

RESOLUTION OF INTENT NUMBER 1146-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA OF INTENTION TO VACATE THE
MOST NORTHERLY CORNER CUT-OFF AT M STREET
AND INYO STREET

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of the most northerly corner cut-off of M street and Inyo Street; 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, Metro Hospitality Services, Inc. is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to accommodate Development Permit Application Number P21-01109; 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 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: AMK

Resolution of Intent Number 1146-D

1. The hour of 10:00 a.m. on February 17, 2022, 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 the February 17, 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 C – Vacation Condition of Approval

PW File No. 12437

EXHIBIT "A"

LEGAL DESCRIPTION

BEING THE VACATION OF THE EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES DEDICATED PER DEED OF EASEMENT RECORDED ON FEBRUARY 27, 1986 AS DOCUMENT NUMBER 86021692 IN THE OFFICIAL RECORDS OF THE FRESNO COUNTY RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 17 OF BLOCK 118 OF THE MAP OF THE TOWN OF FRESNO, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 2 OF PLATS, FRESNO COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 17; THENCE, NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 17, A DISTANCE OF 4.69 FEET;

THENCE, LEAVING SAID SOUTHWESTERLY LINE, EASTERLY, A DISTANCE OF 6.63 FEET, TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY LINE OF SAID LOT 17, SAID POINT ALSO BEING 4.69 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 17 MEASURED ALONG THE SOUTHEASTERLY LINE OF SAID LOT 17;

THENCE, SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 17, A DISTANCE OF 4.69 FEET TO THE POINT OF BEGINNING.

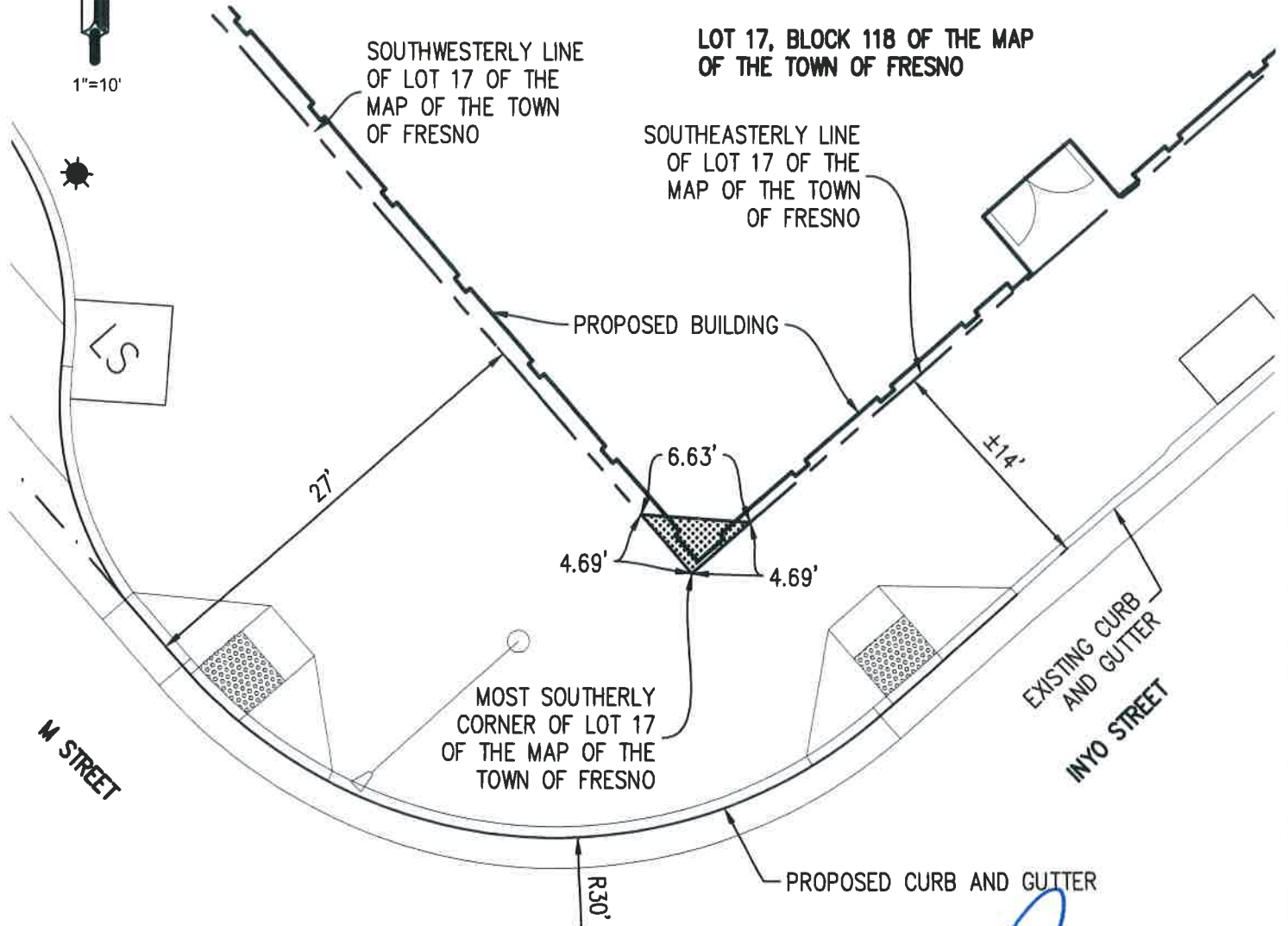
8/4/2021



EXHIBIT "B"



1"=10'



INDICATES AREA OF EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES TO BE VACATED (±11 S.F.)

8/4/2021
 LICENSED LAND SURVEYOR
 MATTHEW J. LANZER
 NO. 9335
 STATE OF CALIFORNIA

REF. & REV. 2021- 15-A- PLAT	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ RES TYPE _____	
	AREA OF EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES TO BE VACATED	DR. BY: MAS CH. BY: MJL DATE: 8/2/2021 SCALE: 1"=10'	SHEET NO. <u>1</u> OF <u>1</u> SHEETS

EXHIBIT "C"
VACATION CONDITION OF APPROVAL

1. The proposed street vacation area lies within the District's Drainage Area "FF". The District has existing storm drainage facilities within the area of the proposed vacation as detailed on the documents provided to the District. Any proposed revisions to existing District facilities must be reviewed and approved by the District prior to implementation. This portion of "M" - Street is located in an area that has historically provided a passage for major storm flows from the areas to the north and east of the proposed vacation area. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. Should you have any questions regarding this matter, please do not hesitate to contact Rick Lyons at (559) 456-3292.
2. Pacific Gas and Electric Company may have facilities within the area proposed for vacation. Please contact Jarred Hachman of PG&E to confirm any conflicts with existing or proposed facilities at (559) 263-5737.
3. City of Fresno Engineering Design Division has an overlay project that may require the construction of new curb ramps at this corner. Please coordinate with the Design Division Manager Scott Tyler at (559) 621-8679 to prevent any potential conflicts moving forward.
4. Comcast has an existing fiber optic and coax in this area. Please coordinate with Comcast as to the exact location of these facilities. If you have any questions, please contact at (559) 621-8679.

PW File 12437