

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA DECLARING A PORTION OF THE SOUTHEAST CORNER OF NORTH PARKWAY DRIVE AND WEST SHIELDS AVENUE; A PORTION OF NORTH PARKWAY DRIVE, NORTH OF WEST WELDON AVENUE; AND A PORTION OF NORTH MARKS AVENUE, NORTH OF THE MARKS-SHIELDS CONNECTOR TO BE EXEMPT SURPLUS LAND

WHEREAS, the City of Fresno currently owns a portion of the southeast corner of North Parkway Drive and West Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector, in Fresno, California (Property), as described and depicted on the attached Exhibits hereto as Exhibits A1, B1, A2, B2, A3, and B3; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54236) is generally intended to make a local agency's surplus land (i.e., land not needed for the agency's use) available for potential acquisition by affordable housing sponsors for affordable housing purposes or by other local public entities; and

WHEREAS, California Government Code section 54221 (b) and the April 2021 Surplus Land Act Guidelines (SLA Guidelines) published by the California Department of Housing and Community Development (HCD) require that prior to taking any action to dispose of land that is subject to the Surplus Land Act, the City Council must, at public meeting, declare the land either surplus land or exempt surplus land, as each are defined in California Government Code section 54221; and

WHEREAS, under the Surplus Land Act, land shall be declared either "surplus land" or "exempt surplus land" as supported by written findings, before a local agency may take

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



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any action to dispose of it consistent with the agency's policies or procedures; and

WHEREAS, the City acquired the property in fee through relinquishment from the State of California on January 2, 1990 specifically for use as city streets; and

WHEREAS, the City has sought concurrence with the State of California Housing and Community Development Department (State), and the State has concurred that a portion of the southeast corner of North Parkway Drive and west Shields Avenue; a portion of North Parkway Drive, north of West Weldon Avenue; and a portion of North Marks Avenue, north of the Marks-Shields Connector were determined to be exempt surplus land on February 10, 2023; and

WHEREAS, the Property is exempt surplus land pursuant to California Government Code section 54221 (f)(1)(D) because the Property will be transferred to another state agency for the agency's use; and

WHEREAS, in accordance with the Government Code Section 54221(b)(1), the land is owned in fee simple by the City for which the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use.

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

1. The Property shall be declared exempt surplus land pursuant to California Government Code section 54221(f)(1)(D) as the property will be transferred to another state agency.
2. 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 \_\_\_\_\_ 2023.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2023  
Mayor Approval/No Return: \_\_\_\_\_, 2023  
Mayor Veto: \_\_\_\_\_, 2023  
Council Override Vote: \_\_\_\_\_, 2023

TODD STERMER, CMC  
City Clerk

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

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

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

Attachments:  
Exhibits A1, B1, A2, B2, A3, and B3

EXHIBIT "A1"  
Legal Description  
Proposed Street Vacation – a portion of N. Parkway Dr.  
Page 1 of 2

That portion of North Parkway Drive in Section 25, Township 13 South, Range 19 East, Mount Diablo Meridian and Base Line, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 25, said corner being found as a 4-inch iron pipe filled with concrete, per Corner Record No. 2438, filed in the Fresno County Surveyor's Office;

THENCE (1) along the North line of the Northeast quarter of said Section 25, North  $89^{\circ}42'54''$  West, 657.06 feet to the southwesterly right-of-way boundary of State Route 99;

THENCE along said southwesterly right-of-way boundary, the following courses:  
(2) South  $41^{\circ}03'36''$  East, 121.22 feet; (3) South  $14^{\circ}43'56''$  East, 12.79 feet; (4) South  $22^{\circ}53'37''$  East, 92.70 feet to the northeasterly right-of-way line of North Parkway Drive;

THENCE (5) along said northeasterly right-of-way line, South  $22^{\circ}53'37''$  East, 38.25 feet to the TRUE POINT OF BEGINNING;

THENCE (6) continuing South  $22^{\circ}53'37''$  East, 252.35 feet to the beginning of a non-tangent curve concave northeasterly, to which a radial line bears South  $54^{\circ}19'48''$  West, having a radius of 769.95 feet and a central angle of  $06^{\circ}10'11''$ ;

THENCE (7) southeasterly along said curve, an arc distance of 82.91 feet;

THENCE (8) North  $43^{\circ}09'56''$  West, 26.31 feet to the beginning of a tangent curve concave southwesterly, having a radius of 847.50 feet and a central angle of  $15^{\circ}55'46''$ ;

THENCE (9) northwesterly along last said curve, an arc distance of 235.62 feet;

THENCE (10) North  $59^{\circ}05'42''$  West, 27.78 feet;

THENCE (11) North  $14^{\circ}05'37''$  West, 17.71 feet;

THENCE (12) North  $30^{\circ}54'19''$  East, 40.33 feet to the beginning of a tangent curve concave southeasterly, having a radius of 42.00 feet and a central angle of  $42^{\circ}26'36''$ ;

THENCE (13) northeasterly along last said curve, an arc distance of 31.11 feet to the beginning of a reverse curve concave northwesterly, having a radius of 48.00 feet and a central angle of  $73^{\circ}08'01''$ ;

EXHIBIT "A1"  
Legal Description  
Proposed Street Vacation – a portion of N. Parkway Dr.  
Page 2 of 2

THENCE (14) northeasterly along last said curve, an arc distance of 61.27 feet to the TRUE POINT OF BEGINNING

Containing 0.35 acre, more or less.

The bearings and distances used in this description are on the California Coordinate System of 1983, Epoch 2007, Zone 4. Divide distances by 0.99993543 to obtain ground distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

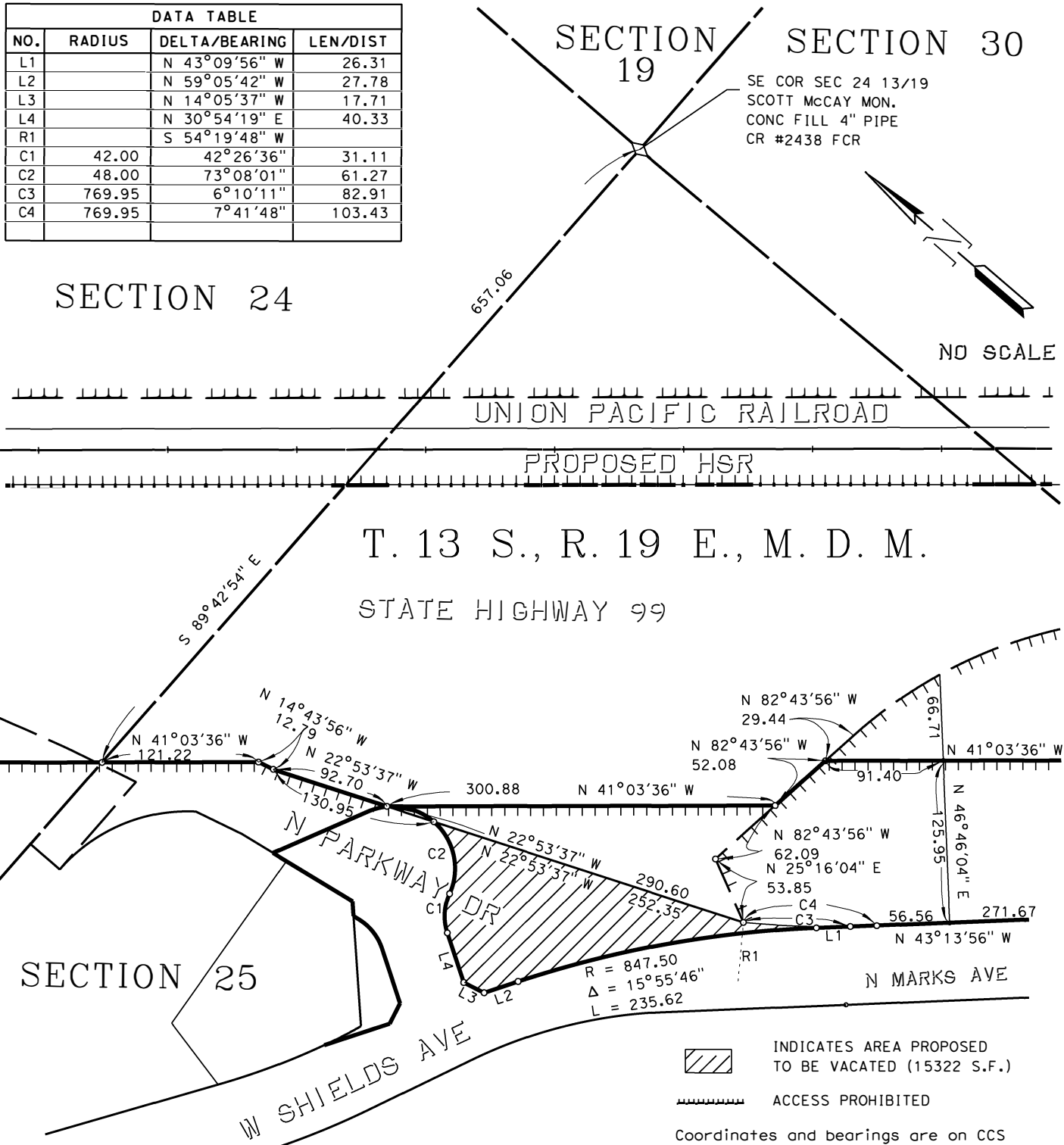
Signature Glenn R. Medina  
Professional Land Surveyor


Date February 2, 2017




EXHIBIT B1 T. 13 S., R. 20 E.,  
CITY OF FRESNO M. D. M.

DATA TABLE			
NO.	RADIUS	DELTA/BEARING	LEN/DIST
L1		N 43°09'56" W	26.31
L2		N 59°05'42" W	27.78
L3		N 14°05'37" W	17.71
L4		N 30°54'19" E	40.33
R1		S 54°19'48" W	
C1	42.00	42°26'36"	31.11
C2	48.00	73°08'01"	61.27
C3	769.95	6°10'11"	82.91
C4	769.95	7°41'48"	103.43



 INDICATES AREA PROPOSED TO BE VACATED (15322 S.F.)

 ACCESS PROHIBITED

Coordinates and bearings are on CCS 1983(2007) Zone 4. Distances and stationing are grid distances. Divide by 0.99993543 to obtain ground distances.

All distances are in feet unless otherwise noted.

EXHIBIT "A2"  
Legal Description  
Proposed Street Vacation – a portion of N. Parkway Dr.  
Page 1 of 1

That portion of North Parkway Drive in Section 30, Township 13 South, Range 20 East, Mount Diablo Meridian and Base Line, more particularly described as follows:

COMMENCING at the South quarter-section corner of said Section 30, said corner marked by a 5/8" rebar tagged "RCE 12739" per Corner Record No. 1189 filed in the Fresno County Surveyor's Office;

THENCE (1) along the South line of the Southwest quarter of said Section 30, North 89°34'31" West, 627.07 feet;

THENCE (2) North 00°25'29" East, 1389.04 feet to a point on the West line of Lot 36 of Highway Heights, according to the map thereof recorded in Book 9, Page 38 of Record of Surveys, Fresno County Records;

THENCE (3) along said West line and its northerly prolongation, North 00°33'52" East, 180.43 feet to the TRUE POINT OF BEGINNING;

THENCE (4) continuing North 00°33'52" East, 116.85 feet to the southwesterly right-of-way boundary of existing State Route 99;

THENCE along said southwesterly right-of-way boundary, the following courses:  
(5) South 39°37'00" East, 164.96 feet; (6) South 31°36'26" East, 274.65 feet to the beginning of a non-tangent curve concave southwesterly, to which a radial bears North 58°23'34" East, having a radius of 132.00 feet and a central angle of 58°01'23";

THENCE (7) northwesterly along said curve, an arc distance of 133.68 feet to a point of tangency;

THENCE (8) North 89°37'49" West, 46.50 feet to the southwesterly right-of-way line of North Parkway Drive;

THENCE (9) along last said southwesterly right-of-way line, North 26°59'38" West, 203.16 feet to the TRUE POINT OF BEGINNING.

Containing 0.61 acre, more or less.

The bearings and distances used in this description are on the California Coordinate System of 1983, Epoch 2007, Zone 4. Divide distances by 0.99993543 to obtain ground distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature Glenn R. Medina  
Professional Land Surveyor

Date April 6, 2017



EXHIBIT B2  
CITY OF FRESNO

T. 13 S., R. 20 E., M. D. M.

SECTION 30

ROEDING'S  
VILLA  
COLONY

BK 2;  
PG 43  
OF RS

117

N00°33'52"E  
35.55

N LAFAYETTE AVE

36

WELDON

AVE

S 89°37'49" E

845.05

LOT 35  
HIGHWAY  
HEIGHTS  
BK 9 PG 38  
R.S.

Coordinates and bearings are on CCS 1983(2007) Zone 4. Distances and stationing are grid distances. Divide by 0.99993543 to obtain ground distances.

All distances are in feet unless otherwise noted.

 INDICATES AREA PROPOSED TO BE VACATED (26440 S.F.)

 ACCESS PROHIBITED

$R = 321.21$   
 $\Delta = 20^{\circ}24'12"$   
 $L = 114.39$

N30°49'55"W  
113.96  
113.96

N54°55'19"W  
164.96  
166.93

N39°37'00"W  
116.85  
180.43

N26°59'38"W  
203.16  
274.65

N89°37'49"W  
93.99  
81.90

S 89°37'49" E 127.33  
46.50

S 89°37'49" E  
30.00  
30.00

N00°33'52"E  
106.881  
E 112.42  
N 00°37'51" E  
73.48

N00°33'52"E  
1389.01  
E 162.52  
N 00°37'51" E  
124.11

N00°33'52"E  
1389.01  
E 162.52  
N 00°37'51" E  
124.11

N89°34'31"W  
627.07  
1/4 SEC. LINE

STATE HIGHWAY 99

$R = 132.00$   
 $\Delta = 58^{\circ}01'23"$   
 $L = 133.68$

RADIAL  
N 58°23'34" E  
S 31°36'26" E

PARKWAY DRIVE

S 1/4 COR. SEC. 30  
FND 5/8" rebar w tag  
RCE 12739  
PER CR NO 1189

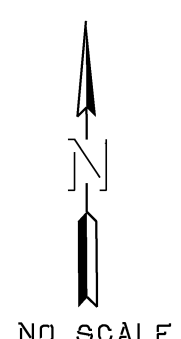




EXHIBIT "A3"  
Legal Description  
Proposed Street Vacation – a portion of N. Marks Ave.  
Page 1 of 2

That portion of North Marks Avenue in Section 25, Township 13 South, Range 19 East, Mount Diablo Meridian and Base Line, and in Section 30, Township 13 South, Range 20 East, Mount Diablo Meridian and Base Line, more particularly described as follows:

COMMENCING at the Northeast corner of said Section 25, said corner being found as a 4-inch iron pipe filled in concrete, per Corner Record No. 2438, filed in the Fresno County Surveyor's Office;

THENCE (1) along the East line of the Northeast quarter of said Section 25, South  $00^{\circ}17'11''$  West, 746.66 feet;

THENCE (2) North  $41^{\circ}03'27''$  West, 43.39 feet to the northwesterly line of the land described in a deed to Central Valley R.V. Outlet, L.L.C., a California Limited Liability Company, recorded November 13, 2009 as Document No. 2009-0156466, Official Records of Fresno County;

THENCE (3) along said northwesterly line, South  $49^{\circ}22'24''$  West, 2.08 feet to a point on the West line of the land described in said deed, said point being the TRUE POINT OF BEGINNING;

THENCE (4) along said West line, South  $00^{\circ}16'23''$  West, 195.97 feet to a point on the southerly boundary of the land described in said deed, last said point being the beginning of a non-tangent curve concave westerly, to which a radial line bears North  $61^{\circ}34'15''$  East, having a radius of 655.00 feet and a central angle of  $14^{\circ}30'04''$ ;

THENCE (5) along said southerly boundary, southerly along said curve, an arc distance of 165.77 feet to the West line of Lot 108 of Roeding's Villa Colony, according to the map thereof recorded in Book 2, Page 43 of Record of Surveys, Fresno County Records;

THENCE (6) along last said West line, South  $00^{\circ}17'21''$  West, 60.24 feet to the beginning of a non-tangent curve concave southwesterly, to which a radial line bears North  $78^{\circ}23'36''$  East, having a radius of 847.50 feet and a central angle of  $31^{\circ}33'31''$ ;

THENCE (7) northwesterly along said curve, an arc distance of 466.80 feet to a point of tangency;

THENCE (8) North  $43^{\circ}09'56''$  West, 78.46 feet to the southwesterly line of the land described in a deed to the State of California, recorded February 28, 2014 as Document No. 2014-0024555, Official Records of Fresno County;

THENCE (9) along said southwesterly line, South  $43^{\circ}13'56''$  East, 153.82 feet to the South line of the land described in last said deed;

THENCE (10) along said South line, South  $89^{\circ}43'38''$  East, 38.21 feet to the southeasterly line of the land described in last said deed;

EXHIBIT "A3"  
Legal Description  
Proposed Street Vacation – a portion of N. Marks Ave.  
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THENCE (11) along said southeasterly line, North 48°35'06" East, 84.85 feet to the TRUE POINT OF BEGINNING.

Containing 0.29 acre, more or less.

The bearings and distances used in this description are on the California Coordinate System of 1983, Epoch 2007, Zone 4. Divide distances by 0.99993543 to obtain ground distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature Glenn R. Medina  
Professional Land Surveyor

Date May 1, 2017





CITY OF FRESNO

EXHIBIT B3

Coordinates and bearings are on CCS 1983(2007) Zone 4. Distances and stationing are grid distances. Divide by 0.99993543 to obtain ground distances.

All distances are in feet unless otherwise noted.

-  INDICATES AREA PROPOSED TO BE VACATED (0.29 AC.)
-  ACCESS PROHIBITED

SECTION 25

MARKS-SHIELDS CONNECTOR

T. 13 S., R. 19 E., M. D. M.

DEED TO STATE OF CALIFORNIA, RECORDED 2/28/14, AS DOCUMENT No. 2014-0024555, O.R.F.C.

McKAY MON NE CORNER SEC 25 T.13, R.19 E PER CR #2438

STATE HIGHWAY 99

DEED TO CENTRAL VALLEY R.V. OUTLET L.L.C., RECORDED NOVEMBER 13, 2009, AS DOCUMENT No. 2009-0156466, OFFICIAL RECORDS OF FRESNO COUNTY.

WEST LINE OF LOT 108 REODING'S VILLA COLONY BK. 2, PG. 43 OF RS

NO SCALE

SECTION 30

T. 13 S., R. 20 E., M. D. M.

