

RESOLUTION NO. 2953

AUTHORIZING AND DIRECTING CONDEMNATION OF
REAL PROPERTY FOR SANITARY SEWAGE DISPOSAL AREA

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, construction, and completion in the County of San Joaquin, State of California, of a public improvement, to-wit: land necessary for the maintenance, use, and operation of sanitary sewage disposal facilities.
- 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 a sanitary sewage disposal site by donation, purchase, or 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~~ Mdi any and all actions or proceedings required to acquire the necessary land and/or to fix the Compensation to be paid for property damages 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 immediately commence 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 a sanitary sewage disposal site.

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 Government Code, Health and Safety Code, Code of Civil Procedure, and the Constitution of the state of California relating to eminent domain.

5) To make application to said Court for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate possession and use of said real property or interest in real property or existing improvements as a sanitary sewage disposal site: to make deposit of such security or monies in such amount so fixed and determined and in such manner as said court in which such condemnation proceedings are pending may direct.

6) 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 County of San Joaquin, State of California, and is particularly described as follows:

PARCEL ONE:

(a) A portion of the Southeast 1/4 of Section twenty-three (23) and the South 1/2 of Section twenty-four (24) Township three (3) North, Range five (5) East, Mount Diablo Base and Meridian, and more particularly described as follows:

BEGINNING at the Northwest corner of the East 1/2 of the Southeast 1/4 of said Section 23: thence North 89° 58' East along the North line of the Southeast 1/4 of said Section 23 and the North line of the Southwest 1/4 of said Section twenty-four (24) a distance of 34.68.2 feet, more or less to the West line of the Moseley Road, as described in Deed to the County of San Joaquin, recorded February 21, 1947, in Vol. 962 of Official Records, page 331: thence South 49° 48' East along the Southwesterly line of said Moseley Road a distance of 62.0 feet: thence South 89° 58' West parallel to, and 40 feet South from the North lines of said Southwest 1/4 of Section twenty-four (24)

and the East 1/2 of the Southeast 1/4 of said Section 23, to a point in the West line of said East 1/2 of the Southeast 1/4 of said Section 23, being 40 feet South from the Northwest corner thereof; thence North along said West line, a distance of 40 feet to the point of beginning.

(b) A portion of the South 1/2 of Section twenty-four (24) Township three (3) North, Range five (5) East, Mount Diablo Base and Meridian, Commencing at the point of intersection of the North line of the South 1/2 of said Section 24 with the Southwesterly line of Moseley Road as described in Deed to County of San Joaquin, recorded February 21, 1947, in Vol. 962 of Official Records, page 331, San Joaquin County Records: thence Southeasterly along the Southwesterly line of said Moseley Road, a distance of 62.0 feet; thence South 89° 58' West parallel to, and 40 feet South from the North line of said South 1/2 of Section 24, a distance of 46.5 feet to the point of beginning of the tract herein described; thence South 49° 48' East parallel to, and 30 feet distant from the Southwesterly line of said Moseley Road, a distance of 130.0 feet; thence South 89° 58' West, parallel to the North line of said South 1/2 of Section 24 a distance of 130.0 feet, thence North 49° 48' West, parallel to the Southwesterly line of said Road, a distance of 130.0 feet to a point 40 feet South from the North line of said South 1/2 of said Section; thence North 89° 58' East, parallel to and 40 feet South from said North line of the South 1/2 of Section 14 a distance of 130.0 feet to the point of beginning, containing 0.25 acre, more or less.

PARCEL TWO:

Beginning at an iron rod at the Southwest corner of the East 1/2 of the Southeast 1/4 of Section twenty-three (23) Township three (3) North, Range Five (5) East, Mount Diablo Base and Meridian, said rod being at the Southwest property corner of that certain tract of land acquired by the City of Lodi from George Emde, et al, by deed filed June 19, 1944, in Vol. 881 of Official Records, page 161, San Joaquin County Records, and as indicated on Map of survey filed April 28, 1947, in vol. 7 of Record of Surveys, page 9, San Joaquin County Records: thence North 0° 03' West along the West line of said City of Lodi parcel, 2637.25 feet to an iron rod at the Northwest corner of said East half; thence South 89° 58' West along the North line of said Southeast 1/4 and its westerly projection, 1607.3 feet to a point: thence North 0° 34' West along a fence line, 1277.0 feet to a point on the North line of property acquired by George W. Emde, et al, from Lulu F. Bunds by Deed filed June 19, 1944, in Vol. 887 of Official Records, page 19, San Joaquin County Records: thence South 89° 54½' West along said North line, 1017.0 feet to a point: thence South 89° 59' West along said North line, 2476.4 feet to the Northwest corner of said property acquired by George W. Emde, et al, being on the Easterly line of 30 foot ditch being also on the Easterly line

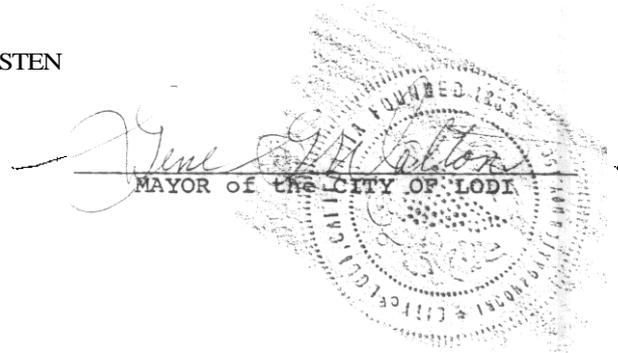
of the land known as Crawford Ranch: thence following said Easterly line being also the Westerly line of said property acquired by George W. Emde, et al, on the following courses and distances: South 27° 04' East 1762.0 feet: South 61° 01' East 600.0 feet: South 55° 11' East, 1200.0 feet: South 55° 59' East, 600.0 feet: South 42° 07' East 300.0 feet: South 2° 09' East, 806.1 feet, to the South line of said Section 23: thence South 89° 55' East along said South line, 2068.4 feet to the point of beginning, containing 271.02 acres, more or less.

PASSED AND ADOPTED by the Council of Lodi at a regular meeting thereof held on the 15th day of June, 1966, by the following vote:

AYES: Councilmen BROWN, CULBERTSON,
HUNNELL, and WALTON

NOES: None

ABSENT: KIRSTEN



ATTEST:

Beatrice Gaubaldi
CLERK of the CITY OF LODI

I hereby certify that Resolution No. 2953 was passed and adopted by the City Council of the City of Lodi in regular meeting held Wednesday, June 15, 1966.

Beatrice Gaubaldi
City Clerk of the City of Lodi

