



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO: City Council
FROM: City Manager
MEETING DATE: January 16, 1991
AGENDA TITLE: Public Hearing to Consider Resolution/Order to Vacate the Public Utility Easement at 405 North Pacific Avenue

RECOMMENDED ACTION: That the City Council adopt an order abandoning the public utility easement at 405 North Pacific Avenue, Lodi, California, as shown on Exhibit A.

BACKGROUND INFORMATION: At its regular meeting of December 19, 1990, the City Council adopted a resolution of intention to vacate the public utility easement at 405 North Pacific Avenue and referred the matter to the Planning Commission.

The Planning Commission will be asked at its meeting of January 14, 1991 to find that there is no public need, present or future, for this easement.

Pacific Bell, King Videocable, PG&E, and City of Lodi utilities have all indicated the proposed abandonment is acceptable if it is approved on the condition that a new public utility easement be dedicated as shown on Exhibit B.

Jack L. Ronsko
Public Works Director

JLR/SAW/mt

Attachments

APPROVED:

THOMAS A. PETERSON, City Manager

FILE NO.



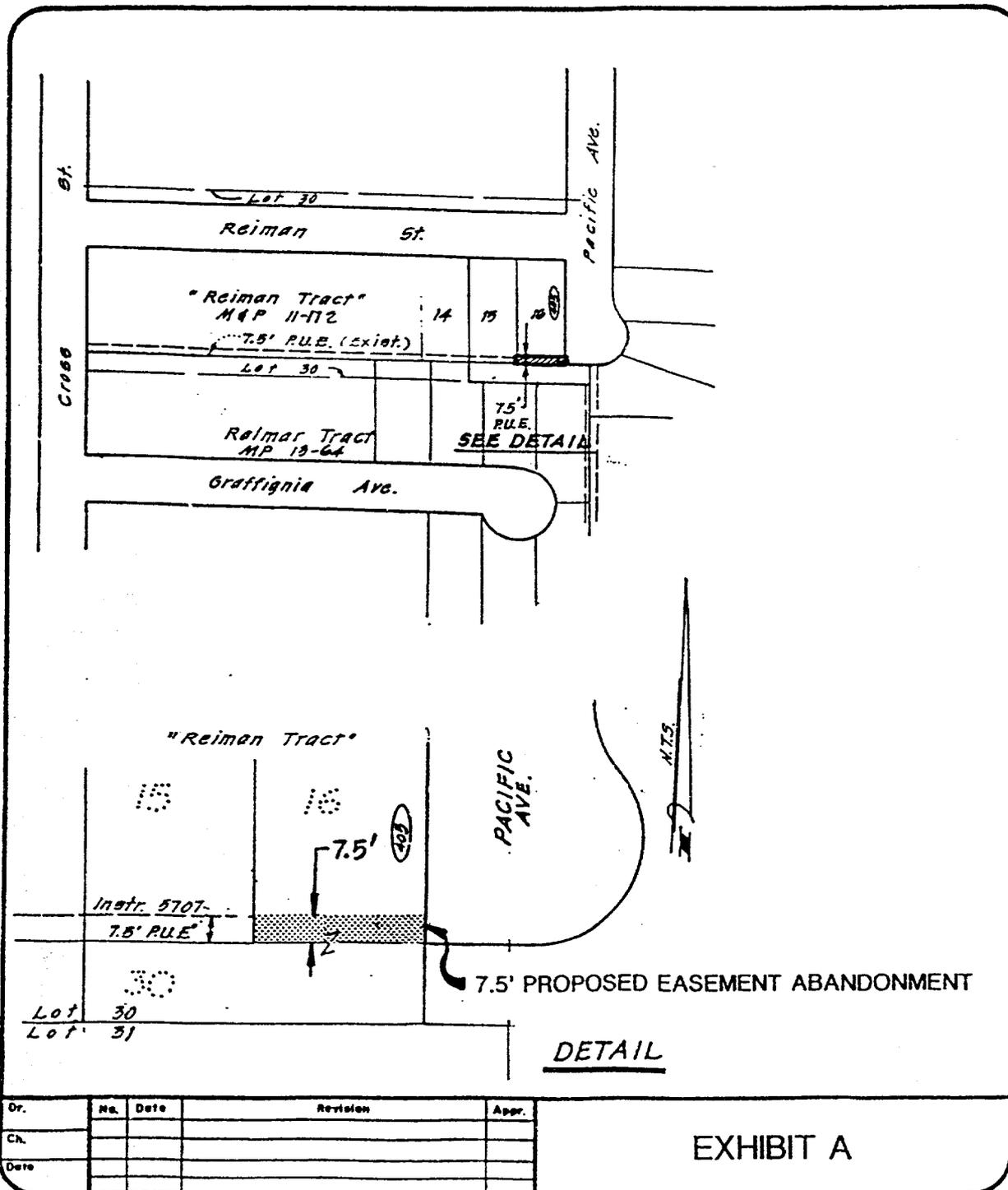
CITY OF LODI

PUBLIC WORKS DEPARTMENT

EASEMENT ABANDONMENT

035-280-00

405 North Pacific Avenue



| Dr. | No. | Date | Revision | Appr. |
|------|-----|------|----------|-------|
| Ch. | | | | |
| Date | | | | |

EXHIBIT A



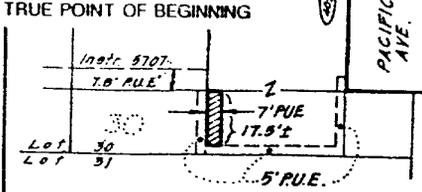
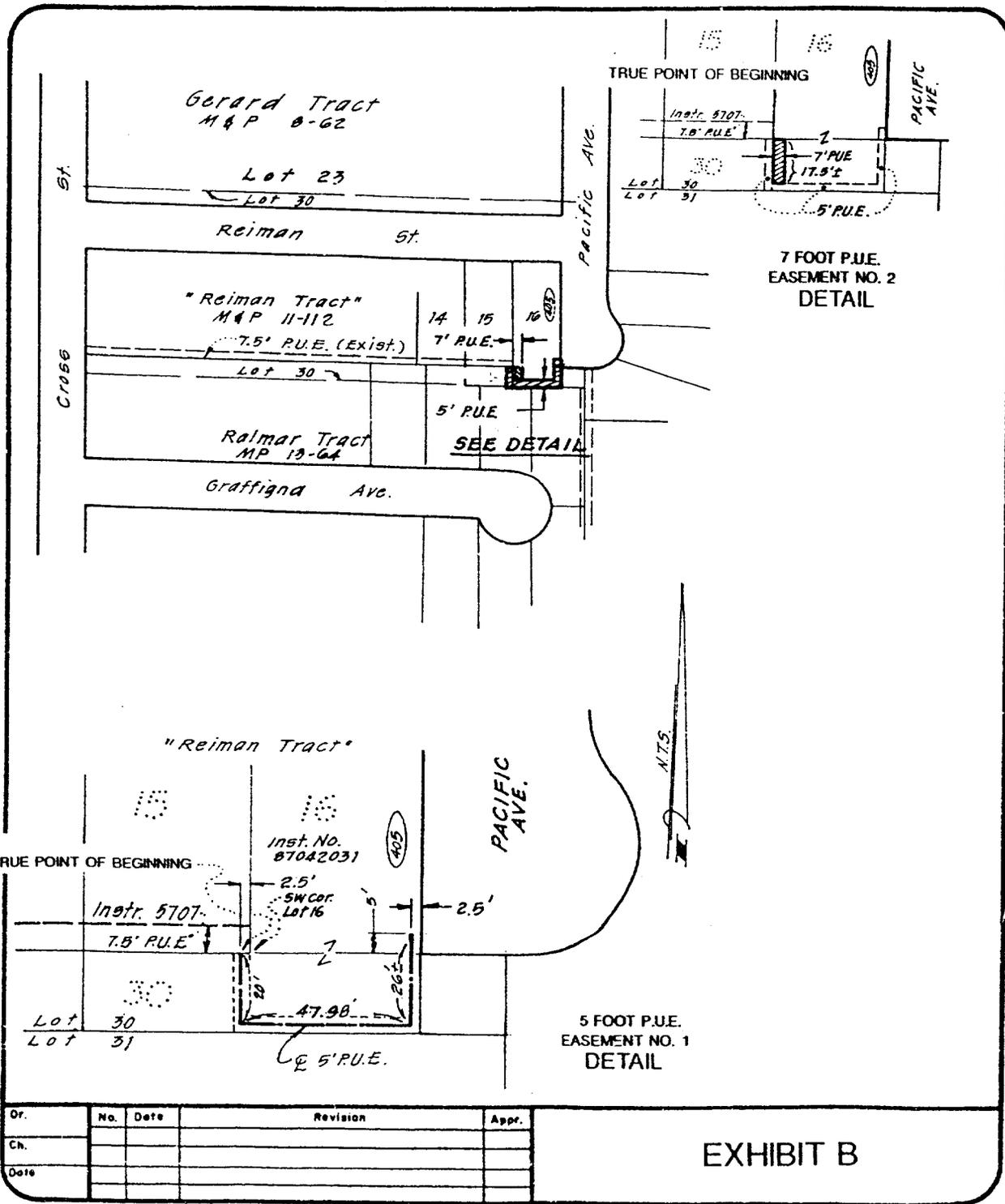
CITY OF LODI

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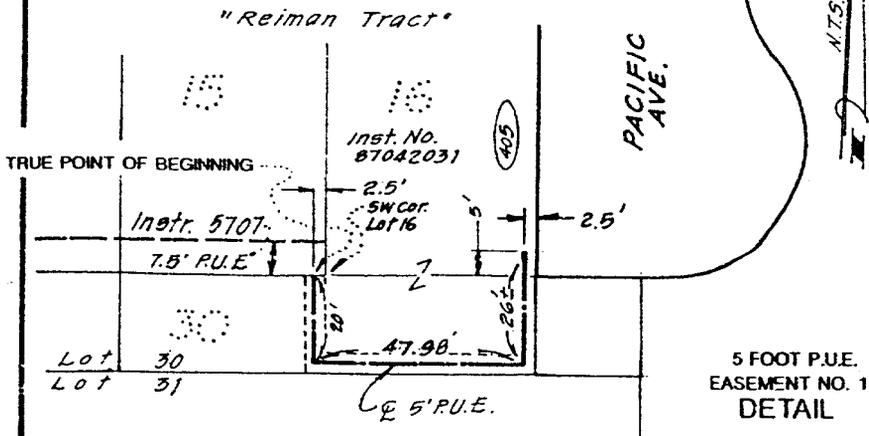
EASEMENT DEED

035-200-06

405 North Pacific Avenue



7 FOOT P.U.E. EASEMENT NO. 2 DETAIL



5 FOOT P.U.E. EASEMENT NO. 1 DETAIL

| Dr. | No. | Date | Revision | Appr. |
|-----|-----|------|----------|-------|
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EXHIBIT B

RESOLUTION NO. 90-186
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RESOLUTION OF INTENTION TO VACATE
THE PUBLIC UTILITY EASEMENT AT 405 NORTH PACIFIC AVENUE, LODI,
REFER THE MATTER TO THE PLANNING COMMISSION,
AND SET FOR PUBLIC HEARING AT THE CITY COUNCIL MEETING OF JANUARY 16, 1991
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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 Sections 8300 et seq. of the Streets and Highways Code of the State of California, to vacate and abandon the portion of the public utility easement located at 405 North Pacific Avenue, Lodi as shown on Exhibit A attached hereto and thereby made a part hereof.

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.

BE IT FURTHER RESOLVED that this matter is hereby referred to the Planning Commission of the City of Lodi for recommendation; and

BE IT FURTHER RESOLVED that this City Council does hereby fix Wednesday, January 16, 1991, at the hour of 7:30 p.m., in the Council Chamber, 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;

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;

BE IT FURTHER RESOLVED that copies of this resolution shall be published for at least two successive weeks prior to January 16, 1990 in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: December 19, 1990

I hereby certify that Resolution No. 90-186 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 19, 1990, by the following vote:

Ayes: Councilmembers - Pinkerton, Pennino, Sieglock, Snider and Hinchman (Mayor)

Noes: Councilmembers - None

Absent: Councilmembers - None


JENNIFER M. PERRIN
Deputy City Clerk

for ALICE M. REIMCHE

When recorded, return to:

City Clerk
City of Lodi
P. O. Box 3006
Lodi, CA 95241-1910

RESOLUTION/ORDER NO. 91-13

RESOLUTION/ORDER VACATING A PORTION OF THE PUBLIC UTILITY EASEMENT
LOCATED AT 405 NORTH PACIFIC AVENUE, LODI

WHEREAS, the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8320 et seq. of the Streets and Highways Code of the State of California, did on the 19th day of December, 1990, pass and adopt Resolution No. 90-186, therein declaring the intention of said City Council to vacate a portion of the public utility easement located at 405 North Pacific Avenue, Lodi, California, and more particularly described in said resolution; and

WHEREAS, said matter has been referred to the Planning Commission of the City of Lodi and a favorable recommendation has been made by said Planning Commission to this City Council; and

WHEREAS, notice of adoption of said Resolution of Intention to vacate was regularly given by publication in the "Lodi News Sentinel", a newspaper of general circulation published in the City of Lodi, County of San Joaquin, and by posting on the property, both in the time, form, and manner as required by law, and there are on file in the office of the City Clerk affidavits showing said publication and posting; and

WHEREAS, in accordance with the notice given in said Resolution No. 90-186, a public hearing was held before said City Council in the Council Chamber, Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:30 p.m., on January 16, 1991; and

WHEREAS, at the aforesaid time and place set for public hearing, no person appeared to object to the vacation of said portion of the public utility easement; and

WHEREAS, the City Council of the City of Lodi did then and there determine at said public hearing, that the portion of the public utility easement more particularly hereinafter described is unnecessary for present or prospective public use;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the foregoing findings and under the authority of Sections 8320, et seq., of the Streets and Highways Code of the State of California, that there is hereby abandoned and vacated a portion of that certain public utility easement situated in the City of Lodi, County of San Joaquin, State of California, more particularly described as follows:

RESOLUTION/ORDER NO. 91-13
Page 2

A 7.5-foot Public Utility Easement being the south 7.5 feet of Lot 16 of Reiman Tract as filed for record on July 18, 1946, in Volume 11 at Page 112, Book of Maps and Plats, San Joaquin County Records.

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.

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Dated: January 16, 1991

I hereby certify that Resolution/Order No. 91-13 vacating the portion of the public utility easement heretofore described was passed and adopted by the City Council of the City of Lodi in a regular meeting held Wednesday, January 16, 1991 by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -

ALICE M. REIMCHE
City Clerk

When recorded, return to:

City Clerk
City of Lodi
P. O. Box 3006
Lodi, CA 95241-1910

RESOLUTION/ORDER NO. 91-9

RESOLUTION/ORDER VACATING A PORTION OF THE PUBLIC UTILITY EASEMENT
LOCATED AT 405 NORTH PACIFIC AVENUE, LODI

WHEREAS, the City Council of the City of Lodi, acting in accordance with the provisions of Sections 8320 et seq. of the Streets and Highways Code of the State of California, did on the 19th day of December, 1990, pass and adopt Resolution No. 90-186, therein declaring the intention of said City Council to vacate a portion of the public utility easement located at 405 North Pacific Avenue, Lodi, California, and more particularly described in said resolution; and

WHEREAS, said matter has been referred to the Planning Commission of the City of Lodi and a favorable recommendation has been made by said Planning Commission to this City Council; and

WHEREAS, notice of adoption of said Resolution of Intention to vacate was regularly given by publication in the "Lodi News Sentinel", a newspaper of general circulation published in the City of Lodi, County of San Joaquin, and by posting on the property, both in the time, form, and manner as required by law, and there are on file in the office of the City Clerk affidavits showing said publication and posting; and

WHEREAS, in accordance with the notice given in said Resolution No. 90-186, a public hearing was held before said City Council in the Council Chamber, Carnegie Forum, 305 West Pine Street, Lodi, California, at 7:30 p.m., on January 16, 1991; and

WHEREAS, at the aforesaid time and place set for public hearing, no person appeared to object to the vacation of said portion of the public utility easement; and

WHEREAS, the City Council of the City of Lodi did then and there determine at said public hearing, that the portion of the public utility easement more particularly hereinafter described is unnecessary for present or prospective public use;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the foregoing findings and under the authority of Sections 8320, et seq., of the Streets and Highways Code of the State of California, that there is hereby abandoned and vacated a portion of that certain public utility easement situated in the City of Lodi, County of San Joaquin, State of California, more particularly described as follows:

A 7.5-foot Public Utility Easement being the south 7.5 feet of Lot 16 of Reiman Tract as filed for record on July 18, 1946, in Volume 11 at Page 112, Book of Maps and Plats, San Joaquin County Records.

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.

Dated: January 16, 1991

I hereby certify that Resolution/Order No. 91-9 vacating the portion of the public utility easement heretofore described was passed and adopted by the City Council of the City of Lodi in a regular meeting held Wednesday, January 16, 1991 by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, Snider and
Hinchman (Mayor)
Noes: Council Members - None
Absent: Council Members - None

Alice M. Reimche
ALICE M. REIMCHE
City Clerk