Resolution No. 04-0821

STOCKTON CITY COUNCIL

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF STOCKTON TO VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY BEING A PORTION OF NORTH LINCOLN STREET, 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 A PORTION OF A PUBLIC RIGHT-OF-WAY BEING A PORTION OF NORTH LINCOLN STREET, more particularly described in Exhibit A, attached and incorporated by this reference, with actions related thereto. Fee title to the property is vested in the CITY OF STOCKTON.

2. That it is determined by this City Council that the public convenience and necessity may require the reservation and exception of the certain easement(s), hereinabove 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 A PORTION OF A PUBLIC RIGHT-OF-WAY BEING A PORTION OF NORTH LINCOLN STREET 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 PORTION OF A PUBLIC RIGHT-OF-WAY BEING A PORTION OF NORTH LINCOLN STREET, 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 PORTION OF A PUBLIC RIGHT-OF-WAY BEING A PORTION OF NORTH LINCOLN STREET, more particularly described hereinabove, which is proposed to be vacated and abandoned and reference to said description is hereby made for all purposes.

6. Environmental clearance for this project is provided by EIR3-03, which was certified by the City Council on December 9, 2003.

7. 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. PODESTO, Mayor of the City of Stockton

ATTEST:

KATHERINE GONG MEI
City Clerk of the City of Stockton
DESCRIPTION

STOCKTON EVENTS CENTER
ABANDONMENT OF PORTION OF LINCOLN STREET
WEST OF CENTER STREET
STOCKTON, CA

ALL THAT CERTAIN PROPERTY LYING WITHIN THE CITY OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, SAID PROPERTY BEING A PORTION OF LINCOLN STREET, AS SHOWN ON PARCEL MAP FILED FOR RECORD IN BOOK 23 OF PARCEL MAPS, AT PAGE 15, SAN JOAQUIN COUNTY RECORDS, AND SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LINCOLN STREET; THENCE ALONG THE NORTH PROPERTY LINE OF PARCEL 6 AND PARCEL 10 OF SAID PARCEL MAP SOUTH 78° 24' 44" WEST 80.80 FEET; THENCE LEAVING SAID LINE ALONG THE SOUTHERLY PROLONGATION THEREOF AND THE WEST LINE OF SAID LINCOLN STREET NORTH 11° 46' 33" WEST 138.50 FEET; THENCE LEAVING SAID WEST LINE NORTH 78° 24' 44" EAST 80.80 FEET TO THE EAST LINE OF SAID LINCOLN STREET; THENCE ALONG SAID EAST LINE SOUTH 11° 46' 33" EAST 138.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,191 SQUARE FEET (0.257 ACRES), MORE OR LESS.

RESERVING A PORTION OF THE ABOVE DESCRIBED REAL PROPERTY AS A PUBLIC UTILITY EASEMENT (P.U.E), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF AFORESAID DESCRIBED ABANDONED AREA, SAID POINT BEING SOUTH 78° 24' 44" WEST 10.00 FEET FROM THE SOUTHEAST CORNER OF SAID ABANDONED AREA; THENCE ALONG SAID SOUTH LINE SOUTH 78° 24' 44" WEST 70.80 FEET TO THE SOUTHWEST CORNER OF SAID ABANDONED AREA; THENCE ALONG THE WEST LINE OF SAID ABANDONED AREA NORTH 11° 46' 33" WEST 138.50 FEET TO THE NORTHWEST CORNER OF SAID ABANDONED AREA; THENCE ALONG THE NORTH LINE OF SAID ABANDONED AREA NORTH 78° 24' 44" EAST 70.80 FEET; THENCE SOUTH 11° 46' 33" EAST 14.81 FEET; THENCE NORTH 78° 01' 06" EAST 10.00 FEET TO THE EAST LINE OF SAID ABANDONED AREA; THENCE ALONG SAID EAST LINE SOUTH 11° 46' 33" EAST 20.00 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 OF SAID PARCEL MAP (23 P.M. 15); THENCE SOUTH 78° 01' 06" WEST 10.00 FEET; THENCE SOUTH 11° 46' 33" EAST 103.69 FEET TO SAID POINT OF BEGINNING.

BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE EAST LINE OF LINCOLN STREET AS SHOWN ON SAID PARCEL MAP (23 P.M. 15) WHICH BEARS SOUTH 11° 46' 33" EAST.

END OF DESCRIPTION

wmk
03207
07/23/04

FRED C. INGALLS
LICENSED PROFESSIONAL LAND SURVEYOR
STATE OF CALIFORNIA
EXPIRES: 12-31-2004
No. 5859

FRED C. INGALLS, P.L.S. #5859
LICENSE EXPIRES: 12-31-04

SIEGFRIED ENGINEERING, INC.
EXHIBIT "A"