

RESOLUTION NO. 1567.

A RESOLUTION AUTHORIZING THE CONDEMNATION AND ACQUISITION BY EMINENT DOMAIN OF A RIGHT OF WAY AND EASEMENT FOR STREET PURPOSES.

BE IT RESOLVED, by the City Council of the City of Lodi, a Municipal Corporation of the Sixth Class, of the County of San Joaquin, State of California, that said City Council, and said City of Lodi, hereby finds and determines and declares as follows:

That the public interest and necessity require the acquisition, construction and completion, by the said City of Lodi, of a public improvement, namely, a right of way for street purposes in, over, and across the strip of land hereinafter described. The public interest and necessity require the acquisition for said public improvement of the real property, or interests in real property, hereinafter described.

Said proposed rights of way and easements therefor, are located in a manner which will be most compatible with the greatest public good and the least private injury;

AND BE IT FURTHER RESOLVED, By this City Council that said City of Lodi is hereby authorized and empowered as follows:

To acquire, in the name of said City of Lodi, the hereinafter described real property, or interests in real property, by condemnation in accordance with the provisions of the Code of Civil Procedure and of the constitution of the State of California relating to eminent domain;

To prepare and prosecute, in the name of the said City of Lodi, such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition;

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 interests in real property, for a right of way and easement for said street purposes;

To make deposit of such security out of proper funds under control of said City, in such amount or amounts so fixed, or to be fixed, and determined, and in such manner as said court in which such condemnation proceedings are, or may hereafter be pending may direct; and the City Clerk of said City is hereby authorized and directed to draw, upon the Treasurer of said City, such warrant or warrants as may be necessary for such purpose, or purposes, and to issue such warrant or warrants, and the said Treasurer is hereby authorized and directed to cash the said warrant or warrants out of any funds belonging to said City.

The real property, or interests in real property, which the said City of Lodi is, by this Resolution, authorized to acquire for said public use is situated in the City of Lodi, County of San Joaquin, State of California, and described as follows:

A Right of Way and Easement in, over, upon, under, and across a strip of land (for the hereinafter mentioned purposes) situated in said City of Lodi, County of San Joaquin, State of California, which strip of land is described as follows:

Beginning at a point on the East line and 6.5 feet Southerly from the Northeast corner of Lot Six, Block Four, Subdivision of Lot No. 2 of Burr's Addition to Lodi, filed March 31, 1888; thence Southwesterly 112.7 feet to a point on the West line and 13.3 feet Southerly from the Northwest corner of Lot 5, Block 4 of said Subdivision; thence Southerly 51.9 feet along the West line of Block 4 to a point 15.2 feet Southerly from the Northwest corner of Lot 3, Block 4 of said Subdivision; thence Northeasterly 112.7 feet to a point on the East line and 16.5 feet Northerly from the Southeast corner of Lot 4, Block 4 of said Subdivision; thence Northerly 51.9 feet along the East line of Lots 4, 5, and 6, of Block 4 of said Subdivision, to the point of beginning.

Said Right of Way and Easement are for the purposes following, and the said City of Lodi is hereby authorized and directed to acquire the said Right of Way and Easement for the following purposes, to-wit:

To dig and construct ditches, pile earth on the surface of the land, lay and construct sewer pipes, and one or more pipelines, fill and backfill the ditches, repair and maintain, and construct, reconstruct and replace, service and operate said pipelines, and to conduct sewage and other liquids through the same, and to install, repair, service and maintain and replace manholes in connection with any and all of such pipeline or lines and to open up, pave, surface and maintain a street in, over and across said strip of land, together with the right to enter in and upon the lands immediately adjacent to the herein described land as may be necessary for the construction, repair or replacing of said pipelines, manholes, and street.

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The foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Lodi, San Joaquin County, California, at a regular meeting thereof duly and regularly held on the 18th day of October, 1950, commencing at eight o'clock in the afternoon of said day by a unanimous vote of the said City Council; and the said Resolution has not been amended or revoked and is now in and of full force, operation and effect.

Dated: October 18th 1950.



J. J. Beamey
City Clerk of the City of Lodi.