

AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GLENN)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 16 of the Zoning Map is hereby amended to reclassify the following described property from Single-Family Zone, R-1, to Neighborhood-Commercial Zone, C-1:

Beginning at a point on the center line of Granger Avenue, 1325 feet east of the center line of McHenry Avenue; thence north $0^{\circ} 51' 30''$ west a distance of 150 feet; thence south $89^{\circ} 39'$ east a distance of 150 feet; thence south $0^{\circ} 51' 30''$ east a distance of 150 feet to the center line of Granger Avenue; thence westerly along the center line of Granger Avenue to the point of beginning, located on the north side of Granger Avenue east of McHenry Avenue.

SECTION 2. ZONING MAP. Section Map 16 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

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The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 501 C.S.

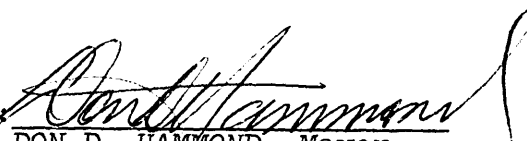
Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

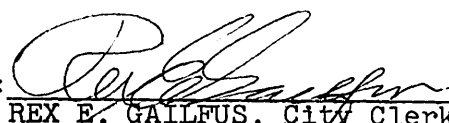
The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of February, 19 62, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 13, 1962

AN ORDINANCE AMENDING SECTION MAP 21 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GLENN)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from Single-Family Zone, R-1, to Planned-Development Zone, P-D(6):

All that portion of Lot 2 of the Coolidge Colony, more particularly described as follows:

Beginning at a point on the center line of Granger Avenue 1325 feet east of the center line of McHenry Avenue; thence easterly along the center line of Granger Avenue a distance of 197 feet; thence south $0^{\circ} 51' 30''$ east a distance of 330.16 feet; thence north $89^{\circ} 40'$ west 197 feet; thence north $0^{\circ} 51' 30''$ west 330.21 feet to the point of beginning, located on the south side of Granger Avenue east of McHenry Avenue.

SECTION 2. USES. The following uses shall be permitted in said P-D(6) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

- (a) Forty-four (44) unit multiple-family development.

SECTION 3. ZONING MAP. Section Map 21 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 502 C.S.

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remove safely for scanning.

Ord. No. 502-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of February, 19 62, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 13, 1962

ORDINANCE NO. 203 C.S. 107
AN ORDINANCE AMENDING SECTION MAP 31 OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (MacDANNALD,
RAINES, HASSAPAKIS AND OLLAR)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 31 of the Zoning Map is hereby amended to reclassify the following described property from Single-Family Zone, R-1, to Planned-Development Zone, P-D (8):

All that portion of Lot 5 of the Spencer Colony, more particularly described as follows:

Beginning at a point 160 feet east of the northwest corner of Lot 5 of the Spencer Colony; thence south $0^{\circ} 30'$ east a distance of 100 feet; thence south $89^{\circ} 55' 37''$ west a distance of 160 feet to the center line of Emerald Avenue; thence south $0^{\circ} 30'$ east along said center line of Emerald Avenue a distance of 62.50 feet; thence north $89^{\circ} 30'$ east a distance of 158.00 feet; thence south $0^{\circ} 30'$ east a distance of 95.60 feet; thence south $89^{\circ} 55' 37''$ west a distance of 158 feet to the center line of Emerald Avenue; thence south $0^{\circ} 30'$ east along said center line of Emerald Avenue a distance of 60.00 feet; thence north $89^{\circ} 55' 37''$ east a distance of 260 feet; thence south $0^{\circ} 30'$ east a distance of 163.55 feet; thence north $89^{\circ} 55' 37''$ east a distance of 495.73 feet to the west right of way line of Modesto Irrigation District Lateral Number 5; thence north $3^{\circ} 34' 23''$ west along said west right of way line a distance of 361.03 feet; thence continuing along said west right of way line along a curve concave to the east having a radius of 420.00 feet, through a central angle of $8^{\circ} 46' 31''$, a curve distance of 64.33 feet to the north line of Lot 5 of said Spencer Colony; thence south $89^{\circ} 55' 37''$ west along the north line of said Lot 5 a distance of 577.85 feet to the point of beginning, being located east of Emerald Avenue south of Franklin School.

SECTION 2. USES. The following uses shall be permitted in said P-D (8) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

- (a) Forty-four (44) apartments.
- (b) Three (3) existing dwellings.

SECTION 3. ZONING MAP. Section Map 31 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.


SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of February, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 503 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

Ord. No. 503-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of February, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: March 13, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
THE CRESTVIEW ADDITION TO THE CITY OF
MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Mrs. Walter Regan, Mrs. M. D. Howcroft, Mrs. M. Karam, Allen L.
DeWaal, Lynne DeWaal, Roy A. Ottoboni, and Lorraine Ottoboni
on December 19, 1961, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory Act
of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the CRESTVIEW
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
8th day of January, 1962, set said petition for
hearing at the hour of 4:30 o'clock p.m. on the 19th day of
February, 1962, in the Council Chambers at the
City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in newspapers of general cir-
culation to wit: The Modesto Tribune, a newspaper
published in the City of Modesto on January 18, 1962,
and on January 25 1962; and in the Turlock Daily
Journal, a newspaper published outside the City of Modesto, but in
the County of Stanislaus, on January 18, 1962,
and on January 25, 1962, for the time and in the
manner required by law, which publications were completed at least
twenty (20) days prior to the date set for hearing; that written
notice of the proposed annexation has been mailed by the City Clerk
of the City of Modesto to each person to whom land within the terri-
tory proposed to be annexed was assessed on the last equalized
assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 19th day of February, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the CRESTVIEW ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

CRESTVIEW ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being Lots 3, 4, 5, 6, 7 and 8, Block 1101 of the Downey Park No. 1 Subdivision, as per map filed August 18, 1959, in Volume 19 of Maps, Page 26, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Lorenzen Addition as per description filed June 27, 1961 as Instrument 20145, Stanislaus County Records, said point being the Southwestern corner of Lot 8, Block 1101, in said Downey Park No. 1 Subdivision; thence along the existing City Limits and the Western line of said Lot 8, North 108.09 feet, to the Southern line of Crestview Drive as shown on the map of said Downey Park No. 1 Subdivision; thence along the Southern line of said Crestview Drive, East, 420.00 feet, to the Northeastern corner of Lot 3 of said Downey Park No. 1 Subdivision; thence along the Eastern line of said Lot 3, South, 108.34 feet, to the Southeastern corner of said Lot 3 and the existing City Limits; thence along said City Limits and the Southern line of said Downey Park No. 1 Subdivision, North 89° 58' West, 420.00 feet, to the point of beginning, containing 1.043 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of February, 1962, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: REX E. GAILFUS
REX E. GAILFUS, City Clerk

APPROVED: DON D. HAMMOND

DON D. HAMMOND, Mayor

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
 THE DAVIS HIGH SCHOOL ADDITION TO THE CITY OF
 MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Modesto Board of Education

on February 5, 1962, to annex to the City of Modesto
 under the provisions of the Annexation of Uninhabited Territory Act
 of 1939, as amended, certain uninhabited territory, hereinafter
 described and designated as the DAVIS HIGH SCHOOL
 ADDITION, situate in the County of Stanislaus, State of California,
 and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
26th day of February, 1962, set said petition for
 hearing at the hour of 8:00 o'clock p.m. on the 9th day of
April, 1962, in the Council Chambers at the
 City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
 finds that a copy of the resolution giving notice of the proposed
 annexation and fixing the time and place for hearing objections to
 the proposed annexation was published in newspapers of general cir-
 culation to wit: The Modesto Tribune, a newspaper
 published in the City of Modesto on March 8, 1962,
 and on March 15, 1962; and in the Turlock Daily
 Journal, a newspaper published outside the City of Modesto, but in
 the County of Stanislaus, on March 8, 1962,
 and on March 15, 1962, for the time and in the
 manner required by law, which publications were completed at least
 twenty (20) days prior to the date set for hearing; that written
 notice of the proposed annexation has been mailed by the City Clerk
 of the City of Modesto to each person to whom land within the terri-
 tory proposed to be annexed was assessed on the last equalized
 assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 9th day of April, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated the DAVIS HIGH SCHOOL ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

DAVIS HIGH SCHOOL ADDITION

All that real property in the State of California, County of Stanislaus, being portions of Sections 7, 8, 17 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Section Corner common to Sections 7, 8, 17 and 18, said point being on the existing City Limits as established by the Southern line of the Neighborhood Church Addition, as per description filed February 2, 1961 as Instrument 3513, Stanislaus County Records, and also being the Center Line of a Public right of way known as Tully Road; thence along the existing City Limits, North $0^{\circ} 48' 30''$ West, 20.00 feet, to the Westerly extension of the Northern line of a Public right of way known as Rumble Road, as per map of the Standiford Colony, filed December 11, 1912, in Volume 7 of Maps, Page 17, Stanislaus County Records; thence along said Northern line of Rumble Road and the existing City Limits, South $89^{\circ} 00' 30''$ East, 1318.54 feet, to the Northerly extension of the Eastern line of the Northwest quarter of the Northwest quarter of Section 17; thence along said North-South quarter, quarter section line, South $0^{\circ} 51'$ East, 1339.83 feet, to the Southeast corner of the Northwest quarter of the Northwest quarter and the existing City Limits, as established by the Northern line of the Bel-Air Addition, as per description filed September 30, 1955, as Instrument 29228, Stanislaus County Records; thence along said East-West quarter, quarter section line and the existing City Limits, North $88^{\circ} 55' 30''$ West, 1018.81 feet; thence continuing along the existing City Limits, North $51^{\circ} 18' 10''$ West, 415.64 feet, to the Western line of Tully Road, which is 20 feet at right angles Westerly from the Section Line common to Sections 17 and 18, and the existing City Limits as established by the Eastern line of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, as Instrument 15694, Stanislaus County Records; thence along said Western line of Tully Road and the existing City Limits, North $0^{\circ} 48' 30''$ West, 1063.88 feet to the Section Line common to Sections 7 and 18 and the Southern line of the Neighborhood Church Addition; thence along the existing City Limits, South $89^{\circ} 18' 30''$ East, 20.00 feet to the point of beginning, containing 40.193 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

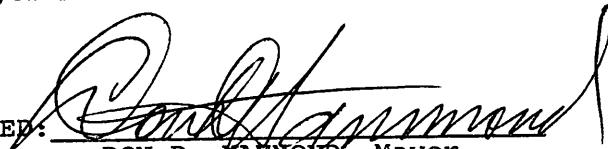
SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1962, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 4-4.802 OF ARTICLE 8 OF CHAPTER 4 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO SUBDIVISION IMPROVEMENTS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 4-4.802 of Article 8 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.802. GENERAL REQUIREMENTS. The subdivider shall install improvements in accordance with the standards specified in this Chapter and in the standard specifications.

(a) Streets and Alleys. All streets and alleys shall be improved in accordance with the requirements of the standard specifications referred to in Section 4-4.801 hereof.

(b) Structures. Structures or conduits shall be installed, as deemed necessary by the City Engineer, for drainage, access and/or public safety. Such structures and conduits shall be placed to grades and shall be of a design and size approved by the City Engineer.

(c) Curbs and Gutters. Curbs and gutters shall be installed to grades, cross section, layout and location approved by the City Engineer.

(d) Sidewalks. Sidewalks shall be installed along all streets and may be required in other locations where sidewalks are deemed necessary by the Planning Commission.

(e) Sewage Disposal.

(1) Sanitary sewer facilities connecting with the existing City system shall be installed to serve each lot when connection to such system is available. Sewers shall be installed to grades, location, design and sizes approved by the City Engineer in accordance with the provisions of applicable laws of the City.

(2) When connection to a sanitary system is not available, septic tanks may be permitted for lots of not less than nine thousand (9,000) square feet in area, providing that a letter is submitted from the City Health Officer prior to approval of the tentative map certifying that field investigation has shown that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and sizes as shown on the map of the proposed subdivision.

(f) Water. Water mains connecting with the existing City or public utility system shall be installed to serve each lot when connection to such system is available. In the latter case, when it is proposed that water will be supplied by a private water company, the subdivider shall submit a letter from the governing body of such water system showing the ability of the system to serve the proposed subdivision and evidence that a satisfactory agreement has been entered into for connection to that system. Water mains shall then be installed to grades, location, design and sizes approved by the City Engineer and the engineer of the governing body of the water system.

(g) Street Lights.

(1) Pendant street lighting standards, underground cables and all materials and appurtenances necessary shall be installed of a design and location approved by the City Engineer. There shall be at least one electrolier at each intersection, and intermediate electroliers not more than six hundred sixty (660') feet apart in blocks exceeding six hundred sixty (660') feet in length. Where a cul-de-sac is longer than three hundred (300') feet measured from the center of the turnaround at the end of the cul-de-sac to the center line of the intersecting street, an electrolier shall be provided at the turnaround in a location approved by the City Engineer. ✓

(2) When street lighting is installed or furnished by the subdivider pursuant to subsection (1) above, the City may share in the cost of perimeter street lights whenever any street light so installed is located in a street bordering the subdivision and land adjacent to the subdivision is or may be benefited by said street light. The portion of the cost of each such street light which would ordinarily, because of such benefit, be borne by others may be advanced by the City. ✓

(3) Advances of perimeter street light costs for undeveloped land by the City shall be made on the basis that said costs will be recovered by the City from the subdivider of the undeveloped land at the time the subdivider files the final map for such subdivision. ✓

(h) Railroad Crossings. Provisions shall be made for any and all railroad crossings necessary to provide access to or circulation within the proposed subdivision, including the preparation of all documents necessary for application to the California State Public Utilities Commission for the establishment and improvement of such crossing. The cost of such railroad crossing improvement shall be borne by the subdivider.

(i) Street Signs. Each subdivider shall pay to the City at the time of approval of the final map as condition of such approval the sum of Twenty-Five and no/100ths (\$25.00) Dollars for each street sign required in the subdivision; provided, that when only a part of an intersection requiring a street sign is within or contiguous to the subdivision, the charge for street signs for such intersection shall be proportional to the number of corners of the intersection within or contiguous to the subdivision.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption, but shall not apply to any subdivision the tentative map of which has been approved by the Planning Commission prior to the effective date of this ordinance.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of April, 1962, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 1, 1962

AN ORDINANCE AMENDING SECTION 1-4.03 OF CHAPTER 4 OF TITLE I OF THE MODESTO MUNICIPAL CODE AND ADDING SECTION 1-4.04 THERETO RELATING TO HEARINGS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 1-4.03 of Chapter 4 of Title I of the Modesto Municipal Code is hereby amended to read as follows:

SECTION 1-4.03. HEARING. NOTICE. Upon receipt of the filing of the notice of appeal in proper form, the City Clerk shall place the matter on the Council agenda for the next regular meeting of the Council. The Council shall set said matter for hearing at a subsequent meeting, but in no event later than thirty (30) days after the date of the filing of said notice of appeal with the City Clerk. The City Clerk shall cause written notice of said hearing to be given to the applicant not less than five (5) days prior to such hearing, unless such notice is waived in writing by applicant.

SECTION 2. AMENDMENT OF CODE. Section 1-4.04 is hereby added to Chapter 4 of Title I of the Modesto Municipal Code to read as follows:

SECTION 1-4.04. HEARING. At such hearing the appellant shall show cause on the ground specified in the notice of appeal why the action excepted to should not be approved. The Council may continue the hearing from time to time and its findings on the appeal shall be final and conclusive in the matter.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of April, 1962, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 507-C.S.

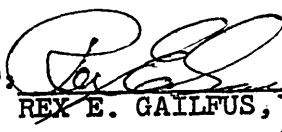
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: May 8, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
 THE DRAKE ADDITION TO THE CITY OF
 MODESTO.

WHEREAS, a petition was filed with the City Clerk by Pete Johnson, Marion Johnson, Domenica Connetto, Rosa Baggett, Cheto Connetto or Ciro Connetto, Jr., Ida Dorrity, A. F. Schmidt, Mel Grinstead, Jack Gentry, Mrs. Minnie Sue Gentry, Manuel James DePonte, Angie DePonte, E. R. Harrison, Leslie Lankford, Pearl Lankford, Willie Mae Ward, Lloyd G. Overholtzer and Humble Oil and Refining Company on January 26, 1962, to annex to the City of Modesto

under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the DRAKE

ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 12th day of March, 1962, set said petition for hearing at the hour of 8:00 o'clock p.m. on the 23rd day of April, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Tribune, a newspaper published in the City of Modesto on March 22, 1962, and on March 29, 1962; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on March 22, 1962, and on March 29, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 23rd day of April, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one-half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the DRAKE ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

DRAKE ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Granger Addition as per description filed December 4, 1953, as Instrument 30044, Stanislaus County Records, said point also being the Northwestern corner of the East Orangeburg Addition as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records; thence along said existing City Limits, North 0° 10' West, 510.00 feet to a point on the existing City Limits as established by the McHenry Village Addition as per description filed May 11, 1954, as Instrument 11745, Stanislaus County Records; thence along said existing City Limits South 89° 00' East, 340.40 feet; thence continuing along said City Limits, South 0° 10' East, 160.00 feet, to the Northern line of a 40 foot Public Road known as Coolidge Avenue; thence continuing along said existing City Limits and the Northern line of Coolidge Avenue, South 89° 00' East, 149.60 feet; thence South 0° 10' East, 125.00 feet, along the Eastern line and its Northern extension of the property of Leslie and Pearl Lankford, as per deed Recorded May 15, 1961, as Instrument 15252, Stanislaus County Records; thence South 89° 00' East, 95.00 feet, along the Northern line of the property of Joseph and Josephine Stallone, as per deed Recorded September 17, 1958, as Instrument 23249, Stanislaus County Records; thence South 0° 10' East 85.00 feet, along the Eastern line of said Stallone property, to the Northern line of a 50 foot Public Road known as Drake Avenue; thence along the Northern line of Drake Avenue, North 89° 00' West, 115.00 feet to a point on the Northern extension of the Eastern line of the property of Manuel and Angie DePonte, as per deed Recorded February 21, 1961, as Instrument 5422, Stanislaus County Records; thence South 0° 10' East, 140.00 feet, along the Eastern line and its Northern extension of said DePonte property to the existing City Limits as established by the East Orangeburg Addition; thence along said City Limits, North 89° 00' West, 470.00 feet, to the point of beginning, containing 5.306 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

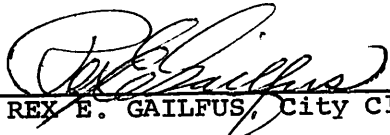
SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of April, 19 62, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

ATTEST: 
REX E. GAILFUS, City Clerk

APPROVED: 
DON D. HAMMOND, Mayor

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 29 OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (VICINITY OF
ELM, CHESTNUT AND LAUREL STREETS)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 29 of the Zoning Map is hereby amended to reclassify the following described property from Two-Family Zone, R-2 and Multiple-Family Zone, R-3, to Commercial Industrial Zone, C-M:

Beginning at a point at the intersection of the center lines of the proposed 99 Freeway and M Street; thence northeasterly along the center line of M Street to the center line of 7th Street; thence northwesterly along the center line of 7th Street to the center line of Washington Street; thence northerly along the center line of Washington Street to the west right-of-way line of 8th Street; thence along said west line of 8th Street to the center line of the alley in Block 435; thence westerly along the center line of said alley through Blocks 435, 434, and 433 to the east line of the right-of-way of Modesto Irrigation District Lateral #4; thence southerly along the east boundary line of the right-of-way of said Lateral #4 to the center line of the proposed 99 Freeway; thence southerly along the center line of said proposed 99 Freeway to the point of beginning.

SECTION 2. ZONING MAP. Section Map 29 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of May, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


BON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)


Ordinance 509 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 28th day of May, 1962, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, Mayor pro tempore VandefWall
NOES: Councilmen: None
ABSENT: Councilmen: Mayor Hammond

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: June 12, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE SCOTT MANOR ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

George Klemm and Lance Ellis

on February 28, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the SCOTT MANOR ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 9th day of April, 1962, set said petition for hearing at the hour of 4:30 o'clock P.M. on the 21st day of May, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on April 19, 1962, and on April 26, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

... address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 21st day of May, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the SCOTT MANOR ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits established by the Gish Addition, as per description filed August 3, 1961 as Instrument 24553, Stanislaus County Records, said point being 40.00 feet at right angles, East of the Northwest corner of the Southeast quarter of said Section 13, and also being on the Eastern line of a Public Right of Way known as Conant Avenue; thence along the East-West quarter section line and the existing City Limits, and along the Northern line of property conveyed to Lance E. Ellis, et ux, by deed recorded October 30, 1961 as Instrument 35658, Stanislaus County Records, North $89^{\circ} 21' 30''$ East, 1286.82 feet, to the Southeastern corner of the Gish Addition and the North-South quarter section line; thence along said North-South quarter section line, South $0^{\circ} 16' 30''$ East, 396.00 feet, to the Southeastern corner of said Ellis property; thence along the Southern line of said Ellis property and parallel with the East-West quarter section line, South $89^{\circ} 21' 30''$ West, 1286.63 feet, to the Eastern line of Conant Avenue; thence along said Eastern line of Conant Avenue, parallel with and 40.00 feet, at right angles East of the North-South quarter section line, North $0^{\circ} 18' 20''$ West, 396.00 feet, to the point of beginning, containing 11.698 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of May, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE BLOMDAHL ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Wallace E. Blomdahl, Anna E. Blomdahl, George W. Hemminger,
Etta Hemminger and Roger Hemminger
on April 13, 19 62, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory
Act of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the BLOMDAHL
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
23rd day of April, 19 62, set said petition for
hearing at the hour of 4:30 o'clock P.M. on the 4th day
of June, 19 62, in the Council Chambers at the City
Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on April 26, 1962, and on
May 3, 19 62, for the time and in the manner required
by law, which publications were completed at least twenty (20)
days prior to the date set for hearing; that written notice of the
proposed annexation has been mailed by the City Clerk of the City
of Modesto to each person to whom land within the territory
proposed to be annexed was assessed on the last equalized assess-
ment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 4th day of June, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the BLONDAHL ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of Section 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits said point being the Northwestern corner of Gregory Gardens Number 2 Addition, as per description filed December 5, 1955, as Instrument 35055, Stanislaus County Records, said point being also on the East-West quarter Section line in said Section 18; thence South $00^{\circ} 20'$ West, 717.09 feet, along the Western line of said Gregory Gardens Number 2 Addition, to a point on the Northern line of Saratoga Manor Addition as per description filed February 2, 1960, as Instrument 2905, Stanislaus County Records; thence North $88^{\circ} 25'$ West 1237.24 feet along said Northern line of Saratoga Manor Addition, to a point on the Eastern line of Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records; thence North $00^{\circ} 20'$ East, 717.09 feet, along said Eastern line of Park Manor Addition, to a point on the East-West quarter Section line of Section 18; thence South $88^{\circ} 25'$ East, 1237.24 feet along said quarter Section line to the point of beginning, containing 20.37 acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of June, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF
MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1963,
AND PROVIDING FOR CERTAIN TRANSFERS OF FUNDS.

WHEREAS, pursuant to the Charter of the City of Modesto a proposed budget for the 1962-63 fiscal year has been submitted to the City Council by the City Manager, and the City Council has made such revisions as it has deemed advisable, and

WHEREAS, in accordance with the City Charter, a public hearing has been held upon the adoption of the proposed budget after due notice, as provided by law, and

WHEREAS, copies of the proposed budget have been and are available for inspection by the public at the office of the City Clerk,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. That the "City of Modesto Preliminary Budget, 1962-63", presented by the City Manager to the City Council at its meeting held on May 14, 1962, and as thereafter amended by the City Council, a copy of which budget, as amended is on file in the office of the City Clerk, is hereby adopted as the budget for the City of Modesto for the fiscal year ending June 30, 1963, and the several amounts stated therein as proposed expenditures are hereby appropriated for the various objects therein described.

SECTION 2. That the City Council is authorized by resolution to transfer funds from one department to another department and to transfer and authorize the expenditure of funds from the Reserves for specific purposes.

SECTION 3. That the City Manager is authorized to transfer funds within departmental budgets between the following classifications, to wit: Salaries, operating expenses, and capital outlay; and to transfer and expend funds from the Contingency Reserve for specific purposes.

SECTION 4. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect upon adoption.

SECTION 5. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 25th day of June, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE WYLIE ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Arthur J. Wylie, Florence Wylie and Walter P. Dorenzen

on April 26, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the WYLIE ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 21st day of May, 1962, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 9th day of July, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on May 31, 1962, and on June 7, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 9th day of July, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the WYLIE ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

WYLIE ADDITION

All that real property in the State of California, County of Stanislaus, Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lots 19 and 22 of the Broughton Colony Tract, as per map filed March 17, 1904, in Volume 1 of Maps, at Page 78, Stanislaus County Records, described as follows:

Beginning at the Southeastern corner of the existing City Limits as established by the Lorenzen Addition, as per description filed June 27, 1961, as Instrument 20145, Stanislaus County Records, said point being on the Western line of a 40 foot Public Right of Way known as Rose Avenue, as per map of said Broughton Colony Tract; thence along the Western line of said Rose Avenue, South $0^{\circ} 35'$ East, 822.74 feet, to the Southern line of Lot 22 of said Broughton Colony Tract; thence along the Southern line of Lot 22, North $89^{\circ} 56' 15''$ West, 400.00 feet; thence parallel with the Western line of Rose Avenue, North $0^{\circ} 35'$ West, 822.88 feet, to the Southern line of said Lorenzen Addition; thence along the Southern line of said Lorenzen Addition, South $89^{\circ} 55'$ East, 400.00 feet, to the point of beginning, containing 7.556 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED:


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE KLEMM ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Walter Kellstrom, Francis Kellstrom, George Klemm, Robert A.
Morrison and Irene R. Morrison

on May 8, 19 62, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory
Act of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the KLEMM
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
21st day of May, 19 62, set said petition for
hearing at the hour of 8:05 o'clock P.M. on the 9th day
of July, 19 62, in the Council Chambers at the City
Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on May 31, 19 62, and on
June 7, 19 62, for the time and in the manner required
by law, which publications were completed at least twenty (20)
days prior to the date set for hearing; that written notice of the
proposed annexation has been mailed by the City Clerk of the City
of Modesto to each person to whom land within the territory
proposed to be annexed was assessed on the last equalized assess-
ment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 9th day of July, 1962, at the hour of 8:05 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the KLEMM ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

KLEMM ADDITION

All that real property in the State of California, County of Stanislaus, Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the Northwestern corner of the existing City Limits as established by the Park Manor Addition, as per description filed June 2, 1960, as Instrument 15668, Stanislaus County Records, said corner also being the Southeastern corner of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 8, 1957, as Instrument 715, Stanislaus County Records; thence along the Eastern line of said Kellstrom property, North $00^{\circ} 40'$ West, 317.82 feet, to the Southeastern corner of the property conveyed to Magdalena A. Conant, as per deed recorded May 13, 1939, as Instrument 5874, Stanislaus County Records; thence along the Southern line of said Conant property, South $88^{\circ} 59' 30''$ West, 816.13 feet, to the Northwestern corner of said Kellstrom property; thence along the Western line of the Kellstrom property, South $0^{\circ} 40'$ East, 322.90 feet, to the Southwestern corner of the Kellstrom property and the Southeastern corner of the property conveyed to Lloyd L. Cunningham, et ux, as per deed recorded January 8, 1957, as Instrument 632, Stanislaus County Records, said corner also being a point on the Northern line of the property conveyed to Walter Kellstrom, et ux, as per deed recorded January 2, 1952, as Instrument 77, Stanislaus County Records; thence along the Southern line of the Cunningham property and the Northern line of said Kellstrom property, South $88^{\circ} 39'$ West, 471.97 feet, to a point on the Eastern line of a 40.00 foot Public Road known as Conant Avenue said line being parallel with and 40.00 feet, at right angles, Easterly from the North-South quarter section line of Section 13; thence along the Eastern line of Conant Avenue, South $0^{\circ} 40'$ East, 320.68 feet, to a point on the Northern line of the existing City Limits as established by the Gish Addition, as per description filed August 3, 1961, as Instrument 24553, Stanislaus County Records; thence along the Northern line of the Gish Addition, North $88^{\circ} 59' 30''$ East, 1286.99 feet, to a point on the Western line of the Park Manor Addition; thence along said Western line, North $0^{\circ} 40'$ West, 328.33 feet, to the point of beginning, containing 15.590 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 19 62, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE STENSAAS ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
William McK. Stensaas, Mrs. Helen E. Langpaap, Sue Hassapakis
(Williams), Otto Fisk, Bertha C. Elleby, Francis H. Langpaap,
and Mildred Stensaas

on May 10, 1962, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory
Act of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the STENSAAS
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
21st day of May, 1962, set said petition for
hearing at the hour of 8:10 o'clock P.M. on the 9th day
of July, 1962, in the Council Chambers at the City
Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on May 31, 1962, and on
June 7, 1962, for the time and in the manner required
by law, which publications were completed at least twenty (20)
days prior to the date set for hearing; that written notice of the
proposed annexation has been mailed by the City Clerk of the City
of Modesto to each person to whom land within the territory
proposed to be annexed was assessed on the last equalized assess-
ment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 9th day of July, 1962, at the hour of 8:10 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the STENSAAS ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

STENSAAS ADDITION

All that real property in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records, said point being on the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, the following courses, North $89^{\circ} 15'$ West, 220.00 feet, North $00^{\circ} 02'$ East, 50.00 feet, North $89^{\circ} 15'$ West, 40.00 feet; thence along the Eastern line and its Northerly extension, of the property conveyed to Ronald L. Dodson, et al, by deed Recorded November 22, 1960, as Instrument 33258, Stanislaus County Records, North $00^{\circ} 02'$ East, 200.00 feet, to a point on the Northern line of a 50 foot Public Road known as Clayton Avenue; thence along said Northern line, South $89^{\circ} 15'$ East, 23.26 feet, to the Eastern line of the property conveyed to Joseph S. Enos, et ux, by deed Recorded January 27, 1948, as Instrument 1975, Stanislaus County Records; thence along said Eastern line, North $00^{\circ} 02'$ East, 114.88 feet, to a point on the existing City Limits as established by the Southern line of the Garrison School Addition as per description filed January 29, 1957, as Instrument 2646; thence along said Southern line, South $89^{\circ} 16' 30''$ East, 236.74 feet, to a point on the existing City Limits as established by the Western line of the Northwest Addition as per description filed December 10, 1951 as Instrument 28460, said point being on the center line of Carver Road; thence along said City Limits, South $00^{\circ} 02'$ West, 364.99 feet, to the point of beginning, containing 2.070 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

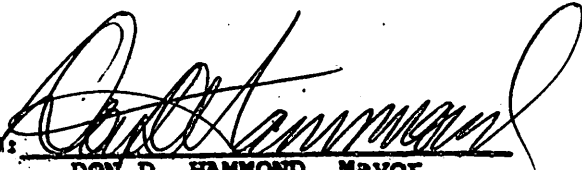
SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of July, 19 62, by Councilman Shastid, who moved its adoption and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	Patton

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE RUFFINO ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Peter Ruffino and Josephine Ruffino

on May 21, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the RUFFINO ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 11th day of June, 1962, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 23rd day of July, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on June 14, 1962, and on June 21, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 23rd day of July, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the RUFFINO ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

RUFFINO ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 14 in Block 2196 of the Alta Vista Tract, as per map filed September 12, 1946, in Volume 14 of Maps, Page 75, Stanislaus County Records, and also described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the Phoenix Station Addition, as per description filed March 11, 1959, as Instrument 6959, Stanislaus County Records, said point being the Northeastern corner Lot 14 of Block 2196; thence along the Northern line of Lot 14 and the Southern line of said Phoenix Station Addition, North $89^{\circ} 50'$ West, 127.65 feet, to the Eastern line of the alley in Block 2196 and the existing City Limits as established by the La Loma-Yosemite Addition, as per description filed December 4, 1953, as Instrument 30045, Stanislaus County Records; thence along the Eastern line of the alley and the existing City Limits, South $0^{\circ} 34' 40''$ East, 60 feet, to the Southwestern corner of said Lot 14; thence along the Southern line of Lot 14 and the existing City Limits, South $89^{\circ} 50'$ East, 127.67 feet, to the Southeastern corner of Lot 14 and the Western line of Phoenix Avenue; thence along the Eastern line of Lot 14 and the Western line of Phoenix Avenue, North $0^{\circ} 35' 40''$ West, 60 feet to the point of beginning, containing 0.176 Acres, more or less.

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE CRESTWOOD TERRACE ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

George B. Pierrou and Kenneth F. Duffin

on June 4, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the CRESTWOOD TERRACE ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 25th day of June, 1962, set said petition for hearing at the hour of 4:30 o'clock P.M. on the 6th day of August, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on July 5, 1962, and on July 12, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 6th day of August, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the CRESTWOOD TERRACE ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

CRESTWOOD TERRACE ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all the property conveyed to Kenneth F. Duffin and George B. Pierrou, by Deeds recorded November 28, 1961, as Instrument 39368, and February 2, 1962, as Instrument 4364, Stanislaus County Records, more particularly described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being on the Section Line common to Sections 9 and 16; thence along said Section Line and the existing City Limits, North 89° 30' West, 32.51 feet, to the Southwestern corner of said Duffin and Pierrou property; thence along the Western line of said property, North 0° 45' West, 420.00 feet, to the Northwestern corner thereof; thence along the Northern line of said property, South 89° 30' East, 659.21 feet, to the Northeastern corner thereof; thence along the Eastern line of said property, South 0° 44' 30" East, 420.00 feet, to the Southeastern corner thereof and a point on the Section Line; thence along the Section Line, North 89° 30' West, 626.64 feet, to the point of beginning, containing 6.356 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 19 62, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE RELATING TO THE BUDGET FOR THE CITY OF MODESTO FOR THE 1962-63 FISCAL YEAR AND APPROPRIATING ADDITIONAL REVENUES AND ADJUSTED UNAPPROPRIATED AVAILABLE CARRYOVER BALANCES IN VARIOUS FUNDS FOR SAID BUDGET.

The Council of the City of Modesto does ordain as follows:

SECTION 1. SPECIAL FUND FOR CAPITAL OUTLAYS. The estimated revenues in the Special Fund for Capital Outlays as approved for the budget for the City of Modesto for the 1962-63 fiscal year as adopted by Ordinance No. 512-C.S. on June 25, 1962, are hereby adjusted as follows:

State Freeway Subvention	+ \$50,000
Sale of Real Property	- <u>7,000</u>
Net Addition	<u>\$43,000</u>

SECTION 2. 1953 SEWER IMPROVEMENT FUND. The estimated available carryover balance and appropriations in the 1953 Sewer Improvement Fund as approved for the budget for the City of Modesto for the 1962-63 fiscal year as adopted by Ordinance No. 512-C.S. on June 25, 1962, are hereby adjusted as follows:

Estimated Available Carry-over Balance	+ \$85,214
Expenditure Appropriations	- <u>4,786</u>

and expenditure appropriations in the 1953 Sewer Improvement Fund are adjusted as follows:

Appropriations	\$122,000
Available	<u>117,214</u>
	<u>\$ 4,786</u>

SECTION 3. VARIOUS FUNDS. The available carryover balances in the fiscal budget for 1962-63 as adopted by Ordinance No. 512-C.S. on June 25, 1962, shall be increased or decreased to agree with the schedule below, and the General Reserve for each fund adjusted accordingly:

1962-63 Budget Adjustments

<u>Fund</u>	<u>Estimated Available Balance</u>	<u>Actual Available Balance at 7-1-62</u>	<u>Adjustments to Estimated Revenues</u>	<u>Increases or Decreases to General Reserve</u>	<u>Revised Total Appropriations</u>
Library	\$ 10,500	\$ 14,113	\$	\$ 3,613	\$ 63,741
Traffic Safety	12,000	14,308	.	2,308	2,308
Sp. Gas Tax					
Street Imp.	45,948	108,743		62,795	177,643
Parking	174,000	178,499		4,499	304,849
Sewer Service	55,000	89,839		34,839	142,064
McHenry Pub. Lib. Cap. Out.	20,500	20,616		116	40,616
Special Aviation	3,900	4,554		654	8,954
Youth Center Furnishing	423	423		-	423
Sp. Fund for Cap. Out.	425,000	394,254	43,000	12,254	947,966
Airport Development	8,844	14,404		5,560	27,494
Park & Recreation Fac.	15,000	22,597		7,597	32,597
In Lieu Parking	5,250	5,250		-	5,250
Bond Redemption & Int.	15,000	16,531		1,531	79,225
1953 Sewer Bond	11,700	11,958		258	138,333
1958 City Hall Bond Int. & Redemp.	-	-		-	74,788

SECTION 4. DIRECTOR OF FINANCE TO IMPLEMENT PROVISIONS.

The Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this ordinance.

SECTION 5. EFFECTIVE DATE. Pursuant to Section 722

of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation as of the date of its adoption.

SECTION 6. PUBLICATION. This ordinance shall be

published in full in the Modesto Tribune, the official newspaper of the City of Modesto, within fifteen (15) days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th

day of August, 1962, by Councilman Patton,
who moved its introduction and passage to print, which motion
being duly seconded by Councilman Johansen, was upon
roll call carried and ordered printed and published by the
following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall,

Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Mitchell, Shastid

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 3-2.1401 OF ARTICLE 14 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO SPEED LIMITS IN THE CITY OF MODESTO AND REPEALING SECTION 1 OF ORDINANCE NO. 486-C.S.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 3-2.1401 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1401. DECREASE OF STATE LAW MAXIMUM SPEED. Pursuant to authority contained in the California Vehicle Code, it is hereby determined upon the basis of an engineering and traffic survey that the speed limit permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such streets, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

<u>NAME OF STREET OR PORTION AFFECTED</u>	<u>DECLARED PRIMA FACIE SPEED LIMIT</u>
ALICE, from Sycamore to McHenry	25 miles per hour
BOWEN, from Geneva Drive to the easterly city limits	25 miles per hour
BRIGGSMORE, from McHenry to Tully Road	30 miles per hour
CARVER ROAD, from Evergreen Street north to northerly city limits.	25 miles per hour
CENTER STREET, entire length in city	25 miles per hour
DEL VALE, entire length in city	25 miles per hour
EMERALD, from Maze Road to the southerly city limits	25 miles per hour
ENSLLEN, between Granger and Orangeburg	25 miles per hour
FAIRMONT AVENUE, between Virginia and McHenry	25 miles per hour
FLOYD AVENUE, within the city limits	30 miles per hour
FRANKLIN, between California and Laurel	25 miles per hour

GRANGER, from Tully to McHenry	25 miles per hour
GRISWOLD, from Virginia to McHenry	25 miles per hour
HADDON, between La Loma and Conejo Avenue	25 miles per hour
HATCH ROAD, within the city limits	35 miles per hour
JEFFERSON, from Paradise Road to 8th Street	25 miles per hour
K STREET, between Washington Avenue and 9th Street	25 miles per hour
KEARNEY, entire length in city	25 miles per hour
LA LOMA, entire length in city	25 miles per hour
LUCERNE AVENUE, from Johnson Street to Coffee Road	25 miles per hour
MADISON, entire length in city	25 miles per hour
MILLER, from La Loma to Conejo	25 miles per hour
MORTON BOULEVARD, entire length in city	25 miles per hour
NEECE DRIVE, from Tuolumne Boulevard to the southerly city limits	25 miles per hour
ORANGEBURG AVENUE, east of McHenry Avenue	35 miles per hour
SHERWOOD, from Orangeburg to Northern Boulevard	25 miles per hour
STODDARD, between McHenry and Virginia	25 miles per hour
SUNRISE, from Lucerne to the northerly city limits	25 miles per hour
TULLY ROAD, from Coldwell to Woodman Way	25 miles per hour
TULLY ROAD, between Rumble and the northerly city limits	35 miles per hour
WESTERN WAY, between Sutter Avenue and Roselawn Avenue	25 miles per hour
WRIGHT, from Sycamore to McHenry	25 miles per hour

SECTION 2. REPEALS. Section 1 of Ordinance No. 486-C.S.

is hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of August, 19 62, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: August 28, 1962

AN ORDINANCE AMENDING SECTION 27 OF THE ZONING MAP OF THE CITY OF MODESTO TO ESTABLISH INTERIM ZONING FOR CERTAIN PROPERTY LOCATED THEREON NEWLY ANNEXED TO THE CITY. (RUFFINO ADDITION)

WHEREAS, Ruffino Addition was annexed to the City of Modesto on July 25, 1962, and

WHEREAS, Section 10-2.1505 of the Modesto Municipal Code authorizes the Council, upon the recommendation of the Planning Commission, to temporarily classify newly annexed territory into zones other than R-1 classification by the adoption of an emergency interim ordinance in order to protect the public health, safety and welfare of the City,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. INTERIM ZONING. Section 27 of the Zoning Map of the City of Modesto is hereby amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference. The purpose of said amendment is to establish interim zoning for newly annexed territory as set forth on said map. Except for the interim zoning of newly annexed territory as shown on said map, the existing zoning shall continue in effect.

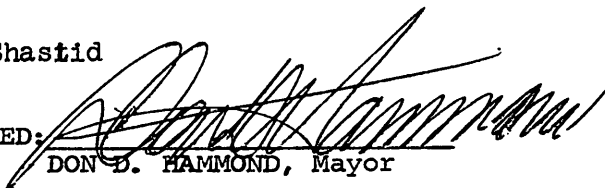
SECTION 2. DECLARATION OF EMERGENCY. The Council of the City of Modesto hereby finds and declares that the foregoing ordinance is necessary as an emergency measure for preserving the public peace, health and safety. The following is a statement of facts showing its urgency. The property for which interim zoning is established by this ordinance is newly annexed to the City. The best utilization and development of said property requires the establishment of interim zoning pending the completion of formal zoning proceedings.

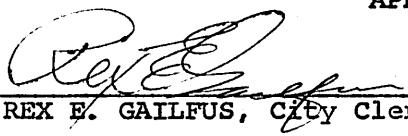
SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 4. This ordinance shall be published in full at least once in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of August, 1962, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Patton, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell, Shastid

APPROVED: 
DON B. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 520 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

AN ORDINANCE FIXING THE RATE OF TAXATION IN AND FOR THE CITY OF MODESTO FOR THE FISCAL YEAR 1962-1963.

The Council of the City of Modesto does ordain as follows:

SECTION 1. DEFINITION: TAX CODE AREA. A geographical area within the City of Modesto as established by the State Board of Equalization for the purposes of taxation and as shown on the tax code area maps on file in the Office of the Assessor of Stanislaus County, State of California.

SECTION 2. TAX RATE. There is hereby levied upon the assessed valuation of the property in the following described tax code areas situated in the City of Modesto, State of California, for the fiscal year beginning July 1, 1962 and ending June 30, 1963, the rates of taxation hereinafter specified, said rates being upon each One Hundred and No/100ths (\$100.00) Dollars of the valuation according to the equalized assessment roll, to wit:

- (a) Tax Code Areas Nos. 2-1; 2-2; 2-6; 2-7; 2-8; 2-9; 2-10; 2-16; 2-17; and 2-18;

FOR THE GENERAL FUND. \$ 1.42

FOR THE BOND REDEMPTION AND INTEREST FUND

- (1) Municipal Improvement Bonds of 1947. \$.11
- For the redemption of bonds and the payment of interest thereon that shall accrue during said fiscal year;

FOR THE LIBRARY FUND. \$.11

THE AGGREGATE OF SAID SUMS, TO WIT \$ 1.64

- (b) Tax Code Areas Nos. 2-3, 2-4 and 2-5:

FOR THE GENERAL FUND. \$ 1.42

FOR THE LIBRARY FUND. \$.11

THE AGGREGATE OF SAID SUMS, TO WIT \$ 1.53

SECTION 3. EFFECTIVE DATE. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall take effect and be in full force and operation upon adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman VanderWall, who moved its adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert, VanderWall
Mayor Hammond.
NOES: Councilmen: None.
ABSENT: Councilmen: Johansen.

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MODESTO AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA STATE EMPLOYEES' RETIREMENT SYSTEM.

The City Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT TO CONTRACT. That an amendment to the contract between the City Council of the City of Modesto and the Board of Administration, California State Employees' Retirement System is hereby authorized, a copy of said amendment to the contract being attached hereto, marked "Exhibit A," and by such reference made a part hereof as though herein set out in full.

SECTION 2. AUTHORIZATION TO EXECUTE AMENDMENT TO CONTRACT. The Mayor of the City Council is hereby authorized, empowered and directed to execute said amendment to the contract for and on behalf of said Agency.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of August, 1962, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was

upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Johansen

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 19, 1962

AN ORDINANCE ADDING SECTION 1-2.08 TO CHAPTER 2 OF TITLE I OF THE MODESTO MUNICIPAL CODE RELATING TO PENALTY PROVISIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 1-2.08 is hereby added to Chapter 2 of Title I of the Modesto Municipal Code to read as follows:

SECTION 1-2.08. FEES, CHARGES, ETC. MADE A CIVIL DEBT. The amount of any fee, service charge, utility charge, license or tax of any nature whatsoever imposed by any provision of this code shall be deemed a civil debt owing to the city. An action may be commenced in the name of the city in any court of competent jurisdiction for the collection of the amount of any such delinquent or unpaid fee, service charge, utility charge, license or tax, together with any penalties applicable thereto as prescribed by the code. The remedy prescribed by this section shall be accumulative and the use of an action to collect such an amount as a debt by civil action shall not bar the use of any other remedy provided by this code or by law for the purpose of enforcing the provisions thereof.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being

duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ord. No. 523-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: September 25, 1962

AN ORDINANCE AMENDING SECTION MAP 21 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DE PONTE)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Commercial-Industrial Zone, C-M:

Beginning at a point on the city limits line as established by the Granger Addition, said point also being the northwestern corner of the East Orangeburg Addition; thence North $0^{\circ} 10'$ West, 510.00 feet; thence South $89^{\circ} 00'$ East 340.00 feet; thence South $0^{\circ} 10'$ East 160.00 feet, to the Northern line of a 40 foot public road known as Coolidge Avenue; thence South $89^{\circ} 00'$ East 149.60 feet; thence South $0^{\circ} 10'$ East 210.00 feet to the north line of Drake Avenue; thence along the northern line of Drake Avenue, North $89^{\circ} 00'$ West 20.00 feet; thence South $0^{\circ} 10'$ East 140.00 feet; thence North $89^{\circ} 00'$ West 470.00 feet to the point of beginning.

SECTION 2. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Two-Family Zone, R-2:

Beginning at a point 465.00 feet east of the center line of McHenry Avenue and 85.00 feet north of the north line of Drake Avenue; thence South $89^{\circ} 00'$ East 95.00 feet; thence South $0^{\circ} 10'$ East, 85.00 feet to the northern line of a 50 foot public road known as Drake Avenue; thence along the northern line of Drake Avenue, North $89^{\circ} 00'$ West, 95.00 feet; thence northerly a distance of 85 feet to the point of beginning.

SECTION 3. ZONING MAP. Section Map 21 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1962, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 524 C.S.


Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 17th day of September, 1962, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Tabbert

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 2, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE ROBERTS ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Emmett L. Roberts and Caryl V. Roberts

on August 3, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the ROBERTS ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 13th day of August, 1962, set said petition for hearing at the hour of 8:00 o'clock P.M. on the 10th day of September, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on August 16, 1962, and on August 23, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 10th day of September, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the ROBERTS ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

ROBERTS ADDITION

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the South 165.00 feet of Lot 5 of the Rice Colony as per map filed February 19, 1904, in Volume 1 of Maps, Page 54, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Downey High School and New John Muir School Site, as per Resolution 8932, Filed July 27, 1950, as Instrument 16443, Stanislaus County Records, said point also being the Southwestern corner of Lot 5 of the Rice Colony and the Southwestern corner of the property, conveyed to Emmett L. Roberts, et ux, as per deed recorded July 16, 1946, as Instrument 18834, Stanislaus County Records; thence along the Western line of said Lot 5 of the Rice Colony and the Western line of the Roberts property, North $0^{\circ} 30' 00''$ West, 165.00 feet to the Northwestern corner of said Roberts property; thence along the Northern line and its Easterly extension of said Roberts property, South $89^{\circ} 57' 00''$ East, 654.45 feet, to the center line of a 50 foot public road known as Coffee Road, said point also being on the section line common to Section 21 and 22 and also being on the existing City Limits; thence along the section line and the City Limits, South $0^{\circ} 30' 00''$ East, 165.00 feet, to a point on the Easterly extension of the Southern line of said Lot 5 of the Rice Colony; thence along the City Limits and the Southern line and its Easterly extension, North $89^{\circ} 57' 00''$ West, 654.45 feet, to the point of beginning, containing 2.404 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of September, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED


DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 5 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MODESTO MEAT COMPANY, ET AL.)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 5 of the Zoning Map is hereby amended to reclassify the following described property from Light Industrial Zone, M-1, to Heavy Industrial Zone, M-2 :

Beginning at a point on the Section line between Sections 4 and 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the center line of Crows Landing Road, which point bears South 13.667 chains from the Northeast corner of said Section 5; thence North 89° 31' West 9.834 chains; thence North 1° 34' West 6.144 chains; thence South 88° 26' West 10.40 chains more or less, to the center line of Tuolumne River; thence southerly along the center line of Tuolumne River to a point which is due West of the most Northerly corner of the lands described in the Decree of Distribution had in the Matter of the Estate of Herbert Meakin, deceased, a certified copy of which Decree being recorded on February 13, 1943 in Volume 765, page 252, Stanislaus County Records; thence East to said most Northerly corner; thence South 0° 30' East 257.1 feet; thence East 555.26 feet; thence North 0° 30' West 156.9 feet; thence South 89° 41' East 852.74 feet to the East line of said Section 5, Township 4 South, Range 9 East; thence North along said line 2775.358 feet more or less to the point of beginning, excepting therefrom the area bounded on the north by the existing city limits as shown on the map of the Crows Landing Industrial Addition; on the east by the center line of Crows Landing Road; and on the south and west by the center line of the future U.S. 99 Freeway.

SECTION 2. ZONING MAP. Section Map 5 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of September, 19 62, by Councilman Johansen, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Tabbert

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 526 C.S.

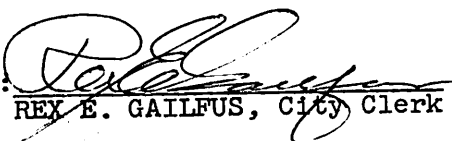
Oversized map folded and bound within Ordinance Book. Unable to remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 1st day of October, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 16, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
 THE GANT ADDITION TO THE CITY OF
 MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Gant Properties Company

on July 9, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the GANT ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 13th day of August, 1962, set said petition for hearing at the hour of 8:00 o'clock p.m. on the 24th day of September, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in newspapers of general circulation to wit: The Modesto Tribune, a newspaper published in the City of Modesto on August 23, 1962, and on August 30, 1962; and in the Turlock Daily Journal, a newspaper published outside the City of Modesto, but in the County of Stanislaus, on August 23, 1962, and on August 30, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 24th day of September, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the GANT ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

GANT ADDITION

All that real property in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Paradise Center No. 2 Addition as per description filed April 14, 1959, as Instrument 10647, Stanislaus County Records, said point being on the East line of Section 31 which is also the center line of a 60 foot Public Road known as Sutter Avenue; thence along the existing City Limits the following bearings and distances, South 89° 02' West, 30.00 feet; North 65° 34' 45" West, 145.77 feet; South 49° 48' 30" West, 429.42 feet, to the Northern corner of the Navon Addition as per description filed June 29, 1960, as Instrument 18294, Stanislaus County Records; thence North 02° 33' 14" West, 82.74 feet, to the point of intersection of the Northwestern line of a 66 foot Public Road known as Paradise Road and the Western line of Lot G of the "Resurvey of Brichman's Addition to the City of Modesto" as per map filed October 15, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records; thence along the Western line of Lot G, North 00° 58' West, 666.98 feet, to the Northwestern corner of Lot G, said point being on the Southern line of a 60 foot Public Road known as Briggs Avenue; thence along the Southern line of Briggs Avenue and its Easterly extension, North 89° 44' East, 496.68 feet, to a point on the Western line of the original boundary of the City of Modesto as incorporated August 1, 1884, said point on the East line of Section 31, said point also being on the center line of a 60 foot Public Road known as Franklin Street; thence along said Section line and the center lines of Franklin Street and Sutter Avenue, South 00° 58' East, 534.57 feet to the point of beginning, containing 6.603 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Johansen, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

ATTEST: 
REX E. GAILFUS, City Clerk

APPROVED: 
DON D. HAMMOND, Mayor

(SEAL)

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE RENEE MANOR ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

Lance E. Ellis and Carol L. Ellis

on July 6, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the RENEE MANOR ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 13th day of August, 1962, set said petition for hearing at the hour of 8:10 o'clock P.M. on the 24th day of September, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on August 23, 1962, and on August 30, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 24th day of September, 1962, at the hour of 8:10 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the RENEE MANOR ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that real property situate in the State of California, County of Stanislaus, Sections 7 and 18, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of the Gregory Gardens No. 4 Addition, as per description filed May 28, 1959, Instrument 15694, and by the Southwestern corner of the Neighborhood Church Addition, as per description filed February 2, 1961, Instrument 3513, Stanislaus County Records, said point being on the Section Line common to Sections 7 and 18; thence along the Western line of said Gregory Gardens No. 4 Addition and the existing City Limits, South $0^{\circ} 51' 30''$ East, 254.76 feet, to a point on the Southern line of property conveyed to Lance E. Ellis, et ux, by Deed recorded January 31, 1962, Instrument 4044, Stanislaus County Records; thence along said Southern line of Ellis property, North $89^{\circ} 10' 30''$ West, 1531.23 feet, to a point on the Eastern line of a 40 foot Public Road known as Carver Road; thence along the Eastern line of Carver Road, North $0^{\circ} 56' 30''$ West, 253.44 feet, to a point on the Section Line common to Sections 7 and 18; thence continuing along the Eastern line of Carver Road, North $0^{\circ} 49'$ West, 1320.70 feet, to a point on the Northern line of said Ellis property; thence along the Northern line of said Ellis property, South $89^{\circ} 09'$ East, 1838.62 feet, to a point on the existing City Limits at the Northwestern corner of the Neighborhood Church Addition; thence along the Western line of the Neighborhood Church Addition and the existing City Limits, the following bearings and distances: South $14^{\circ} 49'$ West, 289.90 feet; North $88^{\circ} 16' 15''$ West, 232.04 feet; South $0^{\circ} 59'$ East, 1040.92 feet, to the point of beginning, containing 56.996 Acres.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Tabbert, who moved its adoption and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: VanderWall

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 19 OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (CAUSEY)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 19 of the Zoning Map is hereby amended to reclassify the following described property from ~~Single-Family Zone, R-1, and Multiple-Family Zone, R-3,~~ /to Planned-Development Zone, P-D (9):

Beginning at a point on the center line of Tully Road 350 feet north of the north line of Leonard Avenue which is the true point of beginning of this description; thence northerly along the center line of Tully Road a distance of 174 feet to the north line of the property owned by Iva E. Causey; thence westerly along the north line of said property a distance of 532 feet to the northwest corner of the Causey property; thence southerly along the west line of said property a distance of 248 feet to the southwest corner of said Causey property; thence easterly along the south property line of the Causey property a distance of 357 feet; thence northerly 75 feet; thence easterly 178 feet to the center line of Tully Road and the point of beginning.

SECTION 2. USES. The following uses shall be permitted in said P-D (9) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

- (a) Three (3) one-story structures containing a total of twenty-two (22) apartments.
- (b) Two (2) two-story structures containing a total of thirty-four (34) apartments.
- (c) Eighty-four (84) parking spaces.

SECTION 3. ZONING MAP. Section Map 19 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

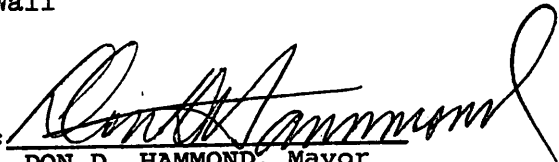
SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of September, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
Mayor Hammond
NOES: Councilmen: Shastid, VanderWall
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 529 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

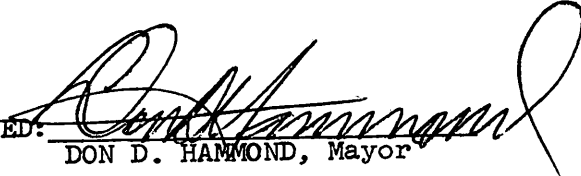
FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 8th day of October, 19 62, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, Mayor Hammond

NOES: Councilmen: Shastid, VanderWall

ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: October 23, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE RUMBLE ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

John E. Hirleman and California Conference of Evangelical Covenant
Church of America who acquired title as Evangelical Mission
Covenant Association of California

on August 23, 1962, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory
Act of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the RUMBLE
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
10th day of September, 1962, set said petition for
hearing at the hour of 4:30 o'clock P.M. on the 15th day
of October, 1962, in the Council Chambers at the City
Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on September 13, 1962, and on
September 20, 1962, for the time and in the manner required
by law, which publications were completed at least twenty (20)
days prior to the date set for hearing; that written notice of the
proposed annexation has been mailed by the City Clerk of the City
of Modesto to each person to whom land within the territory
proposed to be annexed was assessed on the last equalized assess-
ment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 15th day of October, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the RUMBLE ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

RUMBLE ADDITION

All that real property in the State of California, County of Stanislaus, Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being the West half of Lot 1 of the Coffee Colony as per map filed January 13, 1906, in Volume 2 of Maps, Page 22, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northeastern corner of the Sherwood Manor Addition, as per description filed July 15, 1959, as Instrument 20526, Stanislaus County Records, said point being the Northwestern corner of said Lot 1 of the Coffee Colony; thence along the Northern line of said Lot 1 of the Coffee Colony, South $89^{\circ} 30' 00''$ East, 271.18 feet to the Northwestern corner of the property conveyed to Oliver E. Deatsch, et ux, as per Deed recorded April 27, 1951, as Instrument 10303, Stanislaus County Records; thence along the Western line and its Southerly extension of said property, South $0^{\circ} 36' 30''$ East, 1339.82 feet, to a point on the existing City Limits as established by the Northern line of the East Floyd Addition as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records; thence along said City Limits North $89^{\circ} 30' 30''$ West, 271.18 feet to a point on the Eastern line of Montgomery Village Addition, as per description filed August 3, 1959, as Instrument 22312, Stanislaus County Records; thence along the City Limits, and the Eastern line of said Montgomery Village Addition, North $0^{\circ} 36' 30''$ West, 222.50 feet, to the Southeastern corner of Sherwood Manor Addition; thence continuing along the City Limits and the Eastern line of said Sherwood Manor Addition, North $0^{\circ} 36' 30''$ West, 1117.36 feet to the point of beginning, containing 8.341 Acres more or less.

SECTION 3. **No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.**

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings, and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of October, 1962, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: ~~Johansen~~, Mitchell, Patton, ~~Shastio~~,
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: ~~None~~ Johansen, Shastio

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE REPEALING ARTICLE 8 OF CHAPTER 7 OF TITLE IV OF THE MODESTO MUNICIPAL CODE RELATING TO SHORT WAVE RADIOS AND RADIO INTERFERENCE.

The Council of the City of Modesto does ordain as follows:

SECTION 1. REPEALS. Article 8 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby repealed.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a ~~regular~~ special meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION 2-2.08 OF CHAPTER 2 OF TITLE 2 OF THE MODESTO MUNICIPAL CODE RELATING TO MAJORITY VOTE.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 2-2.08 of Chapter 2 of Title 2 of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 2-2.08. MAJORITY VOTE REQUIRED. In the event that the roll call vote on the introduction or adoption of an ordinance or a resolution results in a tie vote, the motion shall be deemed lost, and the matter shall remain pending on the agenda of the City Council and the Clerk shall automatically place the matter on the Council agenda for each subsequent regular meeting of the Council until the matter is resolved.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in the Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a ^{special}~~regular~~ meeting of the Council of the City of Modesto held on the 29th day of October, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, Councilman Tabbert moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:

Pauline P. Stanley

~~RECORDED & INDEXED~~

PAULINE P. STANLEY, Acting City Clerk

EFFECTIVE DATE: November 20, 1962

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 5th day of November, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the ATHENS ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

ATHENS ADDITION

All that certain real property situate in the State of California, County of Stanislaus, and being a portion of the North half of Southeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the East Floyd Addition, as per description filed January 21, 1960, as Instrument 1678, Stanislaus County Records, said point being also the Northeast corner of Revard Manor Subdivision, recorded June 23, 1952, Volume 17 of Maps, Page 38, Stanislaus County Records, said point being also on the East-West quarter Section line of Section 16; thence South $0^{\circ} 00' 15''$ East, 616.05 feet, along the Eastern line of Revard Manor Subdivision to a point on the Southern line of the property conveyed to Edward B. Lawrence, et ux, by Deed Recorded June 5, 1951, as Instrument 13294, Stanislaus County Records; thence along said Southern line, South $88^{\circ} 38'$ East, 1416.04 feet, to a point on the Western line of a 50.00 foot Public Road known as Coffee Road; thence North, 615.62 feet, along the Western line of Coffee Road to a point on the said East-West quarter section line of Section 16; thence North $88^{\circ} 37'$ West, 920.34 feet, along said quarter section line to a point on the existing City Limits line as established by the said East Floyd Addition; thence continuing along said quarter section line and existing City Limits line, North $88^{\circ} 37'$ West, 495.75 feet, to the point of beginning, containing 20.01 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

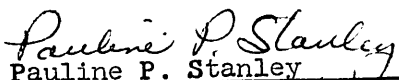
SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman Mitchell, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
Pauline P. Stanley

~~RECORDED & INDEXED~~

PAULINE P. STANLEY, Acting City Clerk

(SEAL)

ORDINANCE NO. 534-c.s.

AN ORDINANCE AMENDING SECTIONS 3-3.02, 3-3.03, 3-3.07 AND 3-3.08 OF CHAPTER 3 OF TITLE III OF THE MODESTO MUNICIPAL CODE, RELATING TO BICYCLES.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 3-3.02 of Chapter 3 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-3.02. PERIOD FOR WHICH LICENSE IS EFFECTIVE AND WHERE OPERATION IS PERMISSIBLE. The Police Department is hereby authorized and directed to issue, upon written application, bicycle licenses which shall be effective from the date of issuance. The licenses, when issued, shall entitle the licensee to operate the bicycle, for which the license has been issued, upon all the streets, alleys and public highways, exclusive of any sidewalk area in any business district as defined by the California Vehicle Code.

SECTION 2. AMENDMENT OF CODE. Section 3-3.03 of Chapter 3 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-3.03. LICENSE PLATES. The City shall provide metallic license plates and seals, together with registration cards therefor which shall have numbers stamped thereon in numerical order, beginning with Number 1, and also the letters MODESTO stamped thereon. The metallic license plates shall be suitable for attachment on the frames of bicycles. It shall be the duty of the Police Department to attach one such metallic license plate to the frame of each bicycle and to issue a corresponding registration card to the licensee upon payment of the license fee herein provided for. The metallic license plate shall remain attached to the bicycle. The Police Department shall also keep a record of the date of issue of each license, to whom issued and the number thereof.

SECTION 3. AMENDMENT OF CODE. Section 3-3.07 of Chapter 3 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-3.07. LICENSE FEE. The license fee for each license issued hereunder shall be One and No/100ths (\$1.00) Dollars, and shall be paid in advance when said

license is issued. Pursuant to Section 3-3.05 of this Code, such license may be transferred when the ownership of said bicycle is transferred and a fee of fifty cents (50¢) shall be paid for the registration of such transfer. All license fees collected under this chapter shall be paid into the General Fund of the City of Modesto.

SECTION 4. AMENDMENT OF CODE. Section 3-3.08 of Chapter 3 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-3.08. IMPOUNDING BICYCLES. (a) In addition to any other penalty provided by this Code, the Police Department or any of the members thereof, may impound and retain possession of any bicycle operated in violation of any of the provisions of this chapter, and retain possession of the same until the license provided for herein is obtained by the owner of said bicycle.

(b) In addition to the penalty hereinafter set forth, the said Chief of Police is hereby granted authority to suspend for a period of not to exceed thirty (30) days the registration card of and to remove the license tag from any bicycle which is operated by the owner or rider thereof in violation of, or contrary to, any law of the State of California or any ordinance of the City of Modesto during which time the Chief of Police may take possession of and impound said bicycle. At the expiration of the period of suspension, the registration card and license tag shall be restored to the bicycle and the bicycle delivered to its owner at the office of the Chief of Police.

SECTION 5. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after January 1, 1963.

SECTION 6. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its introduction and passage to

print, which motion being duly seconded by Councilman

Patton

, was upon roll call carried and ordered

printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert and
VanderWall and Mayor Hammond.

NOES: Councilmen: None.

ABSENT: Councilmen: Shastid.

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:

Pauline P. Stanley

~~RECEIVED~~

PAULINE P. STANLEY, Acting City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 1, 1963

AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (OVERHOLTZER AND MAY) AND REPEALING ORDINANCE NO. 450-C.S. ENTITLED, "AN ORDINANCE AMENDING SECTION MAP 16 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON (OVERHOLTZER AND MAY)".

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 16 of the Zoning Map is hereby amended to reclassify the following described property from Planned-Development Zone, P-D(2), to One-Family Zone, R-1:

All that portion of Lots 7 and 8 of the Pomona Villa Tract more particularly described as follows:

Commencing at the west quarter corner of Section 16; thence South $89^{\circ} 37' 17''$ East along the east-west quarter section line of said Section 16 a distance of 25.00 feet to the east right of way line of McHenry Avenue and the true point of beginning of this description; thence continuing South $89^{\circ} 37' 17''$ East along said quarter section line a distance of 632.92 feet; thence South $0^{\circ} 49' 10''$ East along the west boundary line and its northerly prolongation of the Village Park Tract as recorded April 15, 1960, in Volume 19 of Maps at Page 38, Stanislaus County Records a distance of 634.82 feet to the north right of way line of Tokay Avenue, being a 50-foot right of way as shown on said Pomona Villa Tract Map; thence North $89^{\circ} 36' 55''$ West along said north right of way line a distance of 303.19 feet; thence North $0^{\circ} 47' 40''$ West parallel to McHenry Avenue a distance of 330.00 feet; thence North $89^{\circ} 36' 55''$ West parallel to Tokay Avenue a distance of 330.00 feet to the east right of way line of McHenry Avenue; thence North $0^{\circ} 47' 40''$ West along said east right of way line a distance of 304.74 feet to the point of beginning; said property being located north of Tokay Avenue east of McHenry Avenue.

SECTION 2. ZONING MAP. Section Map 16 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

Ordinance 535 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 19th day of November, 19 62, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Patton, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 4, 1962

AN ORDINANCE AMENDING SECTION 3-2.1501 OF ARTICLE 15 OF CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE RELATING TO PARKING METERS IN THE CITY OF MODESTO.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 3-2.1501 of Article 15 of Chapter 2 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-2.1501. ESTABLISHMENT OF PARKING METER ZONES. The Council from time to time may establish and designate parking meter zones as parking conditions require. The time limitations for legal parking in parking meter zones shall be those established by the Director based on engineering surveys, and the time limitations shall be indicated by appropriate signs posted in such zones. The parking meter zones shall be as follows:

<u>Parking Meter Zones</u>	<u>Designation</u>
On-street parking meters	PM-1
Off-street parking meters	PM-2
(a) 9th Street between I and J Street parking lot	
(b) 11th Street between H and I Street (street level) parking lot	
(c) 10th Street between K and L Street parking lot	
Off-street parking meters	PM-3
(a) 13th Street between J and K Street parking lot	
(b) 14th and J Street parking lot	
Off-street parking meters	PM-4
8th Street between I and K Street parking lot	
Off-street parking meters	
11th and G Street parking lot	PM-5

Off-street parking meters 12th and I Street parking lot (northeast corner)	PM-6
Off-street parking meters 11th Street between H and I Street (lower level) parking lot	PM-7
Off-street parking meters 10th and H Street parking lot	PM-8
Off-street parking meters 12th and I Street parking lot (southeast corner)	PM-9

The locations and boundaries of the various zones are shown on the parking meter zoning map of the City of Modesto. Said map and all notations, references and other information shown thereon are hereby made a part of this chapter. Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

(a) Wherever the zone boundary is indicated as being approximately upon the center line of a street, alley or block, or along or adjacent to a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley or block, or such property line, shall be construed to be the boundary of such zone.

(b) Where the zone lines are shown adjacent to the street property line, the zone boundary shall be construed to be the street property line.

(c) Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.

(d) Where the application of the above rules does not clarify the zone boundary location, the Council shall interpret the map.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to

its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of November, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall, Mayor Hammond
- NOES: Councilmen: None
- ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: Pauline P. Stanley
~~REX E. GAYTON, CITY CLERK~~
PAULINE P. STANLEY, Acting City Clerk
(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 62, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: November 28, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE HELM ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Frank M. Helm

on September 26, 1962, to annex to the City of Modesto
under the provisions of the Annexation of Uninhabited Territory
Act of 1939, as amended, certain uninhabited territory, hereinafter
described and designated as the HELM
ADDITION, situate in the County of Stanislaus, State of California,
and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
8th day of October, 1962, set said petition for
hearing at the hour of 8:00 o'clock P.M. on the 13th day
of November, 1962, in the Council Chambers at the City
Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
finds that a copy of the resolution giving notice of the proposed
annexation and fixing the time and place for hearing objections to
the proposed annexation was published in a newspaper of general
circulation, to wit, The Modesto Tribune, a newspaper pub-
lished in the City of Modesto on October 11, 1962, and on
October 18, 1962, for the time and in the manner required
by law, which publications were completed at least twenty (20)
days prior to the date set for hearing; that written notice of the
proposed annexation has been mailed by the City Clerk of the City
of Modesto to each person to whom land within the territory
proposed to be annexed was assessed on the last equalized assess-
ment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 13th day of November, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the HELM ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

All that real property in the State of California, County of Stanislaus, Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 15, Mensinger Colony as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:

Beginning at a point on the intersection of the existing City Limits as established by the North Central Addition as per description filed August 15, 1953, as Instrument 17507, Stanislaus County Records, and the Westerly extension of the Southern line of said Lot 15 of Mensinger Colony; thence along the City Limits, North $0^{\circ} 56'$ West, 330.33 feet to a point on the Westerly extension of the Northern line of Lot 15 of Mensinger Colony; thence along the Northern line and its Westerly extension, South $89^{\circ} 48'$ East, 674.90 feet, to a point on the Northerly extension of the Eastern line of the property conveyed to Frank M. Helm, as per Deed recorded March 15, 1962 as Instrument 10030, Stanislaus County Records; thence along the Eastern line and its Northerly extension of said Helm property, South $0^{\circ} 50'$ East, 330.24 feet, to the Southeastern corner of said Helm property, said point also being on the Southern line of Lot 15 of Mensinger Colony; thence along the Southern line of Lot 15 and its Westerly extension, North $89^{\circ} 49'$ West, 674.80 feet, to the point of beginning, containing 5.117 Acres more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE ADDING ARTICLE 17 TO CHAPTER 2 OF TITLE III OF THE MODESTO MUNICIPAL CODE, RELATING TO TRAFFIC REGULATIONS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Article 17 is hereby added to Chapter 2 of Title III of the Modesto Municipal Code to read as follows:

ARTICLE 17. TEMPORARY USE OF SIDEWALKS, STREETS, AND ON-STREET AND OFF-STREET PARKING SPACES.

SEC. 3-2.1701. PERMITS: AUTHORITY TO GRANT . The Chief of Police is hereby authorized to grant permits for the temporary use of the following public facilities:

- (a) Temporary closing of City streets;
- (b) Temporary use of City sidewalk areas;
- (c) Temporary use of on-street parking spaces; and
- (d) Temporary use of off-street parking spaces.

Before granting a permit for the temporary use of off-street parking spaces as provided in subsection (d) above, the Chief of Police shall obtain the recommendations of the Director of Parking and Traffic.

SEC. 3-2.1702. APPLICATIONS TO COUNCIL. Applications made to the Council for the temporary use of on-street or off-street parking spaces, use of sidewalk areas, or the temporary closing of City streets shall be referred by the City Clerk to the Chief of Police for handling.

SEC. 3-2.1703. CONDITIONS FOR ISSUANCE OF PERMITS. The Chief of Police shall issue a permit therefor pursuant to the provisions of this article if he finds from a consideration of the application and such other information as he may otherwise obtain or have knowledge of that:

- (a) The granting of the request will not substantially interrupt the safe, orderly movement of vehicular traffic on the public streets or pedestrian traffic on the sidewalk areas.
- (b) The granting of the request will not unduly interfere with the furnishing of proper fire and police protection.
- (c) The granting of the permit is not reasonably likely to cause injury to persons or property.
- (d) If the request is for parking spaces or sidewalk area, that the use of said parking spaces or sidewalk area requested is not related to a profit making activity or enterprise.
- (e) If he finds that the granting of the permit is in the public interest.

This section shall not prohibit the Chief of Police from allowing the use of parking spaces by contractors for the parking of their vehicles, or the elimination of parking,

if either is necessary for building repairs or construction.

The Chief of Police shall have the authority to place such reasonable conditions or restrictions on the permit as he may deem necessary to protect the public interest, including a requirement in the permit that the permittee furnish the City with public liability and property damage insurance, if he finds such to be in the public interest.

SEC. 3-2.1704. EXCEPTION. In the event the Chief of Police is of the opinion that action on the request should more appropriately be taken by the Council, he shall refer the matter to the City Clerk for placement on the Council agenda for the next regular Council meeting.

SEC. 3-2.1705. PERMITS: PROVISIONS. Any permit granted pursuant to this article shall contain the following provisions, which, by acceptance of the permit, the permittee faithfully agrees to perform:

(a) Permittee, its successors and assigns, during the term of the permit, shall indemnify and save the City harmless of and from all damages, costs and charges of any kind or character arising out of or relating thereto, or in any way connected with the exercise of the rights granted by the permit.

(b) Permittee, its successors and assigns, shall comply with all laws of the City.

(c) Permittee, its successors and assigns, at its own cost and expense, shall defend any and all law suits, if any, arising out of or in any way connected with the exercise of the rights granted by the permit.

Permittee shall be required to sign a copy of the permit which shall be maintained on file with the Police Department and no right shall be conferred by any permit authorized under this article until said written consent is executed by permittee.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1962, by Councilman VanderWall, who moved its introduction and

passage to print, which motion being duly seconded by Councilman

Tabbert, was upon roll call carried and ordered printed
and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert,

VanderWall, Mayor Hammond


NOES: Councilmen: None

ABSENT: Councilmen: Shastid

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 4, 1962

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN AS
 THE DODSON ADDITION TO THE CITY OF
 MODESTO.

WHEREAS, a petition was filed with the City Clerk by
Ronald L. Dodson, Martha J. Dodson, Eugene D. Wheeler, Dorothy N. Wheeler,
Byron E. Crow, Lillian M. Crow, Joseph S. Enos and Agnes Enos
 on September 26, 1962, to annex to the City of Modesto
 under the provisions of the Annexation of Uninhabited Territory Act
 of 1939, as amended, certain uninhabited territory, hereinafter
 described and designated as the DODSON
 ADDITION, situate in the County of Stanislaus, State of California,
 and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the
8th day of October, 1962, set said petition for
 hearing at the hour of 4:30 o'clock p.m. on the 19th day of
November, 1962, in the Council Chambers at the
 City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so
 finds that a copy of the resolution giving notice of the proposed
 annexation and fixing the time and place for hearing objections to
 the proposed annexation was published in newspapers of general cir-
 culation to wit: The Modesto Tribune, a newspaper
 published in the City of Modesto on October 18, 1962,
 and on October 25, 1962; and in the Turlock Daily
 Journal, a newspaper published outside the City of Modesto, but in
 the County of Stanislaus, on October 18, 1962,
 and on October 25, 1962, for the time and in the
 manner required by law, which publications were completed at least
 twenty (20) days prior to the date set for hearing; that written
 notice of the proposed annexation has been mailed by the City Clerk
 of the City of Modesto to each person to whom land within the terri-
 tory proposed to be annexed was assessed on the last equalized
 assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 19th day of November, 1962, at the hour of 4:30 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the DODSON ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

DODSON ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the most Westerly line of the Stensaas Addition, as per description filed July 23, 1962, as Instrument 27722, Stanislaus County Records, said point being on the Northern line of a 50 foot Public Road known as Clayton Avenue, and bearing North $89^{\circ} 15'$ West, 260.00 feet from the center line of a 60 foot Public Road known as Carver Road; thence along the existing City Limits, South $00^{\circ} 02'$ West, 200.00 feet, to a point on the existing City Limits as established by the Northern line of the Campus Edge Addition, as per description filed July 24, 1956, as Instrument 20020, Stanislaus County Records; thence along the existing City Limits, North $89^{\circ} 15'$ West, 288.28 feet, to the Southwestern corner of property conveyed to Ronald L. Dodson, et al, by Deed recorded November 22, 1960, as Instrument 33258, Stanislaus County Records; thence along the Western line and its Northerly extension of said Dodson property, North $00^{\circ} 02'$ East, 200.00 feet, to the Northern line of Clayton Avenue; thence along the Northern line of Clayton Avenue, South $89^{\circ} 15'$ East, 15.86 feet, to the Southeastern corner of property conveyed to Clarence L. Hantz, et ux, by Deed recorded June 8, 1960, as Instrument 16227, Stanislaus County Records; thence along the Eastern line of said Hantz property, North $00^{\circ} 02'$ East, 114.76 feet, to a point on the existing City Limits, as established by the Southern line of the Garrison School Addition, as per description filed January 29, 1957, as Instrument 2646, Stanislaus County Records; thence along the existing City Limits, South $89^{\circ} 16' 30''$ East, 295.68 feet, to the Northwestern corner of the Stensaas Addition; thence along the existing City Limits, South $00^{\circ} 02'$ West, 114.88 feet, to the Northern line of Clayton Avenue; thence along the existing City Limits and the Northern line of Clayton Avenue, North $89^{\circ} 15'$ West, 23.26 feet, to the point of beginning, containing 2.103 Acres, more or less.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE AMENDING SECTION MAP 21 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ALLEN ADDITION-PORTION OF BLOCK 649)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to General Commercial Zone, C-2 :

Beginning at a point on the south line of Hintze Avenue 238 feet west of the center line of McHenry Avenue; thence South 88° 57' West 263.00 feet; thence North 0° 56' West 163.44 feet; thence North 88° 57' East 275.00 feet; thence South 0° 56' East 125 feet; thence South 88° 57' West 12.00 feet; thence South 0° 56' East 60 feet to the point of beginning.

SECTION 2. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Multiple Family Zone, R-3:

Beginning at a point on the North line of Hintze Avenue 250.00 feet West of the center line of McHenry Avenue; thence North 88° 57' East 80.00 feet; thence North 0° 56' West 125.00 feet; thence South 88° 57' West 80.00 feet; thence South 0° 56' East 125.00 feet to the point of beginning.

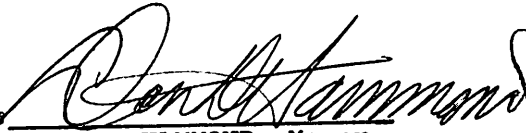
SECTION 3. ZONING MAP. Section Map 21 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.


SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of November, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 540 C.S.


Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 18, 1962

AN ORDINANCE AMENDING CHAPTER 4 OF TITLE XII OF THE
 MODESTO MUNICIPAL CODE RELATING TO THE USE OF PARK
 AND RECREATION AREAS AND FACILITIES.

WHEREAS, an open air bowl known as the Mancini Bowl
 has been constructed in Graceada Park in the City of Modesto, and

WHEREAS, the Council desires to establish a policy which
 will allow the maximum use of said facility consistent with the
 purposes for which it was intended and existing uses in the
 surrounding area,

NOW, THEREFORE, the Council of the City of Modesto does
 ordain as follows:

SECTION 1. AMENDMENT OF CODE. Chapter 4 of Title XII
 of the Modesto Municipal Code is hereby amended to read as follows:

CHAPTER 4 - REGULATIONS PERTAINING TO THE USE
 OF PARK AND RECREATION AREAS AND FACILITIES

ARTICLE 1. MANCINI BOWL

SEC. 12-4.101. USE OF MANCINI BOWL. (a) Children's Activities. The use of Mancini Bowl may be authorized by the Director of Parks and Recreation for community musical events by juvenile musicians, for grammar school graduation exercises, for children's games, for presentation of outdoor pageants and theatricals by juveniles, for use by Boy Scouts, Girl Scouts, 4 H Clubs, for group activities of juvenile organizations, for band concerts, for school festivals of all types. Requests for such uses shall have first priority to use the Bowl provided the request is submitted to the Department of Parks and Recreation at least thirty (30) days prior to the date when the use is desired.

(b) Continuance of Existing Uses. The use of Mancini Bowl may be authorized by the Director of Parks and Recreation for any use which has been made of the Bowl during the five (5) year period immediately preceding the effective date of this article. Requests for such uses shall be submitted in writing to the Department of Parks and Recreation for processing.

(c) Fees. No fees or charges shall be imposed for the use of the Bowl for the uses set forth in this section.

SEC. 12-4.102. OTHER ORGANIZATIONS. (a) Uses Authorized. The use of Mancini Bowl may be authorized by the Council for special events or special meetings other than regular meetings by other organizations. All such requests for use of the Bowl for these purposes shall be submitted in writing to the Council and shall be approved or denied by the Council based on the availability of the Bowl for the use requested and the determination of the Council that the use requested is consistent with park purposes and the

existing land uses in the surrounding area. In the event the Council approves such a request, the applicant shall thereafter obtain a permit for the approved use from the Department of Parks and Recreation, which shall be issued by the Department in accordance with the action of the Council.

(b) Fees and Charges. The rental fee to be charged for authorized use of Mancini Bowl pursuant to this section shall be as established from time to time by resolution adopted by the Council.

SEC. 12-4.103. GENERAL REGULATIONS. (a) Evening Use. Any evening use of the Bowl shall be terminated, and all persons must clear the Bowl, vacate the premises and all lights must be turned off by 10:00 P.M. on the date of use.

(b) Use of Amplifiers or Loudspeaking Equipment. In the event that amplifiers or loudspeaking equipment is utilized, the volume of the sound shall be regulated or controlled so as not to unreasonably disturb or annoy the peace and quiet of the persons residing in areas adjoining Graceada Park.

(c) Selling of Merchandise, Services or Products. No merchandise, services or products shall be sold by any organization using the Bowl without the prior consent of the Council which, in considering the request, shall consider the public interest, convenience and welfare to assure that the use is compatible with park purposes and the existing uses in the surrounding area.

(d) Type of Activity. No organization shall carry on any activity in the Bowl which will injure the facility.

(e) Alcoholic Beverages. Sale, possession, consumption or use of alcoholic beverages in Mancini Bowl is prohibited.

(f) Indemnification. All organizations obtaining permission to use Mancini Bowl shall indemnify and hold the City, its agents, officers and employees harmless from any and all liability for personal injuries, property damage and lost articles sustained or suffered by users of the Bowl, including the permittee, its agents, officers, employees or members.

(g) Reimbursement for Damages. Any person or organization obtaining permission to use the Bowl shall be responsible for reimbursing the City for any damages to the facility occurring or resulting during its use.

(h) Compliance with Regulations. The person or organization obtaining the permit for the use of Mancini Bowl shall be responsible for seeing that these regulations are complied with.

SEC. 12-4.104. GENERAL MANAGEMENT. The general management of Mancini Bowl shall be under the direction and supervision of the Director of Parks and Recreation, or his designated representatives, who shall administer the use of the Bowl pursuant to the policies and regulations established by this article.

ARTICLE 2. DOMESTIC ANIMALS

SEC. 12-4.201. DOMESTIC ANIMALS IN PUBLIC PARK AND RECREATION AREAS. Except as provided in Section 5-4.207 of this Code, it shall be unlawful for any person to permit any dog, horse, or other domestic animal to enter, be or remain upon any city park or recreation area, including the streets and roads transversing said park or recreation area, except in such areas as may be specifically designated and posted by the Director of Parks and Recreation.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES:	Councilmen:	Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES:	Councilmen:	None
ABSENT:	Councilmen:	None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of December, 19 62, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 18, 1962

AN ORDINANCE AMENDING SECTION MAP 28 OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (GHILOTTI)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 28 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1, to Planned-Development Zone, P-D (11):

Beginning at the intersection of the center line of El Vecino Avenue and the center line of Lucern Avenue; thence easterly along the center line of Lucern Avenue a distance of 205 feet; thence southerly along the west boundary of Esgar Subdivision a distance of 495 feet; thence westerly a distance of 205 feet to the center line of El Vecino Avenue; thence northerly along the center line of El Vecino Avenue 495 feet to the point of beginning, said property being located at the southeast corner of Lucern and El Vecino Avenues.

SECTION 2. USES. The following uses shall be permitted in said P-D (11) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

(a) Four (4) single-story apartment buildings containing a total of fifteen (15) apartment units.

SECTION 3. ZONING MAP. Section Map 28 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 542 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

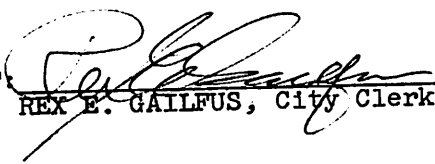
AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 25, 1962

AN ORDINANCE AMENDING SECTION MAP 21 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROBERTS)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 21 of the Zoning Map is hereby amended to reclassify the following described property from One-Family Zone, R-1 to Planned-Development Zone, P-D (10) :

Beginning at a point on the southwestern corner of Lot 5 of the Rice Colony; thence along the Western line of said Lot 5, North 0° 30' West 165 feet; thence South 89° 57' East, 654.45 feet to the center line of Coffee Road; thence South 0° 30' East, 165.00 feet; thence North 89° 57' West, 654.45 feet to the point of beginning, containing 2.404 acres, more or less, and located on the west side of Coffee Road north of John Muir School.

SECTION 2. USES. The following uses shall be permitted in said P-D (10) Zone subject to securing a conditional use permit as required by Section 10-2.2704 of the Modesto Municipal Code:

- (a) Eight (8) medical and dental office buildings which may include laboratories, prescription pharmacies.

SECTION 3. ZONING MAP. Section Map 21 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 4. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 5. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 19 62, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman VanderWall, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Patton, Shastid, VanderWall,
Mayor Hammond
NOES: Councilmen: Mitchell, Tabbert
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 543 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, Councilman Johansen moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 25, 1962

AN ORDINANCE AMENDING ARTICLE 7 OF CHAPTER 1 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO PROHIBITION OF GAMBLING AND REPEALING SECTION 6-1.220 OF ARTICLE 2 OF CHAPTER 1 OF TITLE VI OF THE MODESTO MUNICIPAL CODE, RELATING TO BUSINESS LICENSING.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Article 7 of Chapter 1 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

ARTICLE 7. CARDROOMS, ETC.

SEC. 4-1.701. CONSTRUCTION. No provision of this article shall be construed to prohibit any act made unlawful by any general law of the State of California but said article is intended to be supplemental thereto.

SEC. 4-1.702. UNLAWFUL GAMES.

(a) Gambling House Prohibited. No person shall keep, conduct or maintain any house, room, apartment or place, used in whole or in part as a gambling house or place where any game is played, conducted, dealt or carried on with cards, dice, dominos or other devices, for money, checks, chips, credit, or any representative of value, in the result of which game chance is any determining factor, except as set forth in Section 4-1.703 hereunder. The word "cards" as used in this article is not intended to and shall not include games known as bridge or whist.

(b) Permitting Use as a Gambling House. No person shall knowingly permit any house, room, apartment or place owned by him or under his charge or control to be used in whole or in part as a gambling house or place of playing, conducting, dealing, or carrying on any game, played with cards, dice, dominos or other device, for money, checks, chips, credit or any representative of value, in the result of which game chance is any determining factor, except as set forth in Section 4-1.703 hereunder.

(c) Betting. No person shall deal, operate, attend, play or bet at or against any game, in the result of which game chance is any determining factor, which game is played, conducted, dealt or carried on with cards, dice, dominos, or other device, for money, checks, chips, credit or any representative of value, in any house, room, apartment, or place, except as set forth in Section 4-1.703 hereunder.

SEC. 4-1.703. EXCEPTIONS. The following exceptions are made to the provisions of Section 4-1.702 and the subsections thereunder.

(a) Private Games. Said provisions shall not apply to occasional private games, otherwise lawful, carried on for purely social purposes in a private home. Neither shall said provisions apply to otherwise lawful games, other than card games, conducted by a private group of customers, for the sole purpose of determining which member of said group shall pay for food, refreshments or beverages for immediate consumption by the group.

(b) Benevolent Organizations Licensed. A license may be issued in the reasonable discretion of the Chief of Police to any incorporated or chartered fraternal, labor, benevolent or charitable organization or to any religious association, which organization or association has been continuously carrying on within the City the activities for which it was organized for a period of not less than two (2) years immediately preceding making application therefor. Said license shall authorize such organization or association to conduct a game room or rooms wherein games not in conflict with any State law may be played and conducted, incidental to the other activities of such organization, but in conformity with the provisions of this subsection. No advertising or advertising signs shall be permitted in connection with said operation. The licensee shall have a paid attendant in such room at all times when games are in progress, and it shall be his duty to report to the licensee any violation of law.

(1) Members Only. No such game room shall be open to the public, but shall be used only by the members of the respective organization or association licensed and shall be maintained in the building principally used by the licensee.

SEC. 4-1.704. APPLICATION AND RENEWAL. Application for a license under the provisions of Section 4-1.703 (b) shall be made to the Chief of Police in writing and shall set forth facts which applicant contends entitle it to a license thereunder. Said application shall be verified. Said license shall be valid only for the City fiscal year, and shall be issued originally or renewed annually upon application to the Chief of Police without action by the Council, unless a written objection to the issuance of the license has been filed with the Chief of Police or he recommends denial of the license, in which event the application shall be referred by him to the Council for action in accordance with the provisions of Section 4-1.705.

SEC. 4-1.705. DENIAL, SUSPENSION OR REVOCATION. An application or license under the provisions of Section 4-1.703 (b) may be denied,

suspended or revoked by the Council upon proof to its satisfaction of a violation of any law by the applicant or licensee, or upon a determination by the Council that the applicant or licensee does not meet the requirements of Section 4-1.703 (b), or upon a determination by the Council that the conduct of the particular game room would be or is inimical to the public health, morals, safety, peace or general welfare. If a license is revoked, no new license shall be issued to the licensee for a period of one year subsequent to the revocation. No license shall be denied, suspended, or revoked until after a hearing has been held by the City Council, notice of which shall be given in writing by the Chief of Police at least ten (10) days prior to the date of the hearing by depositing the notice, with postage fully prepaid thereon, in the mail, addressed to the applicant or licensee at the address appearing on its application or license.

SECTION 2. REPEALS. Section 6-1.220 of Article 2 of Chapter 1 of Title VI of the Modesto Municipal Code is hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after April 1, 1963.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of November, 1962, by Councilman Shastid, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor


ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: April 1, 1963

AN ORDINANCE ADDING ARTICLE 6 TO CHAPTER 4 OF TITLE II OF THE MODESTO MUNICIPAL CODE, RELATING TO SAVINGS AND LOAN CERTIFICATES AND SHARES.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Article 6 is hereby added to Chapter 4 of Title II of the Modesto Municipal Code to read as follows:

ARTICLE 6. SAVINGS AND LOAN CERTIFICATES AND SHARES

SEC. 2-4.601. DEFINITIONS. As used in this article the words "insured institutions" mean an insured institution as defined in Title IV of the National Housing Act (Title 12, United States Code, Sections 1724, et seq.).

Whenever this, or any other provision of the Municipal Code permits the deposit and assignment of savings and loan certificates or shares, it shall be deemed to refer only to:

(a) Investment certificates issued by associations which are insured institutions.

(b) Shares issued by an association issuing no investment certificates, which is an insured institution.

(c) Shares issued by any duly chartered federal savings and loan association which is an insured institution.

SEC. 2-4.602. CONDITIONS. Neither investment certificates nor shares may be so deposited or assigned to the City unless:

(a) The amount or deposit with the savings and loan association to be so assigned is fully and completely insured by the Federal Savings and Loan Insurance Corporation, and

(b) The owner of such investment certificates or shares assigns them to the City and, at the same time assigns to the City so much of the insurance on the account by the Federal Savings and Loan Insurance Corporation as will fully and completely insure the amount assigned, and

(c) The owner of such investment certificates or shares agrees that the City may redeem, collect and withdraw the full amount represented by such investment certificates or shares at any time without notice to the assignor, and

(d) When assigned such investment certificates or shares shall be free and clear of all prior liens, encumbrances, holds, claims, or obligations, and

(e) The savings and loan association shall state in writing that the assignor's account is fully insured by the Federal Savings and Loan Insurance Corporation and that it has received no notice of any lien, encumbrance, hold, claim, or obligation of the account prior to the assignment to the City, and

(f) The savings and loan association agrees to make payment to the City upon request in accordance with the savings and loan laws applicable to it.

SEC. 2-4.603. EARNINGS. The savings and loan association shall pay all dividends, interest or other earnings of any account represented by such assigned investment certificates or shares to the assignor until otherwise notified in writing by the appropriate officer of the City.

SEC. 2-4.604. FORM OF ASSIGNMENT. The assignment, agreement by assignor, statement of, and agreement of, the savings and loan association, and the name of the appropriate officer shall be in substantially the following form:

ASSIGNMENT

SECURITY FOR: _____

hereinafter called ASSIGNOR, whose principal place of business is _____
(Street)

(City)

do~~s~~ (does) hereby assign, and set over to the City of Modesto, all right, title, and interest of whatever nature, of assignor, in and to the insured account of assignor in the _____

(Name of Savings and Loan Association)
evidenced by a FULLY PAID CERTIFICATE (or SHARE or SHARES) in the amount of \$ _____ numbered _____, which is delivered to the City of Modesto herewith. Assignor agrees that this assignment carries with it the right in the insurance of the account by the Federal Savings and Loan Insurance Corporation, and includes and gives the right to the City of Modesto to redeem, collect and withdraw the full amount of such account at any time WITHOUT NOTICE TO ASSIGNOR. This assignment is given as security for liability for _____ including interest and penalties, and to insure compliance with the applicable Part or Parts of the Modesto Municipal Code.

Assignor hereby notifies the above-named Savings and Loan Association of this assignment.

Dated this _____ day of _____, 19____.

RECEIPT FOR NOTICE OF ASSIGNMENT

Receipt is hereby acknowledged to the City of Modesto of written notice of the assignment to said City of the account and Certificate (or Share or Shares) identified above. We have noted in our records the City's interest in said account as shown by the above assignment and have retained a copy of this sheet. We certify that this account is fully insured by the Federal Savings and Loan Insurance Corporation and that we have received no notice of any lien, encumbrance, hold, claim, or obligation of the above-identified account prior to the assignment to the City of Modesto. We agree to make payment to the City of Modesto upon request in accordance with the savings and loan laws applicable to this association.

Dated this _____ day of _____, 19____.

(Name of Savings and Loan Association)

(Street) (City)

By _____
(Name and Title of Officer)

RECEIPT FOR CERTIFICATE
(or SHARE or SHARES)

AND

DIRECTION TO PAY EARNINGS

Receipt is acknowledged of the above assignment and the Certificate (or share or shares) identified in the above assignment. The savings and loan association named in the above assignment is hereby authorized and directed to pay any earnings on the above-identified account to the above-named assignor until otherwise notified in writing by the _____ of the City of Modesto.

Dated this _____ day of _____, 19____.

CITY OF MODESTO

By _____
(Authorized Officer or Employee)

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held the 3rd day of December, 1962, by Councilman Mitchell, who moved its introduction and passage to print, which motion being duly seconded by Councilman Shastid, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

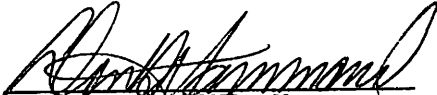
(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, Councilman Shastid moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED:


DON D. HAMMOND, Mayor

ATTEST:


REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 25, 1962

AN ORDINANCE AMENDING SECTIONS 4-3.06 AND 4-3.07.1 OF CHAPTER 3 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO MOVING OF BUILDINGS; AMENDING SECTION 4-4.605 OF ARTICLE 6 OF CHAPTER 4 OF TITLE IV, RELATING TO SUBDIVISION OF LAND; AMENDING SECTION 4-7.704 OF ARTICLE 7 OF CHAPTER 7 OF TITLE IV, RELATING TO SALE OF JEWELRY AT AUCTION; AMENDING SECTION 4-7.1405 OF ARTICLE 14 OF CHAPTER 7 OF TITLE IV, RELATING TO GOING OUT OF BUSINESS SALES, REMOVAL OF BUSINESS SALES AND FIRE AND OTHER ALTERED GOODS SALES; AMENDING SECTION 5-5.19 OF CHAPTER 5 OF TITLE V, RELATING TO GARBAGE DISPOSAL; AND AMENDING SECTION 6-1.128 OF ARTICLE 1 OF CHAPTER 1 OF TITLE VI, RELATING TO LICENSING IN GENERAL.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Sections 4-3.06 and 4-3.07.1 of Chapter 3 of Title IV of the Modesto Municipal Code are hereby amended to read as follows:

SEC. 4-3.06. ESTIMATE OF COST AND DEPOSIT. The applicant shall also deposit with the City Clerk a cash deposit or a savings and loan certificate and share ^{in a form approved by the City Attorney} in accordance with Article 6 of Chapter 4 of Title II of the Modesto Municipal Code sufficient to cover the cost to the City as estimated by the Director of Public Works, of trimming, moving, removing or re-planting of trees and/or shrubs, and of moving, removing, or displacing any pole or other structure, supporting any wires, cables or other equipment belonging to the City or the cutting, displacing or changing the location of any wire, cable or other equipment upon said poles or structures belonging to the City.

SEC. 4-3.07.1 OWNER'S COMPLETION BOND OR SAVINGS AND LOAN CERTIFICATE AND SHARE. Prior to the issuance of a permit to move a building the owner or lessee of the property upon which the building is to be located shall file with the Chief Building Official a corporate surety bond, conditioned as follows: That all of the work required to be done to complete the relocation, alteration and reconstruction of the building pursuant to the conditions of the said permit shall be fully performed and completed within a reasonable time to be specified by the Chief Building Official in the permit. Such bond shall be in principal amount equal to the estimated cost of the work proposed to be done plus ten (10%) per cent thereof, and shall name the City of Modesto as obligee, and shall be in a form approved by the City Attorney.

In lieu of furnishing such a corporate surety bond, the owner or lessee may post a cash deposit in the amount of said bond or, furnish the city a savings and loan certificate and share ^{in a form approved by the City Attorney} in the amount of said bond in accordance with the provisions of Article 6 of Chapter 4 of Title II of the Modesto Municipal Code.

An extension of time for said completion may be granted in writing by the Chief Building Official when, in his discretion, circumstances shall so justify, but no such extension shall release any surety or other security.

SECTION 2. AMENDMENT OF CODE. Section 4-4.605 of Article 6 of Chapter 4 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-4.605. AGREEMENT AND BOND OR SAVINGS AND LOAN CERTIFICATE AND SHARE FOR IMPROVEMENTS.

(a) Provisions of Agreement. (1) Prior to the approval by the Council of the final map, the subdivider shall execute and file an agreement between himself and the City, specifying the period within which he shall complete all improvement work to the satisfaction of the City Engineer, and providing that if he shall fail to complete such work within such period, the City may complete the same and recover the full cost and expense thereof from the subdivider. The agreement shall also provide for inspection of all improvements by the City Engineer, and reimbursement of the City by the subdivider for the cost of such inspection.

(2) Such agreement may also provide:

(aa) For the construction of the improvements in units.

(ab) For extension of time under conditions therein specified.

(ac) For progress payments to the subdivider or his order from any deposit money which the subdivider may have made in lieu of providing surety bond, as provided by the next succeeding section, or savings and loan certificate and share; provided, however, that no such progress payment shall be made for more than ninety (90%) per cent of the value of any installment of work and provided that each such installment of work shall be completed to the satisfaction of the City Engineer.

(ad) For the financing and construction of any or all of such improvements under an appropriate special assessment act proceedings, which case the subdivider shall agree, in writing, to initiate, and so far as may be in his power, to consummate such proceedings, within such time as may be prescribed by the Council.

(b) Performance Bond or Savings and Loan Certificate and Share. The subdivider shall also file with the aforesaid agreement, to insure his full and faithful performance thereof, a bond or a savings and loan certificate and share in accordance with Article 6 of Chapter 4 of Title II of the Modesto Municipal Code in an amount deemed sufficient by the City Engineer to

cover the cost of said improvements, engineering, inspection, fees and incidental expenses. Any such bond shall be executed by a surety company authorized to transact a surety business in this State and must be satisfactory to and be approved by the City Attorney as to form. Any such savings and loan certificate and share shall be executed by a savings and loan association authorized to transact savings and loan business in this State and must be satisfactory to and be approved by the City Attorney as to form. In lieu of said bond or savings and loan certificate and share, the subdivider may deposit with the City Clerk a sum of money in an amount fixed as aforesaid by the City Engineer.

(c) Forfeiture of Surety or Savings and Loan Certificate and Share. In the event the subdivider shall fail to complete all improvement work in accordance with the provisions of this chapter and the City shall have to complete same, or if the subdivider shall fail to reimburse the City for the cost of inspection, engineering, fees and incidental expenses, the City shall call on the surety for reimbursement, or shall appropriate from any cash deposits or savings and loan certificates and shares, funds for reimbursement. In any case, if the amount of surety bond, savings and loan certificate and share, or cash deposit shall exceed all cost and expense incurred by the City, it shall release the remainder of such bond, savings and loan certificate and share or cash deposit. If the amount of the surety bond, savings and loan certificate and share or cash deposit shall be less than the cost and expense incurred by the City, the subdivider shall be liable to the City for such difference.

(d) Release of Surety or Savings and Loan Certificate and Share. No extension of time, progress payments from cash deposits, or release of surety bond, savings and loan certificate and share or cash deposit shall be made except upon certification by the City Engineer that work covered thereby has been satisfactorily completed, and upon approval of the Council.

SECTION 3. AMENDMENT OF CODE. Section 4-7.704 of Article 7 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.704. BOND OR SAVINGS AND LOAN CERTIFICATE AND SHARE REQUIRED. No such permit shall be granted until the applicant shall have filed with the City Clerk a surety bond in the sum of Two Thousand, Five Hundred and No/100ths (\$2,500.00) Dollars, conditioned for the faithful performance of all the provisions of this article and all other applicable laws of the City and of the State pertaining to auctions and closing-out sales, and shall also indemnify any purchaser at said public auction who suffers any loss by reason of any misrepresentations or deception made or practiced by applicant, his agents, servants or employees, either at the time of making said

sale or through any advertisement of any character whatsoever printed or circulated by the principal, his agents, servants or employees.

Such bond shall contain the further provisions that it inures to the benefits of any and all persons who may be damaged by reason of any failure on the part of the person or persons named therein to comply with the provisions of said bond, and that any person or persons so damaged may maintain an action thereon against the person or persons named in said bond, and the surety or sureties upon said bond, and that said bond may be sued and recovered upon in several actions until the whole penalty is exhausted.

In lieu of a bond executed by a surety corporation, the applicant may file a similar bond in the amount of Five Thousand and No/100ths (\$5,000.00) Dollars executed by the applicant and two personal sureties. Such sureties must be residents of this County and State, and must own real property in said county of an assessed value of not less than the penalty of the bond, and must be worth at least the penalty of the bond over and above their just debts and liabilities, exclusive of property exempt from execution. The affidavit of each surety, setting out facts showing the qualifications of the sureties as aforesaid, must accompany the bond.

In lieu of furnishing a corporate surety bond, the applicant may furnish to the city a savings and loan certificate and share as provided by Article 6 of Chapter 4 of Title II of the Modesto Municipal Code.

The corporate surety bond, personal property bond or a savings and loan certificate and share shall be in a form approved by the City Attorney.

SECTION 4. AMENDMENT OF CODE. Section 4-7.1405 of Article 14 of Chapter 7 of Title IV of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 4-7.1405. LICENSE FEE: SURETY BOND OR SAVINGS AND LOAN CERTIFICATE AND SHARE. Any applicant for a license hereunder shall submit to the Director with his application a license fee of One Hundred and No/100ths (\$100.00) Dollars, together with a corporate surety bond, payable to the City in the penal sum of One Thousand and No/100ths (\$1,000.00) Dollars, conditioned upon compliance with the provisions of this article.

In lieu of furnishing a corporate surety bond, the applicant may furnish to the city a savings and loan certificate and share, ^{in a form approved by the City Attorney} as provided by Article 6 of Chapter 4 of Title II of the Modesto Municipal Code.

(a) Exemption: Removal Sales. Any applicant for a license to conduct a removal of business sale under this article shall be exempt from payment of a license fee provided applicant files with his application an affidavit containing the following information:

(1) A statement that applicant has engaged in business at the premises where such sale is to be held for a period of not less than one year immediately prior thereto.

(2) A statement that applicant intends to operate said business at a designated new location within the City for a period of not less than one year following the termination of the removal sale.

SECTION 5. AMENDMENT OF CODE. Section 5-5.19 of Chapter 5 of Title V of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 5-5.19. BOND OR SAVINGS AND LOAN CERTIFICATE AND SHARE REQUIREMENTS FOR PERSONS LICENSED TO COLLECT GARBAGE. Each person granted a license to collect garbage pursuant to the provisions of this chapter shall file with the City Clerk a corporate surety bond satisfactory to the City in the sum of One Thousand and No/100ths (\$1,000.00) Dollars for each vehicle used for collection purposes within the City, not to exceed the sum of Ten Thousand and No/100ths (\$10,000.00) Dollars, conditioned upon the faithful performance of the terms and conditions of said license, and compliance with the provisions of this chapter insofar as they are applicable to said licensees.

In lieu of furnishing a corporate surety bond, the applicant may furnish to the city a savings and loan certificate and share in accordance with Article 6 of Chapter 4 of Title II of the Modesto Municipal Code in a form approved by the City Attorney.

SECTION 6. AMENDMENT OF CODE. Section 6-1.128 of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 6-1.128. DEPOSIT OR SAVINGS AND LOAN CERTIFICATE AND SHARE REQUIRED. Every person who begins the operation of a new business subject to a license under the provisions of Section 6-1.201, 6-1.202, 6-1.204, 6-1.206 and 6-1.207, of this chapter, upon making application for a license, shall deposit with the Director the amount of Fifty and No/100ths (\$50.00) Dollars or a savings and loan certificate and share as a guarantee that the license tax will be paid. Said deposit or savings and loan certificate and share shall be refunded:

(a) At the expiration of six (6) months from the first of the next ensuing quarter, provided, however, that no refund of deposit or savings and loan certificate and share shall be made unless all charges imposed under the terms of this chapter shall have been paid and all reports required by this chapter shall have been filed with the Director on or before the delinquent date for two consecutive quarters.

(b) Upon cessation of business in the city, providing all charges imposed by this chapter shall have been paid and final reports required by this chapter shall have been filed.

Provided further that the Director may apply said deposit or savings and loan certificate and share, or any portion thereof to the business license tax or other taxes due the City from said business; and provided further that the Director may declare said deposit or savings and loan certificate and share forfeited for failure to report and pay the liability to the City within six (6) months after the report becomes delinquent. Such forfeiture shall not relieve or excuse the licensee from payment of the balance of license tax due and unpaid.

Every change in ownership of a business shall be construed as the commencement of a new business by the owner, and shall require the payment of a license tax and the deposit of Fifty and No/100ths (\$50.00) Dollars as above stated or a savings and loan certificate and share. The Director may waive the deposit or savings and loan certificate and share requirement for a new or additional business operated by a person previously licensed under this chapter, providing said person has had a satisfactory experience in payment of license taxes to the city.

SECTION 7. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 8. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of December, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Patton, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 62, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Shastid, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

EFFECTIVE DATE: December 25, 1962

AN ORDINANCE AMENDING SECTION 3-1.201 OF ARTICLE 2 OF CHAPTER 1 OF TITLE III OF THE MODESTO MUNICIPAL CODE, RELATING TO FIRE PREVENTION.

The Council of the City of Modesto does ordain as follows:

SECTION 1. AMENDMENT OF CODE. Section 3-1.201 of Article 2 of Chapter 1 of Title III of the Modesto Municipal Code is hereby amended to read as follows:

SEC. 3-1.201. SPECIFIC DISTRICTS. For the purpose of regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of buildings and/or structures in the City as defined in the Building Code of the City of Modesto the entire City is hereby declared to be and is established as a fire district comprising three (3) zones respectively, known and designated as Fire Zone No. 1, Fire Zone No. 2 and Fire Zone No. 3.

The territory or portion of the territory included in each of said fire zones is delineated on that certain map being marked and designated as "Fire Zoning Map of the City of Modesto", attached hereto, a copy of which is on file in the office of the City Clerk. Said map and all notations, references and other information shown thereon are hereby incorporated and made a part of this chapter.

Said Fire Zoning Map is divided into individual section maps for the purpose of more readily identifying the territory included within each fire zone. Said Fire Zoning Map, including the individual section maps, is hereby adopted and approved as the official Fire Zoning Map of the City of Modesto for the application of the regulations included in the Uniform Building Code.

Changes in the boundary of any fire zone may be made by adopting an amended Fire Zoning Map, section or unit of said Fire Zoning Map.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED 
DON D. HAMMOND, Mayor


ATTEST: 
REX E. GAILFUS, City Clerk


(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Johansen, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,
Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Patton, Shastid

APPROVED: 
DON D. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 22, 1963

AN ORDINANCE AMENDING SECTION MAP ²⁷ OF THE
ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING
CERTAIN PROPERTY LOCATED THEREON. (RUFFINO AND
PHOENIX FIRE STATION SITE)

The Council of the City of Modesto does ordain as follows:

SECTION 1. ZONING CHANGE. Section 27 of the Zoning Map is hereby amended to reclassify the following described property from General Commercial (interim zoning) Zone, C-2, to General Commercial Zone, C-2:

Lot 14, in Block 2196, known as the Ruffino Addition.

SECTION 2. ZONING CHANGE. Section 27 of the Zoning Map is hereby amended to reclassify the following described property from ~~One-Family Zone, R-1~~, to General Commercial Zone, C-2:

Lot 13, in Block 2196 of the Phoenix Fire Station Site.

SECTION 2. ZONING MAP. Section Map 27 of the Zoning Map of the City of Modesto is amended to appear as set forth on the map attached hereto, which is hereby made a part of this ordinance by reference.

SECTION 3. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 4. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 19 62, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Johansen, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid,
Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON B. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

Ordinance 548 C.S.

Oversized map folded and bound within Ordinance Book. Unable to
remove safely for scanning.

Ord. No. 548-C.S.

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on for final consideration at the regular meeting of the Council of the City of Modesto held on the 7th day of January, 1963, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and the ordinance finally adopted by the following vote:

AYES: Councilmen: Johansen, Mitchell, Tabbert, VanderWall,
Mayor Hammond

NOES: Councilmen: None

ABSENT: Councilmen: Patton, Shastid

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX B. GAILFUS, City Clerk

EFFECTIVE DATE: January 22, 1963

AN ORDINANCE ANNEXING UNINHABITED TERRITORY KNOWN
AS THE SPENCER ADDITION TO
THE CITY OF MODESTO.

WHEREAS, a petition was filed with the City Clerk by

H. B. Monichan

on September 6, 1962, to annex to the City of Modesto under the provisions of the Annexation of Uninhabited Territory Act of 1939, as amended, certain uninhabited territory, hereinafter described and designated as the SPENCER ADDITION, situate in the County of Stanislaus, State of California, and contiguous to the City of Modesto, and

WHEREAS, the City Council by resolution adopted on the 24th day of September, 1962, set said petition for hearing at the hour of 4:35 o'clock P.M. on the 5th day of November, 1962, in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, and

WHEREAS, it appears to said Council and the Council so finds that a copy of the resolution giving notice of the proposed annexation and fixing the time and place for hearing objections to the proposed annexation was published in a newspaper of general circulation, to wit, The Modesto Tribune, a newspaper published in the City of Modesto on October 4, 1962, and on October 11, 1962, for the time and in the manner required by law, which publications were completed at least twenty (20) days prior to the date set for hearing; that written notice of the proposed annexation has been mailed by the City Clerk of the City of Modesto to each person to whom land within the territory proposed to be annexed was assessed on the last equalized assessment roll available on the date the proceedings were initiated,

at the address as shown thereon, or as known to said Clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said Clerk, which notices were mailed not less than twenty (20) days before the date set for public hearing, and that all the requirements of the Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with, and

WHEREAS, on the 10th day of December, 1962, at the hour of 8:00 o'clock p.m., in the Council Chambers at the City Hall, 801 Eleventh Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation and did determine that protests had not been made by the owners of one half of the value of the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and private owners of one half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, said territory is contiguous to the City of Modesto and is uninhabited territory in the County of Stanislaus,

NOW, THEREFORE, the Council of the City of Modesto does ordain as follows:

SECTION 1. The territory hereinafter described is hereby annexed to and made a part of the City of Modesto.

SECTION 2. The area or territory so annexed, designated as the SPENCER ADDITION, is located in the County of Stanislaus, State of California, is contiguous to the City of Modesto, is uninhabited territory within the meaning of the Annexation of Uninhabited Territory Act of 1939, as amended, and is more particularly described as follows:

SPENCER ADDITION

All that real property situate in the State of California, County of Stanislaus, Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern line of the Emerald Gardens Addition, as per description filed February 5, 1962, Instrument 4485, Stanislaus County Records, said point being North 34° 37' East, 31.19 feet from the Southeastern corner of said Emerald Gardens Addition; thence continuing along said line, North 34° 37' East, 631.37 feet; thence along the Northern line and its Westerly extension of property conveyed to Tally E. Taylor, et ux, by Deed recorded March 3, 1948, Instrument 4993, Stanislaus County Records, North 89° 57' East, 560.26 feet, to the Western line of a 40 foot Public Road known as Spencer Avenue; thence along the Western line of Spencer Avenue, South 0° 10' West, 518.33 feet, to the Southern line of property conveyed to Jesse P. Bailey, et ux, by Deed recorded March 12, 1959, Instrument 7283, Stanislaus County Records; thence along the Southern line of said Bailey property and the Southern line of the property conveyed to Edna Alice Taylor by Deed recorded December 13, 1946 as Instruments Number 35674 and 35675, Stanislaus County Records, and its Westerly extension, South 89° 54' West, 917.43 feet, to the point of beginning, containing 8.796 Acres.

SECTION 3. No change in school district boundaries shall be effected by reason of the annexation of the hereinabove described area to the City of Modesto.

SECTION 4. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this ordinance.

SECTION 5. The City Clerk is hereby authorized and directed to prepare a certified copy of this ordinance under seal, giving the date of its passage and transmit the same to the Secretary of State of the State of California as required by the provisions of Section 35316 of the Government Code of the State of California.

SECTION 6. The City Clerk is hereby authorized and directed to comply with the provisions of Sections 34080, 34081 and 54900 through 54904, both inclusive, of the Government Code of the State of California relating respectively to the filing of an affidavit of completion of annexation proceedings and the filing of a statement of change of boundary.

SECTION 7. Pursuant to Section 722 of the Charter of the City of Modesto, this ordinance shall become effective immediately upon its adoption.

SECTION 8. This ordinance shall be published in full at least once in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of December, 1962, by Councilman VanderWall, who moved its adoption and passage to print, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 

DON D. HAMMOND, Mayor

ATTEST: 

REX E. GAILFUS, City Clerk

(SEAL)

AN ORDINANCE REPEALING SECTIONS 4-2.17 AND 4-2.18 OF CHAPTER 2 OF TITLE IV OF THE MODESTO MUNICIPAL CODE, RELATING TO POOLROOMS.

The Council of the City of Modesto does ordain as follows:

SECTION 1. REPEALS. Sections 4-2.17 and 4-2.18 of Chapter 2 of Title IV of the Modesto Municipal Code are hereby repealed.

SECTION 2. EFFECTIVE DATE. This ordinance shall go into effect and be in full force and operation from and after fifteen (15) days after its final passage and adoption.

SECTION 3. PUBLICATION. This ordinance shall be published in full at least once at least three (3) days prior to its final adoption in The Modesto Tribune, the official newspaper of the City of Modesto.

The foregoing ordinance was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of December, 1962, by Councilman VanderWall, who moved its introduction and passage to print, which motion being duly seconded by Councilman Mitchell, was upon roll call carried and ordered printed and published by the following vote:

AYES: Councilmen: Johansen, Mitchell, Patton, Shastid, Tabbert, VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: None

APPROVED: 
DON D. HAMMOND, Mayor


ATTEST: 
REX E. GAILFUS, City Clerk

(SEAL)

FINAL ADOPTION CLAUSE

The foregoing ordinance, having been printed and published as required by the Charter of the City of Modesto, and coming on adjourned for final consideration at the regular/meeting of the Council of the City of Modesto held on the 26th day of December, 19 62, Councilman VanderWall moved its final adoption, which motion being duly seconded by Councilman Tabbert, was upon roll call carried and the ordinance finally adopted by the following vote:

- AYES: Councilmen: Johansen, Patton, Shastid, Tabbert,
VanderWall, Mayor Hammond
NOES: Councilmen: None
ABSENT: Councilmen: Mitchell

APPROVED: 
DON B. HAMMOND, Mayor

ATTEST: 
REX E. GAILFUS, City Clerk

EFFECTIVE DATE: January 10, 1963