



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Intention to Vacate the 8-Foot Public Utility Easement and 60-Foot Street Easement in Lot 2 and Lot 3 of Maxwell Industrial Park

MEETING DATE: - October 15, 1997

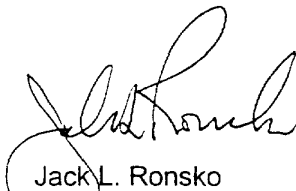
PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt the attached resolution of intention to abandon an 8-foot public utility easement and a 60-foot street and transition easement on Lot 2 and Lot 3 of Maxwell Industrial Park as shown on the attached Exhibit A; refer the matter to the Planning Commission, and set it for public hearing at the regular Council meeting of November 5, 1997.

BACKGROUND INFORMATION: The 8-foot public utility easement on Lot 2 was occupied by a City electrical utility line but has since been relocated to a newly dedicated easement on the south property line of Lot 3. The 60-foot street easement on Lot 3 was dedicated in 1984 for the purpose of the future extension of Ackerman Drive. Due to the development of the lots in the industrial park and construction of Neuharth Drive, the 60-foot street extension was never constructed. Pacific Bell's existing utilities within this easement have been relocated and they have no objection to the proposed abandonment.

PG&E, Pacific Bell, and Media One Cable TV have been notified and have accepted the abandonments with no objections. All other agencies and departments have declared acceptance of the abandonment. New public utility easements to replace those requesting abandonment for existing utilities have been acquired.

FUNDING: Not applicable.


Jack L. Ronsko
Public Works Director

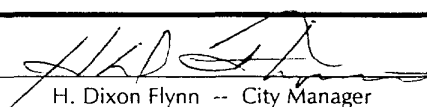
Prepared by Jeannie Matsumoto, Senior Engineering Technician

JLR/JM/im

Attachments

cc: City Attorney
Community Development Director

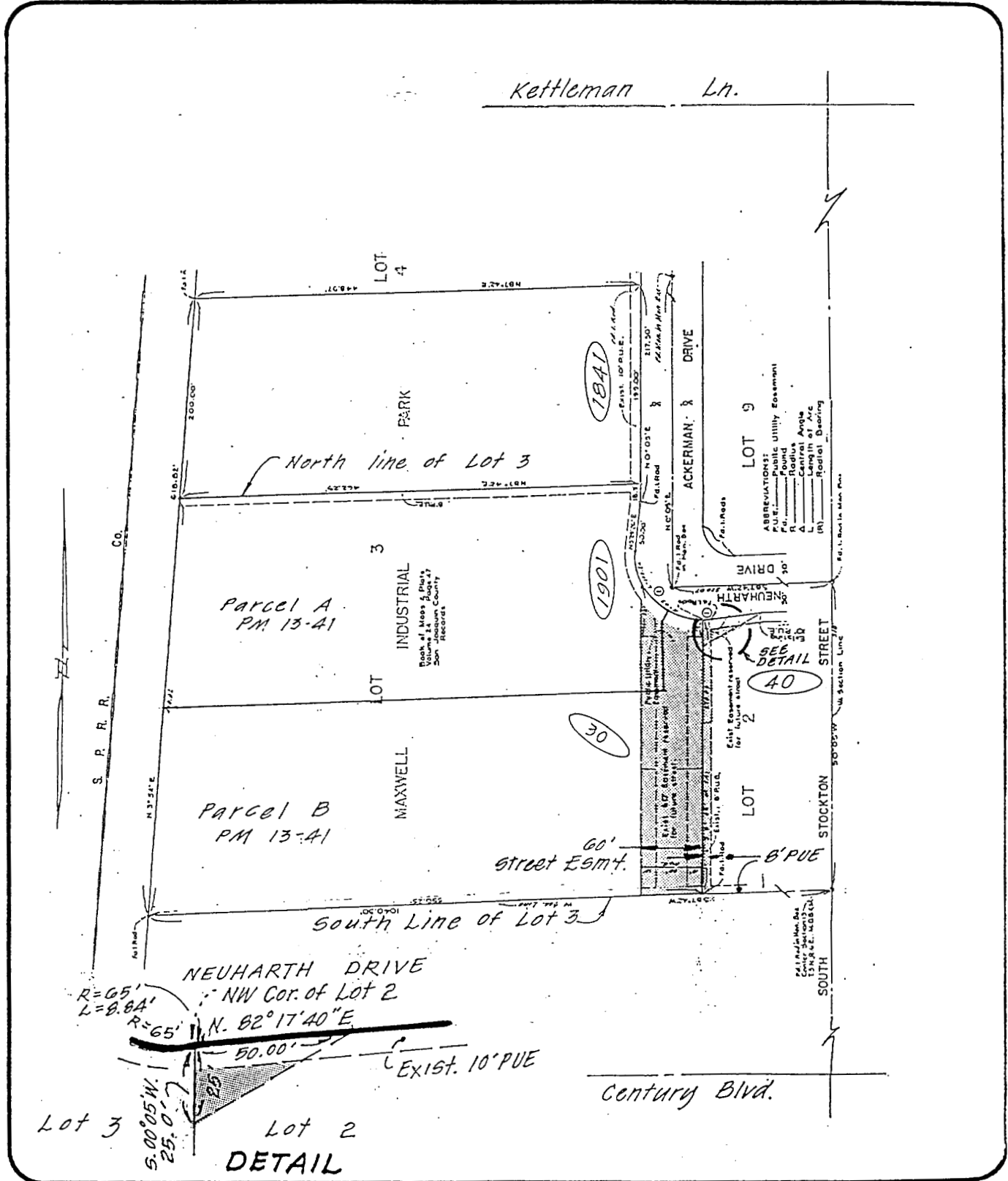
APPROVED: _____


H. Dixon Flynn -- City Manager



CITY OF LODI
PUBLIC WORKS DEPARTMENT

EXHIBIT A



97103667

PLEASE RECORD AND RETURN TO:
Alice M. Reimche, City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RECEIVED

97 OCT 29 AM 11:12

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

RECORDER
COUNTY CLERK
JAMES H. JOHNSTONE

97 OCT 17 AM 9:24

SAN JOAQUIN COUNTY
CITY SHOWN

FEE _____
exempt

RESOLUTION NO. 97-177

A RESOLUTION OF THE LODI CITY COUNCIL
DECLARING ITS INTENTION TO VACATE A PUBLIC
UTILITY EASEMENT, STREET EASEMENT AND
TRANSITION EASEMENT IN LOT 2 AND LOT 3 OF
MAXWELL INDUSTRIAL PARK

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

Acting under the authority of Section 8333 of the Streets and Highways Code, the Lodi City Council hereby approves the vacation of the 8-Foot Public Utility Easement and the 60-Foot Street and Transition Easement on Lot 2 and 3 of Maxwell Industrial Park, 30 Neuharth Drive and 40 Neuharth Drive, Lodi, California, as shown in San Joaquin County Records as follows:

30 Neuharth Drive: Being shown on the "Maxwell Industrial Park" Subdivision Map recorded on April 19, 1979 in Book of Maps and Plats, Volume 24, Page 47.

40 Neuharth Drive: Being shown on the "Maxwell Industrial Park" Subdivision Map recorded on April 19, 1979 in Book of Maps and Plats, Volume 24, Page 47.

Reference is hereby made to a drawing on file in the office of the City Clerk of the City of Lodi showing the particulars of the vacations.

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 30 and 40 Neuharth Drive as it appeared at the time and in the document creating the interest, right or encumbrance is as follows:

Terry R. and Rose Knutson

Dated: October 15, 1997

97103667

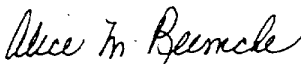
I hereby certify that Resolution No. 97-177 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 15, 1997, by the following vote:

AYES: COUNCIL MEMBERS – Land, Mann, Sieglock, Warner and Pennino
(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


ALICE M. REIMCHE
City Clerk

10/15/97 Filu



CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: PUBLIC HEARING TO CONSIDER RESOLUTION OF INTENTION TO
ABANDON AN 8-FOOT PUBLIC UTILITY EASEMENT AND A 60-FOOT STREET
AND TRANSITION EASEMENT ON LOT 2 AND LOT 3 OF MAXWELL
INDUSTRIAL PARK

PUBLISH DATES: SATURDAY, OCTOBER 25, 1997


TEAR SHEETS WANTED: ONE

AFFIDAVIT AND BILL TO:

ALICE M. REIMCHE
CITY CLERK

DATED: OCTOBER 17, 1997

ORDERED BY:


JENNIFER M. PERRIN
DEPUTY CITY CLERK

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

SUSAN SEWARD-LAKE
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: November 5, 1997

Time: 7:00 p.m.

For information regarding this notice please contact:

Alice M. Reimche

City Clerk

Telephone: (209) 333-6702

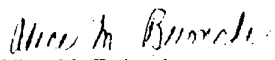
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 5, 1997** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Resolution of Intention to abandon an 8-foot public utility easement and a 60-foot street and transition easement on Lot 2 and Lot 3 of Maxwell Industrial Park

All interested persons are invited to present their views and comments on this matter. 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.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.


Alice M. Reimche
City Clerk

Dated: October 15, 1997

Approved as to form:



Randall A. Hays
City Attorney



DECLARATION OF MAILING

**NOTICE OF PUBLIC HEARING, RESOLUTION NO. 97-177 AND SUBJECT MAP REGARDING
VACATION OF PUBLIC UTILITY EASEMENT, STREET EASEMENT AND TRANSITION
EASEMENT FOR LOT 2 AND LOT 2 OF MAXWELL INDUSTRIAL PARK**

On Friday, October 17, 1997, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

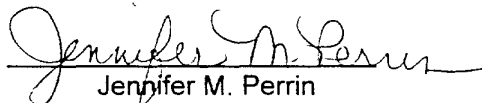
I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 1997, at Lodi, California.

ORDERED BY:

**ALICE M. REIMCHE
CITY CLERK**

Jacqueline L. Taylor
Deputy City Clerk


Jennifer M. Perrin
Deputy City Clerk

Susan Seward-Lake
Administrative Clerk



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305 West Pine Street, Lodi

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Alice M. Reimche
Alice M. Reimche
City Clerk

Dated: October 15, 1997

Approved as to form:

Randall A. Hays

Randall A. Hays
City Attorney

This matter has been referred to the Planning Commission and will be heard at its regular meeting of October 27, 1997. Please contact the Community Development Department at (209) 333-6711 if you have any questions.

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Lodi, CA 95241-1910

RESOLUTION NO. 97-177

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Dated: October 15, 1997

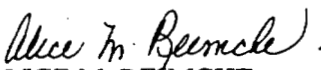
I hereby certify that Resolution No. 97-177 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 15, 1997, by the following vote:

AYES: COUNCIL MEMBERS – Land, Mann, Sieglock, Warner and Pennino
(Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


ALICE M. REIMCHE
City Clerk

PUBLIC UTILITY AND STREET EASEMENT VACATION - MAXWELL INDUSTRIAL PARK

APN	OWNER	SITUS ADDRESS	MAILING ADDRESS
062-190-14	Knutson, Terry & Rose	40 Neuharth Drive	*Applicant for Abandonment of PUE's
062-190-15	Knutson, Terry & Rose	1901 South Stockton St., Lodi 95240	*Applicant for Abandonment of PUE's
062-190-19	Knutson, Terry & Rose	30 Neuharth Drive	*Applicant for Abandonment of PUE's
062-190-10	Munyon, Robert & H I	1841 Ackerman Drive, Lodi 95240	7787 E. Jahant Road, Acampo, CA 95220
062-190-16	Camper, Glenn & Janis	1919 South Stockton St, Lodi 95240	4950 Shippee Lane, Stockton, CA 95212
062-190-20	Van Ruiten, Bert & Antonia, Tr.	1901 Ackerman Drive, Lodi 95240	c/o Ron Slate, PO Box 609, Lodi 95241
062-190-21	Wallace Computer Service	1831 South Stockton St., Lodi 95240	Attn: Tax Dept., 2275 Cabat Drive, Lisle, IL 60532-3630
062-280-01	GFLIP IV, Ltd, PTP	1935 South Stockton St., Lodi 95240	920 South Cherokee Ln, Suite A, Lodi 95240



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER RESOLUTION OF INTENTION TO ABANDON AN 8-FOOT PUBLIC UTILITY EASEMENT AND A 60-FOOT STREET AND TRANSITION EASEMENT ON LOT 2 AND LOT 3 OF MAXWELL INDUSTRIAL PARK

On Thursday, October 16, 1997, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

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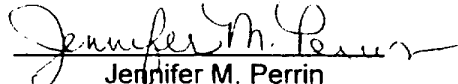
I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 16, 1997, at Lodi, California.

ORDERED BY:

**ALICE M. REIMCHE
CITY CLERK**

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Deputy City Clerk


Jennifer M. Perrin
Deputy City Clerk

Susan Seward-Lake
Administrative Clerk



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City Clerk

Dated: October 15, 1997

Approved as to form:

Randall A. Hays
City Attorney

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EXHIBIT B