



# CITY OF LODI COUNCIL COMMUNICATION

TM

**AGENDA TITLE:** Continue Public Hearing to Consider Resolution to Vacate Two Public Utility Easements Located at 1028 South School Street and 1029 South Sacramento Street to December 20, 2006

**MEETING DATE:** November 15, 2006

**PREPARED BY:** Public Works Director

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**RECOMMENDED ACTION:** Continue public hearing to consider adoption of a resolution to vacate a 16-foot public utility easement at 1028 South School Street and an 11-foot public utility easement at 1029 South Sacramento Street to December 20, 2006.

**BACKGROUND INFORMATION:** To accommodate the November 15, 2006 Council agenda, staff recommends continuing this public hearing to December 20, 2006.

**FISCAL IMPACT:** Not applicable.

**FUNDING AVAILABLE:** Not applicable.

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Richard C. Prima, Jr.  
Public Works Director

Prepared by Jeannie Matsumoto, Senior Engineering Technician

RCP/JM/pmf

cc: Steve Schwabauer, City Attorney  
Randy Hatch, Community Development Director

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APPROVED: \_\_\_\_\_  
Blair King, City Manager



## DECLARATION OF MAILING

### **NOTICE OF PUBLIC HEARING – INTENTION TO VACATE A 16-FOOT EASEMENT AT 1029 SOUTH SACRAMENTO STREET AND 11-FOOT EASEMENT AT 1028 SOUTH SCHOOL STREET**

On October 6, 2006, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing transmittal letter regarding Notice of Public Hearing – Intention to Vacate a 16-foot easement at 1029 South Sacramento Street and 11-foot easement at 1028 South School Street, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

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 6, 2006, at Lodi, California.

ORDERED BY:

**JENNIFER M. PERRIN  
INTERIM CITY CLERK, CITY OF LODI**

ORDERED BY:

  
JENNIFER M. PERRIN, CMC  
INTERIM CITY CLERK

\_\_\_\_\_  
JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

CITY COUNCIL

SUSAN HITCHCOCK, Mayor  
BOB JOHNSON,  
Mayor Pro Tempore  
JOHN BECKMAN  
LARRY D. HANSEN  
JOANNE MOUNCE

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702 / FAX (209) 333-6807  
[www.lodi.gov](http://www.lodi.gov)      [cityclerk@lodi.gov](mailto:cityclerk@lodi.gov)

**EXHIBIT A**

BLAIR KING, City Manager  
JENNIFER M. PERRIN  
Interim City Clerk  
D. STEPHEN SCHWABAUER  
City Attorney

October 5, 2006

TO: Interested Parties

**VACATION: TO VACATE A 16-FOOT EASEMENT AT 1029 SOUTH  
SACRAMENTO STREET AND 11-FOOT EASEMENT AT  
1028 SOUTH SCHOOL STREET**

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This is to inform you that the City Council, at its regular meeting on October 4, 2006, adopted a Resolution of Intention to vacate a 16-foot easement at 1029 South Sacramento Street and 11-foot easement at 1028 South School Street and set a public hearing for November 15, 2006.

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 November 8, 2006. Please contact the Community Development Department at (209) 333-6711 if you have any questions.

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

  
Jennifer M. Perrin  
Interim City Clerk

JMP

Enclosure

cc: Public Works Director  
Community Development Director

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2006-181

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING  
ITS INTENTION TO VACATE A 16-FOOT EASEMENT AT  
1029 SOUTH SACRAMENTO STREET AND 11-FOOT  
EASEMENT AT 1028 SOUTH SCHOOL STREET; 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:

1) 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 16-foot public utility easement at 1029 South Sacramento Street; Lodi, California, as recorded on July 1, 1959, in Book 2194, Official Records, Page 97, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1029 South Sacramento Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Fred L Baybarz & Carolyn C. Baybarz

2) 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:

An 11-foot public utility easement at 1028 South School Street; Lodi, California, as recorded on June 14, 1993, Instrument No. 93068812, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1028 South School Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Lodi Fab Industries, Inc.

BE IT FURTHER RESOLVED that the City of Lodi Electric Utility Department and AT&T-SBC have required the dedication of a new 20-foot public utility easement located on 1029 South Sacramento Street, shown on the recorded Interlake Square subdivision map enabling the relocation of their facilities, and as shown on Exhibit A attached hereto and thereby made a part hereof; 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, November 15, 2006, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard 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 abandonment conspicuously along the line of the portion of street hereinabove described and proposed to be abandoned 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 November 15, 2006, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: October 4, 2006

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I hereby certify that Resolution No. 2006-181 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,  
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

The foregoing document is certified to be a correct copy of the original on file in the City Clerk's Office.

Jennifer M. Perrin  
Deputy City Clerk, City of Lodi

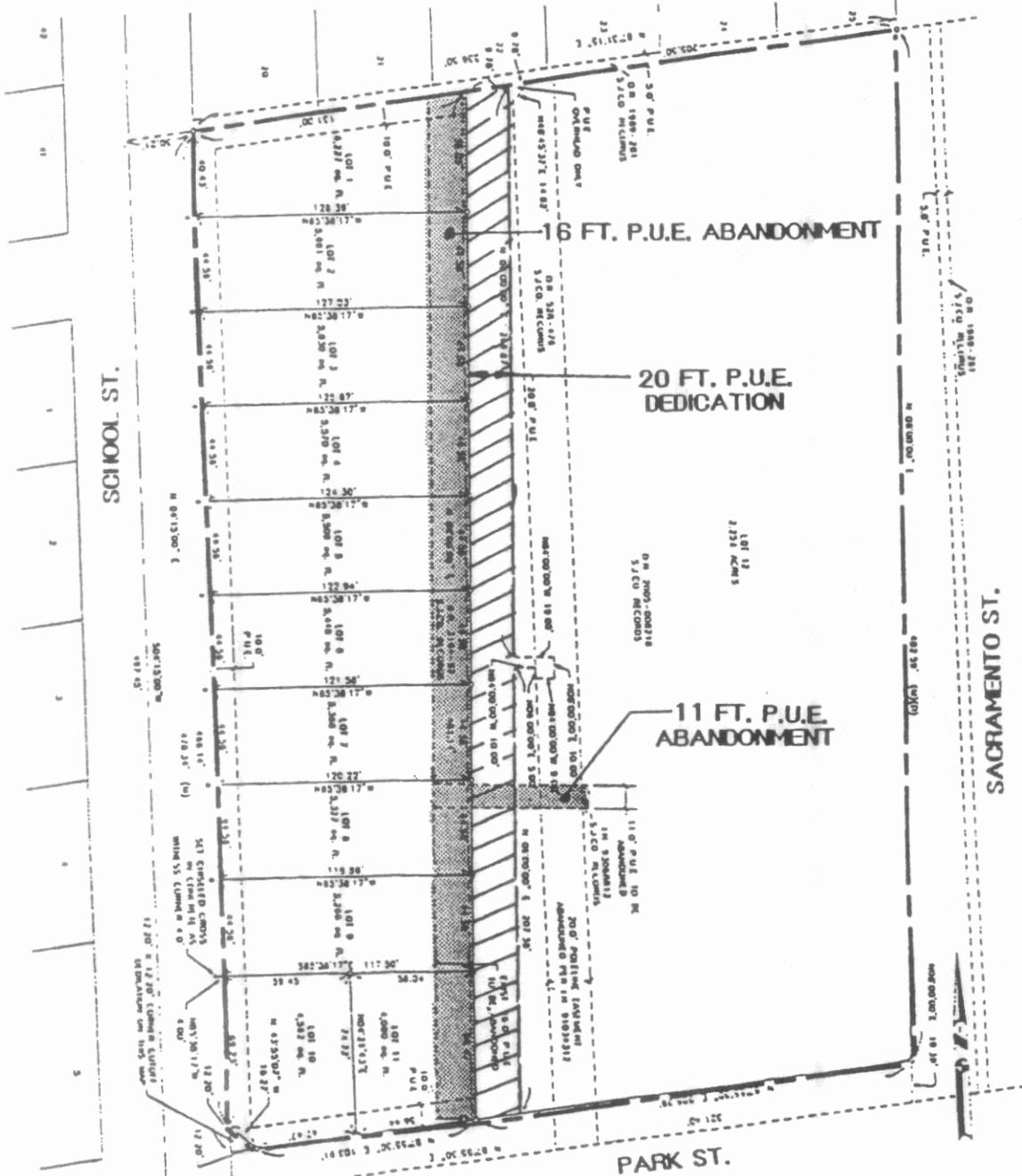
  
JENNIFER M. PERRIN  
Interim City Clerk

By: \_\_\_\_\_  
Dated: 10/5/06



**CITY OF LODI**  
PUBLIC WORKS DEPARTMENT

**EXHIBIT A**



**INTERLAKE SQUARE**

**VACATION / ABANDONMENT  
MAILING LIST**

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**RESOLUTION OF INTENTION (Setting Public Hearing)**

Certified copy w/cover letter to:

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

AT&T  
6505 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

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**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

APN	OWNER	ADDRESS	CITY	SITUSNUM
04516003	ARLT, RENEE	1000 S CHURCH ST	LODI CA 95240	116 W SIERRA VISTA PL
04516004	KIETZKE, ASHLEY BLAKE	1001 S SCHOOL ST	LODI CA 95240	1001 S SCHOOL ST
04516005	OKAZAKI, GARY	1007 S SCHOOL ST	LODI CA 95240	1007 S SCHOOL ST
04516006	KIRCHNER, MICHAEL	1015 S SCHOOL ST	LODI CA 95240	1015 S SCHOOL ST
04516007	STEARNS, CHARLES & T	1165 S SCHOOL ST	LODI CA 95240	1021 S SCHOOL ST
04516009	BABB, GARY A & DESIREE C	1101 S SCHOOL ST	LODI CA 95240	1101 S SCHOOL ST
04516010	ANDREWS, WILLARD L & BARBARA A	1107 S SCHOOL ST	LODI CA 95240	1107 S SCHOOL ST
04516011	CATON, DENISE	1115 S SCHOOL ST	LODI CA 95240	1115 S SCHOOL ST
04516017	SYPNIESKI, JOHN T ETAL	1108 S CHURCH ST	LODI CA 95240	1108 S CHURCH ST
04516018	PLUMMER, ROBERT R & R A	3368 HYW 99 SOUTH	ASHLAND OR 97520	116 W PARK ST
04516019	LEAVITT, VELVA MAE	115 W PARK ST	LODI CA 95240	115 W PARK ST
04516020	SKELTON, JOSHUA T	1024 S CHURCH ST	LODI CA 95240	1024 S CHURCH ST
04516021	SOLDATI, JOHN R & LUCY R	1020 S CHURCH ST	LODI CA 95240	1020 S CHURCH ST
04516022	PLACENCIA, JOEL	350 BEST AVE	SAN LEANDRO CA 94577	1016 S CHURCH ST
04516023	POTEET, JASON A & LINDA K	1008 S CHURCH ST	LODI CA 95240	1008 S CHURCH ST
04517027	NICKEL, STEVEN K & LAURA M	5631 E KETTLEMAN LN	LODI CA 95240	908 S CHURCH ST
04517028	MORRIS, KELLY W & NICOLE M	914 S CHURCH ST	LODI CA 95240	914 S CHURCH ST
04517029	TEMP, ELSIE M	916 S CHURCH ST	LODI CA 95240	916 S CHURCH ST
04517030	NICHOLS, PAUL E & ROBERTA M TR	920 S CHURCH ST	LODI CA 95240	920 S CHURCH ST
04517031	ANDERSON, FRANKLIN L & V	924 S CHURCH ST	LODI CA 95240	924 S CHURCH ST
04517032	SCHULTZ, HERBERT J & DEANNA M	833 GREENWOOD DR	LODI CA 95240	925 S SCHOOL ST
04517034	DUBURG, BARBARA M TR	921 S SCHOOL ST	LODI CA 95240	921 S SCHOOL ST
04517035	ANDREWS, MARGARET K ETAL	1001 LAKEWOOD DR	LODI CA 95240	919 S SCHOOL ST
04517036	FUJITANI, WESLEY K & GAYLE S T	700 RIMBY AVE	LODI CA 95240	915 S SCHOOL ST
04517037	TERESI, DANIEL R & SANDRA	909 S SCHOOL ST	LODI CA 95240	909 S SCHOOL ST
04525009	CHASE, HARVEY W TR	4 W VINE ST	LODI CA 95240	4 WINE VINE ST
04525010	TRAVIS, WILLIAM R & P M	8 W VINE ST	LODI CA 95240	8 WINE VINE ST

04525011	HEINE, BEVERLY J TR	704 WINDSOR DR	LODI CA 95240	12 WINE VINE ST
04525012	MAHMOOD, TARIQ	18 W VINE ST	LODI CA 95240	18 WINE VINE ST
04525013	ANDERSON, ALBERTA V TR	22 W VINE ST	LODI CA 95240	22 WINE VINE ST
04525014	CARRANZA, ANDRES ETAL	900 S SCHOOL ST	LOD CA 95240I	900 S SCHOOL ST
04525015	SCHULENBURG, ROBERT W TR	15470 MOORE RD	LODI CA 95240	910 S SCHOOL ST
04525016	LUCIANO, PEDRO & GABINA	21 SIERRA VISTA PL	LODI CA 95240	21 W SIERRA VISTA
04525017	KHAN, YASMIN	17 W SIERRA VISTA PL	LODI CA 95240	17 W SIERRA VISTA
04525018	SHAKOOR, FYYAZ ETAL	7 W SIERRA VISTA PL	LODI CA 95240	7 W SIERRA VISTA
04525019	SHAKOOR, MOHAMMED A	9 SIERRA VISTA PL	LODI CA 95240	9 W SIERRA VISTA
04525020	ACAMPO MACHINE WORKS	901 S SACRAMENTO ST	LODI CA 95240	901 S SACRAMENTO ST
04525021	NEWFIELD, JOSEPH K III	19000 N LOWER SAC RD	WOODBIDGE CA 95258	4 W SIERRA VISTA
04525022	JORDET, BRIAN H & DEANA J	11085 WEIGUM RD	LODI CA 95240	6 W SIERRA VISTA
04525023	SEIBEL ARNE, SEIBEL KENNETH	25157 EUNICE AV	ACAMPO CA 95220	12 W SIERRA VISTA
04525024	GARZA, CYNTHIA A	16 SIERRA VISTA PL	LODI CA 95240	16 W SIERRA VISTA
04525025	RALL, RONALD & LINDA	20 SIERRA VISTA PL	LODI CA 95240	20 W SIERRA VISTA
04525026	FURUOKA, JULIA R TR	24 SIERRA VISTA PL	LODI CA 95240	24 W SIERRA VISTA
04526004	UNION PACIFIC RAILROAD COMPANY	1416 DODGE ST ROOM 830	OMAHA NE 68179	0
04526006	CLUFF LLC	908 W TURNER RD	LODI CA 95240	1029 S SACRAMENTO ST
04527001	COBARRUBIO, ADAM S & ESTHER M	1100 S SCHOOL ST	LODI CA 95240	1100 S SCHOOL ST
04527002	RICHISON, LINDA L	1104 S SCHOOL ST	LODI CA 95240	1104 S SCHOOL ST
04527003	GROSSMAN, DOUGLAS & SARAH A	1108 S SCHOOL ST	LODI CA 95240	1108 S SCHOOL ST
04527004	KACKLEY, MELVIN E & DEBORAH A	1112 S SCHOOL ST	LODI CA 95240	1112 S SCHOOL ST
04527009	ALVAREZ, RODRIGO C & JOVITA G	1117 S SACRAMENTO ST	LODI CA 95240	1117 S SACRAMENTO ST
04527010	GREENLEE, JESSE	1113 S SACRAMENTO ST	LODI CA 95240	1113 S SACRAMENTO ST
04527011	LAND, GARY L & JENNIFER K	10 PARK ST	LODI CA 95240	10 PARK ST
04527012	OSBURN, TOMMIE SUE	6 W PARK ST	LODI CA 95240	6 PARK ST
04527013	CANCHOLA,	2 W PARK ST	LODI CA 95240	2 PARK ST

	RONNIE E & MARIA			
04527014	LODI FAB INDUSTRIES INC	1240 E DIEHL RD SUITE 200	NAPERVILLE IL 60563	1100 S SACRAMENTO ST
04527015	OCHOA, SERGIO M SR & ERNESTINE	8086 ABISKO CT	SACRAMENTO CA 95829	1104 S SACRAMENTO ST
04527016	GARCIA, RAFAEL & FLORA	115 FORREST AVE	LODI CA 95240	1108 S SACRAMENTO ST
04527017	SIMON, JERRY H & DONNA R	134 OXBOW MARINA DR	ISLETON CA 65641	1112 S SACRAMENTO ST



**MEMORANDUM**  
**Office of the Lodi City Clerk**

**TO:** Community Development Director

**FROM:** Jennifer M. Perrin   
Interim City Clerk

**DATE:** October 5, 2006

**SUBJECT:** A RESOLUTION OF THE LODI CITY COUNCIL DECLARING ITS INTENTION TO VACATE A 16-FOOT EASEMENT AT 1029 SOUTH SACRAMENTO STREET AND 11-FOOT EASEMENT AT 1028 SOUTH SCHOOL STREET

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Please be advised that the Lodi City Council, at its regular meeting of October 5, 2006, adopted a resolution declaring its intention to vacate a 16-foot easement at 1029 South Sacramento Street and 11-foot easement at 1028 South School Street (attached).

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 November 15, 2006.

JMP

Attachment

cc w/o enc: Public Works Department



**MEMORANDUM**  
**Office of the Lodi City Clerk**

**TO:** Public Works Director

**FROM:** Jennifer M. Perrin   
Interim City Clerk

**DATE:** October 5, 2006

**SUBJECT:** RESOLUTION OF INTENTION TO VACATE A 16-FOOT EASEMENT AT  
1029 SOUTH SACRAMENTO STREET AND 11-FOOT EASEMENT AT  
1028 SOUTH SCHOOL STREET

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Please be advised that the City Council, at its meeting of October 5, 2006, adopted the attached resolution declaring its intention to vacate a 16-foot easement at 1029 South Sacramento Street and 11-foot easement at 1028 South School Street and set the matter for public hearing on November 15, 2006.

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.

JMP

Attachment



*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 – INTENTION TO VACATE A 16-FOOT EASEMENT AT 1029 SOUTH SACRAMENTO STREET AND 11-FOOT EASEMENT AT 1028 SOUTH SCHOOL STREET

**LEGAL AD**

**PUBLISH DATE:** SATURDAY, OCTOBER 14, 2006  
SATURDAY, OCTOBER 21, 2006

**TEAR SHEETS WANTED:** Three (3) please

**SEND AFFIDAVIT AND BILL TO:** JENNIFER M. PERRIN, INTERIM CITY CLERK  
City of Lodi  
P.O. Box 3006  
Lodi, CA 95241-1910

**DATED:** THURSDAY, OCTOBER 5, 2006

**ORDERED BY:** JENNIFER M. PERRIN  
INTERIM CITY CLERK

*Jennifer M. Perrin*  
JENNIFER M. PERRIN, CMC  
INTERIM CITY CLERK

JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

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

Faxed to the Sentinel at 369-1084 at 3:51 pm (time) on 10/5/06 (date) 4 (pages)  
LNS \_\_\_\_\_ Phoned to confirm receipt of all pages at \_\_\_\_\_ (time) \_\_\_\_\_ JLT \_\_\_\_\_ DRC \_\_\_\_\_ JMP (initials)

*e-mail will follow.*  
*JMP*

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2006-181

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING  
ITS INTENTION TO VACATE A 16-FOOT EASEMENT AT  
1029 SOUTH SACRAMENTO STREET AND 11-FOOT  
EASEMENT AT 1028 SOUTH SCHOOL STREET; 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:

1) 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 16-foot public utility easement at 1029 South Sacramento Street; Lodi, California, as recorded on July 1, 1959, in Book 2194, Official Records, Page 97, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1029 South Sacramento Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Fred L Baybarz & Carolyn C. Baybarz

2) 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:

An 11-foot public utility easement at 1028 South School Street; Lodi, California, as recorded on June 14, 1993, Instrument No. 93068812, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1028 South School Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Lodi Fab Industries, Inc.

BE IT FURTHER RESOLVED that the City of Lodi Electric Utility Department and AT&T-SBC have required the dedication of a new 20-foot public utility easement located on 1029 South Sacramento Street, shown on the recorded Interlake Square subdivision map enabling the relocation of their facilities, and as shown on Exhibit A attached hereto and thereby made a part hereof; 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, November 15, 2006, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard 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 abandonment conspicuously along the line of the portion of street hereinabove described and proposed to be abandoned 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 November 15, 2006, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: October 4, 2006

=====

I hereby certify that Resolution No. 2006-181 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 4, 2006, by the following vote:

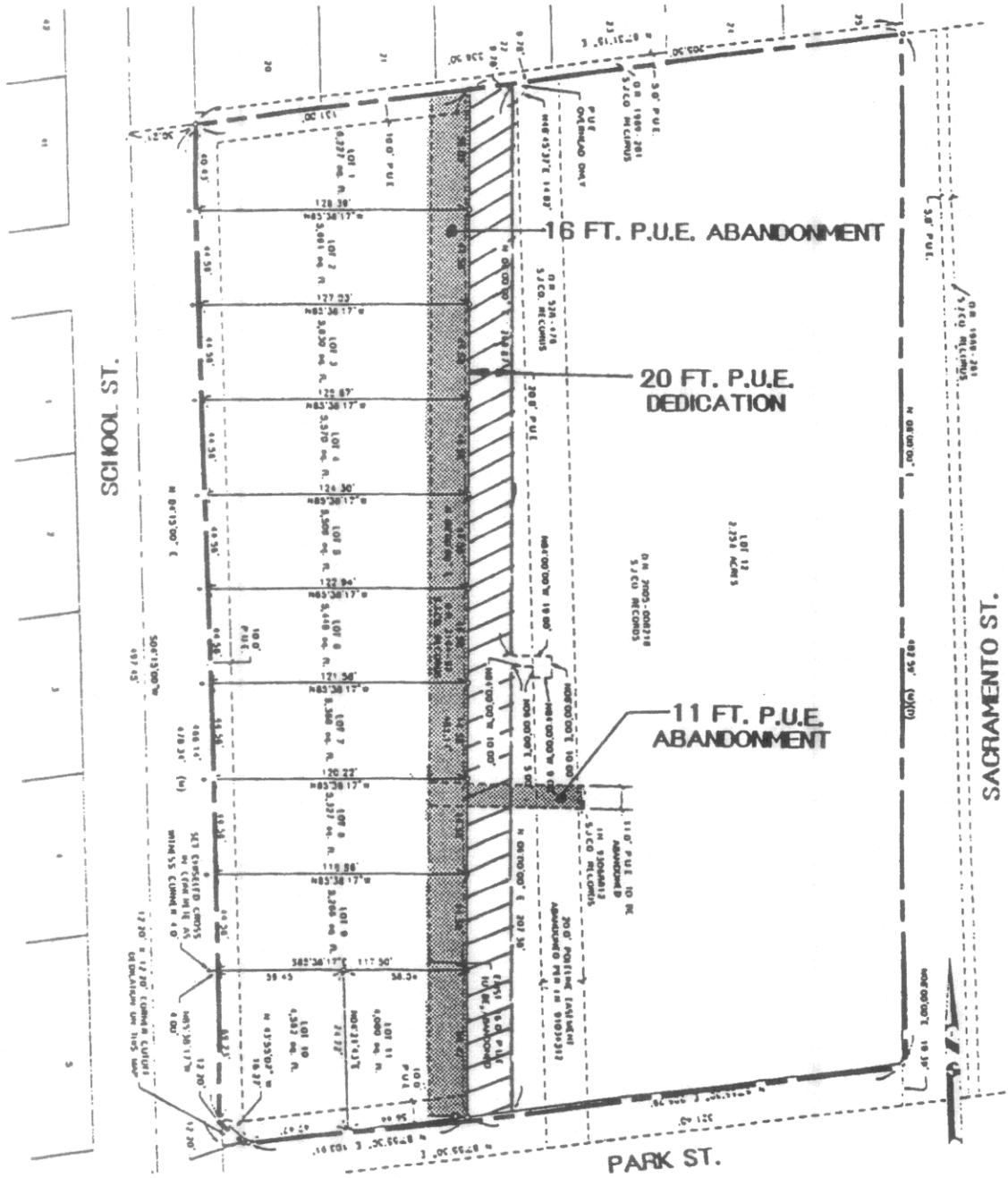
- AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Interim City Clerk



**CITY OF LODI**  
PUBLIC WORKS DEPARTMENT

**EXHIBIT A**



**INTERLAKE SQUARE**



## **DECLARATION OF POSTING**

### **NOTICE OF PUBLIC HEARING – INTENTION TO VACATE A 16-FOOT EASEMENT AT 1029 SOUTH SACRAMENTO STREET AND 11-FOOT EASEMENT AT 1028 SOUTH SCHOOL STREET**

On Friday, October 6, 2006, in the City of Lodi, San Joaquin County, California, Notice of Public Hearing – Intention to Vacate a 16-foot easement at 1029 South Sacramento Street and 11-foot easement at 1028 South School Street (attached and marked as Exhibit A) was posted at the following 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 October 6, 2006, at Lodi, California.

ORDERED BY:

**JENNIFER M. PERRIN  
INTERIM CITY CLERK**

  
JENNIFER M. PERRIN, CMC  
INTERIM CITY CLERK

\_\_\_\_\_  
JACQUELINE L. TAYLOR, CMC  
DEPUTY CITY CLERK

\_\_\_\_\_  
DANA R. CHAPMAN  
ADMINISTRATIVE CLERK

**NOTICE OF PUBLIC HEARING**

RESOLUTION NO. 2006-181

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING  
ITS INTENTION TO VACATE A 16-FOOT EASEMENT AT  
1029 SOUTH SACRAMENTO STREET AND 11-FOOT  
EASEMENT AT 1028 SOUTH SCHOOL STREET; 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:

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Fred L Baybarz & Carolyn C. Baybarz

2) 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:

An 11-foot public utility easement at 1028 South School Street; Lodi, California, as recorded on June 14, 1993, Instrument No. 93068812, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1028 South School Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Lodi Fab Industries, Inc.

BE IT FURTHER RESOLVED that the City of Lodi Electric Utility Department and AT&T-SBC have required the dedication of a new 20-foot public utility easement located on 1029 South Sacramento Street, shown on the recorded Interlake Square subdivision map enabling the relocation of their facilities, and as shown on Exhibit A attached hereto and thereby made a part hereof; 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, November 15, 2006, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard 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 abandonment conspicuously along the line of the portion of street hereinabove described and proposed to be abandoned 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 November 15, 2006, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: October 4, 2006

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I hereby certify that Resolution No. 2006-181 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 4, 2006, by the following vote:

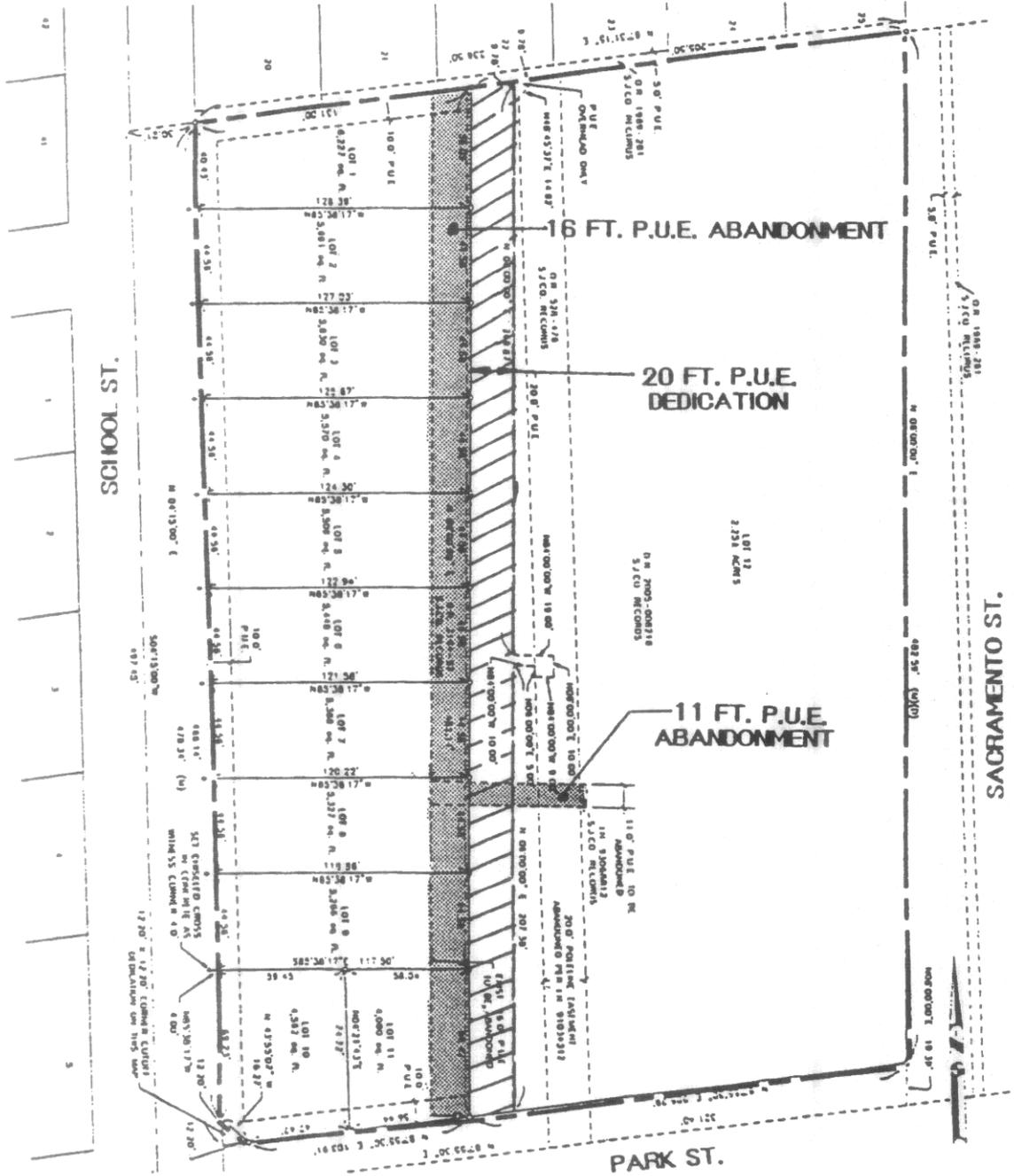
- AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Interim City Clerk



**CITY OF LODI**  
PUBLIC WORKS DEPARTMENT

**EXHIBIT A**



**INTERLAKE SQUARE**

RESOLUTION NO. 2006-181

A RESOLUTION OF THE LODI CITY COUNCIL DECLARING  
ITS INTENTION TO VACATE A 16-FOOT EASEMENT AT 1028  
SOUTH SCHOOL STREET AND 11-FOOT EASEMENT AT  
1029 SOUTH SACRAMENTO STREET; 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:

1) 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 16-foot public utility easement at 1028 South School Street; Lodi, California, as recorded on July 1, 1959, in Book 2194, Official Records, Page 97, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1028 South School Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Fred L Baybarz & Carolyn C. Baybarz

2) 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:

An 11-foot public utility easement at 1029 South Sacramento Street; Lodi, California, as recorded on June 14, 1993, Instrument No. 93068812, San Joaquin County Records, and as shown on Exhibit A attached hereto and thereby made a part hereof; and

Pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest in 1029 South Sacramento Street, as it appeared at the time and in the document creating the interest, right, or encumbrance, is as follows:

Lodi Fab Industries, Inc.

BE IT FURTHER RESOLVED that the City of Lodi Electric Utility Department and AT&T-SBC have required the dedication of a new 20-foot public utility easement located on 1029 South Sacramento Street, shown on the recorded Interlake Square subdivision map enabling the relocation of their facilities, and as shown on Exhibit A attached hereto and thereby made a part hereof; 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, November 15, 2006, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard 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 abandonment conspicuously along the line of the portion of street hereinabove described and proposed to be abandoned 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 November 15, 2006, in the "Lodi News-Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, County of San Joaquin.

Dated: October 4, 2006

=====

I hereby certify that Resolution No. 2006-181 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 4, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,  
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
JENNIFER M. PERRIN  
Interim City Clerk

