

**CITY OF STOCKTON  
NOTICE OF EXEMPTION**

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

FROM: Lead Agency  
City of Stockton  
Public Works Dept.  
425 North El Dorado Street  
Stockton, CA 95202-1997

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

PROJECT DATA

Project Title: Pershing Avenue Right Of Way Abandonment.  
CEQA Exemption File No.: CE06-18  
Applicant: Economic Development Department  
Project Description/Location: S. Pershing Avenue at Faye Street.

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 Section 15378.  
☐ The activity is exempt under the "general rule" that CEQA applies only to projects which have the potential for causing significant environmental effects, as specified in Section 15061(B)(3).  
☐ The project has been granted a "Statutory Exemption" under Article 18 and, specifically, by Section(s):  
☒ The project has been granted a "Categorical Exemption" under Article 19 and, specifically, by Section(s):  
15301, Class (b)

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).

DOUG BOJACK, ECONOMIC DEVELOPMENT ANALYST  
ECONOMIC DEVELOPMENT DEPARTMENT

February 26, 2018  
DATE OF PREPARATION

By \_\_\_\_\_  
DOUG BOJACK,  
ECONOMIC DEVELOPMENT ANALYST

\_\_\_\_\_  
{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

**MEMORANDUM**

February 26, 2018

TO: Doug Bojack, Economic Development Analyst  
Economic Development Department

FROM: Nickolaos D. Zois, Assistant Planner  
Planning and Engineering Services Division

SUBJECT: **S. Pershing Avenue Right Of Way Abandonment at Faye St (CE06-18)**

In accordance with Section 65402 of the Government Code, it has been determined that this project or action conforms to the City's General Plan designation for the site and with the General Plan Policy Document, as amended.

Upon final approval of the above-noted authorization or entitlement by the City Council, the Notice of Exemption (CE06-18) will be filed with the County Clerk for posting in order to initiate a 35-day statute of limitations on court challenges. A copy of the posted Notice should be transmitted to the Community Development Department, Planning and Engineer Services Division for our file records.

NICKOLAOS D ZOIS, ASSISTANT PLANNER  
PLANNING AND ENGINEERING SERVICES DIVISION

By

  
\_\_\_\_\_  
ASSISTANT PLANNER, NICKOLAOS D ZOIS

**MEMORANDUM**

February 21, 2018

TO: David Stagnaro, Planning Manager  
Community Development Department  
Attn: Jenny Liaw

FROM: Doug Bojack, Economic Development Analyst  
Economic Development Department

RECEIVED

FEB 26 2018

CITY OF STOCKTON  
PERMIT CENTER / PLANNING DIV.

SUBJECT: **ABANDONMENT – RIGHT OF WAY**

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

Project Title: Pershing Avenue Right of Way Abandonment

Applicant: Waste Management Inc dba Stockton Scavengers Inc

Description/Location: S Pershing Avenue at Faye Street

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.

MICAH RUNNER, DIRECTOR  
ECONOMIC DEVELOPMENT DEPARTMENT



DOUG BOJACK, ECONOMIC DEVELOPMENT ANALYST  
ECONOMIC DEVELOPMENT DEPARTMENT

MR:DM:at  
Attachment

## DESCRIPTION OF PERSHING AVENUE RIGHT-OF-WAY ABANDONMENT

## PARCEL "A"


A PORTION OF THE 50.00 FOOT WIDE PERSHING AVENUE RIGHT OF WAY AS SHOWN ON THAT CERTAIN FINAL MAP ENTITLED "TRACT NO. 64, SUBDIVISIONS OF SAN JOAQUIN COUNTY, PIONEER HOMES UNIT NO. 2" FILED FOR RECORD IN BOOK 11 OF MAPS AND PLATS, AT PAGE 73, SAN JOAQUIN COUNTY RECORDS, LOCATED IN THE CITY OF STOCKTON, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF SAID PERSHING AVENUE RIGHT-OF-WAY; THENCE ALONG THE EASTERLY LINE OF SAID PERSHING AVENUE NORTH  $00^{\circ} 23' 19''$  EAST, A DISTANCE OF 266.00 FEET TO THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED TO MORRIS CARTER, JACK PIGGEE AND NOAH CANADY, TRUSTEES, OR THEIR SUCCESSIONS IN INTEREST, FOR THE TRINITY COMMUNITY CHURCH, AND DESCRIBED IN BOOK 2186, AT PAGE 10, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY TO THE BEGINNING OF A CURVE, SAID CURVE HAVING A RADIUS THAT BEARS NORTH  $89^{\circ} 36' 41''$  WEST A DISTANCE OF 47.00 FEET FROM SAID BEGINNING OF CURVE; THENCE ALONG SAID CURVE TO THE SOUTHWEST THROUGH A CENTRAL ANGLE OF  $93^{\circ} 39' 36''$  AN ARC DISTANCE OF 76.83 FEET TO A POINT ON THE EASTERLY LINE OF LOT 33, ALSO BEING THE WESTERLY LINE OF SAID PERSHING AVENUE RIGHT-OF-WAY, ALL AS SHOWN ON AFOREMENTIONED FINAL MAP; THENCE SOUTH  $00^{\circ} 23' 19''$  WEST, A DISTANCE OF 219.09 FEET TO THE SOUTHWESTERLY CORNER OF SAID PERSHING AVENUE RIGHT OF WAY AND SOUTHEASTERLY CORNER OF LOT 38 ALL AS SHOWN ON AFOREMENTIONED FINAL MAP; THENCE ALONG THE SOUTHERLY LINE OF SAID PERSHING AVENUE, SOUTH  $89^{\circ} 36' 41''$  EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING AND THE END OF THE HEREIN DESCRIBED PARCEL.

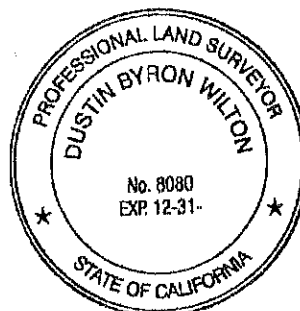
PARCEL CONTAINS 11,424 SQUARE FEET, MORE OR LESS.

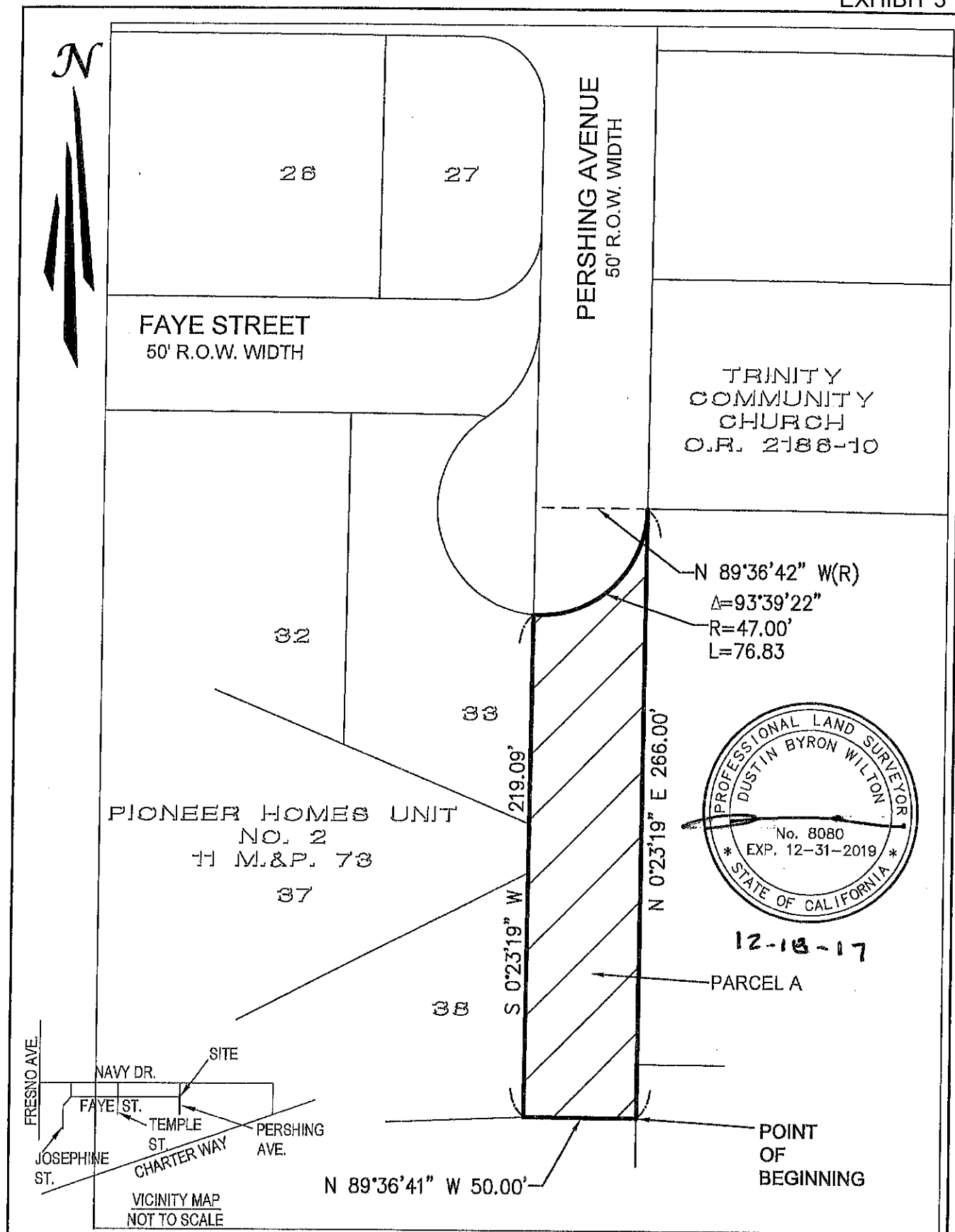
ALSO SHOWN ON PLAT ATTACHED HERewith AND MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION THIS 18TH DAY OF DECEMBER 2017.

  
DUSTIN B. WILTON L.S. 8080

LICENSE EXPIRES DECEMBER 31, 2019





NO.	REV. DATE	BY	APRVD.	PERSHING AVENUE RIGHT OF WAY ABANDONMENT		APPROVED BY	
DWG. BY	D. WILTON					CITY ENGINEER	
CK. BY				CITY OF STOCKTON DEPARTMENT OF PUBLIC WORKS		DATE	DRAWING NO.
SCALE	1"=60'						

Name: Tait Pr Boundary : PARCEL "A" PCL1  
North: -44.247' East: 1110.170'

Segment #1 : Line

Course: N00°23'19"E Length: 219.0946'  
North: 174.842' East: 1111.656'

Segment #2 : Curve

Length: 76.2863' Radius: 47.0000'  
Delta: 092°59'51" Tangent: 49.5255'  
Chord: 68.2690' Course: N47°32'59"E  
Course In: N04°02'54"E Course Out: S88°56'57"E  
RP North: 221.725' East: 1114.974'  
End North: 220.920' East: 1162.029'

Segment #3 : Line

Course: S00°23'19"W Length: 265.4556'  
North: -44.529' East: 1160.229'

Segment #4 : Line

Course: N89°36'41"W Length: 49.9968'  
North: -44.190' East: 1110.233'

Perimeter: 610.8332' Area: 11423.25 Sq. Ft.  
Page 1

**Nickolaos Zois**

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**From:** Doug Bojack  
**Sent:** Thursday, February 22, 2018 9:30 AM  
**To:** Nickolaos Zois  
**Cc:** Amanda Thomas  
**Subject:** NOE Request - 1240 Navy Drive  
**Attachments:** 1240 Navy Drive - Abandonment and Dedication Application Packet.pdf

Hello Nickolaos,

Could you please prepare an NOE and memo for the City's summary vacation of the right of way described in the attached packet? The area is impassable to public vehicle traffic and the property needs to be abandoned for the adjacent landowner to complete storm drain improvements.

Please let me know if you need anything else.

Thank you,

[Doug Bojack](#)

Economic Development Analyst

**City of Stockton | 400 E. Main Street, 4<sup>th</sup> Floor**

P: 209.937.7569 F: 209.937.5099

[doug.bojack@stocktonca.gov](mailto:doug.bojack@stocktonca.gov)



11280 Trade Center Drive, Rancho Cordova, CA 95742

p:916/635/2444 www.tait.com

February 6<sup>th</sup>, 2018

City of Stockton  
Economic Development Department  
400 E. Main Street, 4<sup>th</sup> Floor  
Stockton, CA 95202  
Attn: Garry Duncan

Re: Pershing Street Abandonment Request

Mr. Garry Duncan,

Waste Management Inc, dba Stockton Scavengers Inc, hereby requests that the City process the abandonment application for the vacation of the existing Pershing Street right of way as indicated in the attached legal description and sketch. The property needs to be abandoned for us to complete the final permitting for the Pershing Street storm drain improvements per Willie Wong. We are aware of the cost associated and agree to pay the costs associated with the City Staff processing efforts and any costs associated with the publication of the resolution, if needed.

We look forward to working with the City on the vacation process. The area has been impassable to public vehicular traffic and it does not appear that public money has been expended for maintenance of the area. We hope to process this as a summary vacation as that does not require a public hearing and can be completed in a quicker time.

Please call me at 916-669-1821 if you have any questions.

Sincerely,

Stanley Iverson  
Vice President