



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt a Resolution of Intention to Abandon a Portion of the Public Utility Easement in the Former Beckman Road Alignment; Refer the Matter to the Planning Commission; and Set a Public Hearing for July 3, 2002

MEETING DATE: June 5, 2002

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council adopt a Resolution of Intention to abandon a portion of the public utility easement in the former Beckman Road alignment; refer the matter to the Planning Commission for approval; and set a public hearing for the regular Council meeting of July 3, 2002.

BACKGROUND INFORMATION: When the street improvements to the "new" Beckman Road alignment were completed, the "old" Beckman Road right-of-way adjacent to Highway 99 was abandoned as a public street. As a condition of the abandonment, a public utility easement (PUE) was retained over the old roadway alignment to accommodate existing underground utilities. At the time of abandonment, the property owner, G-REM, Inc., had no plans to construct structures in the area being retained as a PUE. There has since been an unanticipated change in the development plans for the property, and G-REM, Inc., has requested that a 49-foot by 103-foot portion of the PUE be abandoned to allow the construction of an automotive showroom as shown on attached Exhibit A.

The proposed structure will not conflict with existing underground utilities (48-inch and 36-inch storm drain mains, and 24-inch sanitary sewer main) which are located west and south of the proposed abandonment. City electrical poles and overhead services have been relocated to the remaining portion of the PUE west of the proposed abandonment.

The Water/Wastewater and Street divisions of the Public Works Department, City of Lodi Electric Utility Department, Pacific Bell, PG&E and AT&T Broadband have approved the street abandonment without further comment.

FUNDING: Not applicable.

Richard C. Prima, Jr.
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician

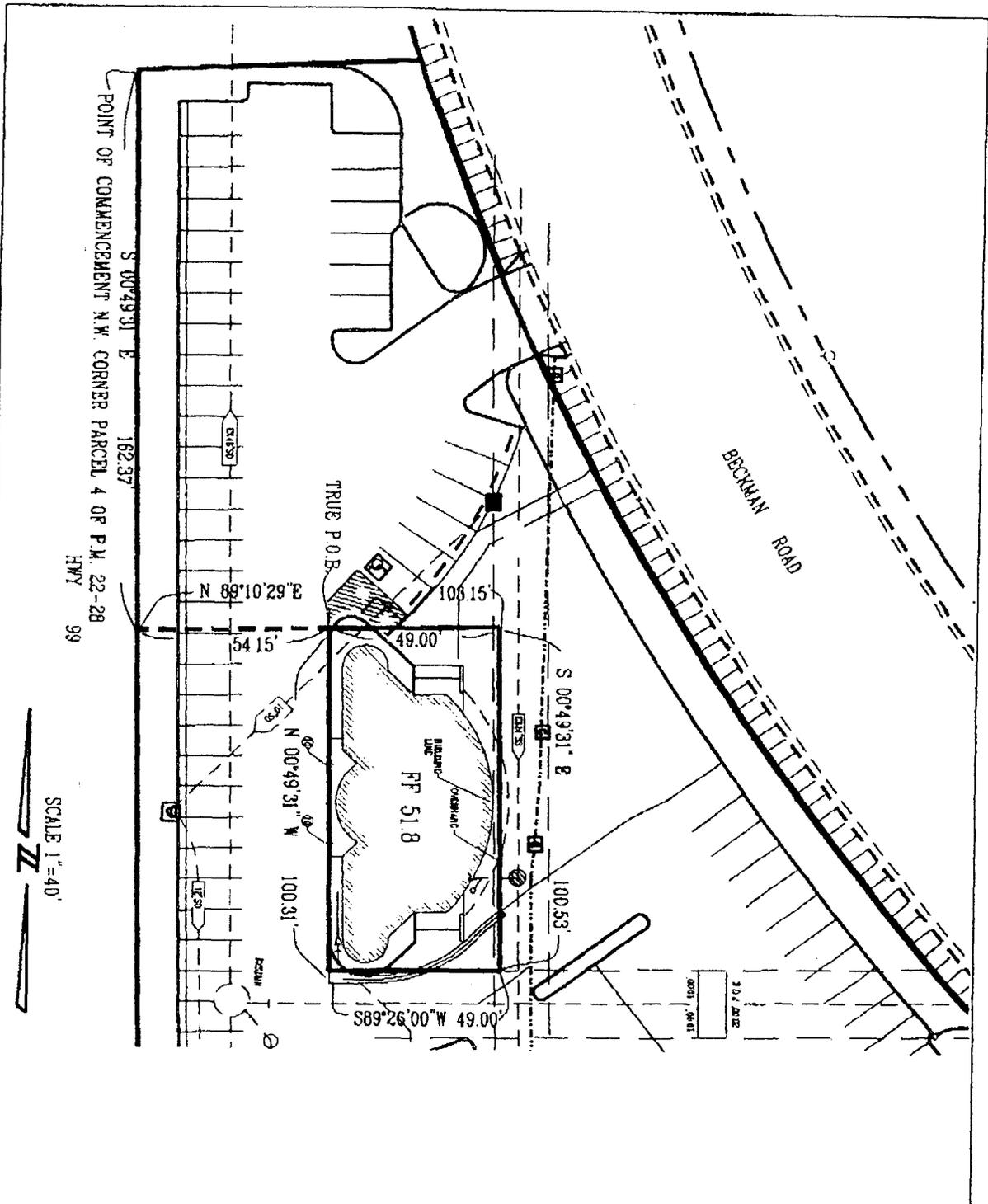
RCP/JHM/lm

Attachment

cc: Randy Hays, City Attorney
Rad Bartlam, Community Development Director
Fran Forkas, Water/Wastewater Superintendent
George Bradley, Streets Superintendent
Wally Sandelin, City Engineer

APPROVED: _____

H. Dixon Flynn -- City Manager



SCALE 1"=40'

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REV. NO.	REV. DATE	REV. BY	EASEMENT ENCROACHMENT- KIA DEALERSHIP	NEW DRAWING APPROVED BY CITY ENGINEER	
DIGITIZED				DATE	
DWG. BY ES	SCALE: 1"=40'		CITY OF LODI DEPARTMENT OF PUBLIC WORKS	SUPERCEDES DWG. DATED	DRAWING NO.
CK. BY					

RESOLUTION NO. 2002-120

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

=====

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

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon a portion of a public utility easement in the former Beckman Road Alignment, as shown on Exhibit A attached hereto and thereby made a part hereof; and

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

BE IT FURTHER RESOLVED, that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, July 3, 2002, at the hour of 8:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 3, 2002 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: June 5, 2002

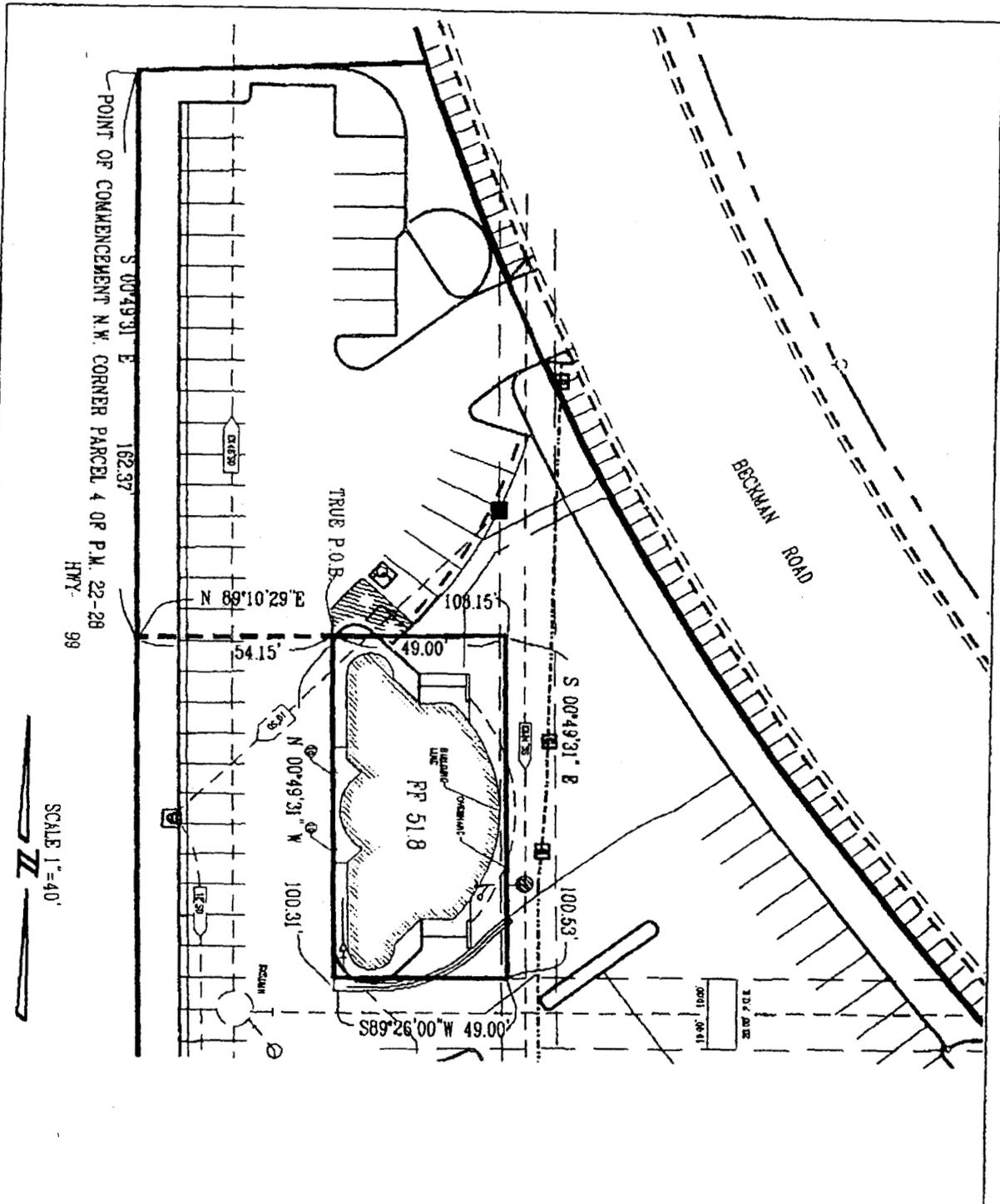
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I hereby certify that Resolution No. 2002-120 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2002, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk



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REV. NO.	REV. DATE	REV. BY	EASEMENT ENCROACHMENT- KIA DEALERSHIP	NEW DRAWING APPROVED BY CITY ENGINEER	
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DWG. BY ES	SCALE:	1"=40'	CITY OF LODI DEPARTMENT OF PUBLIC WORKS	SUPERCEDES DWG. DATED	DRAWING NO.
CK. BY					



*Please immediately confirm receipt
of this fax by calling 333-6702*

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

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING TO VACATE A PORTION OF THE PUBLIC UTILITY
EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENET

PUBLISH DATE: SATURDAY, JUNE 8, 2002
SATURDAY, JUNE 15, 2002

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, JUNE 6, 2002

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

Jennifer M. Perrin
JENNIFER M. PERRIN
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

Faxed to the Sentinel at 369-1084 at 11:36 a.m. (time) on 6/6/02 (date) 3 (pages) inc. cover
Kelsey _____ Phoned to confirm receipt of all pages at _____ (time) _____ Jac _____ Jen (initials)



DECLARATION OF POSTING

RESOLUTION OF INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT

On Thursday, June 6, 2002 in the City of Lodi, San Joaquin County, California, a copy of Resolution of Intention to vacate a portion of the public utility easement in the former Beckman Road Alignment, (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

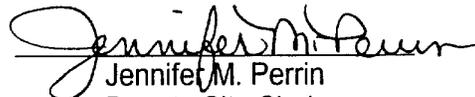
I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor
Deputy City Clerk


Jennifer M. Perrin
Deputy City Clerk

NOTICE OF PUBLIC HEARING

RESOLUTION NO. 2002-120

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

=====

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

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon a portion of a public utility easement in the former Beckman Road Alignment, as shown on Exhibit A attached hereto and thereby made a part hereof; and

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

BE IT FURTHER RESOLVED, that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, July 3, 2002, at the hour of 8:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 3, 2002 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: June 5, 2002

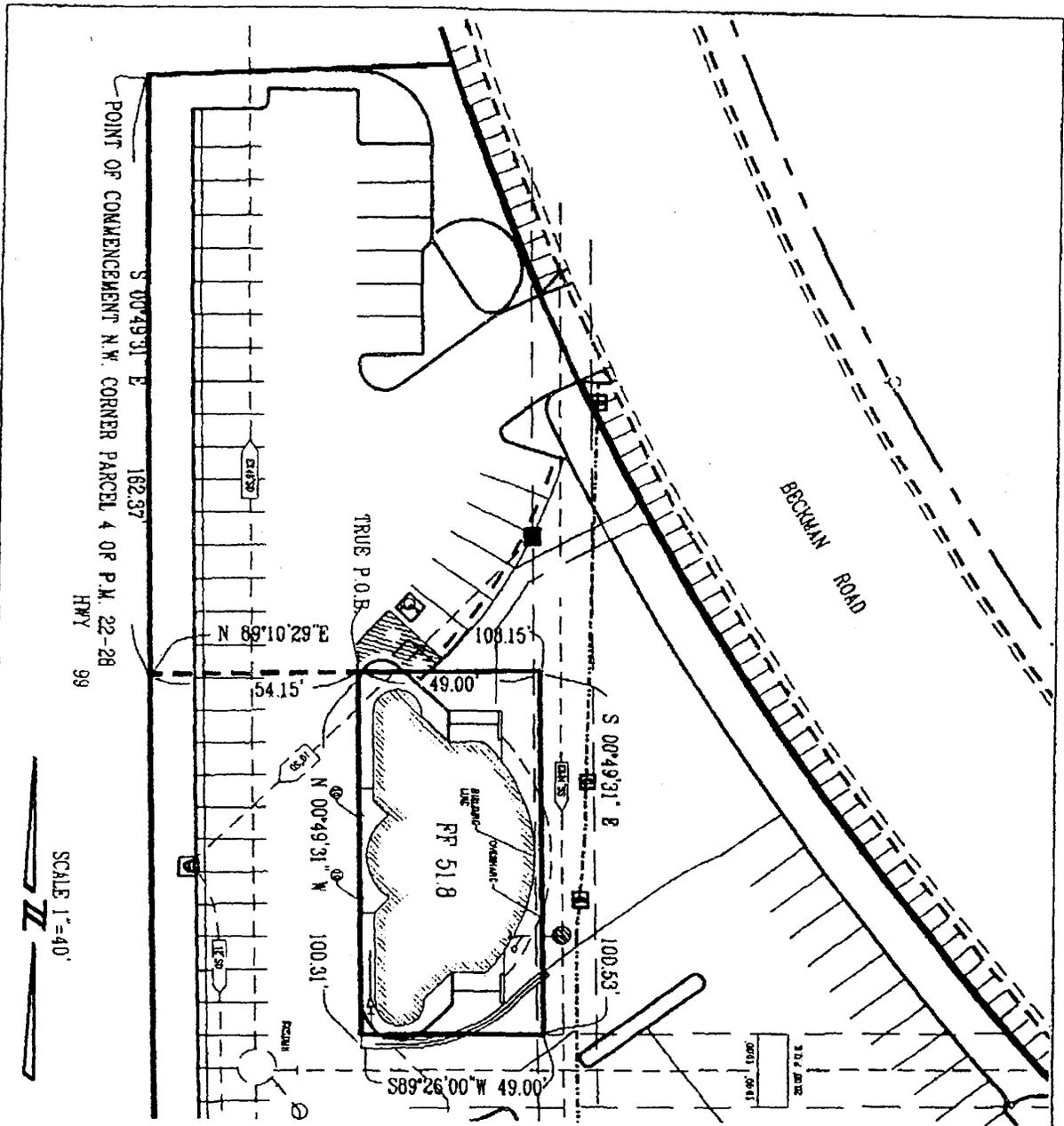
=====

I hereby certify that Resolution No. 2002-120 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2002, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk



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REV. NO.	REV. DATE	REV. BY	EASEMENT ENCROACHMENT- KIA DEALERSHIP	NEW DRAWING APPROVED BY CITY ENGINEER	
DIGITIZED				DATE:	
DWG. BY ES	SCALE:		CITY OF LODI DEPARTMENT OF PUBLIC WORKS	SUPERCEDES DWG. DATED	DRAWING NO.
CK. BY	1"=40'				



DECLARATION OF MAILING

RESOLUTION OF INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT

On June 6, 2002 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 Resolution of Intention to vacate a portion of the public utility easement in the former Beckman Road Alignment, 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 June 6, 2002, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK


JENNIFER M. PERRIN
DEPUTY CITY CLERK

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

H. DIXON FLYNN
City Manager
SUSAN BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

EXHIBIT A

June 6, 2002

TO: Interested Parties

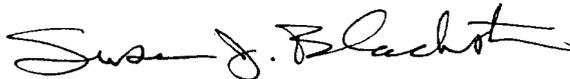
**VACATION: TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT
IN THE FORMER BECKMAN ROAD ALIGNMENT**

This is to inform you that the City Council, at its regular meeting on June 5, 2002, adopted a Resolution of Intention to vacate a portion of the public utility easement in the former Beckman Road Alignment and set a public hearing for July 3, 2002.

Enclosed, for your information, is a certified copy of the resolution along with a map of the area to be abandoned.

In addition, this matter has been referred to the Planning Commission and will be heard at its regular meeting of June 26, 2002. Please contact the Community Development Department at (209) 333-6711 if you have any questions.

Should you have questions regarding the abandonment, please contact Public Works Director Richard Prima at (209) 333-6706.



Susan J. Blackston
City Clerk

SJB/jmp

Enclosure

cc: Public Works Director
Community Development Director

NOTICE OF PUBLIC HEARING

EXHIBIT A

RESOLUTION NO. 2002-120

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT, REFERRING THE MATTER TO THE PLANNING COMMISSION, AND FURTHER SETTING A PUBLIC HEARING

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

It is the intention of the City Council of the City of Lodi, acting in accordance with the provisions of Section 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon a portion of a public utility easement in the former Beckman Road Alignment, as shown on Exhibit A attached hereto and thereby made a part hereof; and

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

BE IT FURTHER RESOLVED, that this matter shall be referred to the Planning Commission for approval; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, July 3, 2002, at the hour of 8:00 p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, as the time and place when and where all persons interested in or objecting to this proposed vacation may appear before this City Council and be heard; and

BE IT FURTHER RESOLVED that the Public Works Director shall cause to be posted notices of easement vacation conspicuously along the line of the easement hereinabove described and proposed to be vacated in the manner, form, and for the length of time set forth in Section 8323 of the Streets and Highways Code of the State of California; and

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to July 3, 2002 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

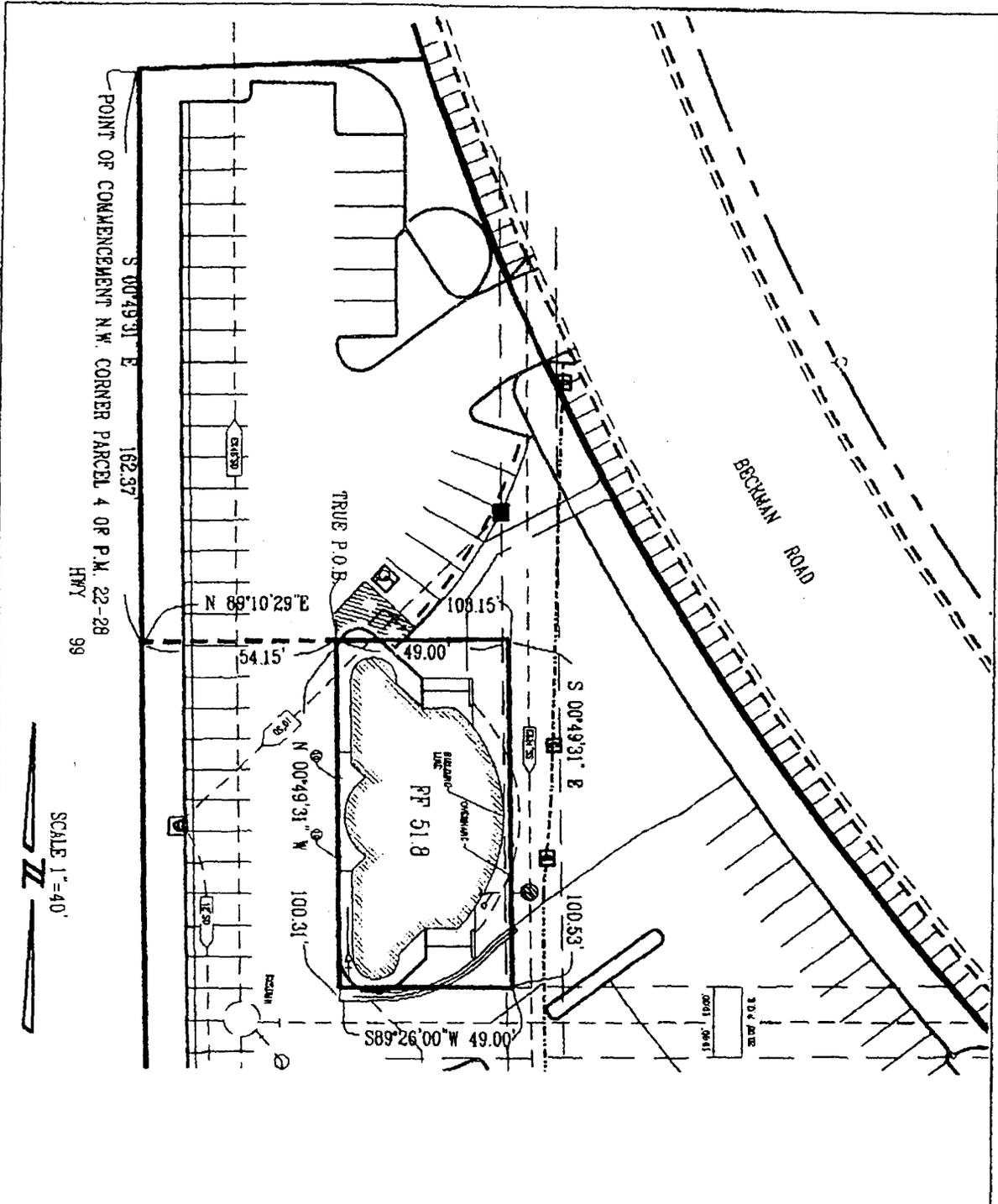
Dated: June 5, 2002

=====

I hereby certify that Resolution No. 2002-120 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2002, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



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DWG. BY ES	SCALE: 1"=40'		CITY OF LODI DEPARTMENT OF PUBLIC WORKS	SUPERCEDES DWG. DATED	DRAWING NO.
CK. BY					

CITY OF LODI

CITY HALL, 221 W. PINE ST.

P. O. BOX 3006

LODI, CALIFORNIA 95241-1910

GFLIP III, LP
DALE GILLESPE
920 S. CHEROKEE LN, SUITE A
LODI, CA 95240

EXHIBIT B

**VACATION / ABANDONMENT
MAILING LIST**

RESOLUTION OF INTENTION (Setting Public Hearing)

Certified copy w/cover letter to:

PG&E
12 W. Pine Street
Lodi, CA 95240

AT&T
6343 Tam O'Shanter Drive
Stockton, CA 95210

Pacific Bell
44 W. Yokuts Avenue
Stockton, CA 95207

Central Valley Waste Services
P.O. Box 241001
Lodi, CA 95241-9501

Chief Deputy County Surveyor
Attn: Joe Bussalacci
1810 E. Hazelton Avenue
Stockton, CA 95205

Certified copies to:

Jeannie Matsumoto, Public Works

Wes Fujitani, Public Works

Community Development Department

Police Department

Fire Department

RESOLUTION OF VACATION (After Public Hearing)

Certified copy w/cover letter:

PG&E
AT&T
Pacific Bell
Central Valley Waste Services
Chief Deputy County Surveyor
Jeannie Matsumoto, Public Works
Wes Fujitani, Public Works
Community Development Department
Police Department
Fire Department



MEMORANDUM
Office of the Lodi City Clerk

TO: Public Works Director

FROM: Susan J. Blackston 
City Clerk

DATE: June 6, 2002

SUBJECT: RESOLUTION OF INTENTION TO VACATE A PORTION OF THE
PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD
ALIGNMENT

Please be advised that the City Council, at its meeting of June 5, 2002, adopted Resolution No. 2002-120 declaring its intention to vacate the public utility easement in the former Beckman Road Alignment, and set it for public hearing on July 3, 2002.

Pursuant to law, the Public Works Department is required to post at least three copies of the subject resolution and map in the area to be abandoned at least 15 days prior to the Public Hearing. Upon completion of the posting, please forward a copy of the Affidavit of Posting to me for our records.

Please contact me should you have any questions.

SJB/JMP

Attachment



MEMORANDUM
Office of the Lodi City Clerk

TO: Community Development Director

FROM: Susan J. Blackston 
City Clerk

DATE: June 6, 2002

SUBJECT: A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE A PORTION OF THE PUBLIC UTILITY EASEMENT IN THE FORMER BECKMAN ROAD ALIGNMENT

Please be advised that the Lodi City Council, at its regular meeting of June 5, 2002, adopted a resolution declaring its intention to vacate a portion of the public utility easement in the former Beckman Road Alignment (Exhibit A).

Further, the City Council referred the matter to the Planning Commission for its recommendation and set the matter for a Public Hearing before the Lodi City Council on July 3, 2002.

SJB/JMP

Attachment

cc: Public Works Department