

CITY COUNCIL MEETING

December 2, 1981

COUNCIL AUTHORIZES  
SALE OF SCENIC OVER-  
LOOK PROPERTY

RES. NO. 81-173

Following introduction of the matter by Councilman  
Pinkerton, Murphy second, Council adopted Resolution No.  
81-173 authorizing the sale of the Scenic Overlook Property  
under the procedure set forth in Government Code Section  
25526 et seq.

pg 62

MEMORANDUM, City of Lodi, Public Works Department

TO: City Manager ✓  
City Attorney

FROM: Public Works Director

DATE: November 23, 1981

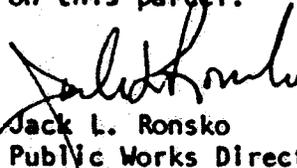
SUBJECT: Appraisal of Scenic Overlook Property

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Attached is a letter received from Craig Hubbard based on his initial review of the problems in appraising the scenic overlook property. Due to the problems involved in obtaining Mr. Hubbard the required information he needs to do an exact appraisal, and due to the cost of such appraisal, it is recommended that consideration be given to going to bid without an appraised value.

The proposed closed and open bidding procedure could remain the same with the exception of starting at the minimum appraised value. If the Council reserves the right to reject any and all bids at the end of the closed and open bidding procedure, the City will still have the opportunity to insure sufficient dollars for the property. It is felt that a reasonable maximum per square foot price can be determined by obtaining sale prices of other river front lots in Lodi. By comparing the bid price to this maximum and knowing the limitations on the parcel, the Council should be able to determine whether the high bid is reasonable.

Please contact me if you feel the appraisers should do an exact appraisal on this parcel.

  
Jack L. Ronsko  
Public Works Director

Attachment

JLR/eeh

9/200

**CRAIG HUBBARD, INC.**  
**REAL ESTATE APPRAISERS - CONSULTANTS**  
2568 SHERIDAN WAY • STOCKTON, CA 95207 • (209) 477-2477

November 12, 1981

Mr. Jack L. Ronsko  
Public Works Director  
City of Lodi  
City Hall  
221 West Pine Street  
Post Office Box 320  
Lodi, CA 95241

Appraisal of Scenic Overlook Property

This is in response to your letter of October 12 concerning the cost of an appraisal of a parcel of land comprising a former City dump property adjacent to the Southern Pacific Railroad and the Mokelumne River. It is referred to herein as the Scenic Overlook Property because of its view of the Mokelumne River.

I made a physical inspection of the property on November 2, 1981, and subsequently discussed the property with some of the City staff members.

As you know, the property is a former City dump and still used for temporary collection of leaves. The site contains about 3.5 acres of potentially usable land with the balance of the site being flood plain adjacent to the river. The site lies between the Lodi Rivergate and Mokelumne Village residential developments.

Because of its use as a dump it has a highly variable topography ranging from the level flood plain land along the north and east sides of the property to the relatively high center that is presumably made up of residue of many years of dumping and with a relatively level and apparently solid area at the south end of the property adjacent to the end of Awani Drive.

Other features of the property include a public utility easement crossing diagonally through the southern part, necessity for a right of way to the railroad from Awani Drive, the existence of the railroad right of way adjacent to the west property line and a possibly questionable title to the waterfront along the east side of the property.



Because of the many unusual features of the property, it represents a difficult appraisal problem. Before a reasonably reliable estimate of value could be made, it would be necessary to:

- 1) Determine the actual usable area of the property outside the flood plain and outside the railroad right of way;
- 2) Determine the usability of the filled central area. Can it be graded and compacted? Would it be necessary to remove the entire mound area down to normal grade and haul the material away? Could buildings be built on piling with an overlook of the river? Would building be restricted to the level areas with maintenance of the balance as some type of open space? Would public river access be required?
- 3) Can the property be subdivided in some manner consistent with the two adjoining subdivisions? For example, could an interior street be built as an extension to Awani Drive? This might leave approximately 1 acre of land adjacent to the existing condominium development along the west edge of the property and would then leave just under 1 acre that might be subdivided into residential lots overlooking the river.  
(See sketch.)

Because of these many unknowns, it would be my suggestion that before an appraisal is attempted the City staff and council should make several determinations. These would include:

- 1) Determine the various areas noted above;
- 2) Set forth any engineering data concerning soils, grade requirements and other physical limitations;
- 3) Establish a zoning and land use that will be permitted;
- 4) Determine any public area reservations.

After these things are done, it would probably be possible to obtain an appraisal that would at least establish a minimum bid amount. The property could then be advertised among Lodi, Stockton and perhaps Sacramento brokers and developers and put up for bid. Under these circumstances, an appraisal might not even be necessary.

Mr. Jack L. Ronsko

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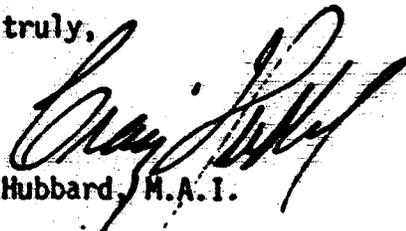
November 12, 1981

If an appraisal is required, the appraiser would have to research any comparable land sales along the river, determine the current status of lot sales and prices and attempt to estimate the development costs to create such lots.

It would be my estimate that the cost of an appraisal to establish a minimum bid would be approximately \$1,500.

If you have any further questions or wish me to investigate the matter further, please let me know.

Yours truly,



Craig Hubbard, M.A.I.

CH:cns  
Attaciment

15100'±



So. Pacific R.R. (TRESTLE)

Flood Plain

MOKELUMNE

B.R. R/W. ?

Future Condos ?

Future

Resid.

Lots ?

Street ?

AWANI DRIVE

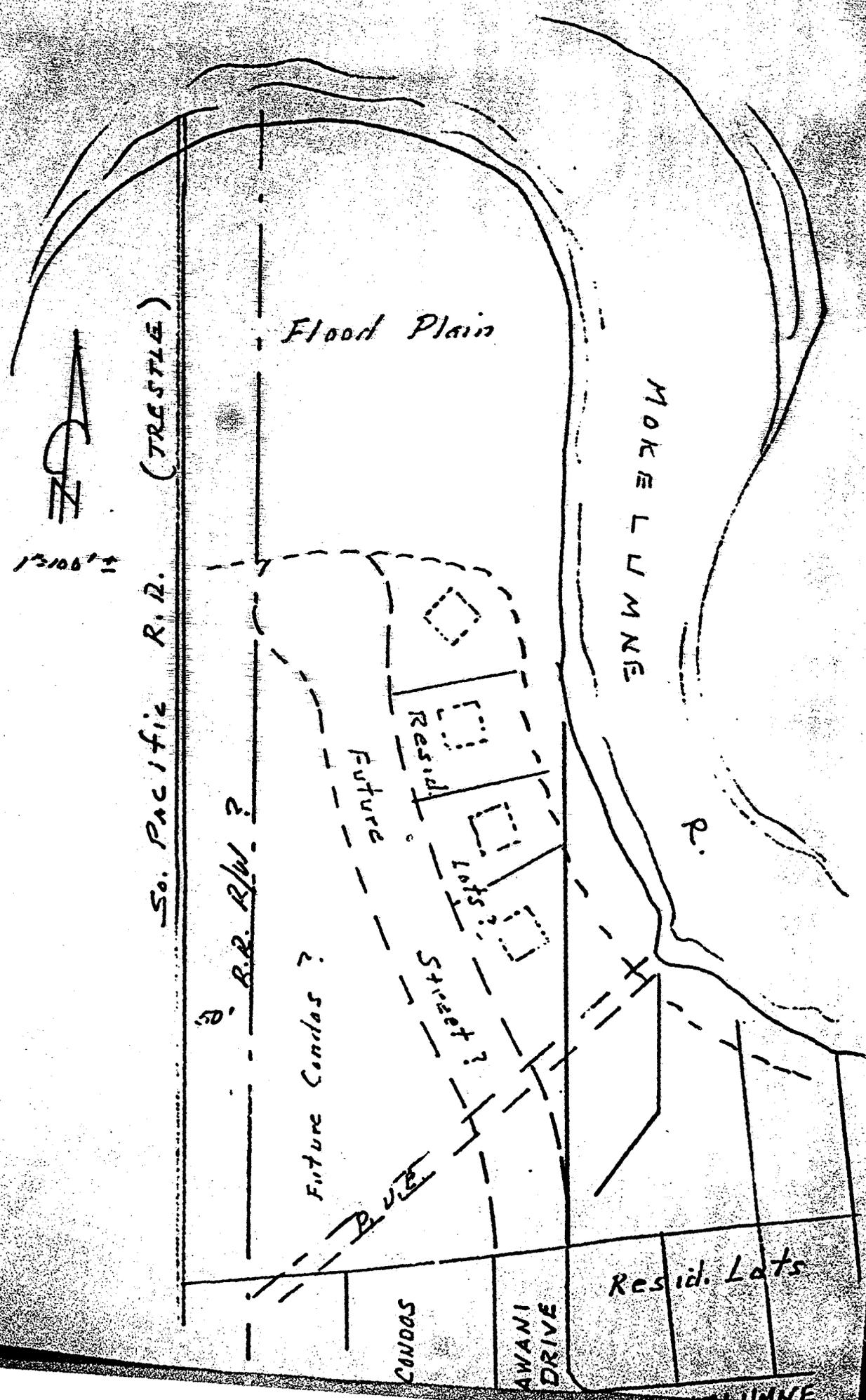
CONDOS

AWANI DRIVE

Resid. Lots

R.

MOKELUMNE



RESOLUTION NO. 81-173

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LODI DECLARING ITS INTENTION TO SELL SURPLUS  
REAL PROPERTY

WHEREAS, the City of Lodi is the owner of certain real  
property described as follows:

A portion of the southeast quarter of  
Section 36, T4N, R6E, MDB&M; more  
particularly described as follows:

Beginning at the north west corner of Lot 35  
of Mokelumne Village as filed for record  
September 26, 1978 in Volume 23, page 95,  
San Joaquin County Records; thence N 8° 21'  
E, 101.32 feet to the northeast corner of  
said Lot 35; thence 12.75 feet along a  
nontangent curve, concave to the southwest  
said corner having a radius of 50.00 feet,  
and a long chord which bears N 34° 38' 23"  
W; thence 136.97 feet along a reversing  
curve to the right, said curve having a  
radius of 50.00 feet, and a long chord which  
bears N 36° 31' 48" E; thence N 3° 00' W to  
the point of intersection with the south  
bank of the Mokelumne River; thence  
northerly and westerly along said south bank  
to the point of intersection with the  
Southern Pacific Company right of way;  
thence S 3° 00' E along said right of way to  
a point which bears S 82° 21' W from the  
northwest corner of above described Lot 35;  
thence N 82° 21' E, 27.43 feet to the point  
of beginning; and

Reserving an easement for public utilities,  
10 feet in width, lying north and west of  
the following described line.

Beginning at the NE corner of the above  
described Lot 35; thence 12.75 feet along a  
nontangent curve, concave to the southwest  
said curve having a radius of 50.00 feet,  
and a long chord which bears N 34° 38' 23"  
W; thence 136.97 feet along a reversing  
curve to the right, said curve having a  
radius of 50.00 feet, and a long chord which

bears N 36° 31' 48" E to the termination of said 10 foot easement.

Also reserving an easement for public utilities, 15 feet in width, the centerline being described as follows:

Beginning at a point on the west line of above described parcel, 6.45 feet from the southwest corner of said parcel; thence N 49° 57' E to the east line of said parcel, also being the termination of said 15 foot easement.

Also reserving an easement and vehicular access described as follows:

The south 15 feet of the above described parcel; and

WHEREAS, the said real property is not needed by the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi in an adjourned regular meeting held December 9, 1981 that it hereby declared its intention to sell the said real property to the highest bidder therefor pursuant to the provisions of Sections 25520-25535, inclusive, of the Government Code.

BE IT FURTHER RESOLVED that the terms on which the real property will be sold are as follows: Each bid shall be in a sealed envelope marked so as to denote the contents and addressed to the City Council of the City of Lodi, c/o Alice M. Reimche, City Clerk of the City of Lodi, 221 W. Pine Street, Lodi, California 95240. Such bids may either be sent by mail to the City Council at said address or filed with the Clerk on or before June 29, 1982. Each bid must be accompanied with a deposit in cash or cashier's check in the

amount of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00). The balance of the purchase price is to be paid within 60 days after the acceptance of the offer through escrow with a mutually agreed upon bank or title company. At the close of escrow, the City of Lodi's Grant Deed subject to easements and encumbrances of record will be delivered to the successful bidder. If the successful bidder fails to complete the purchase of the property in accordance with the terms hereof, his deposit will be forfeited and retained by the City of Lodi as liquidated damages and he shall forfeit all rights hereunder. It is agreed that damages in the event of failure to complete the purchase would be difficult to ascertain and that such sum represents a reasonable attempt to ascertain what such damages would be. The successful bidder agrees to pay for the cost of all escrow and recording fees, documentary transfer taxes, and title insurance if desired. The City will pay for the cost of publishing this resolution.

BE IT FURTHER RESOLVED that bids must be submitted for the entire property hereinabove described. The following matters concerning said real property should be noted and taken into consideration by prospective bidders: that the property has existing easements; that the developer of the property is responsible for the completion of construction of the cul-de-sac at the end of Awani Drive, that the City gives no guarantee as to the soil conditions, which may limit the feasibility of building on the property as the area has been used as City landfill for many years; that prior to September

30, 1982 additional leaves may be removed from subject property and the existing ground may vary from what presently exists; that the developer is responsible for all normal City policies and fees covering like developments within the City, including storm drainage; and that a vehicular access is being retained along the south 15.00 feet of the property for the City of Lodi and Southern Pacific Company.

BE IT FURTHER RESOLVED that July 7, 1982 at the hour of 8:00 p.m. is the time when, and the City Council Chamber, City Hall, 221 W. Pine Street, Lodi, California is the place where a regular meeting of the City Council of the City of Lodi will be held at which time sealed proposals to purchase the said real property will be opened and considered. Before accepting any written proposal, the City Council will call for oral bids. If, upon the call for oral bids, any responsible person offers to purchase the property for a price exceeding by at least five (5) percent of the highest written proposal, then the highest oral bid by a responsible person shall be finally accepted. To submit an oral bid, each such bidder must deposit in cash or cashier's check the amount of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00). The balance of the purchase price shall be paid in the manner specified above.

The City Council of the City of Lodi reserves to itself the right to reject any or all bids, either written or oral, and the right to withdraw the property from sale.

BE IT FURTHER RESOLVED that the notice of the adoption of this resolution, and the time and place of holding said

meeting, shall be given by posting copies of this resolution, signed by the City Clerk of the City of Lodi in three public places in the City of Lodi, as follows, to wit:

One on the bulletin board at the north entrance to City Hall, 221 W. Pine Street, Lodi, California

One on the bulletin board at the entrance to the Public Safety Building, 230 W. Elm Street, Lodi, California

One on the bulletin board located at the Lodi Public Library, 201 W. Locust Street, Lodi, California

not less than fifteen (15) days before the date of the meeting, and by publishing notice of the adoption of this resolution not less than once a week for three (3) successive weeks before the meeting in the Lodi Life and Times, a newspaper of general circulation published in the City of Lodi.

Dated: December 9, 1981

I hereby certify that Resolution No. 81-173 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 9, 1981 by the following vote:

Ayes: Councilmen - Hughes, Murphy, Pinkerton, Katnich and McCarty

Noes: Councilmen - None

Absent: Councilmen - None

  
ALICE M. REIMCHE  
City Clerk

"FOR INFORMATION CONCERNING THIS MATTER, PLEASE CONTACT THE CITY OF LODI PUBLIC WORKS DEPARTMENT - (209) 334-5634."