

**VACATION OF A  
PORTION OF DAISY  
AVENUE BETWEEN  
PLEASANT AVENUE  
AND CHURCH  
STREET**

Notice thereof having been published and posted, and affidavits of publication and posting being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the vacation of a portion of Daisy Avenue between Pleasant Avenue and Church Street.

The matter was introduced by Public Works Director Ronsko who presented a diagram of the subject area.

There were no persons in the audience wishing to speak on the matter and the public portion of the hearing was closed.

Council was apprised that following review of the matter, the Planning Commission had recommended approval by the Council of the subject vacation.

On motion of Councilman Pinkerton, Hughes second, Council determined that no public need existed and abandoned a portion of Daisy Avenue between Pleasant Avenue and Church Street subject to the reservation of public utility easements as determined by the Public Works Director.

RESOLUTION NO. 81-158

RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF LODI TO ABANDON A PORTION OF DAISY AVENUE BETWEEN PLEASANT AVENUE AND CHURCH STREET, LODI

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

Section 1. - It is the intention of the City Council of the City of Lodi, acting in accordance with provisions of Section 8300 et seq of the Streets and Highways Code of the State of California, to vacate, close and abandon a portion of the public street known as Daisy Avenue between Pleasant Avenue and Church Street, situated in the City of Lodi, County of San Joaquin, State of California, and more particularly described as follows, to wit:

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

Beginning at the northeast corner of Parcel 3 as shown on Map of Survey filed for record February 8, 1951, in Volume 8, page 150, Record of Surveys, San Joaquin County Records; thence S.89° 46' 30" W., along the north line of said Parcel and its westerly extension, 378.10 feet to the northwest corner of Lot 1, as shown on map entitled "Resubdivision of the west one-half of Block 2, Ayers and Pitchers Addition to the City of Lodi", and filed for

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

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

Reference is hereby made to a map or plan on file in the office of the City Clerk for particulars as to the proposed vacation.

Section 2. - Notice is hereby given that the City Council does hereby fix Wednesday, December 16, 1981, at the hour of 8:00 p.m. in the City Council Chambers, City Hall, Lodi, California, as the time and place when and where all persons interested in or objecting to the vacation herein proposed may appear before this City Council and may be heard.

Section 3. - Upon adoption of this resolution, the Director of Public Works shall post, or cause to be posted, notice of such passage and of the time and place set herein for public hearing, in accordance with and in time, form, and manner as prescribed by law for the vacation of streets.

Section 4. - This resolution shall be published one time in the "Lodi News Sentinel", a newspaper of general circulation, printed and published in the City of Lodi, said publication to be completed at least fifteen days prior to said hearing.

**Dated: November 18, 1981**

**I hereby certify that Resolution No. 81-158 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 18, 1981 by the following vote:**

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

**Noes: Councilmen - None**

**Absent: Councilmen - None**

*Doreen L. Gaugel*

**DOREEN L. GAUGEL  
Deputy City Clerk**



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

STREET ABANDONMENT  
PORTION OF  
W<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, SEC 1, T.3N R.6E.

NW COR. LOT 1, "RESUBDIVISION  
W. 1/2, BLK. 2, AVERS AND  
PITCHERS ADDITION"

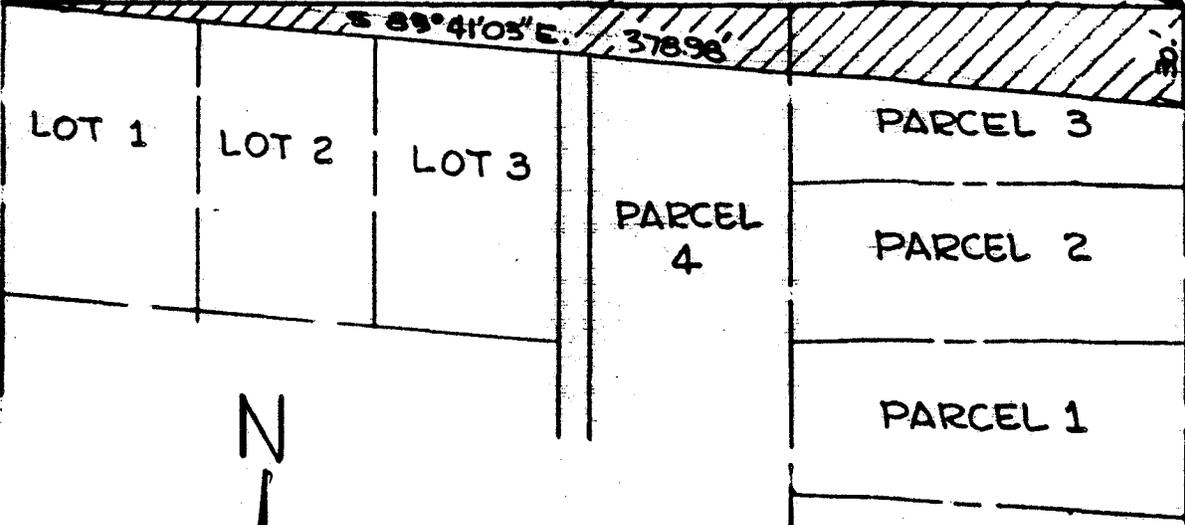
PT. OF BEG. NE COR. PARCEL 3  
MAP OF SURVEY FILED 2-8-51  
VOL. 8, P. 130, S.J. CO. RECORDS

DAISY AVE.

S. 89°46'30" W. 378.10

S. 89°41'03" E. 378.98

PLEASANT AVE.



N. 0°22'00" W.  
CHURCH ST.

Drawn <b>MED</b>	No.	Date	Approved	Approved By	
Checked					
Date <b>11.4.81</b>				Public Works Director <b>RCE</b>	Date

VACATION OF A  
PORTION OF DAISY  
AVENUE BETWEEN  
PLEASANT AVENUE  
AND CHURCH STREET

The Planning Commission also -

3) Determined that no public need existed and recommended the abandonment of a portion of Daisy Avenue between Pleasant Avenue and Church Street subject to the reservation of public utility easements as determined by the Public Works Director.

ITEMS OF  
INTEREST

The Planning Commission also -

1) By a 3 to 3 vote with Commissioner Kirst absent, denied the request of Beverly Enterprises for a Use Permit to convert a single-family lot at 1001 York Street to off-street parking to permit the expansion of Fairmont Rehabilitation Hospital at 950 South Fairmont Avenue.

2) Approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Marvin Wiebe for: (1) a Revised Tentative Map of Summerfield, Unit #2, a 66-lot single-family condominium project proposed for 1820 and 1902 South Church Street in an area zoned P-D (22), Planned Development District No. 22; and (2) a Use Permit (U-81-44) to construct the above identified project.

3) Approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of S.K. Brown for a Tentative Parcel Map to combine 2 lots at 416 and 422 West Pine Street (i.e. Lots 16 and 17, Block 3, Larson's Pine Street Addition) in an area zoned R-C-P, Residential, Commercial, Professional.

*allow-if*

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

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

**1931**

WHEREAS, notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and of record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provision stated in said Resolution No. 81-158 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before said City Council in the City Council Chambers, City Hall, Lodi, California, beginning at 8:00 p.m. on Wednesday, December 16, 1981, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place a public hearing was held and conducted and testimony received for and against the vacation contemplated, and from the evidence submitted the City Council of the City of Lodi did determine that said portion of the street is unnecessary for present or future public use and did so find and declare;

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

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

Beginning at the northeast corner of Parcel 3 as shown on Map of Survey filed for record February 8, 1951, in Volume 8, page 150, Record of Surveys, San Joaquin County Records; thence S. 89° 46' 30" W., along the north line of said Parcel and its westerly extension, 378.10 feet to the northwest corner of Lot 1, as shown on map entitled "Resubdivision of the west one-half of Block 2, Ayers and Pitchers Addition to the City of Lodi", and filed for record July 3, 1913 in Volume 7, page 19, in the Office of the County Recorder, San Joaquin County; thence S. 85° 41' 03" E., along the north line of said "Resubdivision" and its easterly extension, 378.98 feet to a point in the east line of said Parcel 3; thence N. 0° 22' 00" W., along said East line, 30 feet more or less to the point of beginning.

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

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

Dated: December 16, 1981

I hereby certify that the above Order was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 16, 1981 by the following vote:

Ayes: Councilmen - Hughes, Katnich, Pinkerton and McCarty

Noes: Councilmen - None

Absent: Councilmen - Murphy

Abstain: Councilmen - None

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