

RESOLUTION OF INTENTION NO. 3882
IN THE MATTER OF THE CONSTRUCTION OF SANITARY
SEWER, MANHOLES, AND HOUSE LATERALS IN THE
PEACH STREET SANITARY SEWER ASSESSMENT
DISTRICT IN THE CITY OF LODI.

RESOLVED by the City Council of the City of Lodi that the written petition presented and filed in the above matter contains the signatures of the owners of more than 60% of the front footage of the property subject to assessment for proposed improvements, and that said petition contains a waiver of the investigation proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

RESOLVED FURTHER, by the City Council of the City of Lodi that it is the intention of the said City Council to order the following work to be done and improvements to be made in the City of Lodi, County of San Joaquin, State of California, to wit:

Construction and installation of sanitary sewers, manholes, and house laterals for the purpose of providing sanitary sewer service within the City of Lodi on Peach Street and Cochran Road.

All of the above mentioned work is more particularly and specifically set forth and described in the plans and specifications for said work heretofore adopted by the City Council of the City of Lodi by its Resolution No. 3881 , which plans and specifications are hereby referred to for all particulars in connection therewith. The public streets and rights of way hereinabove referred to are shown and delineated in detail and specifically located on the plans hereinabove referred to, and reference is hereby specifically made to said plans, and notice is hereby given to all parties that specific locations thereof are contained in said plans; and

BE IT FURTHER RESOLVED that sanitary sewers, manholes, and house laterals be constructed in said streets and avenues hereinabove described, of the dimensions, materials, and in the particular locations set forth and shown on the plans and specifications and detailed drawings hereinabove and hereafter referred to; together with the construction of all appurtenances thereto, including pipe fittings, trenchings, grading and regrading, excavation and fill, removal of obstructions, connection to existing system, back filling, reconstruction of existing street and ground surface as required to

conditions existing prior to commencement of construction, all in the manner, of the materials and to the dimensions and to the grades, and in the particular locations as the same are more fully shown on the plans and specifications and detailed drawings herein above and hereafter referred to;

All of said work and improvements shall be done in accordance with the plans and specifications heretofore adopted by the City Council of the City of Lodi by Resolution No. 3881 on February 20, 1974 for the doing of said work and improvement, and which are now on file in the office of the City Clerk of the City of Lodi. Said plans and specifications, and detailed drawings and diagrams accompanying the same are hereby expressly referred to for full and detailed description and location of said proposed work and improvements, the public streets and rights of way involved, and the grades of the public streets and rights of way involved.

All of said work shall include any and all streets intersections, terminations and opposite terminations occurring within the limitations of said work;

The attention of all persons is directed to the fact that all of said classes of work above described may not be constructed upon all of the streets and/or public ways above described in their entirety, but only upon the particular locations as shown on the plans and specifications, to which the attention of all persons is directed for a description of the work, location of the several classes of work, a description of the classes of work to be done upon each of the several public streets or rights of way named, a description of the streets and rights of way, and for all other information contained in the said plans and specifications pertinent to the doing and completion of the work and improvements herein proposed; and

WHEREAS, said contemplated work and improvements, in the opinion of this City Council, is of more than local or ordinary benefit, said City Council hereby makes the expenses and costs of said work and improvements chargeable upon a district, which said district said City Council hereby declares the district benefited by the work and improvements herein described; said district shall include that territory in the City of Lodi, County of San Joaquin, State of California, which is shown on that certain plat or map on file in the office of the City Clerk of the City of Lodi, and which is entitled and described, "Proposed Boundary of Peach Street Sanitary Sewer Assessment District, City of Lodi, County of San Joaquin, State of California", and which said map or plat indicates, by a boundary line, the

extent of the territory included in the proposed district and covers all details as to the extent of the area to be assessed; said map or plat is, by this reference incorporated herein and made a part hereof;

Excepting from the area shown and delineated on said map or plat, hereinabove referred to, the area of all public streets, avenues, easements, and rights of way therein contained belonging to the public.

RESOLVED FURTHER, pursuant to Section 5260 of the Streets and Highways Code, that the City Council of the City of Lodi finds that the public interest will not be served by allowing the property owners affected by the proceedings to take the contract to be awarded pursuant to the proceedings to be had hereunder.

Notice is hereby given that on Wednesday, March 20, 1974 at the hour of 8:00 o'clock p.m. of said day, at the meeting place of the City Council of the City of Lodi, County of San Joaquin, State of California, any and all persons having any objection to the proposed work or improvements or any objections to the grades to which said work is proposed to be done or to the boundaries of the district proposed to be assessed to pay the cost and expenses of said work, may appear before said City Council of the City of Lodi and show cause why said improvements should not be carried out in accordance with this Resolution of Intention, any may present written protest, not later than the hour hereinabove set for hearing, against the doing of said work, the grades to which said work is to be done, or the extent of the territory to be assessed to pay the cost and expenses thereof;

The City Clerk of the City of Lodi shall cause this Resolution of Intention to be published twice in the "Lodi News-Sentinel," a daily newspaper of general circulation published and circulated in the City of Lodi, which said newspaper has heretofore been designated by said City Council as the newspaper in which shall be printed and published all notices, resolutions, orders and other matters required to be published in the proceedings taken pursuant to this Resolution and under the provisions of the said "Improvement Act of 1911" and amendments thereto; the first publication of said notice shall be not less than ten (10) days prior to the date herein fixed for hearing on this Resolution of Intention;

The Superintendent of Streets shall cause to be conspicuously posted along the line of said contemplated work and improvement, and on all the open streets within the assessment district, notice of the passage of this Resolution of Intention in the time, form and manner required by law.

The City Clerk of the City of Lodi is hereby directed to mail notices of the adoption of this Resolution of Intention postage prepaid, to all persons owning real property proposed to be assessed, whose names and addresses appear on the last equalized assessment roll for County Taxes, or as known to said City Clerk, said mailing to be at least fifteen (15) days prior to the day herein fixed for the hearing on this Resolution of Intention, all in the time, form and manner prescribed in said "Improvement Act of 1911" as amended.

This Council elects that the doing of said improvement shall be in accordance with the provisions of Section 5135 of the Streets and Highways Code, in so far as the provisions of said section may affect the financing of said improvement; that the City Council will purchase, out of the general funds of the City of Lodi, an assignment of the warranty, assessment, and diagram upon delivery thereof to the contractor, pursuant to Section 5374 of the Streets and Highways Code, and at the total amount of the several assessments, upon the assessment and diagram attached to the warrant; and the City Clerk is hereby instructed that the Notice Calling for Bids for doing the work shall so state, and that such bids may be on that basis.

Dated: February 20, 1974

This is to certify that Resolution No. 3882 was duly and regularly adopted by the City Council of the City of Lodi in regular meeting held February 20, 1974 by the following vote:

Ayes: Councilmen - Ehrhardt, Katnich, Schaffer, and Hughes

Noes: Councilmen - None

Absent: Councilmen - Pinkerton

Alice M. Reimche
Alice M. Reimche
City Clerk