

RESOLUTION NO. 2442

AUTHORIZING AND DIRECTING CONDEMNATION OF REAL  
PROPERTY FOR PUBLIC STREET PURPOSES

BE IT RESOLVED by the Council of the City of Lodi as follows:

That 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 by the City of Lodi of a public improvement, to-wit: the widening of West Lockeford Street between California Street and Pleasant Avenue within the City of Lodi.

(2) That the proposed improvement is a public Use and is planned and located in a manner most compatible with the greatest public good and the least private injury and that said Use is authorized by law.

(3) That the City of Lodi acquire the hereinafter-described real property for street 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 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 the widening of West Lockeford Street described in Paragraph (1) of this Resolution.

(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) 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 right of way for public use; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which such condemnation proceedings are pending may direct. The real property, or interest in real property, which the City of Lodi is by this Resolution authorized to acquire for said public improvement are situate in the City of Lodi, County of San Joaquin, State of California, and are described as follows:

PARCEL ONE

A portion of the Northwest 1/4 of Section 1,  
T3N, R6E, M.D.B. & M.

Beginning at a point on the North line of Lockeford Street, 326 feet East of the Northeast corner of Lockeford Street and Hutchins Street, as said corner is delineated on Map of Kundert Subdivision, filed for record April 22, 1947, in Vol. 11 of Maps and Plats, page 139, San Joaquin County Records; thence Southerly to the point of intersection of the centerline of Lockeford Street with the Southerly extension of the West line of the property of Adrian V. Carleton as per deed dated June 3, 1959, and recorded July 9, 1959, in Book of Official Records, Vol. 2196, page 525, San Joaquin County Records; thence Easterly along the centerline of said Lockeford Street, to a point on the Southerly extension of the East line of said Carleton property; thence Northerly to a point on the East line of said Carleton property, said point being 35.5 feet from, as measured perpendicular to, the centerline of said Lockeford Street; thence Westerly 35.5 feet from, and parallel to said centerline, to a point on the West line of said Carleton property; thence Southerly along said West line to the Southwest corner of said Carleton property, said point being the point of beginning.

Except that portion in Lockeford Street.

#### PARCEL TWO

A portion of the Northwest Quarter of Section 1, T3N, R6E, MDB&M.

Beginning at the intersection of the Southerly line of the Southern Pacific Railroad right of way, with the North line of Lockeford Street, and running thence Southerly, perpendicular to the North line of Lockeford Street, to the centerline of Lockeford Street; thence Westerly along the centerline of Lockeford Street to a point on the Southerly extension of the West line of the property of Thomas Jerome Carleton, by deed dated February 3, 1955, and recorded February 10, 1955, in Book of Official Records, Vol. 1716, page 310, Instrument No. 6054, San Joaquin County Records; thence Northerly to a point on the West line of said Carleton property, said point being 35.5 feet from, as measured perpendicular to, the centerline of Lockeford Street; thence Easterly 35.5 feet from, and parallel to, said centerline to a point on the Southerly line of the Southerly Pacific Railroad right of way; thence Easterly along said Southerly line to the point of beginning.

Except that portion in Lockeford Street.

ALSO EXCEPT that portion described in deed to Stanley D. Kirst and Cleo B. Kirst, his wife, recorded March 10, 1961, in Book of Official Records, Vol. 2392, page 571, San Joaquin County Records.

#### PARCEL THREE

A portion of the Northwest Quarter of Section 1, T3N, R6E, MDB&M, described as follows:

Beginning at the intersection of the Southerly line of the Southern Pacific Railroad right of way with the North line of Lockeford Street, said point being also the most Easterly point of that parcel of land described in deed to Stanley D. Kirst and Cleo B. Kirst, his wife, recorded March 10, 1961, in Book of Official Records, Vol. 2392, page 571, San Joaquin County Records; thence Southerly, perpendicular to the North line of Lockeford Street to the centerline of Lockeford Street, thence Westerly along the centerline of Lockeford Street to a point on the Southerly extension of the West line of said Kirst property; thence Northerly to a point on the West line of said Kirst property, said point being 35.5 feet from, as measured perpendicular to, the centerline of Lockeford Street; thence Easterly 35.5 feet from, and parallel to, said centerline to a point on the Southerly line of the Southern Pacific Railroad Right of way; thence Easterly along said Southerly line to the point of beginning.

Except that portion in Lockeford Street.

Dated: May 3, 1961.

I hereby certify that Resolution No. 2442 was passed and adopted by the City Council of the City of Lodi in regular meeting held May 3, 1961, by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL,  
ULLMA" and CULBERISON

NOES: Councilmen - None

ABSENT: Councilmen - None

*J. C. ...*  
City Clerk

