO. _____

RESOLUTION OF NECESSITY REGARDING EMINENT DOMAIN
PURSUANT TO GOVERNMENT CODE SECTION 1245.220 ET SEQ.

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

The Council of the City of Lodi finds, determines, and hereby declares:

1. That the public interest, necessity, and convenience require the acquisition, construction, and completion of a public improvement, to wit: street right of way on and across certain real properties located at 1240 and 1244 South Stockton Street within the City of Lodi described as portions of Lot 48, Lodi Barnhart Tract, filed for record November 6, 1906, in Book 3 of Maps and Plats, Page 48, San Joaquin County Records.

2. That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.

3. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

4. That the City of Lodi acquire the hereinafter described real property for street and public utility right of way, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.

5. To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, Government Code Section 37350.5, and the Constitution of California relating to eminent domain.

6. To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or monies in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.

7. The real property or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements is situated in the County of San Joaquin, State of California, and is more particularly described as follows:

Portions of Lot 48 of Lodi Barnhart Tract as filed in Book 3 of Maps & Plats at Page 48, San Joaquin County Record, and being more particularly described as follows:

Parcel I

Commencing at the intersection of the North line of said Lot 48 and the East line of Stockton Street;
thence along said East line, South 0° 00' 20" West, 200.0 feet to the true point of beginning;
thence continue South 0° 00' 20" West, 58.0 feet;
thence parallel to the North line of Lot 48, North 86° 25' 20" East, 3.13 feet;
thence North 1° 32' 36" East, 58.12 feet;
thence South 86° 25' 20" West, 4.69 feet to the true point of beginning.

Parcel II

Beginning at the intersection of the North line of Acacia Street and the East line of Stockton Street;
thence along said East line, North 0° 00' 20" East, 57.11 feet to a point being South 0° 00' 20" West, 258.0 feet from the North line of said Lot 48;
thence parallel to the North line of said Lot 48, North 86° 25' 20" East, 3.13 feet;
thence South 1° 32' 36" West, 44.14 feet;
thence South 46° 47' East, 17.88 feet to a point on the North line of Acacia Street;
thence South 86° 26' 20" West, 15.0 feet to the true point of beginning.

8. Pursuant to Government Code Section 7267.2, a written offer was made to the owners of record in the amount of \$1,045 for Parcel I and \$1,200 for Parcel II.

DATED:

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT G. MURPHY
JAMES W. PINKERTON, Jr.
TED M. REID

4/16 cc18

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

HENRY A. CLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

RECEIVED
1983 OCT 19 PM 4:25

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

October 18, 1983

Mr. & Mrs. Gerhard Meinecke
1240 So. Stockton Street
Lodi, CA 95240

Dear Mr. & Mrs. Meinecke:

SUBJECT: Notice Regarding Resolution of Necessity
Code of Civil Procedure Sec. #1245.235

Notice is hereby given that on November 16, 1983, the City Council of the City of Lodi, a municipal corporation, intends to adopt a Resolution of Necessity, regarding Eminent Domain, pursuant to CCP Sec. 1245.220 regarding the property located at 1240 and 1244 South Stockton Street within the City of Lodi described as portions of Lot 48, Lodi Barnhart Tract, filed for record November 6, 1906, in Book 3 of Maps and Plats, Page 48, San Joaquin County Records.

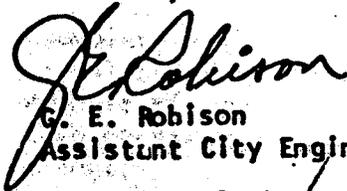
You are hereby notified that you have a right to be heard on the matters referred to in CCP Sec. 1240.030 as it relates to the aforementioned property. Specifically CCP Sec. 1240.030 permits the City of Lodi to exercise the power of Eminent Domain to acquire the property for a proposed project only if all of the following are established:

- a. The public interest and necessity require the project.
- b. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The property sought to be acquired is necessary for the project.

NOTICE

In order to be heard on the matter set forth in CCP Sec. 1240.030, you must file a WRITTEN REQUEST to be heard within 15 days after the notice was mailed. The governing body need not give an opportunity to appear and be heard to any person who fails to so file a written request. If you intend to be heard on the matter set forth in CCP Sec. 1240.030, please contact Alice Reimche, City Clerk, at 221 W. Pine Street, Lodi, phone 334-5634, Ext. 277. YOUR FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN 15 DAYS AFTER THE NOTICE WAS MAILED, WILL RESULT IN WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

Sincerely


G. E. Robison
Assistant City Engineer

cc: City Clerk
City Attorney

GER/eah

RESOLUTION NO.

RESOLUTION OF NECESSITY REGARDING EMINENT DOMAIN
PURSUANT TO GOVERNMENT CODE SECTION 1245.220 ET SEQ.

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

The Council of the City of Lodi finds, determines, and hereby declares:

1. That the public interest, necessity, and convenience require the acquisition, construction, and completion of a public improvement, to wit: street right of way on and across certain real properties located at 1240 and 1244 South Stockton Street within the City of Lodi described as portions of Lot 48, Lodi Barnhart Tract, filed for record November 6, 1906, in Book 3 of Maps and Plats, Page 48, San Joaquin County Records.

2. That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.

3. The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

4. That the City of Lodi acquire the hereinafter described real property for street and public utility right of way, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land, and/or fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City, as hereinabove set forth.

5. To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, Government Code Section 27350.5, and the Constitution of California relating to eminent domain.

6. To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or monies in such amount so fixed and determined and in such manner as said Court in which said condemnation proceedings are pending may direct.



**TITLE INSURANCE
AND TRUST**
San Joaquin County

2027 West March Lane Stockton, California 95207
708 West Lodi Avenue Lodi, California 95240
210 West 11th Street Tracy, California 95376

120 East Center Street Manteca, California 95336
345 North El Dorado Street Stockton, California 95202
1012 West Hammer Lane Stockton, California 95207

IMPORTANT
When replying refer to
Our No. 237674

Your No.

TELEPHONE NO.: 948-2732

In response to the above referenced application for a policy of title insurance, Title Insurance and Trust Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage Form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed schedules, conditions and stipulations of said policy form.

NOTICE: If the real property covered by this report is a residential condominium unit, a residential lot, or a residential lot improved with a structure containing one to four single family residential units, then the policy issued to an owner in connection herewith, will not be the policy referred to above, but will be the American Land Title Association Residential Policy—1979 Form.

This report, and any supplements or amendments thereto, is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.

Dated as 7:30 A.M. on November 2, 1982

Anthony Dunham

(Title Officer)

The estate or interest in the land hereinafter described or referred to covered by this report is a fee.

Title to said estate or interest at the date hereof is vested in:

GERHARD MEINECKE and HANNA MEINECKE, his wife, as Joint Tenants

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form, would be as follows:

7. The real property or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements is situated in the County of San Joaquin, State of California, and is more particularly described as follows:

Portions of Lot 48 of Lodi Barnhart Tract as filed in Book 3 of Maps & Plats at Page 48, San Joaquin County Record, and being more particularly described as follows:

Parcel I

Commencing at the intersection of the North line of said Lot 48 and the East line of Stockton Street;
thence along said East line, South 0° 00' 20" West, 200.0 feet to the true point of beginning;
thence continue South 0° 00' 20" West, 58.0 feet;
thence parallel to the North line of Lot 48, North 86° 25' 20" East, 3.13 feet;
thence North 1° 32' 36" East, 58.12 feet;
thence South 86° 25' 20" West, 4.69 feet to the true point of beginning.

Parcel II

Beginning at the intersection of the North line of Acacia Street and the East line of Stockton Street;
thence along said East line, North 0° 00' 20" East, 57.11 feet to a point being South 0° 00' 20" West, 258.0 feet from the North line of said Lot 48;
thence parallel to the North line of said Lot 48, North 86° 25' 20" East, 3.13 feet;
thence South 1° 32' 36" West, 44.14 feet;
thence South 46° 47' East, 17.88 feet to a point on the North line of Acacia Street;
thence South 86° 26' 20" West, 15.0 feet to the true point of beginning.

8. Pursuant to Government Code Section 7267.2, a written offer was made to the owners of record in the amount of \$1,045 for Parcel I and \$1,200 for Parcel II.

DATED:

1. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 1982-83:

1st Installment: \$144.91 Due
 2nd Installment: \$144.91 Open
 Code Area No.: 001-001 Parcel No.: 047-080-33

Land : \$6,048.00
 Improvements : \$26,636.00
 Personal Prpty.: None
 Exemptions : \$7,000.00

NOTE: A direct assessment in the amount of \$0.44 has been included with taxes shown above for GROUNDWATER INVESTIGATION ZONE NO. 1.

2. EASEMENTS for road purposes over any portion of said land, as now established, lying within the lines of Stockton Avenue.

3. EASEMENT affecting the portion of said land and for the purposes stated herein and incidental purposes

In favor of : Not shown
 For : Building setback lines
 Recorded : October 9, 1957 IN BOOK 2007 PAGE 183 OFFICIAL RECORDS
 Affects : A portion of the East boundary

NOTE:

Title of the vestee herein was acquired by deed recorded prior to six months from the date of this report.

D E S C R I P T I O N

That certain real property situated in the City of Lodi, County of San Joaquin, State of California, described as follows:

A portion of Lot forty-eight (48), as shown upon Map entitled, LODI BARNHART TRACT, filed for record November 5, 1906, in Vol. 3 of Maps and Plats, page 48, San Joaquin County Records, described as follows:

BEGINNING at a point on the East line of Stockton Avenue, as shown upon said Map 200 feet South of the point of intersection of the North line of said Lot forty-eight (48), with the East line of Stockton Avenue, said point being also the Southwest corner of the land described in Deed to William Bitzer and Katie Bitzer, recorded November 21, 1946, Recorder's Instrument No. 35976, San Joaquin County Records; thence Easterly along the South line of said Bitzer land, 130 feet; thence Southerly parallel to the said East line of Stockton Avenue, 58 feet; thence Westerly parallel with the South line of said Bitzer land, 130 feet to the said East line of Stockton Avenue; thence Northerly along said East line. 58 feet to the Point of Beginning.

AD/dm
Short term rate not applicable

LODI BARNHART TRACT

LOT 50

10

POPLAR

AVENUE

49

STOCKTON

48

1

2

3

4

5

STREET

LIEBIG

9

TRACT

STREET

6

7

8

9

10

CYPR

PARK

36

35

34

33

32

31

30

WASHINGTON

10

9

ACACIA

STREET

ACACIA

MORTENSON TRACT

7

LODI BARNHART
LOTS 42-48-49
SCALE 1"=100'
SAN JOAQUIN COUN
ASSESSORS MAPS

Gerhard Meincke
1240 S. Stockton St.
Yuba - Ca. 95210

Yuba 11-15-83

RECEIVED

1983 NOV 15 PM 2:59

ALICE H. REIMONE
CITY CLERK
CITY OF YUBA

I, Gerhard Meincke, herewith cancel
my request to be heard at the Council
meeting on November 16th 1983 at 8⁰⁰ PM.

Gerhard Meincke.

GERHARD MEINECKE
1240 S. STOCKTON ST.
LODI, CALIFORNIA 95248

Nov. 10-31-83

RECEIVED

1983 NOV -3 AM 8:09

Dear

Mrs. Reincke.

ALICE M. REINCKE
CITY CLERK
CITY OF LODI



I, Gerhard Meinecke, do hereby file
my written request to be heard on
the matter set forth in CCP Sec.
1240.030 as per requested in the notice
dated Oct. 18, 1983.

Your attention to this matter will
greatly be appreciated.

Gerhard Meinecke