

RESOLUTION NO. 4068

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
THE RIGHT-OF-WAY CERTIFICATE FOR LODI AVENUE
STREET IMPROVEMENTS (CABRILLO CIRCLE TO WOOD
DRIVE)

WHEREAS, a Right-of-way Certification is required for all Federal Aid Urban projects; and

WHEREAS, the City of Lodi agrees to hold the State of California harmless for any liability which may result in the event the right of way is not clear as certified; and

WHEREAS, if the State is named in a damage suit, as a result of the right of way not being clear as certified, the City of Lodi agrees that, at the request of the State, it will assume full responsibility for the conduct of the defense or provide such assistance as the State may require in connection with the defense.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Lodi is authorized to execute the Right-of-way Certificate dated May 30, 1975.

Dated: June 4, 1975

I hereby certify that Resolution No. 4068 was duly and regularly adopted by the City Council of the City of Lodi at a regular meeting of said Council held June 4, 1975 by the following vote:

Ayes: Councilmen - **EHRHARDT**, HUGHES, KATNICH, PINKERTON,
and SCHAFFER

Noes: Councilmen - None

Absent: Councilmen - None



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The City of Lodi hereby certifies in connection with the right of way for project "LODI AVENUE STREET IMPROVEMENTS, Cabrillo Circle to Wood Drive," that:

All required right of way for construction of this project has now been acquired, covered by right-of-way contract, right of entry or order of possession, as set forth in detail below:

1. STATUS OF RIGHT-OF-WAY ACQUISITION

- a. Total number of parcels required. (none)
- b. Parcels acquired outright. (none)
- c. Parcels covered by right-of-way contract. (none)
- d. Parcels covered by right of entry or order for immediate possession. (none)
- e. Parcels covered only by condemnation resolution. (none)

2. STATUS OF AFFECTED RAILROAD FACILITIES (none)

3. DESIGNATED MATERIAL SITES (none)

4. DESIGNATED DISPOSAL AREAS (none)

5. STATUS OF UTILITY RELOCATIONS

Pacific Telephone and Telegraph Company and Pacific Gas and Electric Company will be lowering their conduits for the length of the project prior to construction. One P. G. & E power pole and one City of Lodi power pole will be relocated prior to or during construction.

6. SCHEDULE FOR REMOVAL OF OBSTRUCTIONS (none)

7. UNAUTHORIZED ENCROACHMENTS (none)

a. COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS REGARDING THE ACQUISITION OF REAL PROPERTY

The acquisition of right of way was not required.

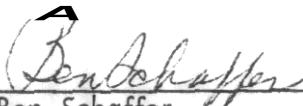
9. COMPLIANCE WITH RELOCATION ADVISORY ASSISTANCE AND PAYMENTS PROVISIONS OF FEDERAL AND STATE LAW

Compliance with the provisions of PPM 81-1 was not required for this project.

The City of Lodi agrees to hold the State of California harmless for any liability which may result in the event the right of way is not clear as certified. If the

State is named in a damage suit, **as a** result of the right of way not being clear as certified, the City of Lodi **agrees** that, at the request of the State, it **will** assume full responsibility for the conduct of the defense or provide such assistance **as** the State **may** require in connection with the defense.

CITY OF LODI

By:  _____
Ben Schaffer
Mayor