Resolution No. 04-0820

STOCKTON CITY COUNCIL

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF STOCKTON TO VACATE TWO PUBLIC RIGHTS-OF-WAY BEING PORTIONS OF FYFFE AVENUE AND DAGGETT ROAD, RESERVING A PUBLIC UTILITY EASEMENT AND AN INGRESS-EGRESS EASEMENT, MORE PARTICULARLY DESCRIBED HEREINAFTER, WITH ACTIONS RELATED THERETO; AND FIXING A DATE, TIME AND PLACE FOR A PUBLIC HEARING WHEN AND WHERE ALL PERSONS INTERESTED IN OR OBJECTING TO THE PROPOSED VACATION MAY BE HEARD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That this City Council does hereby give notice of its intention to proceed under the provisions of Sections 8300 et seq., of the Streets and Highways Code of the State of California, known as the Public Streets, Highways and Service Easements Vacation Law, to VACATE TWO PUBLIC RIGHTS-OF-WAY BEING PORTIONS OF FYFFE AVENUE AND DAGGETT ROAD, RESERVING A PUBLIC UTILITY EASEMENT AND AN INGRESS-EGRESS EASEMENT, more particularly described in Exhibits A and B, attached and incorporated by this reference, with actions related thereto. Fee title to the property is vested in the PORT OF STOCKTON.

2. That it is determined by this City Council that the public convenience and necessity require the reservation and exception of the certain easement(s), hereinafter more particularly described and that said proceedings vacating said described area, are taken subject to such reservation(s) and exception(s), if any.

3. That Tuesday, the 11th day of January 2005, at the hour of 5:30 p.m., or as soon thereafter as the matter can be heard, in the Council Chambers, City Hall, located at 425 North El Dorado Street, in the City of Stockton, are hereby fixed as the date, time, and place set for public hearing, when and where all persons interested in or objecting to the proposed vacation of TWO PUBLIC RIGHTS-OF-WAY BEING PORTIONS OF FYFFE AVENUE AND DAGGETT ROAD, RESERVING A PUBLIC UTILITY EASEMENT AND AN INGRESS AND EGRESS EASEMENT, in the City of Stockton, California, may appear and be heard and show cause, if any, why said abandonment area hereinbefore more particularly described, should not be vacated.

4. No less than three (3) notices of the proposed vacation shall be posted in conspicuous places along said TWO PUBLIC RIGHTS-OF-WAY BEING PORTIONS OF FYFFE AVENUE AND DAGGETT ROAD, more particularly described hereinabove, proposed to be vacated, no more than three hundred (300) feet apart and at least fourteen
(14) days prior to the hearing date as provided in Section 8323 of the Streets and Highways Code of the State of California.

5. That there is on file in the office of the City Clerk, a description of the said TWO PUBLIC RIGHTS-OF-WAY BEING PORTIONS OF FYFFE AVENUE AND DAGGETT ROAD, more particularly described hereinabove, which is proposed to be vacated and abandoned and reference to said description is hereby made for all purposes.

6. This project is categorically exempt under the State CEQA Guidelines, Article 19 (§§ 15301 and 15312), as specified in the Notice of Exemption.

7. In accordance with Section 65402 of the Government Code, this activity/project has been determined not to apply to the General Plan. Therefore, no determination as to conformity with the General Plan is necessary.

8. That the City Clerk is hereby authorized and directed to publish this resolution in The Record, a newspaper of general circulation in the City of Stockton, once each week for two successive weeks prior to the date of said hearing.

PASSED, APPROVED and ADOPTED

DEC 14 2004

GARY A. PODIESTO, Mayor
of the City of Stockton

ATTEST:

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
DESCRIPTION OF THE ABANDONMENT OF
FYFFE AVENUE (FORMERLY JACOBS ROAD) ON ROUGH & READY ISLAND
(VARYING WIDTH RIGHT-OF-WAY)

ALL THAT REAL PROPERTY SITUATE ON ROUGH & READY ISLAND IN THE CITY
OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A
PORTION OF SECTIONS 7 AND 8, BOTH IN TOWNSHIP 1 NORTH, RANGE 6
EAST, MOUNT DIABLO BASE AND MERIDIAN AND ALSO BEING A PORTION OF
SECTION 12, TOWNSHIP 1 NORTH, RANGE 5 EAST, MOUNT DIABLO BASE AND
MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 80.00 FEET IN WIDTH BEING DESCRIBED AS THAT PORTION
OF THE SOUTH 40.00 FEET OF THE NORTHEast ONE QUARTER OF SECTION
12, TOWNSHIP 1 NORTH, RANGE 5 EAST, MOUNT DIABLO BASE AND
MERIDIAN AND THAT PORTION OF THE NORTH 40.00 FEET OF THE SOUTHEAST
ONE QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 5 EAST, MOUNT
DIABLO BASE AND MERIDIAN, LYING 2,111 FEET ± EAST OF BURNS CUT OFlF.

TOGETHER WITH A RECTANGULAR PIECE OF LAND 40 FEET BY 200 FEET IN
THE NORTHEAST ONE QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE
5 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1856.9 FEET, MORE OR LESS, WEST OF THE EAST LINE
AND 40 FEET NORTH OF THE SOUTH LINE OF SAID NORTHEAST ONE QUARTER
OF SECTION 12; THENCE WEST 200 FEET, 40 FEET FROM AND PARALLEL TO
THE SOUTH LINE OF SAID ONE QUARTER SECTION; THENCE NORTH 40 FEET;
THENCE EAST 200 FEET, THENCE SOUTH 40 FEET TO THE POINT OF
BEGINNING.

TOGETHER WITH A STRIP OF LAND 80.00 FEET IN WIDTH, THE CENTERLINE
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 20.00 FEET SOUTH OF THE SOUTHWEST CORNER OF
THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 NORTH, RANGE 6
EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE EAST ALONG A LINE
PARALLEL WITH AND 20.00 FEET SOUTH OF THE SOUTH LINE OF SAID
NORTHWEST ONE QUARTER OF SECTION 7, 1859.46 FEET, MORE OR LESS TO
THE POINT OF THE EASTERLY TERMINUS OF SAID 80.00 FOOT WIDE STRIP.
TOGETHER WITH A STRIP OF LAND 60.00 FEET IN WIDTH AND 5664.69 FEET IN LENGTH LYING IN SAID SECTIONS 7 AND 8, THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE CENTERLINE OF FYFFE AVENUE, SAID POINT LYING SOUTH 30.00 FEET AND WEST 392.31 FEET FROM AN IRON PIN MARKING THE CENTER OF SECTION 8; THENCE WEST 5664.69 TO THE POINT OF THE WESTERLY TERMINUS OF SAID 60.00 FOOT STRIP.

TOGETHER WITH A PARCEL OF LAND LYING IN SAID SECTION 8 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN MARKING THE CENTER OF SAID SECTION 8; THENCE SOUTH 40.00 FEET; THENCE NORTH 89°51'00" WEST 62.00 FEET; THENCE SOUTH 26°05'00" WEST 22.31 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE NORTH 89°51'00" WEST 59.09 FEET; THENCE NORTH 65°35'00" WEST 144.51 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 8, SAID LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF FYFFE AVENUE; THENCE ALONG SAID QUARTER SECTION LINE WEST 135.82 FEET; THENCE LEAVING SAID QUARTER SECTION LINE SOUTH 59.04 FEET; THENCE SOUTH 26°05'00" WEST 15.12 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 835.22 FEET, AN ARC LENGTH OF 934.61 FEET AND A CENTRAL ANGLE OF 64°06'49", AND A CHORD BEARING OF SOUTH 52°28'25" EAST 886.61 FEET; THENCE SOUTH 20°25'00" EAST 243.12 FEET TO THE BANK OF THE SAN JOAQUIN RIVER; THENCE ALONG SAID BANK NORTH 74°30'00" EAST 80.30 FEET; THENCE LEAVING SAID BANK NORTH 20°25'00" WEST 250.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 915.22 FEET, AN ARC LENGTH OF 700.68 FEET, A CENTRAL ANGLE OF 43°51'53", AND A CHORD BEARING OF NORTH 42°20'57" WEST 683.69 FEET; THENCE NORTH 26°05'00" EAST 21.83 FEET TO THE POINT OF BEGINNING.

THE TOTAL ACREAGE OF THE ABOVE DESCRIBED PARCELS IS 17.57 ACRES.

RESERVING THEREFROM AN EASEMENT FOR PUBLIC UTILITY PURPOSES IN, ON, UNDER, ACROSS AND THROUGH THE ENTIRE DESCRIBED AREA.

ALSO RESERVING THEREFROM AN ACCESS EASEMENT FOR INGRESS AND EGRESS PURPOSES ON AND ACROSS THE ENTIRE DESCRIBED AREA.
ABANDONMENT AT ROUGH & READY ISLAND

TOTAL ACREAGE OF ABANDONMENT: 17.57 ACRES

NO. REV. DATE NO. APRVD.

BY: DILLON & MURPHY

SCALE: 1" = 2000'

CK. BY:

CITY OF STOCKTON

DEPARTMENT OF PUBLIC WORKS

APPROVED BY: [Signature]

DATE 5/22/91

DRAWING NO. 3993 A
DESCRIPTION FOR THE ABANDONMENT OF DAGGETT ROAD ON ROUGH & READY ISLAND (60' RIGHT-OF-WAY)

ALL THAT REAL PROPERTY SITUATE ON ROUGH & READY ISLAND IN THE CITY OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 60 FEET IN WIDTH AND 2771.0 FEET IN LENGTH, THE CENTERLINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF DAGGETT ROAD WITH THE SOUTH RIGHT-OF-WAY LINE OF FYFFE AVENUE (60' WIDE), FORMERLY KNOWN AS JACOBS ROAD, SAID POINT LYING WEST 5362 FEET AND SOUTH 60 FEET FROM AN IRON PIN MARKING THE CENTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE ALONG THE CENTERLINE OF SAID DAGGETT ROAD SOUTH 2380.00 FEET; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 24°00'00" EAST 391.00 FEET TO THE POINT OF TERMINOUS WHICH LIES ON THE NORTHERLY BANK OF BURNS CUT-OFF AT THE CENTER OF THE BURNS CUT-OFF BRIDGE, CONTAINING 3.82 ACRES MORE OR LESS.