

97111375

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

RECORDER
COUNTY CLERK
JAMES H. JOHNSTONE

97 NOV 10 AM 9:58

SAN JOAQUIN COUNTY

CITY SHOWN

FEES
Exempt fee

RESOLUTION NO. 97-183

A RESOLUTION OF THE LODI CITY COUNCIL
ACCEPTING THE SUBDIVISION IMPROVEMENTS
INCLUDED IN THE IMPROVEMENT AGREEMENT FOR
RIVER POINTE, TRACT NO. 2544, AND APPROVING THE
IMPROVEMENT AGREEMENT ADDENDUM

WHEREAS, under the terms of the Improvement Agreement approved by the City Council on June 5, 1996 for River Pointe, Tract No. 2544, the River Pointe subdivision includes improvements to Lot 46 to provide all-weather access to the public storm drain outfall at the Mokelumne River; and

WHEREAS, the design and construction of the improvements will be approved by the City Engineer and the improvements are to be constructed under the terms of an encroachment permit issued by the Public Works Department; and

WHEREAS, Lot 46 is a common area lot which is bounded by Lots 21 and 22, which will contain single-family residential units when developed, and the developer is desirous of installing improvements on Lot 46 which are coordinated with and complementary to the improvements on the adjacent residential lots; and

WHEREAS, since the adjacent lots are currently undeveloped, the Developer has requested that the subdivision improvements be accepted prior to the installation of the all-weather access improvements; and

WHEREAS, the developer has installed temporary access improvements consisting of compacted aggregate base to provide temporary access to the public storm drain outfall; and

WHEREAS, it is staff's opinion that the compacted aggregate base should be sufficient for a limited time; and

WHEREAS, staff recommends that Council approve the Addendum to the Improvement Agreement and allow acceptance of the public improvements for River Pointe, Tract No. 2544 on the condition that the construction of the required all-weather access improvements on Lot 46 commence no later than one year from the date of approval of the Improvement Agreement Addendum covering this work.

The City Council of the City of Lodi finds:

1. That the Addendum to the Improvement Agreement is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum on behalf of the City of Lodi; and

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- 2. That all requirements of the Improvement Agreement between the City of Lodi and Jim Thorpe Oil, Inc. and Ford Construction Company, Inc., for the improvements for River Pointe, Tract No. 2544, have been substantially complied with. The improvements are shown on Drawings Nos. 95D037 through 95D046, 95D057 and 96D008 on file in the Public Works Department; and
- 3. River Pointe Drive, River Pointe Circle and River Pointe Court are private streets and will be maintained by the development's homeowners association. The public street to be accepted by the City is as follows:

<u>Streets</u>	<u>Length in Miles</u>
Turner Road	0.00
Total New Miles of City Streets	0.00

Dated: November 5, 1997

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I hereby certify that Resolution No. 97-183 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 5, 1997 by the following vote:

- AYES: COUNCIL MEMBERS – Land, Mann, Sieglock and Pennino (Mayor)
- NOES: COUNCIL MEMBERS - None
- ABSENT: COUNCIL MEMBERS - None
- ABSTAIN: COUNCIL MEMBERS - Warner

Alice M. Reimche
 ALICE M. REIMCHE
 City Clerk