

RESOLUTION NO. 89-46

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE PURCHASE BY THE CITY OF LODI OF REAL PROPERTY
LOCATED ON THE SOUTH BANK OF THE MOKELUMNE RIVER

BE IT RESOLVED BY THE LODI CITY COUNCIL, that the City Manager and City Clerk are authorized to execute the necessary documents for the purchase by the City of Lodi of real property generally referred to as the "Scenic Overlook" site, and more particularly described as:

That certain real property situated in the State of California, County of San Joaquin, City of Lodi, described as follows:

PARCEL ONE:

A portion of the southeast quarter (SE 1/4) of Section Thirty-Six (36), Township Four (4) North, Range Six (6) East, Mount Diablo Base and Meridian, according to the Official Plat thereof, described as follows:

Beginning at the northwest corner of Lot Thirty-Five (35) of Mokelumne Village as filed for record September 26, 1978 in Volume 23, page 95, San Joaquin County Records; thence North 82 Degrees, 21 Minutes East, 101.32 feet to the Northeast corner of said Lot Thirty-Five (35); thence 12.75 feet along a nontangent curve, concave to the southwest said corner having a radius of 50.00 feet, and a long chord which bears North 34 degrees, 38 Minutes, 23 Seconds West; thence 136.97 feet along a reversing curve to the right, said curve having a radius of 50.00 feet, and a long chord which bears North 36 Degrees, 31 Minutes, 48 Seconds East; thence North 3 Degrees, 00 Minutes West to the point of intersection with the south bank of the Mokelumne River; thence northerly and westerly along said south bank to the point of intersection with the Southern Pacific Company right of way; thence South 3 Degrees, 00 Minutes East along said right of way to a point which bears South 82 Degrees, 21 Minutes West from the northwest corner of the above described Lot Thirty-Five (35); thence North 82 Degrees, 21 Minutes East, 27.43 feet to the point of beginning.

PARCEL TWO:

A portion of the southeast quarter (SE 1/4) of Section Thirty-Six (36), Township Four (4) North, Range Six (6) East, Mount Diablo Base and Meridian, according to the Official Plat thereof, more particularly described as follows:

Beginning at the Southeast corner of the City of Lodi property as described in Book "A" of Deeds, Volume 266, at Page 3, San Joaquin County Records; thence South 82 Degrees, 21 Minutes West, 55.88 feet to a point on a curve, said point also being the Northeast corner of Lot Thirty-Five (35) of Mokelumne Village, as filed in Book 23 of Maps and Plat, at Page 95, San Joaquin County Records; thence continuing northwesterly along said curve, having a radius of 50 feet, a central angle of 14 degrees, 36 Minutes, 50 Seconds, and an arc length of 12.75 feet to a point of reverse curvature; thence along a curve to the right having a radius of 50 feet, a central angle of 156 Degrees, 57 Minutes, 12 Seconds and arc length of 136.95 feet to the East line of said City of Lodi property above described; thence South 3 Degrees, 00 Minutes East, 81.87 feet to the point of beginning.

Excepting from Parcels One (1) and Two (2) above, all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe as reserved in the Grant by the United States of America to Central Pacific Railroad Company by an Act of Congress approved July 1, 1862, and as reserved in that certain document recorded December 21, 1978 in Book 4490, Page 76, San Joaquin County Records, lying within the 400 foot wide Congressional Railroad Right of Way.

PARCEL THREE:

A portion of the Southeast Quarter (SE 1/4) of Section Thirty-Six (36), Township Four (4) North, Range Six (6) East, Mount Diablo Base and Meridian and a portion of Tract No. 1444, Mokelumne Village, filed for record September 26, 1978 in Book 23 of Maps and Plats, Page 95, being more particularly described as follows:

Parcel K of Parcel Map filed for record June 13, 1984 in Book 12 of Parcel Maps, at Page 179, San Joaquin County Records.

Except therefrom all oil, oil rights, mineral rights, natural gas rights and other hydrocarbons by whatsoever name known, together with all geothermal steam and steam power, etc., together with the right of storing in, or removing the same from said land, as described in deed to Eastwood Minerals and Energy Company, a California Corporation, recorded July 22, 1974, in Book 3894, Page 233, San Joaquin County Records.

NOTE: Eastwood Minerals and Energy Company, a California Corporation quitclaimed their right to drill, mine, store, explore and operate through or on, and utilize, all or any portion of the surface of the upper 500 feet of the subsurface of the herein described land by deed recorded May 19, 1978 in Book 4400, Page 174, San Joaquin County Records.

for the total purchase price of \$395,785.23, including escrow fees and charges, as of Friday April 21, 1989, the anticipated closing date.

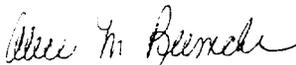
Dated: April 19, 1989

I hereby certify that Resolution No. 89-46 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 19, 1989 by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid, Pinkerton and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None


Alice M. Reimche
City Clerk