

When Recorded, Return to:
City of Lodi
City Clerk's Office
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 99-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LODI FINDING THAT PUBLIC INTEREST AND NECESSITY
REQUIRE THE ACQUISITION FOR PUBLIC PARKING
PURPOSES PROPERTY OWNED BY FRANK N. HALL AND
FRANK C. HALL, COMMONLY REFERRED TO AS
ASSESSOR'S PARCEL NUMBER 043-026-11 (15 WEST ELM
STREET)

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BE IT RESOLVED by the City Council of the City of Lodi (hereinafter referred to as "City") as follows:

Section 1. The City finds and determines that public interest and necessity require the development of parking facilities by the City of Lodi, through the acquisition for such purpose the fee title interest in real property owed by Frank N. Hall and Frank C. Hall, commonly referred to as A.P.N. 043-026-11.

Section 2. Section 32802(b) of the California Streets and Highways Code authorizes the City to acquire the necessary real property interest for said parking facilities by eminent domain.

Section 3. An offer required by §7267.2 of the Government Code has been made to the owners of record of the real property sought to be taken by these eminent domain proceedings.

Section 4. The City finds and determines that the subject project has been planned and is to be located in the manner that will be most compatible with the greatest public good and the least private injury.

Section 5. The City finds and determines that the acquisition of the real property interest depicted in Exhibits "A" and "B" attached hereto, situate in the City of Lodi, County of San Joaquin, State of California, is necessary for the construction and maintenance of the aforesaid public improvement, and the taking of said real property interest is necessary therefor.

Section 6. The City hereby ratifies the categorical exemption prepared for this project.

Section 7. The City Attorney of the City of Lodi is hereby authorized, empowered, and directed to perform as follows:

- a. Commence an action or actions in eminent domain in the Superior Court of the State of California, County of San Joaquin, in the name of the City of Lodi to acquire necessary real property interests; and
- b. To incur in the name of the City of Lodi, and on behalf thereof, all obligations and expenses necessary to acquire the above-mentioned real property interests.

Section 8. The City Clerk of the City of Lodi is hereby directed to cause a certified copy of this Resolution to be recorded in the office of the San Joaquin County Clerk/Recorder.

Dated: March 3, 1999
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I hereby certify that Resolution No. 99-39 was introduced and read by the City Council of the City of Lodi in a regular meeting held March 3, 1999, and was duly adopted at said meeting by a four-fifths vote as follow:

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



KEITH LAND, Mayor
City of Lodi

Attest:


ALICE M. REIMCHE
for City Clerk

APPROVED AS TO FORM:

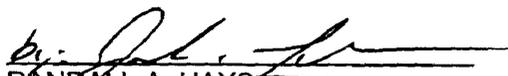

RANDALL A. HAYS
City Attorney

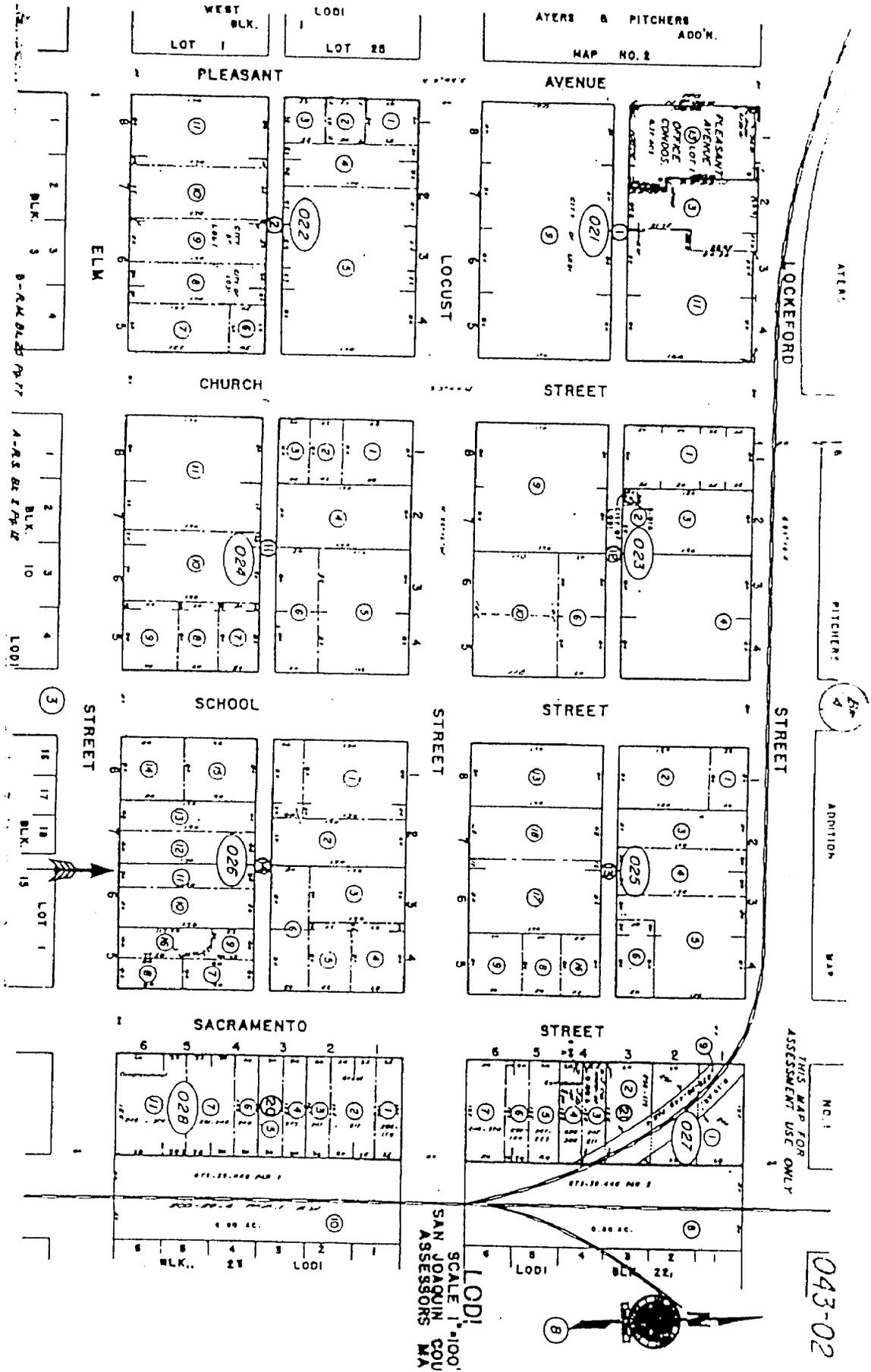
EXHIBIT A

ACQUISITION FOR PARKING FACILITIES

That real property situate in the City of Lodi, County of San Joaquin, State of California, more particularly described as follows:

The West 30 feet of Lot 6 in Block 14 of City of Lodi (formerly Mokelumne) according to the Official Map thereof filed for Record in Vol. 2 of Maps, Page 12, San Joaquin Records.

EXHIBIT B



IMPORTANT. This is not a Plat of Survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance hereon.

043-02