

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE SUMMARY VACATION OF A PORTION OF A STREET EASEMENT ALONG SOUTH AIRPORT WAY

The proposed vacation (abandonment) is located on a portion of South Airport Way; and

Lawrence B. Stone Properties 04, LLC, the adjacent property owner, is requesting the vacation of a portion of a street easement along South Airport Way in order to expand the existing facility's parking capacity located at 2525 S. Airport Way (APN: 169-110-08); and

The City may perform a summary vacation under Division 9, Part 3, sections 8331 & 8334(a) 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 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

The Public Works, Community Development, Municipal Utilities, Police and Fire 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; 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) the Summary Vacation Procedure of the Public Streets, Highways, and Service Easements Vacation Law.
2. The Public Works, Community Development, Municipal Utilities, Police and Fire 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."

4. The subject property meets the criteria set forth in the Streets and Highways Code section 8334(a), provided below in relevant parts:

“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.”

5. The City Council hereby authorizes that the street easement located on a portion of South Airport Way, more particularly described in Exhibits 1 & 2, attached hereto, and incorporated by this reference, is 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. 57-24 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. Lawrence B. Stone Properties 04, LLC, has paid the necessary fees to process this vacation.

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 January 21, 2025.

ATTEST:

CHRISTINA FUGAZI
Mayor of the City of Stockton

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