PUBLIC HEARINGS

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

Notice thereof having been published and posted in accordance with law and affidavits of publication and posting being on file in the Office of the City Clerk, Mayor McCarty called for the Public Hearing regarding the Turner Road and Cluff Avenue Assessment District No. 1.

PUBLIC HEARING CONTINUED

City Clerk Reimche presented a letter which had been received from Teichert Construction stating that the purpose of the letter is to verify that Teichert Construction agrees to extend the period of award on the Turner Road and Cluff Avenue Assessment District No. 1 project until December 31, 1981 and further agree to maintain the bid prices, as stated August 26, 1981 through December 31, 1981.

Mr. Timothy J. Hachman, Attorney for the District then addressed the council asking for a continuance to the regular meeting of November 4, 1981 because of the present high interest rates.

The following persons addressed the Council regarding their parcels as they pertained to the district:

a) Mr. Lester LaMaie, 311 Kristmont, Lodi

RESOLUTION NO. _____

BEFORE THE CITY COUNCIL OF THE CITY OF
LODI, CALIFORNIA

TURNER ROAD AND CLUFF AVENUE ASSESSMENT DISTRICT NO. 1

RESOLUTION OVERRULING PROTESTS
ON RESOLUTION NO. 81-39

RESOLVED, by the City Council of the City of Lodi, California, that

WHEREAS, this Council did on the 15th day of April, 1981, adopt its Resolution No. 81-39, a Resolution of Intention to Acquire and/or Construct Improvements in and for said City;

WHEREAS, on August 5, 1981, this Council adopted a resolution appointing time and place of hearing protests in relation to the proposed acquisitions and improvements and directing notice;

WHEREAS, notice was given of the time and place therein stated in the manner provided by law, as appears from the affidavits on file in the office of the City Clerk;

WHEREAS, said matter came on regularly for hearing at the time therein fixed; and

WHEREAS, all written protests and other written communications were publicly read at said meeting and all persons desiring to be heard were fully heard;

NOW, THEREFORE, IT IS ORDERED, as follows:

1. That protests against said acquisitions and improvements were not signed by the owners of a majority or more of the area of the land to be assessed for the improvements.

2. That said protests be, and each of them are hereby, overruled.

DATED: September 16, 1981.

I, ALICE M. REIMCHE, City Clerk of the City of Lodi, do hereby certify that Resolution No. 81- was passed and adopted at a regular meeting of the City Council of the City of Lodi, held September 16, 1981, by the following vote:

AYES: Councilmen -

NOES: Councilmen -

ABSENT: Councilmen -

ABSTENTIONS: Councilmen -

ALICE M. REIMCHE, City Clerk

TEICHERT CONSTRUCTION

103 North E Street
P. O. Box 1118
Stockton, Calif. 95201
(209) 948-2420

October 6, 1981

Blewett, Garretson & Hachman
141 East Acacia Street
Stockton, California 95202

Attention: Mr. Timothy J. Hachman

Reference: City of Lodi - Turner Road and Cluff Avenue - Assessment District No. I

Gentlemen:

The purpose of this letter is to verify that Teichert Construction agrees to extend the period of award, on the above referenced project, until December 31, 1981.

Teichert Construction also agrees to maintain the bid prices, as stated August 26, 1981, through December 31, 1981.

If we can be of any further assistance in this matter, please contact the undersigned.

Very truly yours,

Marc O Fosgate

MARC O. FOSGATE
VICE-PRESIDENT

MOF:dd

cc: Mr. Henry A. Glaves, Jr., City of Lodi

OCT - 7 1981

SUBJECT: Cluff Avenue/Turner Road Assessment District No. 1

This letter is to confirm the intentions expressed at the City Council meeting of September 16, 1981, concerning your participation in the above District. The particulars are:

1. You are to dedicate the street right-of-way on Cluff Avenue
2. The City will pay for the installation of curb, gutter and sidewalk and water and sewer taps.
3. The District will install all the street paving on Cluff Avenue
4. The District will install the water and sewer mains.
5. Reimbursement agreements will be prepared so that if you obtain water and sewer service you will be charged for your share of these utilities
6. Your properties will not be included within the District boundaries and thus, not be assessed.

There is a question in the minds of some of the District proponents regarding item 3. They indicated their willingness to pay for paving Cluff Avenue for only those properties included in the Sanitary City Annexation. This would exclude the Reynolds and LaMale properties. However, the resolution of this item will be between the City and the District and will not affect you financially.

We understand you have right-of-way deeds that were furnished by the engineer for the District. We would appreciate receiving the signed deeds based on the items included in this letter. We will not record the deeds until the District is finally approved, hopefully at the next Council meeting on October 7, 1981.

Thank you for your cooperation. If you have any questions, please do not hesitate to call Jack Ronsko, Public Works Director, or me at your convenience.

Sincerely

Henry A. Glaves
City Manager

cc: Tim Hachman
Morton & Pitalo
HAG/eeh

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