

**Resolution No.**

# **STOCKTON CITY COUNCIL**

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## **RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF SOUTH PERSHING AVENUE AND TEMPLE STREET RIGHTS-OF-WAY AND RESERVING PUBLIC UTILITY EASEMENTS**

The City of Stockton may perform a general vacation pursuant to Division 9, Part 3, section 8300, et. seq., of the California Streets and Highways Code; and

USA Waste of California, Inc. is requesting the vacation of a portion of rights-of-way in order to expand the existing Waste Management facility, and has paid all necessary fees; and

A public hearing was opened on June 24, 2025, for persons interested in or objecting to the proposed abandonment to show cause why said subject area should not be abandoned; now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:**

- 1) The City Council, having considered testimony and evidence from all persons interested in or objecting to the vacation of rights-of-way at South Pershing Avenue and Temple Street, and the reservation of public utility easements, finds that:
  - (a) Pursuant to California Streets and Highways Code section 8322, the City of Stockton published notification of the public hearing for the proposed vacation in The Record on June 9 and June 16, 2025; and
  - (b) Pursuant to California Streets and Highways Code section 8323, not less than three notices of the proposed vacation were duly posted in a manner and form required by law in conspicuous places along said portions of South Pershing and Temple Street, not more than 300 feet apart and at least 14 days prior to the public hearing date.
- 2) The Public Works Department, Community Development Department, Municipal Utilities, Police and Fire Departments, as well as local utilities, were notified and there were no objections to the proposed abandonment.
- 3) The City Council has duly considered all the evidence and testimony submitted concerning the vacating of a portion of rights-of-way at South Pershing Avenue and Temple Street and reserving two public utility easements and has found from said evidence that said subject area is unnecessary for present and prospective public use.

- 4) The City Council hereby orders that portions of South Pershing Avenue and Temple Street, more particularly described in Exhibit 1 and Exhibit 2, attached hereto and incorporated by this reference, are hereby declared to be vacated and abandoned for street purposes and that public utility easements are hereby reserved.
- 5) The City Council hereby authorizes the reservation of public utility easements throughout the subject area.
- 6) The City Manager, or designee, is authorized to approve the filing of Notice of Exemption No. 13-25 and 15-25 under CEQA, copies of which are attached as Exhibit 3 and Exhibit 4, and incorporated by this reference.
- 7) The City Clerk shall cause a certified copy of this Resolution of vacation, attested by the City Clerk under seal, to be recorded in the Office of the San Joaquin County Recorder-County Clerk.
- 8) The City Manager, or designee, is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.
- 9) In accordance with section 6504 of the Government Code, this project/activity has been determined to conform to the City's General Plan Policy Document, as amended.

PASSED, APPROVED, and ADOPTED: June 24, 2025.

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CHRISTINA FUGAZI  
Mayor of the City of Stockton

ATTEST:

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