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RECORDER
COUNTY CLERK
JAMES H. JOHNSTONE

2

97 MAR -5 AM 8:00

SAN JOAQUIN COUNTY

City of Lodi

FEE _____
Exempt

RECEIVED

97 MAR 17 AM 9:31

RESOLUTION NO. 97-06
CITY CLERK
CITY OF LODI

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING THE IMPROVEMENT AGREEMENT ADDENDUM AND
ACCEPTING THE DEVELOPMENT IMPROVEMENTS INCLUDED
IN THE IMPROVEMENT AGREEMENT FOR LODI WEST,
UNIT NO. 2, TRACT NO. 2658

WHEREAS, under the terms of the Improvement Agreement dated July 22, 1994, for Lodi West, Unit No. 2, in addition to the standard items, the developer agreed to provide engineered plans and install an off-site public water main south and east of the Lodi West, Unit No. 2 development in the future alignments of Elderica Way and Paradise Drive to Lower Sacramento Road if projects which include this construction are not under construction or bonded prior to acceptance of Lodi West, Unit No. 2. This provision was necessary in order to provide adequate fire flows for the Unit No. 2 development; and

WHEREAS, the developer has requested that the public improvements for Lodi West, Unit No. 2 be accepted prior to the installation of the off-site water main and has signed an Addendum to the Improvement Agreement which sets forth the conditions under when the improvements can be accepted prior to installation of the water main; and

WHEREAS, among those conditions is a provision that no building permits for lots in the Lodi West, Unit No. 2 development shall be issued until the off-site water main is installed and accepted by the City to ensure adequate fire protection for structures within the development; and

WHEREAS, the developer has paid the necessary engineering plan check, inspection and document preparation fees associated with the off-site water main installation; and

WHEREAS, staff recommends that Council approve the Addendum to the Improvement Agreement and allow acceptance of the public improvements for Lodi West, Unit No. 2 prior to installation of the off-site water main.

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; and

2. That all requirements of the Improvement Agreement between the City of Lodi and Robert Batch, for the improvements for Lodi West, Unit No. 2, Tract No. 2658, have been substantially complied with. The improvements are shown on Drawings Nos. 94D030 through 94D033 on file in the Public Works Department, and as specifically set forth in the plans and specifications approved by the City Council on July 6, 1994.

3. The streets to be accepted are as follows:

<u>Streets</u>	<u>Length in Miles</u>
Douglas Fir Drive	0.12
Elderica Way	0.06
Knobcone Lane	0.02
Total New Miles of City Streets	0.20

Dated: January 15, 1997

I hereby certify that Resolution No. 97-06 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 15, 1997 by the following vote:

AYES: COUNCIL MEMBERS - Land, Mann, Sieglock, Warner
and Pennino (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk