

RESOLUTION OF INTENT NO. 1128-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF WEST SPAATZ AVENUE AND NORTH DOOLITTLE AVENUE BETWEEN NORTH BLYTHE AVENUE AND WEST HERNDON 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 West Spaatz Avenue and North Doolittle Avenue between North Blythe Avenue and West Herndon Avenue; and

WHEREAS, the area proposed for vacation as shown in Exhibit "A", said exhibit is 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, Richard Ginder is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to facilitate ultimate public street right of way alignments and widths within the City of Fresno; 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 shown in Exhibit "A" is unnecessary for present or prospective public street and utility purposes subject to the conditions of approval listed in Exhibit "B" incorporated herein.

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

1. The hour of 10:00 a.m. on August 20, 2020 in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and place when and

Date Adopted:  
Date Approved:

Effective Date:  
City Attorney Approval:



Resolution No.

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 August 20, 2020, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

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

I, YVONNE SPENCE, 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 \_\_\_\_\_, 2020.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, MMC, CRM  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Kristi M. Costa  
Deputy

Attachment: Exhibits "A" and "B"  
PW File No. 12358



## EXHIBIT "B"

### VACATION CONDITIONS

The following conditions must be met before the vacation resolution can be recorded:

1. A.T. & T. has existing facilities, which include a 4 inch fiber optic line that may be affected by this vacation. They require a relocation of this line or an easement reserved to accommodate their facilities. If you have any questions about this condition, please contact Myra Fleming at (559) 454-3743.
2. The City of Fresno Public Works department requires that the Fresno Municipal Code will need to be amended concurrently with the vacation to modify the limits allowable for aircraft taxiing and parking on the streets. Please contact Andrew Benelli at (559) 621-8723 if you have any questions regarding this condition.
3. The City of Fresno Public Utilities department requires that all conditions of approval be met for Parcel Map No. 2014-06 approved on July 22, 2015. Also a public utility easement be reserved for the existing 12 inch water main and the existing 8 inch sewer main located in North Doolittle Drive. Please contact Kevin Gray at (559) 621-8553 if you have any questions regarding this condition.