

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE VACATION OF A PORTION OF EAST SONORA STREET, EAST CHURCH STREET, AND EAST SCOTTS AVENUE RIGHT-OF-WAYS AND RESERVING A PUBLIC UTILITY EASEMENT

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

Pursuant to California Streets and Highway Code section 8322, the City of Stockton published notification of the public hearing for the proposed vacation in *The Record* on April 1, 2024 and April 8, 2024; and

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 East Sonora Street, East Church Street, and East Scotts Avenue not more than 300 feet apart and at least 14 days prior to the public hearing date; and

A public hearing was opened on April 16, 2024, 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. That this City Council, having considered testimony and evidence from all persons interested in or objecting to the vacation of portions of street located on East Sonora Street, East Church Street, and East Scotts Avenue, and the reservation of a public utility easement in the City of Stockton, California, finds that:
 - (a) The resolution of intention referred to herein was duly published pursuant to section 8322 of the California Streets and Highways Code; and
 - (b) 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 East Sonora Street, East Church Street and East Scotts Avenue proposed to be vacated with a reservation of a public utility easement, more particularly described in Exhibits 1, 2, & 3, not more than 300 feet apart and at least 14 days prior to the hearing date pursuant to section 8323 of the California Streets and Highways Code.

2. The Public Works, Community Development, Municipal Utilities, Police and Fire Departments, as well as local utilities, were notified and there were no objections to the proposed abandonment.
3. That the City Council has duly considered all the evidence and testimony submitted concerning the vacating of portions of street on East Sonora Street, East Church Street, and East Scotts Avenue and reserving a public utility easement and has found from said evidence that said subject area is unnecessary for present or prospective public use.
4. The City Council hereby orders that a portion of East Sonora Street, East Church Street, and East Scotts Avenue, more particularly described hereinafter, is hereby declared to be vacated and abandoned for street purposes and that a public utility easement is hereby reserved.
5. That the portion of East Sonora Street, East Church Street, and East Scotts Avenue in the City of Stockton, California, to be vacated and abandoned and the public utility easement to be reserved by this order is hereby more particularly described in Exhibits 1, 2, & 3, attached hereto and incorporated by this reference. The entire subject area will be reserved as a public utility easement.
6. The City Manager is authorized to approve the filing of Notice of Exemption No. 64-23 under CEQA, a copy of which is attached as Exhibit 4 and incorporated by this reference.
7. 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.

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8. 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 April 16, 2024.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

ELIZA R. GARZA, CMC
City Clerk of the City of Stockton