

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING THE VACANT 10.24-ACRE OF ASSESSOR'S PARCEL NUMBER (APN) 481-110-42T LOCATED AT S. WILLOW AVE. AND E. BYRD AVE TO BE SURPLUS AND DIRECTING STAFF TO COMPLY WITH THE SURPLUS LAND ACT

WHEREAS, the City of Fresno (City) owns vacant land identified at the intersections of South Willow Avenue and East Byrd Avenue consisting of 10.24-acre of Assessor's Parcel Number (APN) 481-110-42T (Property), more particularly described in Exhibit "A" and depicted in Exhibit "B," attached hereto and made a part hereof by reference; and

WHEREAS, the City purchased the property in accordance with the U.S. Department of Housing and Urban Development requirement for the use of former/closed Rental Rehabilitation Program Income funds which was used to purchase the property and specifically for the development of affordable housing; and

WHEREAS, several Requests for Proposals (RFP) were issued for housing development projects, but no projects were successfully awarded; and

WHEREAS, the City has concluded that the Property is no longer needed for the City's operational use and remains undeveloped for several years despite various planning and outreach efforts; and

WHEREAS, under the Surplus Land Act, Government Code sections 54220, et seq., surplus land means land owned in fee simple for which a local agency's governing body takes formal action at a regular public meeting declaring land to be surplus and not necessary for a local agency's use; and

1 of 7

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: AMK

Resolution No. \_\_\_\_\_

WHEREAS land must be declared either “surplus” or “exempt surplus” as supported by written findings before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures; and

WHEREAS, except as otherwise provided in the Surplus Land Act and Guidelines, “agency’s use” shall include, but not be limited to, land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency’s governing board for agency work or operations, including, but not limited to, utility sites, watershed property, land being used for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants as described in Government Code Section 54221(c)(1). Agency’s use shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development. Property disposed of for the sole purpose of investment or generation of revenue shall not be considered necessary for the agency’s use; and

WHEREAS, staff has identified the property as potential surplus real property and wishes to dispose of the property; and

WHEREAS, the City has a significant interest in development to prevent blight and to return the Property to the private market to generate revenue for the City through the tax rolls and confer further benefit to the public; and

WHEREAS, pursuant to Government Code Section 54222, City staff will send a written Notice of Availability to sell the surplus Property to the entities and agencies identified in Government Code Section 54222, et seq., and if one of the entities/agencies

desires to purchase the Property after having received notice, it must indicate its intent to do so in writing within 60 days of receiving the notice, and the City and the other entity/agency shall negotiate in good faith for a period of 90 days on the price and terms for the disposition of the Property; and

WHEREAS, pursuant to Government Code section 54230.5, City staff will provide to the Department of Housing and Community Development a description of the Notices of Availability sent, and negotiations conducted with any responding entities, regarding the disposal of each parcel of surplus land; and

WHEREAS, in the event no agreement is reached between the City and any interested entity/agency to whom notice is provided, staff will present Council with proposals for disposition of the surplus property.

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

1. The City Council hereby declares the vacant 10.24-acre Property located at South Willow Avenue and East Byrd Avenue consisting of 10.24-acre of Assessor's Parcel Number (APN) 481-110-42T, Fresno California 93725, to be surplus; and the City therefore intends to dispose of said Property.

2. City staff is hereby directed to send all notices and take all actions required by the Surplus Land Act so that it may dispose of the Property.

3. This resolution shall be 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 \_\_\_\_\_ 2025.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2025  
Mayor Approval/No Return: \_\_\_\_\_, 2025  
Mayor Veto: \_\_\_\_\_, 2025  
Council Override Vote: \_\_\_\_\_, 2025

TODD STERMER, MMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Angela M. Karst Date  
Senior Deputy City Attorney

Attachments:

Exhibit "A" Legal Description  
Exhibit "B" Parcel Map

## **EXHIBIT A**

### **Legal Description**

**APN: 481-110-42T**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

THAT REAL PROPERTY SITUATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL UNITED STATES GOVERNMENT TOWNSHIP PLAT THEREOF, SAID REAL PROPERTY ALSO BEING A PORTION OF LOT 23 OF NEWHALL TRACT, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2 AT PAGE 42 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 23, SAID CORNER BEING ON A LINE PARALLEL WITH AND 20.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 18; THENCE SOUTH  $86^{\circ}43'53''$  WEST, ALONG THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 891.54 FEET; THENCE SOUTH  $0^{\circ}44'29''$  EAST, A DISTANCE OF 659.81 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 23; THENCE NORTH  $86^{\circ}44'02''$  EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 889.56 FEET TO THE SOUTHEAST CORNER OF SAID LOT 23; THENCE NORTH  $0^{\circ}34'11''$  WEST, ALONG THE EAST LINE OF SAID LOT 23, PARALLEL WITH AND 20.00 FEET WEST OF SAID EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 18, A DISTANCE OF 659.94 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION OF SAID LOT 23, ALONG BEING A PORTION OF TRACT NO. 3542 RECORDED IN BOOK 55 AT PAGES 66-69 OF PLATS, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SAID NORTHEAST CORNER OF LOT 23; THENCE SOUTH  $86^{\circ}43'53''$  WEST, ALONG THE NORTH LINE OF SAID LOT 23, A DISTANCE OF 790.26 FEET; THENCE SOUTH  $3^{\circ}16'07''$  EAST, A DISTANCE OF 70.39 FEET; THENCE NORTH  $86^{\circ}43'53''$  EAST, PARALLEL WITH AND 70.00 FEET SOUTH OF SAID NORTH LINE OF SAID LOT 23, A DISTANCE OF 786.94 TO A POINT ON THE EAST LINE OF SAID LOT 23; THENCE NORTH  $0^{\circ}34'11''$  WEST, ALONG SAID EAST LINE, PARALLEL WITH AND 20.00 FEET WEST OF SAID EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 18, A DISTANCE OF 70.47 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION OF SAID LOT 23 GRANTED TO

SELF HELP ENTERPRISES BY GRANT DEED RECORDED JULY 23, 2003, AS DOCUMENT NO. 2003-0172645 AND DESCRIBED IN GRANT DEED RECORDED MARCH 17, 2004, AS DOCUMENT NO. 2004-057618, OF OFFICIAL RECORDS OF FRESNO COUNTY.

**EXHIBIT B**

# PARCEL MAP

