

RESOLUTION NO. 95-155

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT DEED
AND HOLD HARMLESS AGREEMENT FOR THE SALE OF SURPLUS
CITY PROPERTY LOCATED AT 230½ EAST LODI AVENUE

RESOLVED, that the Lodi City Council does hereby authorize the City Manager to execute a Grant Deed and Hold Harmless Agreement for the sale of surplus property located at 230½ East Lodi Avenue known as Old Well No.1 as shown on Exhibit 1, 2, 3 and 4 attached hereto.

Dated: December 20, 1995

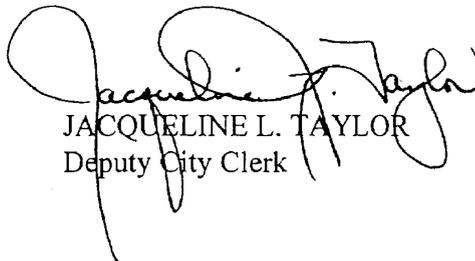
I hereby certify that Resolution No. 95-155 was passed and adopted by the City Council of the City of Lodi in a regular meeting held December 20, 1995 by the following vote:

AYES: Council Members - Davenport, Mann, Pennino, Sieglock and Warner (Mayor)

NOES: Council Members - None

ABSENT: Council Members - None

ABSTAIN: Council Members - None


JACQUELINE L. TAYLOR
Deputy City Clerk

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name John & J. B. Lippert
Street Address 230 E. Lodi Ave.
City & State Lodi, CA 95240
Zip

Title Order No. Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 355 Legal (2-94)

Grant Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ -0-

unincorporated area City of Lodi

Parcel No. APN 047-191-010

- computed on full value of interest or property conveyed, or
computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
CITY OF LODI, a municipal corporation

hereby GRANT(S) to

JOHN A. LIPPERT, a single man, as to an undivided 1/2 interest and
JEFFREY B. LIPPERT, a single man, as to an undivided 1/2 interest.

the following described real property in the City of Lodi
county of San Joaquin, state of California:

A portion of Lot 9, in Block One of Lodi Barnhart Tract, according to the
Official Map thereof, filed in Vol. 3 of Maps and Plats, Page 48, San Joaquin County
Records and being more particularly described as follows:

Beginning at the Southeast corner of said Lot 9 and running thence North along
the East line of said lot, 20 feet; thence West and parallel to the South line of
said lot, 20 feet; thence South and parallel with the East line of said Lot 20 feet
to the South line of said lot; thence East 20 feet along the South line of said
lot, to the point of beginning.

Dated

STATE OF CALIFORNIA } S.S.
COUNTY OF

On before me,

a Notary Public in and for said County and State, personally appeared

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

AFTER RECORDING, RETURN TO:

City of Lodi,
Community Development Department
P.O. Box 3006
Lodi, CA 95241-1910

CERTIFICATE OF LOT LINE ADJUSTMENT

Pursuant to Section 66412.d of the Government Code of the State of California and City of Lodi Subdivision Ordinance No. 1141, the City of Lodi Community Development Department hereby certifies that a Lot Merger was approved on _____ for the properties described in Exhibit "A" which is attached hereto and incorporated herein.

City of Lodi File No: _____

Parcel(s):	<u>047-191-09</u>	Property Owner(s):	<u>John A. Lippert and Jeffrey B. Lippert</u>
	<u>047-191-10</u>		<u>John A. Lippert and Jeffrey B. Lippert</u>
	_____		_____

This Certificate of Lot Line Adjustment is for notification purposes only and does not effect or accomplish the merger of lots as described in Exhibit "A". The Community Development Department does not guarantee that the properties described in Exhibit "A" match the above-referenced Lot Line Adjustment.

Executed by the City of Lodi Community Development Department on this _____ day of _____, 19_____.

James B. Schroeder, Director
Community Development Department
City of Lodi

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

Name John Lippert, et al.
Street Address 230 E. Lodi Ave.
City & State Lodi, CA 95240
Zip

Title Order No. _____ Escrow No. _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

T 355 Legal (2-94)

Grant Deed

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX IS \$ _____

_____ unincorporated area City of Lodi

Parcel No. _____

computed on full value of interest or property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JOHN A. LIPPERT, a single man, as to an undivided 1/2 interest and
JEFFREY B. LIPPERT, a single man, as to an undivided 1/2 interest.
hereby GRANT(S) to

JOHN A. LIPPERT, a single man, as to an undivided 1/2 interest and
JEFFREY B. LIPPERT, a single man, as to an undivided 1/2 interest.

the following described real property in the City of Lodi
county of San Joaquin, state of California:

LOT NINE IN BLOCK ONE OF LODI BARNHART TRACT, ACCORDING TO THE OFFICIAL MAP
THEREOF, FILED IN VOL. 3 OF MAPS AND PLATS, PAGE 48, SAN JOAQUIN COUNTY RECORDS.

Dated _____

STATE OF CALIFORNIA }
COUNTY OF _____ } S.S.

On _____ before me,

_____ a Notary Public in and for said County and State, personally appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature _____

(This area for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

After recording return to:
Mert's Alignment
230 E. Lodi Avenue
Lodi, CA 95240

HOLD HARMLESS AGREEMENT

FOR PURCHASE OF ABANDONED WELL SITE NO. 1

LOCATED AT 230 1/2 EAST LODI AVENUE

This agreement is entered into between the CITY OF LODI, a Municipal Corporation, and MERT'S ALIGNMENT for the purchase of certain real property located within the City of Lodi commonly known as abandoned Well Site No. 1 located at 230 1/2 East Lodi Avenue, Lodi, California.

The City of Lodi agrees to hold harmless and indemnify Mert's Alignment from liability for any remediation or cleaning of the soil upon the parcel described below in Paragraph A which may be required by order of the State of California or any court due to the presence of PCE, TCE or DBCP upon said parcel.

PARAGRAPH A:

A portion of lot 9, in Block One of Lodi Barnhart Tract, according to the Official Map thereof, filed in Volume 3 of Maps and Plats, Page 48, San Joaquin County Records and being more particularly described as follows:

Beginning at the Southeast corner of said Lot 9 and running thence North along the East line of said lot, 20 feet; thence West and parallel to the South line of said lot, 20 feet; thence South and parallel with the East line of said lot 20 feet to the South line of said lot; thence East 20 feet along the South line of said lot, to the point of beginning.

This agreement shall be recorded and run with the owner's property and shall be binding upon and inure to the benefit of the parties successors, heirs and assigns.

CITY OF LODI, a municipal
corporation

MERT'S ALIGNMENT

BY: John A. Lippert

DIXON FLYNN
City Manager

BY: Jeffrey B. Lippert

Dated: _____

Dated: _____

Attest:

Approved as to Form:

Jennifer M. Perrin
City Clerk

John M. Luebberke
Deputy City Attorney

State of California
County of San Joaquin

On _____ before me, _____, personally
appeared _____

_____, personally known to me - OR - proved to me on the basis of satisfactory
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

047-191-010

A portion of Lot 9, in Block One of Lodi Barnhart Tract, according to the Official Map thereof, filed in Vol. 3 of Maps and Plats, Page 48, San Joaquin County Records and being more particularly described as follows:

Beginning at the Southeast corner of said Lot 9 and running thence North along the East line of said lot, 20 feet; thence West and parallel to the South line of said lot, 20 feet; thence South and parallel with the East line of said Lot 20 feet to the South line of said lot; thence East 20 feet along the South line of said lot, to the point of beginning.

047-191-09

Lot Nine in Block One of Lodi Barnhart Tract, according to the Official Map thereof, filed in Vol. 3 of Maps and Plats, Page 48, San Joaquin County Records.

Save and except the following described parcel of land:

Beginning at the southeast corner of said Lot 9 and running thence North along the East line of said lot, 20 feet; thence West and parallel to the South line of said lot, 20 feet; thence South and parallel with the East line of said lot, 20 feet to the South line of said lot; thence East 20 feet along the South line of said lot, to the point of beginning.