

**MEMORANDUM**

May 11, 2023

TO: Amanda Thomas, Real Property Agent  
Economic Development Department

FROM: Nicole D. Moore, LEED-AP, Contract Planner  
Community Development Department

SUBJECT: **CEQA NOE 22-23 – RIGHT OF WAY ABANDONMENT**

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The Community Development Department received a request to review the above-referenced project for conformity with the Stockton General Plan and make an environmental determination pursuant to the California Environmental Quality Act (CEQA). The Applicant, First Industrial LP, is proposing to abandon right-of-way at 5150 Arch Road. See attachment A for specific location.

In accordance with Government Code §65402, the Community Development Department determines the project is in conformance with the Stockton General Plan. This determination is based on, but not limited to, conformance with General Plan Policy, LU-6.3 (Land Use) stating, “Ensure that all neighborhoods have access to well-maintained public facilities and utilities that meet community service needs.”

Concerning the California Environmental Quality Act (CEQA) determination, the Community Development Department concludes the project is Categorically Exempt under CEQA Guidelines and is granted a ‘general rule exemption’ under Section 15061(B)(3) since there is no possibility that the activity in question would have significant effect on the environment and the activity is no subject to CEQA. The project is also not subject to any of the exceptions to the use of a Categorical Exemption listed at CEQA Guidelines §15300.2.

Upon approval by City Council, the Economic Development Department is advised to complete the attached Notice of Exemption (**Attachment B**) and file it with the San Joaquin County Clerk Office to initiate a 35-day statute of limitations on court challenges. Please retain a copy of the original posted notice within the project file in the Economic Development Department project file.

By: 

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Nicole D. Moore, LEED-AP, Contract Planner

**Attachments**

Attachment A: Request and Project Location  
Attachment B: Draft Notice of Exemption

**MEMORANDUM**

May 10, 2023

TO: Nicole Moore, Contract Planner  
Community Development Department

FROM: Amanda Thomas, Real Property Agent II  
Economic Development Department

SUBJECT: **RIGHT OF WAY - ABANDONMENT**

Please provide the appropriate environmental review for the above-referenced project as described below:

Project Title: 5150 Arch Road (Arch Road Industrial)  
Right of Way Abandonment

Applicant: First Industrial LP

Description/Location: 5150 Arch Road

Also, please make the required determination as to conformity to the General Plan in accordance with Section 65402 of the Government Code. If you have questions regarding this request, please direct them to me at extension 7569.



AMANDA THOMAS  
REAL PROPERTY AGENT

Attachment

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**RIGHT OF WAY VACATION (APN 181-110-27)**

REAL PROPERTY SITUATE IN THE NORTH ½ OF THE SOUTHEAST ¼ OF SECTION TWENTY-EIGHT (28), TOWNSHIP ONE (1), NORTH RANGE SEVEN (7) EAST, MOUNT DIABLO BASE MERIDIAN, IN THE CITY OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF ADJUSTED PARCEL 2 AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT FILED FOR RECORD ON NOVEMBER 14, 2022 IN DOCUMENT NUMBER 2022-128600, ALSO BEING A PORTION OF THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON JUNE 2, 1961 IN BOOK OF SURVEYS, VOLUME 11, AT PAGE 96, SAN JOAQUIN COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID ADJUSTED PARCEL 2 (2022-128600) & ALSO BEING THE NORTHWEST CORNER OF THE LAND SHOWN ON SAID RECORD OF SURVEY (11 R/S 96) AND A POINT ON THE ¼ SECTION LINE OF SECTION 28, THENCE ALONG THE WEST LINE OF SAID ADJUSTED PARCEL 2, SOUTH 0° 51' 30" EAST, 27.97 FEET TO THE **POINT OF BEGINNING;**

THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 0° 51' 30" EAST, 2.03 FEET, TO THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF EAST ARCH ROAD;

THENCE ALONG SAID SOUTHERLY LINE, NORTH 89° 35' 00" EAST, 637.92 FEET TO THE EASTERLY LINE OF SAID PARCEL TWO;

THENCE ALONG SAID EASTERLY LINE, NORTH 27° 34' 00" WEST, 6.74 FEET;

THENCE LEAVING SAID EASTERLY LINE, SOUTH 89° 35' 00" WEST, 510.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE ALONG THE ARC OF A 1951.00 FOOT RADIUS CURVE TO THE LEFT, WHOSE CENTER POINT BEARS SOUTH 0° 24' 58" EAST, THROUGH A CENTRAL ANGLE OF 3° 39' 16", AN ARC LENGTH OF 124.44 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 87° 45' 25" WEST, 124.42 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 3,654 SQUARE FEET OR 0.0839 ACRES OF LAND, MORE OR LESS.

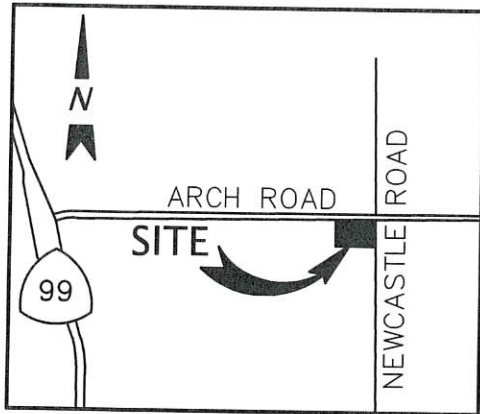
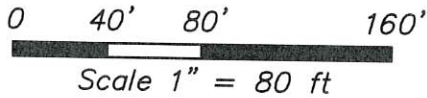
AS SHOWN ON EXHIBIT "B", ATTACHED HEREON AND MADE A PRT HEREOF.

Richard James Hickenbottom  
RICHARD JAMES HICKENBOTTOM, P.L.S. 8654

8-22-23  
DATE



4766A



VICINITY MAP

**LEGEND**

- O.R. OFFICIAL RECORDS
- DN DOCUMENT NUMBER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- ROS RECORD OF SURVEY
- ROW RIGHT OF WAY
- (R) RADIAL
- S.F. SQUARE FEET



**KIER+WRIGHT**

2850 Collier Canyon Road  
Livermore, CA 94551

Phone: (925) 245-8788  
www.kierwright.com



E. ARCH ROAD  
(FORMERLY WEBER ROAD)

¼ SECTION LINE

EXISTING 30.00' ROW

N27°34'00"W  
6.74'

ADJUSTED PARCEL 2  
DN 2022-128600

**PROPOSED ROW  
VACATION**

AREA = 3,654± S.F.  
OR 0.0839± ACRES

S89°35'00"W 510.51'

N89°35'00"E 637.92'

S0°24'58"E (R)

R=1951.00'

D=3°39'16"

L=124.44'

CH=S87°45'25"W 124.42'

POB ROW  
VACATION

POC ROW  
VACATION

S0°51'30"E  
27.97'

S0°51'30"E 2.03'

NO.	REV. DATE	BY	APRVD.
DWG. BY:	BMM		
CK. BY:	RJH		
SCALE:	1" = 80'		

**EXHIBIT "B"**  
**ROW VACATION**  
APN = 181-110-27

**CITY OF STOCKTON**  
DEPARTMENT OF PUBLIC WORKS

APPROVED BY

CITY ENGINEER

DATE: 10/17/23

DRAWING NO. 4766A

1 OF 1



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**RIGHT OF WAY VACATION (APN 181-110-27)**

REAL PROPERTY SITUATE IN THE NORTH ½ OF THE SOUTHEAST ¼ OF SECTION TWENTY-EIGHT (28), TOWNSHIP ONE (1), NORTH RANGE SEVEN (7) EAST, MOUNT DIABLO BASE MERIDIAN, IN THE CITY OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF ADJUSTED PARCEL 2 AS DESCRIBED IN THAT CERTAIN LOT LINE ADJUSTMENT FILED FOR RECORD ON NOVEMBER 14, 2022 IN DOCUMENT NUMBER 2022-128600, ALSO BEING A PORTION OF THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON JUNE 2, 1961 IN BOOK OF SURVEYS, VOLUME 11, AT PAGE 96, AND THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON JULY 14, 1955 IN BOOK OF SURVEYS, VOLUME 10, AT PAGE 86, SAN JOAQUIN COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHWEST CORNER OF SAID ADJUSTED PARCEL 2 (2022-128600), ALSO BEING THE NORTHWEST CORNER OF THE LAND SHOWN ON SAID RECORD OF SURVEY (11 R/S 96) AND A POINT ON THE ¼ SECTION LINE OF SECTION 28, THENCE ALONG SAID 1/4 SECTION LINE, NORTH 89° 35' 00" EAST, 1257.10 FEET TO THE INTERSECTION THEREOF WITH AN INTERIOR NORTHERLY LINE OF SAID ADJUSTED PARCEL 2;

THENCE ALONG SAID INTERIOR LINE, SOUTH 33° 10' 00" WEST, 28.81 FEET TO THE **POINT OF BEGINNING**;

THENCE LEAVING THE INTERIOR LINE AND ALONG THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89° 35' 00" EAST, 35.37 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, AND
- 2) ALONG THE ARC OF A 1951.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 4° 29' 41", AN ARC LENGTH OF 153.05 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 88° 10' 10" WEST, 153.01 FEET TO A POINT ON THE SOUTHERLY LINE OF EAST ARCH ROAD;

THENCE ALONG SAID SOUTHERLY LINE, SOUTH 89° 35' 00" WEST, 192.24 FEET TO A POINT ON SAID INTERIOR LINE;

THENCE ALONG SAID INTERIOR LINE, NORTH 33° 10' 00" EAST, 7.20 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 836 SQUARE FEET OR 0.0192 ACRES OF LAND, MORE OR LESS.

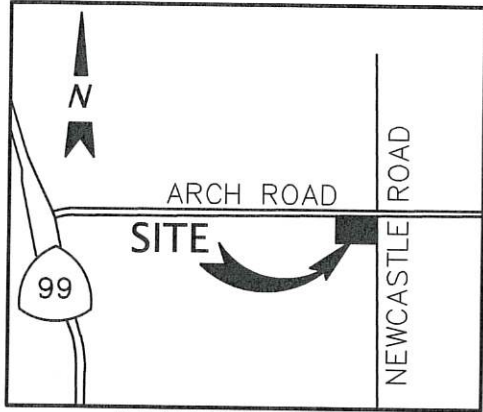
AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

  
RICHARD JAMES HICKENBOTTOM, P.L.S. 8654

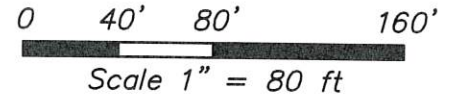
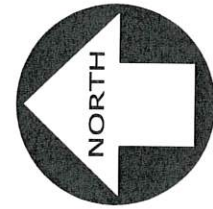
8-22-23  
DATE



4766-1A



VICINITY MAP



E. ARCH ROAD  
(FORMERLY WEBER ROAD)  
1/4 SECTION LINE  
EXISTING 30.00' ROW

R=1951.00'  
D=4°29'41"  
L=153.05'  
N88°10'10"W 153.01'

**PROPOSED ROW  
VACATION**

AREA= 836± S.F.  
OR 0.0192± ACRES

ADJUSTED PARCEL 2  
DN 2022-128600

N89°35'00"E  
35.37'

S89°35'00"W  
192.24'

S33°10'00"W  
28.81'

POB ROW  
VACATION

N33°10'00"E  
7.20'

N89°35'00"E 1257.10'

POC ROW  
VACATION

**LEGEND**

- O.R. OFFICIAL RECORDS
- DN DOCUMENT NUMBER
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- ROS RECORD OF SURVEY
- ROW RIGHT OF WAY
- S.F. SQUARE FEET



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NO.	REV. DATE	BY	APRVD.
DWG. BY: BMM			
CK. BY: RJH			
SCALE: 1" = 80'			

**EXHIBIT "B"**  
**ROW VACATION**  
APN = 181-110-27

**CITY OF STOCKTON**  
DEPARTMENT OF PUBLIC WORKS

APPROVED BY *[Signature]*  
CITY ENGINEER

DATE: 10/17/23  
DRAWING NO. 4766.1A  
1 OF 1

**CITY OF STOCKTON  
NOTICE OF EXEMPTION**

TO: COUNTY CLERK  
COUNTY OF SAN JOAQUIN  
44 N. San Joaquin St., Ste. 260  
Stockton, CA 95202

FROM: Lead Agency  
City of Stockton  
c/o Economic Development Dept.  
400 E. Main St., 4<sup>th</sup> Floor  
Stockton, CA 95202

**NOTICE OF EXEMPTION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21152(B) AND CALIFORNIA CODE OF REGULATIONS TITLE 14, SECTION 15062**

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PROJECT DATA

Project Title: RIGHT OF WAY ABANDONMENT

CEQA Exemption File No.: NOE 22-23

Applicant: First Industrial LP

Project Description/Location: The Applicant, First Industrial LP, is proposing to abandon right-of-way at 5150 Arch Road. See attachment A for specific location.

DETERMINATION/FINDING OF EXEMPTION

The above-described activity/project is exempt from the environmental assessment requirements of the California Environmental Quality Act (CEQA) pursuant to the following section(s) of the State CEQA Guidelines (California Code of Regulations, Title 14):

- The activity is not a "project" as defined in CEQA Guidelines Section 15378.
- The activity is exempt under the "general rule" at CEQA Guidelines Section 15061(B)(3).
- The project is "Statutorily Exempt" per CEQA Guidelines Section: \_\_\_\_\_
- The project is "Categorically Exempt" per CEQA Guidelines Section 15301(c).

BASIS FOR FINDING OF EXEMPTION

- The activity does not qualify as a project and/or clearly could not have a significant effect on the environment and, therefore, CEQA does not apply.
- The activity constitutes a discretionary project under the City's jurisdiction and qualifies as a project which has been determined not to have a significant effect on the environment and, therefore, is exempt from the provisions of CEQA under the above-noted statutory or categorical exemption(s).

CARRIE WRIGHT, DIRECTOR  
ECONOMIC DEVELOPMENT DEPARTMENT

May 11, 2023  
(DATE OF PREPARATION)

By \_\_\_\_\_  
AMANDA THOMAS, REAL PROPERTY AGENT

\_\_\_\_\_  
(DATE OF FINAL APPROVAL)

AFFIDAVIT OF FILING AND POSTING

I declare that on the date stamped above, I received and posted this notice or included it on a list of such notices which was posted as required by California Public Resources Code Section 21152(B). Said notice or list of notices will remain posted for 35 days from the filing date.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Posting Period Ending Date