

NOTICE OF PUBLIC HEARING

Notice is hereby given that on April 1, 1987 the City Council of the City of Lodi, at its regular meeting to be held on that date at 7:30 p.m. in the Council Chambers located at 221 West Pine Street, Lodi, California, intends to adopt a Resolution of Necessity regarding Eminent Domain, pursuant to Code of Civil Procedure (CCP) Section 1245.220, for the property located at 18695 North Kennison Lane within San Joaquin County described as a portion of County Survey No. 3348 in Section 5, Township 3 North, Range 7 East, Mount Diablo Base and Meridian.

The property owners have been notified that they have the right to be heard on the matters referred to in CCP Section 1240.030 as it relates to this property. Specifically, CCP Section 1240.030 permits the City of Lodi to exercise the power of eminent domain to acquire the property for a proposed project only if all of the following are established:

- a. The public interest and necessity require the project.
- b. The project is planned or located in the manner that will be most compatible with the greatest public need and the least private injury.
- c. The property sought to be acquired is necessary for the project.

Pursuant to CCP Section 1245.234, the property owners must file a WRITTEN REQUEST to be heard within 15 days after the notice was mailed. The governing body need not give an opportunity to appear and be heard to any person who fails to file a written request. If the property owners intend to be heard on the matter, they need to bring in or mail their request to Alice M. Reimche, City Clerk, 221 West Pine Street, Call Box 3006, Lodi, CA 95241, phone 333-6702. THEIR FAILURE TO FILE A WRITTEN REQUEST TO APPEAR AND BE HEARD WITHIN 15 DAYS AFTER THE NOTICE WAS MAILED WILL RESULT IN WAIVER OF THE RIGHT TO APPEAR AND BE HEARD.

If the property owners challenge the subject matter in court, they may be limited to raising only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk at, or prior to, the public hearing.

Dated: March 4, 1987

By Order of the Lodi City Council

Alice M. Reimche  
City Clerk

Approved as to form

Ronald M. Stein  
City Attorney

CITY COUNCIL

FRED M. REID, Mayor  
EVELYN M. OLSON  
Mayor Pro Tempore  
DAVID M. HINCHMAN  
JAMES W. PINKERTON, Jr.  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
March 5, 1987

THOMAS A. PETERSON  
City Manager

RECEIVED

ALICE M. REIMCHE  
City Clerk

1987 MAR -5 PM 8:04

RONALD M. STEIN  
City Attorney

ALICE M. REIMCHE  
CITY CLERK  
CITY OF LODI

William and Marion Johnson  
907 Tara Place  
Lodi, CA 95240

SUBJECT: Notice Regarding Resolution of Necessity  
Code of Civil Procedure Section 1245.235

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G.E. Robison  
Assistant City Engineer

GER/ma  
cc: City Clerk  
City Attorney