

RESOLUTION OF INTENT NUMBER 1153-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA OF INTENTION TO VACATE A PORTION OF PUBLIC STREET RIGHT OF WAY AT THE NORTHEAST CORNER OF SOUTH HUGHES AVENUE AND WEST DAN RONQUILLO DRIVE

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 of public street right of way at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive; 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, GS Central Valley Investments, LLC is requesting the proposed vacation; and

WHEREAS, the purpose of this proposed vacation is to eliminate excess right of way at the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive, and to accommodate development permit number P21-06225, which is the proposed construction of a truck wash, lube, and repair development; 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 is unnecessary for present or prospective public street purposes, subject to the reservation of a public utility easement over the entire area proposed to be

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: KAS

241867v1

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vacated and 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 9:40 a.m. on November 21, 2024, in the Council Chambers in Fresno 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 November 21, 2024, 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 _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Deputy City Attorney Date

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

PW File No. 13233

EXHIBIT 'A'
VACATION LEGAL DESCRIPTION

A VACATION OF A PORTION OF THAT PROPERTY RELINQUISHED TO THE CITY OF FRESNO BY DOCUMENT RECORDED OCTOBER 27, 2009, AS DOCUMENT NO. 2009-0148223, OF OFFICIAL RECORDS OF FRESNO COUNTY, SITUATE IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SEGMENT 3, AS SHOWN ON THAT MAP OF RELINQUISHMENT NO. 85836, RECORDED IN STATE HIGHWAY MAP BOOK 5 AT PAGES 68 THROUGH 71, FRESNO COUNTY RECORDS;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID SEGMENT 3, SOUTH $00^{\circ}21'31''$ WEST, A DISTANCE OF 127.75 FEET, TO THE BEGINNING OF A TANGENT CURVE TO THE NORTHEAST, HAVING A RADIUS OF 42.00 FEET, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $76^{\circ}29'00''$, A DISTANCE OF 56.07 FEET, TO THE BEGINNING OF A REVERSE CURVE TO THE SOUTHWEST, HAVING A RADIUS OF 78.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF $81^{\circ}25'54''$, A DISTANCE OF 110.77 FEET, TO THE NORTHERLY BOUNDARY OF THAT LAND DESCRIBED IN DIRECTOR'S DEED TO THE CITY OF FRESNO, RECORDED MAY 16, 2013, AS DOCUMENT NO. 2013-0070514, OF OFFICIAL RECORDS OF FRESNO COUNTY;

THENCE ALONG SAID NORTHERLY LINE, NORTH $89^{\circ}23'36''$ WEST, A DISTANCE OF 77.68 FEET;

THENCE NORTH $44^{\circ}31'02''$ WEST, A DISTANCE OF 19.83 FEET, TO THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH HUGHES AVENUE (32-FOOT HALF-WIDTH);

THENCE ALONG SAID EASTERLY LINE, NORTH $00^{\circ}21'31''$ EAST, A DISTANCE OF 108.93 FEET, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.15 ACRES OR 6,642 SQUARE FEET, MORE OR LESS.

PREPARED BY:

 2/3/2023

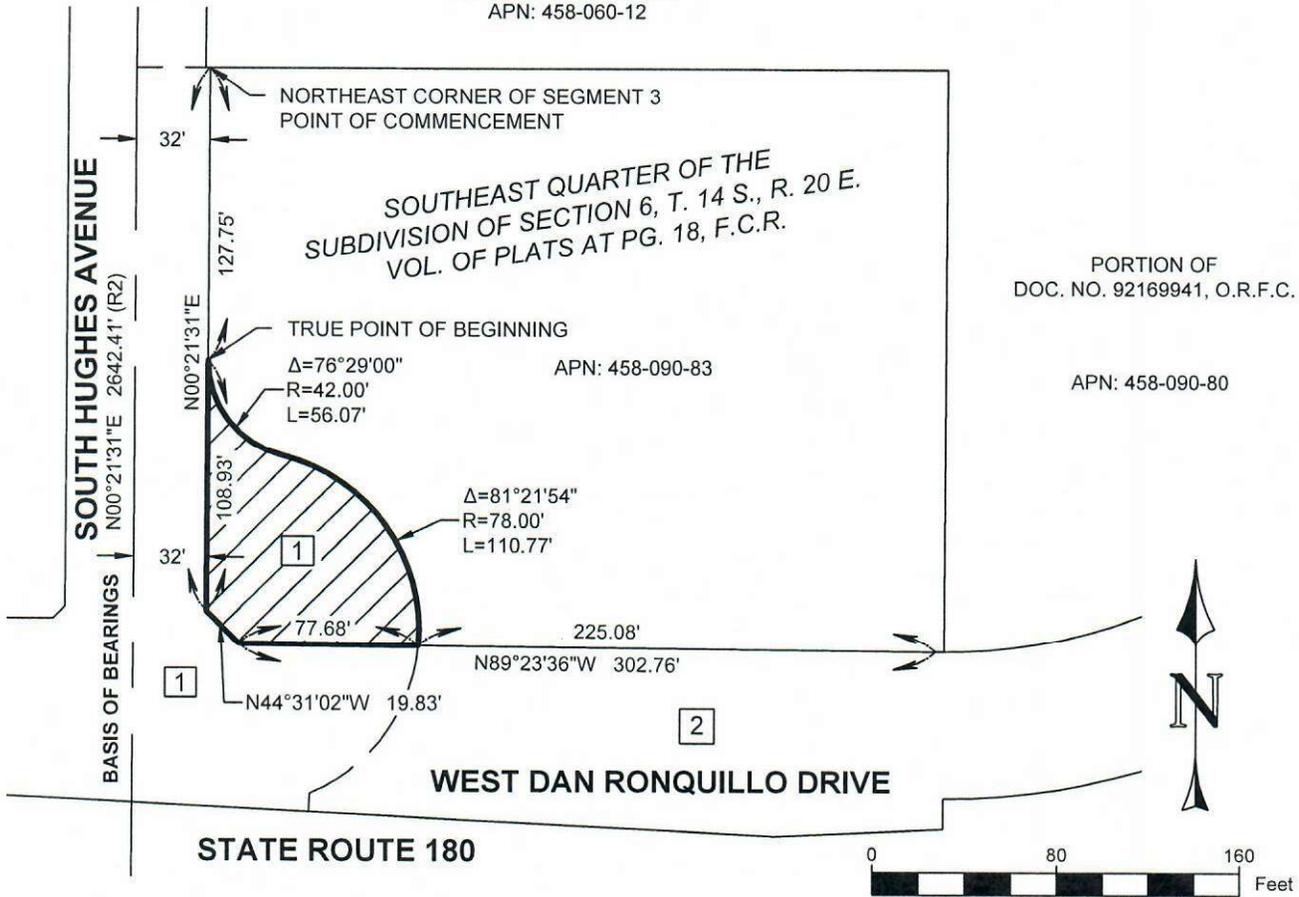
NEIL E. THONESEN
P.L.S. 8656
LIC. EXP. 12/31/2023

DATE



EXHIBIT 'B'

GRANT DEED
 DOC. NO. 2021-0017373
 APN: 458-060-12



PORTION OF
 DOC. NO. 92169941, O.R.F.C.

APN: 458-090-80



SCALE: 1" = 80'

LEGEND

- | | |
|---|---|
| ———— LOT LINE | ———— CENTERLINE |
| 1 RELINQUISHED TO CITY OF FRESNO BY DOCUMENT RECORDED OCTOBER 27, 2009, AS DOC. NO. 2009-0148223, O.R.F.C. | 2 DIRECTOR'S DEED MAP FOR DD 81681-01-01 RECORDED MAY 16, 2013, AS DOC. NO. 2013-0070514, O.R.F.C. |
| (R1) RECORD AND CALCULATED DIMENSIONS PER DIRECTOR'S DEED MAP FOR DD 81681-01-01, RECORDED MAY 16, 2013, AS DOC. NO. 2013-0070514, O.R.F.C. | O.R.F.C. OFFICIAL RECORDS OF FRESNO COUNTY |
| | F.C.R. FRESNO COUNTY RECORDS |
| (R2) RECORD AND CALCULATED DIMENSIONS PER CALTRANS RIGHT-OF-WAY RECORD MAP, FRE-180, PM 55.05, SHEET 2 OF 3, IN DISTRICT 6 OF CALTRANS. | |
| |  AREA TO BE VACATED
0.15 ACRES / 6,642 SQUARE FEET |

PREPARED BY:



1713 11TH STREET, SUITE 1
 REEDLEY, CA 93654
 PH: (559) 637-1544

EASEMENT VACATION

DATE: 02/03/2023

DRAWN BY: JDK

JOB NO.: 21057

PAGE 1 OF 1

EXHIBIT "C"
VACATION CONDITIONS OF APPROVAL

1. CVIN has facilities in S Hughes Ave and W Dan Ronquillo Ave. I have attached a copy of their email showing their facilities. Please contact Raymond Low (contact information is in email) to verify that their facilities have been accommodated for.
2. Robert A. Diaz of the Department of Public Utilities requires that the project developer be financially responsible for the relocation of any public water facilities that may be required to be relocated. Please contact Robert at (559) 621-1623 if you have any questions.
3. Gary Chapman of Fresno Metropolitan Flood Control District proved the following information. The proposed vacation area lies within the District's Drainage Area "ZZ" and there are no facilities in the area. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area, otherwise resubmittal and evaluation must occur. If you have any questions for Gary, contact him at (559) 456-3292.
4. Harman Dhaliwal of Traffic Planning, Department of Public Works, requires that this vacation complies with P21-06225. I have attached a copy of Louise's response with her contact info included if you have any questions. Please contact Harman at (559) 621-8694.