

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI
AND THEREBY PREZONING THE PARCELS LOCATED AT 570 EAST TAYLOR
ROAD AND 15201 NORTH LOWER SACRAMENTO ROAD (APN's 027-050-14 AND
23) TO C-S, COMMERCIAL SHOPPING AND R-2, SINGLE-FAMILY RESIDENTIAL,
WITH A CONDITION RELATING TO SCHOOL FACILITIES FUNDING

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcels located at 570 East Taylor Road and 15201 North Lower Sacramento Road (APN's 027-050-14 and 23) are hereby prezoned as follows:

19.7 acre portion C-S, Commercial Shopping and 17.3 acre portion R-2, Single-Family Residential, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. The above-described prezoning shall be conditioned upon the signing by the developer and/or owner of said parcels prior to the effective date hereof, of an agreement with Lodi Unified School District for the provision of school facilities funding. Failure to execute such agreement shall delete the parcel(s) subject thereto from the effects of this ordinance.

Section 3. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

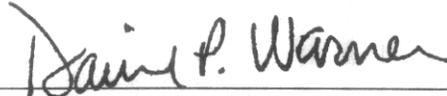
Section 4 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 6. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 7. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 21st day of February, 1996



DAVID P. WARNER

Mayor

Attest:



JENNIFER M. PERRIN

City Clerk

State of California

County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1623 was introduced at a regular meeting of the City Council of the City of Lodi held February 7, 1996 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held February 21, 1996 by the following vote:

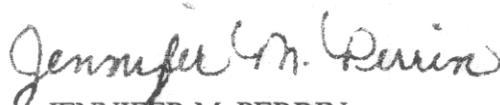
Ayes: Council Members - Mann, Pennino, Sieglock and Warner (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1623 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN

City Clerk

Approved as to Form:



RANDALL A. HAYS

City Attorney