

MEMORANDUM

June 26, 2020

TO: Amanda Thomas
Economic Development Department

FROM: Allison Holmstedt, Associate Planner
Community Development Department

SUBJECT: **PUE Easement Abandonments - Cornerstone II – LOT 49 AND LOT 67; FILE NO. NOE31-20**

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 City of Stockton is proposing to abandon two (2) public utility easements in the Cornerstone II development. See **Attachment A** for specific locations.

In accordance with Government Code §65402, the Community Development Department determines the proposed property sale is neutral in regard to conformity with the Stockton General Plan. Abandonment of the easements has no effect on the adjacent development which has previously found to be in conformance with the Stockton General Plan.

Concerning the California Environmental Quality Act (CEQA) determination, the Community Development Department determines the proposed easement abandonment falls under the commonsense exemption at California Environmental Quality Act (CEQA) Guidelines Section 15061. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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.

Attachments

Attachment A: Project Location
Attachment B: Notice of Exemption

MEMORANDUM

June 11, 2020

TO: Kevin Colin, Planning Manager
Community Development Department

FROM: Amanda Thomas, Real Property Agent
Economic Development Department

SUBJECT: **ABANDONMENT – PUBLIC UTILTY EASEMENT**

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

Project Title: Cornerstone II – Lots 49 & 67

Applicant: LCI Homes California

Description/Location: Cornerstone II – Lots 49 & 67

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

AMANDA THOMAS
REAL PROPERTY AGENT

Attachment

EXHIBIT "A"
LEGAL DESCRIPTION
PUE ABANDONMENT
CORNERSTONE II, LOT 49

ALL that certain real property, being a portion of Lot 49, as shown on that certain map titled "Tract No. 3406, Subdivisions of San Joaquin County, Cornerstone II", filed for record February 22, 2008 in Book 41 of Maps and Plats, at Page 55, San Joaquin County Records, and situate in Section "D" of the C.M. Weber Grant, County of San Joaquin, State of California, being more particular described as follows:

COMMENCING at the southwest corner of said Lot 49; thence along the South line of said Lot 49 South 89°44'45" East 7.50 feet to the **TRUE POINT OF BEGINNING**;
thence leaving said South line and proceeding parallel with and 7.50 feet distant at right angles from the West line of said Lot 49 the following two (2) courses:

1. North 00°15'15" East 78.82 feet;
2. Northeasterly 4.31 feet along the arc of a curve concave to the southeast having a radius of 6.50 feet through a central angle of 37°58'48" to a point which is 10.00 feet distant at right angles from the North line of said Lot 49;

thence parallel with said North line and along a non-tangent line South 89°44'45" East 5.12 feet to a point of cusp with a curve concave to southeast having a radius of 4.00 feet and to which point a radial line bears North 00°15'15" East;
thence parallel with and 10.00 feet distant at right angles from said West line of Lot 49 the following two (2) courses:

1. southwesterly 6.28 feet along the arc of said curve through a central angle of 90°00'00";
2. South 00°15'15" West 78.82 feet to the True Point of Beginning.

Containing 209 square feet, more or less.

SUBJECT TO all easements and/or rights-of-way of record.

Bearings and distances are based on the California Coordinate System 83, Zone 3 (1991.35). A line between City of Stockton monuments no. 317 (10s-13) and no. 269 (8s-24) bears North 65°05'58" East as calculated from City of Stockton traverse control monument survey, phase xiv, filed for record in Book 35 of Surveys, at Page 5, San Joaquin County records. All distances shown are ground level distances and must be multiplied by 0.99993664 to obtain grid distances.

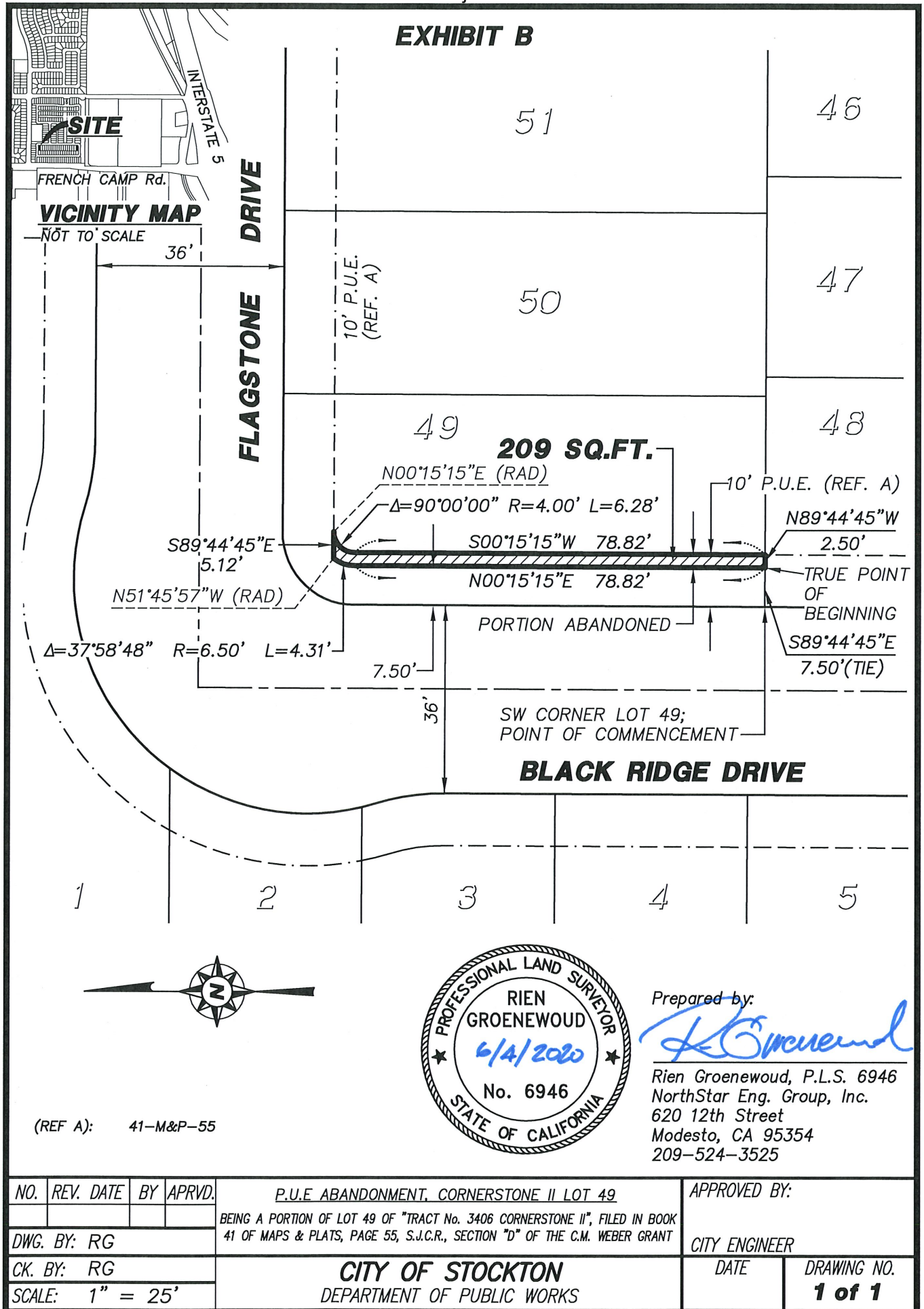
All as shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.



6/4/2020

R. Groenewoud

Rien Groenewoud, P.L.S. 6946



Parcel name: LOT 49

North: 2150508.31 East : 6332904.62
Line Course: N 00-15-15 E Length: 78.82
North: 2150587.13 East : 6332904.97
Curve Length: 4.31 Radius: 6.50
Delta: 37-58-48 Tangent: 2.24
Chord: 4.23 Course: N 19-14-39 E
Course In: S 89-44-45 E Course Out: N 51-45-57 W
RP North: 2150587.10 East : 6332911.47
End North: 2150591.12 East : 6332906.36
Line Course: S 89-44-45 E Length: 5.12
North: 2150591.10 East : 6332911.48
Curve Length: 6.28 Radius: 4.00
Delta: 90-00-00 Tangent: 4.00
Chord: 5.66 Course: S 45-15-15 W
Course In: S 00-15-15 W Course Out: N 89-44-45 W
RP North: 2150587.10 East : 6332911.47
End North: 2150587.12 East : 6332907.47
Line Course: S 00-15-15 W Length: 78.82
North: 2150508.30 East : 6332907.12
Line Course: N 89-44-45 W Length: 2.50
North: 2150508.31 East : 6332904.62

Perimeter: 175.85 Area: 209 sq.ft. 0.00 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.00 Course: N 89-33-26 W

Error North: 0.000 East : -0.003

Precision 1: 175,850,000.00

EXHIBIT "A"
LEGAL DESCRIPTION
PUE ABANDONMENT
CORNERSTONE II, LOT 67

ALL that certain real property, being a portion of Lot 67, as shown on that certain map titled "Tract No. 3406, Subdivisions of San Joaquin County, Cornerstone II", filed for record February 22, 2008 in Book 41 of Maps and Plats, at Page 55, San Joaquin County Records, and situate in Section "D" of the C.M. Weber Grant, County of San Joaquin, State of California, being more particular described as follows:

COMMENCING at the southeast corner of said Lot 67; thence along the South line of said Lot 67 North $89^{\circ}44'45''$ West 7.50 feet to the **TRUE POINT OF BEGINNING**; thence continuing along said South line North $89^{\circ}44'45''$ West 2.50 feet; thence leaving said South line and proceeding parallel with and 10.00 feet distant at right angles from the East line of said Lot 67 the following two (2) courses:

1. North $00^{\circ}15'15''$ East 78.82 feet;
2. Northwesterly 6.28 feet along the arc of a curve concave to the southwest having a radius of 4.00 feet through a central angle of $90^{\circ}00'00''$ to a point which is 10.00 feet distant at right angles from the North line of said Lot 67;

thence parallel with and along the non-tangent North line of said Lot 67 South $89^{\circ}44'45''$ East 5.12 feet; thence parallel with and 7.50 feet distant at right angles from the East line of said Lot 67 the following two (2) courses:

1. southeasterly 4.31 feet along the arc of a non-tangent curve concave to the southwest having a radius of 6.50 feet and to which beginning a radial line bears North $52^{\circ}16'27''$ East, through a central angle of $37^{\circ}58'48''$;
2. South $00^{\circ}15'15''$ West 78.82 feet to the True Point of Beginning.

Containing 209 square feet, more or less.

SUBJECT TO all easements and/or rights-of-way of record.

Bearings and distances are based on the California Coordinate System 83, Zone 3 (1991.35). A line between City of Stockton monuments no. 317 (10s-13) and no. 269 (8s-24) bears North $65^{\circ}05'58''$ East as calculated from City of Stockton traverse control monument survey, phase xiv, filed for record in Book 35 of Surveys, at Page 5, San Joaquin County records. All distances shown are ground level distances and must be multiplied by 0.99993664 to obtain grid distances.

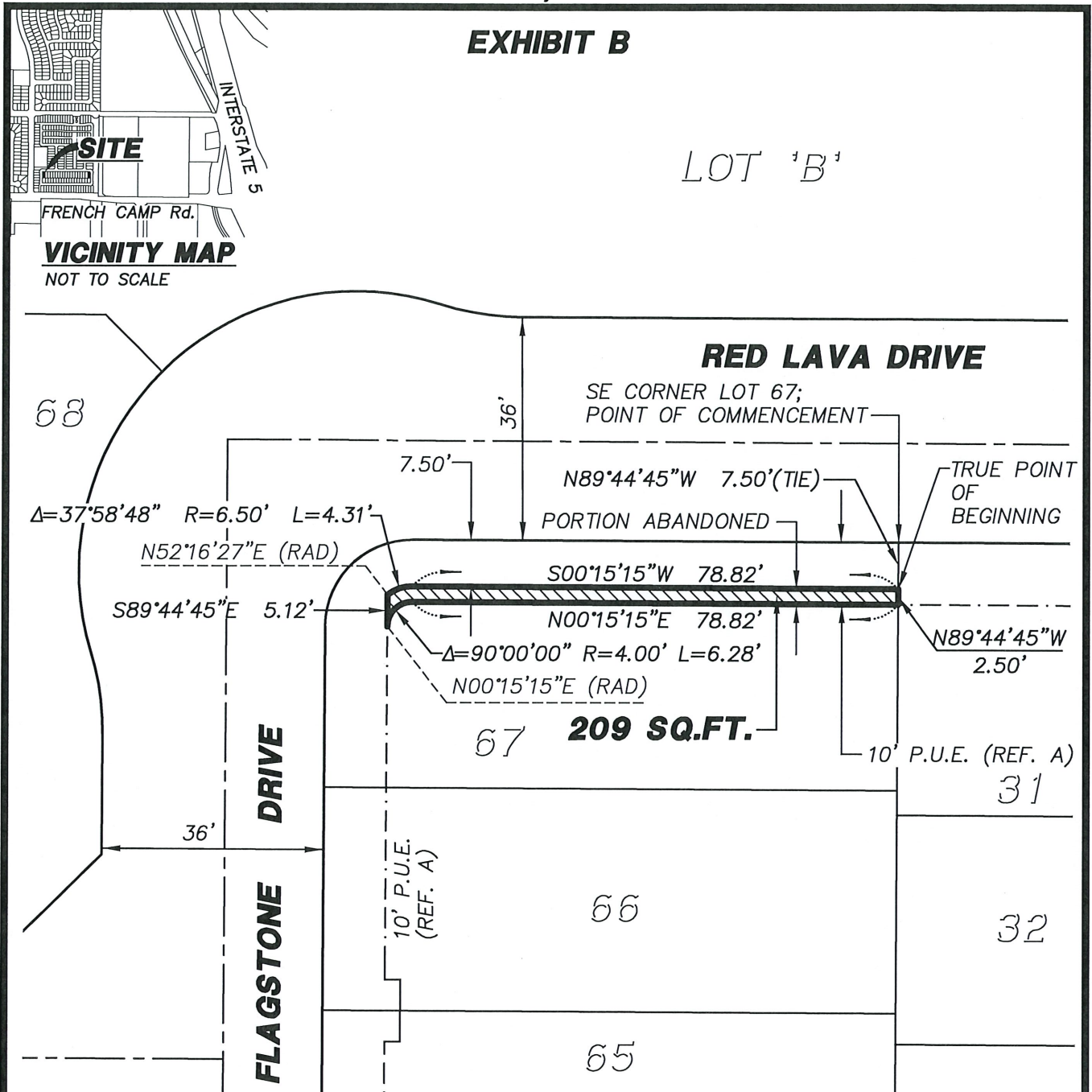
All as shown on EXHIBIT "B" attached hereto and by this reference made a part hereof.



Rien Groenewoud, P.L.S. 6946



6/4/2020

EXHIBIT B

Prepared by:

Rien Groenewoud, P.L.S. 6946
NorthStar Eng. Group, Inc.
620 12th Street
Modesto, CA 95354
209-524-3525

(REF A): 41-M&P-55

NO.	REV.	DATE	BY	APRVD.	<u>P.U.E ABANDONMENT, CORNERSTONE II LOT 67</u>	APPROVED BY:	
					BEING A PORTION OF LOT 67 OF "TRACT No. 3406 CORNERSTONE II", FILED IN BOOK 41 OF MAPS & PLATS, PAGE 55, S.J.C.R., SECTION "D" OF THE C.M. WEBER GRANT		
DWG. BY: RG					CITY OF STOCKTON DEPARTMENT OF PUBLIC WORKS	CITY ENGINEER	
CK. BY: RG						DATE	
SCALE: 1" = 25'						DRAWING NO. 1 of 1	

Parcel name: LOT 67

North: 2150505.35 East : 6333570.92
Line Course: N 89-44-45 W Length: 2.50
North: 2150505.36 East : 6333568.42
Line Course: N 00-15-15 E Length: 78.82
North: 2150584.18 East : 6333568.77
Curve Length: 6.28 Radius: 4.00
Delta: 90-00-00 Tangent: 4.00
Chord: 5.66 Course: N 44-44-45 W
Course In: N 89-44-45 W Course Out: N 00-15-15 E
RP North: 2150584.20 East : 6333564.77
End North: 2150588.20 East : 6333564.79
Line Course: S 89-44-45 E Length: 5.12
North: 2150588.18 East : 6333569.91
Curve Length: 4.31 Radius: 6.50
Delta: 37-58-48 Tangent: 2.24
Chord: 4.23 Course: S 18-44-09 E
Course In: S 52-16-27 W Course Out: S 89-44-45 E
RP North: 2150584.20 East : 6333564.77
End North: 2150584.17 East : 6333571.27
Line Course: S 00-15-15 W Length: 78.82
North: 2150505.35 East : 6333570.92

Perimeter: 175.85 Area: 209 sq.ft. 0.00 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.00 Course: N 89-56-04 W

Error North: 0.000 East : -0.003

Precision 1: 175,850,000.00

Attachment B – Draft Notice of Exemption

**CITY OF STOCKTON
NOTICE OF EXEMPTION**

TO: COUNTY CLERK
COUNTY OF SAN JOAQUIN
44 N San Joaquin Street, Suite 230

FROM: Lead Agency
City of Stockton
c/o Economic Development Department
400 E. Main Street, 4th Floor
Stockton, CA 95202

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

PROJECT DATAProject Title: PUE Easement Abandonments - Cornerstone IICEQA Exemption File No.: NOE31-20Applicant: City of Stockton - Economic Development DepartmentProject Description/Location: Cornerstone II Lot 49, adjacent to Black Ridge Drive, and Cornerstone Lot 67, adjacent to Red Lava Drive.**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):_____.

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

(DATE OF PREPARATION)

By _____
Amanda Thomas

(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