

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE SUMMARY VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY AT ARCH ROAD

The proposed vacation (abandonment) is located on a portion of Arch Road, as described in Exhibit A (Exhibit 1 & 2), attached and incorporated by reference, and shown in Exhibit B (Exhibit 1 & 2), attached and incorporated by reference; and

First Industrial LP, the property owner, is requesting the vacation of a portion of right-of-way, which is being developed for a logistics warehouse known as Arch Town Industrial; and

The City may perform a summary vacation under Division 9, Part 3, sections 8331 & 8334(a), *et seq.*, of the California Streets and Highway Code and a public hearing is not required when the area has been impassable for vehicular travel for at least five (5) years and no public money was expended for maintenance during such period; and an excess right-of-way of a street or highway not required for street or highway purposes; and

All City Departments and local utilities were notified and provided an opportunity to object to the proposed vacation if it were to negatively impact departmental or agency functions; and

There were no objections to the proposed vacation; and

The Community Development Department has determined that this action/project is exempt from the requirements of the California Environmental Quality Act (CEQA) and is granted a "Categorical Exemption" per CEQA Guidelines by section 15061(b)(3); now therefore,

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

1. This action is taken pursuant to Division 9, Part 3, Chapter 4 of the California Streets and Highways Code sections 8331 & 8334(a), *et seq.*, the Summary Vacation Procedure of the Public Streets, Highways, and Service Easements Vacation Law.
2. All City Departments and local utilities were notified and there were no objections to the proposed vacation.
3. The subject property meets the criteria set forth in the Streets and Highways Code section 8331, provided below in relevant parts:

“The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist: (a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel. (b) No public money was expended for maintenance on the street or highway during such period.”

Code section 8334(a), in relevant parts, provides that:

“The legislative body of a local agency may summarily vacate any of the following: (a) An excess right-of-way of a street or highway not required for street or highway purposes.”

4. The proposed vacation conforms with both Code sections 8331 and 8334(a), in that the area has been impassable for vehicular travel for five consecutive years, no public money was expended for maintenance on the vacation areas, and the excess rights-of-way are not required for street or highway purposes.
5. The City Council hereby authorizes that the public rights-of-way located on a portion of Arch Road, more particularly described in Exhibit 1 and Exhibit 2, attached hereto, and incorporated by this reference, is hereby declared to be vacated by this order and no longer constitutes a street or highway as of the date this resolution is recorded.
6. That the City Manager is authorized to approve the filing of Notice of Exemption No. 22-23 under CEQA, a copy of which is attached as Exhibit 3 and incorporated by this reference.
7. In accordance with section 65402 of the Government Code, this project/activity conforms to the City’s General Plan Policy Document, as amended.
8. First Industrial, LP, has paid the necessary fees to process this vacation.
9. It is found and determined that the subject property meets the criteria set forth in Streets and Highway Code section 8355, where after vacation, it is no longer needed by the public and may be disposed of as set forth herein.

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The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

PASSED, APPROVED, and ADOPTED: November 19, 2024.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CPMC
City Clerk of the City of Stockton