

RESOLUTION OF INTENT NUMBER 1148-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA OF INTENTION TO VACATE A
PORTION OF THE NORTHEAST CORNER OF NORTH VAN
NESS AVENUE AND EAST WELDON AVENUE

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of a portion the northeast corner of North Van Ness Avenue and East Weldon Avenue; and

WHEREAS, the area proposed for vacation 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 City of Fresno is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to accommodate Development Permit Application Number P21-05164 which is the development of a public pocket park; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way easement proposed for vacation as described in Exhibit A and as shown on Exhibit B are unnecessary for present or prospective public street and utility purposes, subject to conditions of approval as listed in attached Exhibit C.

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

1. The hour of 10:05 a.m. on June 9, 2022, in the Council Chambers in Fresno

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and place when and where all persons interested in or objecting to the proposed vacation may appear before the Council and be heard in relation thereto.

2. The Council elects to proceed under the provisions of Chapter 3, commencing with Section 8320, of the Public Streets, Highways, and Service Easements Vacation Law of the State of California (California Street and Highways Code Sections 8300 et seq.).

3. The Public Works Director of the City is directed to cause notices of the proposed vacation to be published and posted for the time and in the manner prescribed by the provisions of Sections 8322 and 8323 of the California Streets and Highways Code.

4. The Council preliminarily determines that the public street proposed to be vacated is not useful as a bicycle path or route under applicable general, specific, or community plans and policies. If the Council does not rescind such preliminary determination, based on evidence or public testimony presented to it, orally or in writing, at or before the June 9, 2022, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

* * * * *

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 _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Angela M. Karst Date
Deputy City Attorney

Attachments:
Exhibit A – Street Easement Vacation Legal Description
Exhibit B – Street Easement Vacation Exhibit Map
Exhibit C – Vacation Conditions of Approval

P.W. File No. FA00007

EXHIBIT "A"

That portion of North Van Ness Avenue and East Weldon Avenue as shown on Map of College Addition recorded in Book 8 of Record of Surveys, at Page 48, Fresno County Records, lying in Section 28, Township 13 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 53 in Block 12 of said Map of College Addition; thence North $89^{\circ}58'51''$ West, on the westerly prolongation of the North line of said Lot 53, a distance of 3.60 feet to a line parallel with and 50.00 feet east of the centerline of said North Van Ness Avenue; thence South $0^{\circ}29'09''$ West, on said parallel line, a distance of 147.08 feet to a line parallel with and 27.00 feet north of the centerline of said East Weldon Avenue; thence South $89^{\circ}59'21''$ East, on last said parallel line, a distance of 53.65 feet to the beginning of a tangent curve, concave northwesterly, having a radius of 13.50 feet; thence northeasterly, on said curve, through a central angle of $40^{\circ}16'41''$, an arc length of 9.49 feet to the beginning of a reverse curve, concave southeasterly, having a radius of 26.50 feet; thence northeasterly on last said curve, through a central angle of $40^{\circ}19'13''$, an arc length of 18.65 feet to a line parallel with and 36.50 feet north of the centerline of East Weldon Avenue; thence South $89^{\circ}59'21''$ East, on said parallel line, a distance of 31.85 feet to the southerly prolongation of the West line of the East 20.00 feet of Lot 50 in Block 12 of said Map of College Addition; thence North $0^{\circ}28'39''$ East, on said prolongation, a distance of 6.16 feet to the southwesterly line of said Lot 50 and the beginning of a non-tangent curve, concave northeasterly, having a radius of 180.00 feet, and at which point a radial line bears South $22^{\circ}55'40''$ West; thence northwesterly on said curve and being the southwesterly line of Lots 50, 51, 52, and 53 of Block 12 of said Map of College Addition, through a central angle of $56^{\circ}04'22''$, an arc length of 176.16 feet to the **POINT OF BEGINNING**.

Containing an area of 6,440 square feet, more or less.



EXHIBIT "B"

NORTH VAN NESS AVENUE

N 89°58'51" W
3.60'

NORTHWEST CORNER OF LOT 53,
BEING THE POINT OF BEGINNING

S 79°00'02" W
RADIAL

50'

BLOCK 12
COLLEGE ADDITION in Vol. 8,
RECORD OF SURVEYS, Pg. 48,
F.C.R.

53

52

51

50

APN 444-153-28s

S 0°29'09" W 147.08'

R=180.00'
Δ=56°04'22"
L=176.16'

S 22°55'40" W
RADIAL

R=26.50'
Δ=40°19'13"
L=18.65'

R=13.50'
Δ=40°16'41"
L=9.49'

50'

S 89°59'21" E
53.65'

S 89°59'21" E
31.85'

N 0°28'39" E
6.16'

EAST WELDON AVENUE



4-21-2022



INDICATES PROPOSED PUBLIC STREET VACATION LIMITS
CONTAINING AN AREA OF 6,440 S.F. ±



1"=30'

REF. & REV. 2020- 15-A- PLAT 2254	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ RES TYPE _____ FUND NO. _____ ORG. NO. _____
	PROPOSE PUBLIC STREET VACATION	DR. BY J.A.C. CH. BY J.A.C. DATE APRIL 19, 2022 SCALE 1" = 30'
		SHEET NO. 1 OF 1 SHEETS

EXHIBIT "C"
VACATION CONDITIONS OF APPROVAL

1. The City of Fresno Traffic Department requires the following conditions.
 - a) Provide preliminary site plan for the proposed park.
 - b) Remove existing street improvements that are at the incorrect location.
 - c) Install curb, gutter, sidewalk, ramp, paving and streetlights to the new alignment and grade.
 - d) Reserve a corner cut from the proposed vacation, for the new ramp.
 - e) Modify the existing median island to line up with the new intersection alignment.
 - f) Submit a proposed layout for the intersection. (The intersection does not line up.) Modifications to the striping, cross walks, medians, etc. will be required. Additional information is required.
 - g) Allow for any corner cuts for any proposed pedestrian sidewalk facilities.

For further details please contact Louise Gilio at (559) 621-8678

2. A.T & T. has existing facilities in this area to an existing structure and a payphone. Before starting construction, if you will notify AT&T and they will notify one of their maintenance managers to go out and remove any service drop lines that may be connected to this payphone or the building. Please coordinate with Brian Weldon at (559) 454-3724.
3. The City of Fresno Engineering Services Division requires that street improvement plans be submitted for review and approval for any improvements in the public street right of way associated with this project. If you have any question regarding this condition, please contact Francisco Magos at (559) 621-8679.
4. The City of Fresno Engineering Services Division Land Section requires the relocation of street light number 414343 to face westbound Weldon Avenue and preserve public utility easement for the existing water main on Van Ness Avenue. If you have any question regarding this condition, please contact TSSL and Harmanjit Dhaliwal at (559) 621-8694.
5. The proposed vacation areas lie within the Fresno Metropolitan Flood Control District's Drainage Area "RR". The District is no existing or proposed Master Plan facilities within the area proposed for vacation. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. The district will need to review and approve any improvement plans associated with the project (i.e. grading and street plans), for conformance with the Master Plan drainage patterns prior to implementation. Should you have any questions regarding this matter, please contact Gary Chapman at (559) 456-3292.

6. The City of Fresno Department of Public Utilities has existing facilities within the area proposed for vacation. There is an existing 6-inch sewer main in close proximity of the existing 4-inch water main at the northerly adjacent parcel (apn 444-153-01). There is also a 48-inch manhole that DPU will require access for operation and maintenance. Therefore, provide a 20-foot easement that will encompass both utilities with clearly marked signage above indicating the exact location and type of facility below. Said easement shall be clear an unobstructed by buildings or other structures. No fencing or walls shall either enclose or be located above the sewer main. The planting plan for any proposed landscape within the easement, shall be approved by the department of public utilities. No trees shall be located withing 8-feet of the sewer main. DPU shall have 24 hour access to all facilities within the vacated area. If you have any questions, pleas Contact Kevin Gray ay (559) 621-8553.

P.W. File No. FA00007