

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, DEDICATING THOSE PORTIONS
OF CITY-OWNED PROPERTY FOR PUBLIC STREET
PURPOSES TO ACCOMMODATE THE CONSTRUCTION
OF MERCED STREET BETWEEN CONGO ALLEY AND H
STREET

WHEREAS, the City of Fresno is the owner of the subject property; and

WHEREAS, the purpose of this dedication is to accommodate the construction of
Merced Street between Congo Alley and H Street; and

WHEREAS, the proposed areas to be dedicated as described in Exhibit A and as
shown on Exhibit B, said exhibits are incorporated herein by reference and on file in the
Office of the City Clerk of the City at Fresno City Hall, 2600 Fresno Street, Fresno,
California, 93721; and

WHEREAS, the Capital Projects Department and Public Works Department have
determined that the proposed easement dedications as described in Exhibit A and as
shown on Exhibit B attached herein is adequate for the proposed public street
improvements.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as
follows:

1. That those portions of a City-owned property described in Exhibit A and as
shown on Exhibit B" are hereby dedicated for the purpose of a public street easement.
2. Nothing contained in this resolution shall be deemed or interpreted by any
party to cause any interest created in the public pursuant to this resolution to ripen into
any title, interest, or right of the public against or adverse to the rights of the City of Fresno

1 of 2

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No. _____

nor shall this resolution limit, restrict, or modify the exemption of public property to title by prescription as defined within California Civil Code Section 1007.

3. The City Clerk of the City of Fresno shall certify to the passage of this resolution and attest thereto under the seal of the City of Fresno.

4. The City Engineer shall cause a City deed number to be assigned to the resolution and shall cause the resolution to be recorded in the Office of the Recorder of the County of Fresno, California. The original resolution shall be returned to the City Clerk after recordation and a certified copy thereof shall be filed in the Public Works deed file.

5. This resolution shall become effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Jennifer M. Wharton Date
Deputy City Attorney

Attachments:
Exhibit A Legal Description
Exhibit B Map

EXHIBIT "A"

APN 466-206-29T, 31T
Public Street Easement

Real property in the City of Fresno, County of Fresno, State of California, described as follows:

Parcel 1 (APN 466-206-29T):

That portion of Merced Street, in the City of Fresno, County of Fresno, State of California, abandoned by Resolution No. 67-190, recorded November 22, 1967 in Book 5503, Page 484 of Official Records Fresno County, as Document No. 80616, and more particularly described as follows:

COMMENCING on the most easterly corner of said Lot 17; thence South 49°10'12" West along the Southeast line of said Lot 17, a distance of 15.24 feet to the easterly line of that portion of said Merced Street, previously abandoned and to the POINT OF BEGINNING; thence South 49°10'12" West continuing on the Southeast line of said Lot 17, a distance of 59.69 feet to the westerly line thereof lying within the land described in the Corporation Grant Deed to the City of Fresno, recorded July 11, 1978 in Book 7071, Page 493 as Document No. 74634, Official Records of Fresno County; thence South 03°42'41" West across that portion of said Merced Street, previously abandoned, a distance of 40.84 feet to the beginning of a tangent curve, concave to the Northwest, and having a radius of 22.00 feet; thence southerly and southwesterly along said tangent curve, through an interior angle of 54°38'16", an arc distance of 20.98 feet to the intersection with the southerly line of that portion of said Merced Street, previously abandoned; thence South 78°24'34" East, along said southerly line, a distance of 5.81 feet to the intersection with a line which is 40.00 feet southeasterly and parallel to said Southeast line of Lot 17; thence North 49°10'12" East on said parallel line, a distance of 52.01 feet; thence North 11°35'12" East, a distance of 65.58 feet to the POINT OF BEGINNING.

Containing an area of 2,184 square feet, more or less.

Parcel 2 (APN 466-206-31T):

All of that certain portion of Merced Street lying adjacent to and Southeast of the Southeast line of Lot 17, in Block 64 of the City of Fresno, as said Street and lot are shown on the map of the Town of Fresno, filed in the Office of the County Recorder, December 10, 1888, and recorded in Volume 4, of Plats at Page 2, Fresno County Records, and more particularly described as follows:

BEGINNING, at the most southerly corner of said Lot 17; thence, North 49°10'12" East, along the Southeast line of said Lot 17 a distance of 134.76 feet to a point which is 15.24 feet Southwest of the most easterly corner of said Lot 17; thence South 11°35'12" West, a distance of 65.58 feet to a point on the line which is 40 feet southeasterly and parallel to the southeasterly line of said Lot 17; thence South 49°10'12" West along said line a distance of

52.01 feet; thence North $78^{\circ}24'34''$, West a distance of 50.47 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion of Merced Street, in the City of Fresno, County of Fresno, State of California, abandoned by Resolution No. 67-190, recorded November 22, 1967 in Book 5503, Page 484 of Official Records Fresno County, as Document No. 80616, and more particularly described as follows:

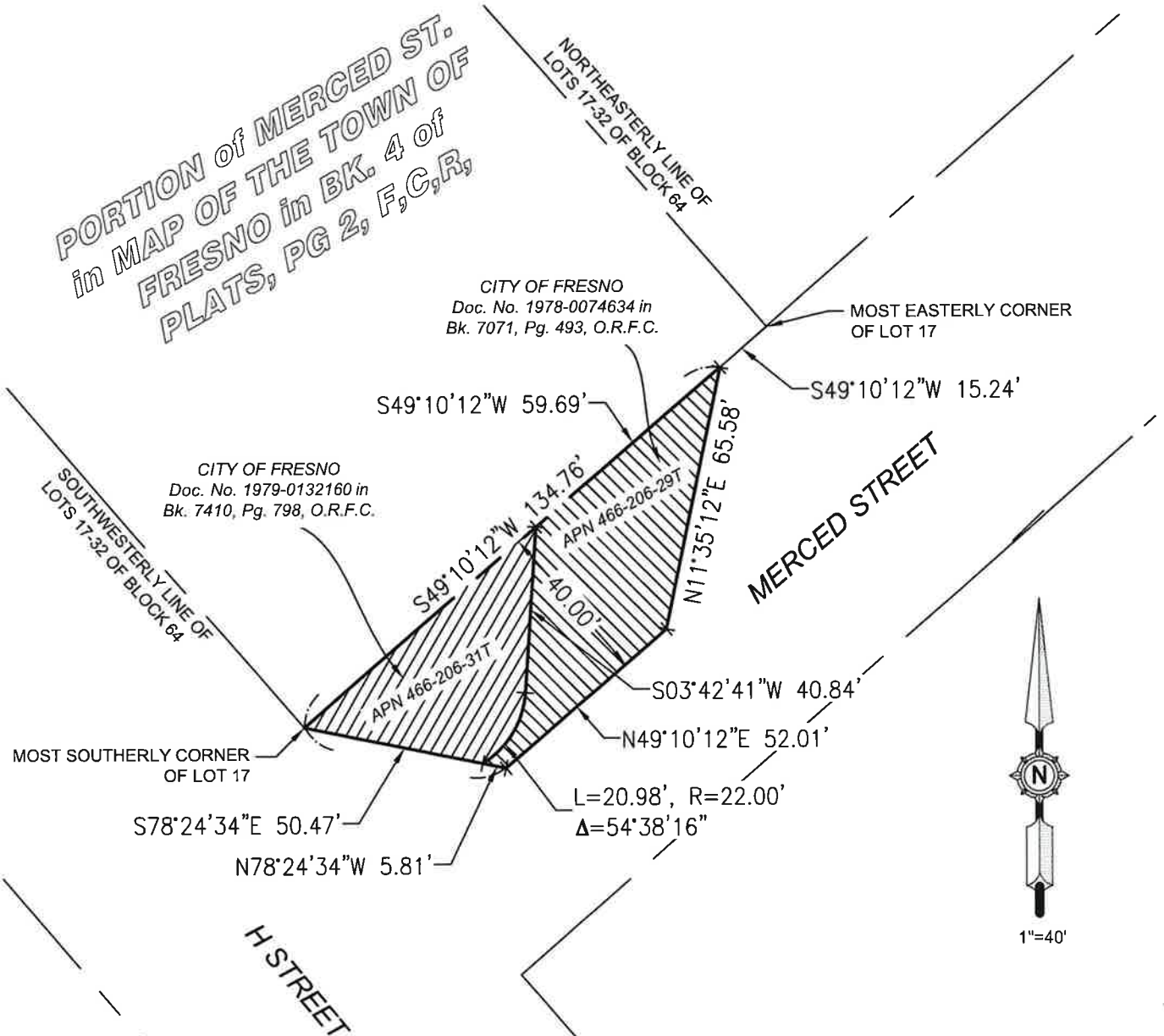
COMMENCING on the most easterly corner of said Lot 17; thence South $49^{\circ}10'12''$ West along the Southeast line of said Lot 17, a distance of 15.24 feet to the easterly line of that portion of said Merced Street, previously abandoned and to the POINT OF BEGINNING; thence South $49^{\circ}10'12''$ West continuing on the Southeast line of said Lot 17, a distance of 59.69 feet to the westerly line thereof lying within the land described in the Corporation Grant Deed to the City of Fresno, recorded July 11, 1978 in Book 7071, Page 493 as Document No. 74634, Official Records of Fresno County; thence South $03^{\circ}42'41''$ West across that portion of said Merced Street, previously abandoned, a distance of 40.84 feet to the beginning of a tangent curve, concave to the Northwest, and having a radius of 22.00 feet; thence southerly and southwesterly along said tangent curve, through an interior angle of $54^{\circ}38'16''$, an arc distance of 20.98 feet to the intersection with the southerly line of that portion of said Merced Street, previously abandoned; thence South $78^{\circ}24'34''$ East, along said southerly line, a distance of 5.81 feet to the intersection with a line which is 40.00 feet southeasterly and parallel to said Southeast line of Lot 17; thence North $49^{\circ}10'12''$ East on said parallel line, a distance of 52.01 feet; thence North $11^{\circ}35'12''$ East, a distance of 65.58 feet to the POINT OF BEGINNING.

Containing an area of 1,551 square feet, more or less.



EXHIBIT "B"

PORTION of MERCED ST.
in MAP OF THE TOWN OF
FRESNO in BK. 4 of
PLATS, PG 2, F,C,R,



PARCEL 1: INDICATES AREA TO BE DEDICATED FOR PUBLIC
STREET PURPOSES. 2,184 S.F. ±.



PARCEL 2: INDICATES AREA TO BE DEDICATED FOR PUBLIC
STREET PURPOSES. 1,551 S.F. ±.



10-17-2023

REF. & REV.

2023-218
PLAT 2755

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

TO BE DEEDED TO THE CITY OF FRESNO FOR
PUBLIC STREET EASEMENT PURPOSES

PROJ. ID. PW00902 RES TYPE _____
FUND NO. 22512
ORG. NO. 189901

DR. BY J.E.H. SHEET NO. 1
CH. BY J.A.C. OF 1 SHEETS
DATE SEPT. 14, 2023 15-A-16614
SCALE 1" = 40'