

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE SUMMARY VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY AT “D” STREET AND RESERVING A PUBLIC UTILITY EASEMENT

The proposed abandonment area is located on a portion of “D” Street and Weber Avenue; and

Liberty Investment, LLC, the adjacent property owner, is requesting the vacation of a portion of right-of-way in order to facilitate a merger application for assessor parcel numbers (153-111-03, & 153-180-01); and

The City may perform a summary vacation under Division 9, Part 3, section 8331 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 years and no public money was expended for maintenance during such period; 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 abandonment; 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 section 8331, the Summary Vacation Procedure of the Public Streets, Highways, and Service Easements Vacation Law.
2. That all City Departments and local utilities were notified and there were no objections to the proposed vacation.
3. It is hereby found and determined that 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.”

4. The City Council hereby authorizes that the public right-of-way located on a portion of D Street, more particularly described in Exhibits 1 & 2, attached hereto and incorporated by reference, is hereby declared to be vacated.
5. That the City Manager is authorized to approve the filing of Notice of Exemption No. 43-24 under CEQA, a copy of which is attached as Exhibit 3, attached hereto and incorporated by reference.
6. In accordance with section 65402 of the Government Code, this project/activity conforms to the City’s General Plan Policy Document, as amended.
7. Liberty Investment, LLC, has paid the necessary fees to process this vacation.
8. That the subject area remains subject to all easements of record, as specified in Exhibit 1, attached hereto and incorporated by reference.
9. 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: February 4, 2025.

CHRISTINA FUGAZI
Mayor of the City of Stockton

ATTEST:

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