

RESOLUTION NO. 3740

AUTHORIZING AND DIRECTING CONDEMNATION OF
REAL PROPERTY FOR PARK AND RECREATION PURPOSES

BE IT RESOLVED by the Council of the CITY OF LODI as follows:

The Council of the CITY OF LODI finds, determines, and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition of the hereinafter described real property for the expansion of the existing Lodi Lake Park recreational area to be used for public park purposes, a use authorized by law.

(2) That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said CITY OF LODI as hereinabove set forth.

(3) That the CITY OF LODI acquire the hereinafter-described real property for public park purposes by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the CITY OF LODI any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to commence immediately proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for public park purposes.

(4) To acquire in the name of the CITY OF LODI, fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) The real property, or interest in real property which the CITY OF LODI is by this Resolution authorized to

acquire for said public improvement is situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

All that portion of Section 35, Township 4 North, Range 6 East, Mount Diablo Base and Meridian, lying South of the Mokelumne River and included between a line beginning on the Township line common to Townships 3 and 4, at a point, distant 694.85 feet, North 89° 54' East, (as measured along the Township line) from an iron pipe at the 1/4 section corner in the South line of Section 35; and running thence North 0° 04' West, to the South bank of the Mokelumne River and a line beginning on said Township line, 1177.8 feet, North 89° 54' East, (measured along said Township line) from said 1/4 corner; and running thence due North to the South Bank of the Mokelumne River.

EXCEPT all that portion of said land lying Southerly of the Northerly line of the land described in the Deed to T. T. & C. DEVELOPMENT, recorded July 24, 1963, in Vol. 2713 of Official Records, page 470, San Joaquin County Records.

ALSO EXCEPT from the above-described land the following described parcel of land:

A portion of the South 1/2 of Section 35, Township 4 North, Range 6 East, Mount Diablo Base and Meridian, City of Lodi, San Joaquin County, California, and being more particularly described as follows:

Beginning at the Northwest corner of Lot 172 of that certain Subdivision known as LAKEWOOD, UNIT NO. 3, filed for record in Book of Maps and Plats, Vol. 17, page 78, San Joaquin County Records; thence along the South line of a City of Lodi Easement for levee maintenance, recorded April 10, 1957, in Book 2010, page 25, San Joaquin County Records, the following courses: Along a curve to the left, having a radius of 330 feet, a central angle of 7° 37', an arc length of 43.87 feet, a long chord which bears North 16° 11' 10" East; thence North 12° 30' 16" East, 391.57; thence along a curve to the right, having a radius of 50 feet, a central angle of 83° 32' 54", an arc length of 72.91 feet, and a long chord which bears North 54° 16' 43" East; thence South 83° 56' 50" East, 129.44 feet; thence South 61° 44' 30" East, 211.56 feet; thence North 89° 14' 30" East, 174.99 feet; thence South 82° 20' 30" East, 95.84 feet; thence South 66° 12' 30" East, 172.16 feet; thence leaving said easement line, run North 0° 06' West, 150.03 feet to the

South bank of the Mokelumne River; thence run up-stream along the South bank of said River, South 59° 54' 22" East, 49.79 feet; thence South 78° 02' 18" East, 138.62 feet to a point, said point being on line with the Northerly extension of the West line of that certain Subdivision known as WILLOW GLEN, UNIT NO. 1, filed for record in Book of Maps and Plats, Vol. 14, page 81, San Joaquin County Records, said point also being 2227.00 feet North of the South line of the Southeast 1/4 of Section 35, Township 4 North, Range 6 East; thence due South along the Northerly extension of the West line of WILLOW GLEN, UNIT NO. 1, and the West line of WILLOW GLEN, UNIT NO. 1, a distance of 303.42 feet to a point in the center line of that certain street known as Edgewood Drive; thence along the North line of LAKEWOOD UNIT NO. 1, filed for record in Book of Maps and Plats, Vol. 17, page 38, and LAKEWOOD UNIT NO. 2, filed for record in Book of Maps and Plats, Vol. 17, page 55, and LAKEWOOD UNIT NO. 3, filed for record in Book of Maps and Plats, Vol. 17, page 78, San Joaquin County Records, the following courses: North 70° 30' West, 124.24 feet; thence South 56° 04' West, 183.69 feet; thence South 89° 54' West, 802.55 feet to the Northwest corner of Lot 172 of LAKEWOOD, UNIT NO. 3 and the point of beginning.

DATED: March 7, 1973.

I hereby certify that the foregoing Resolution was passed and adopted by the City Council of the CITY OF LODI in regular meeting held March 7, 1973, by the following vote:

AYES: HUGHES, KATNICH, PINKERTON, and SCHAFFER

NOES: NONE

ABSENT: EHRHARDT


BESSIE BENNETT
CITY CLERK