

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DEDICATING CERTAIN CITY-OWNED PROPERTY AS EASEMENTS FOR PUBLIC STREET, PEDESTRIAN WALKWAY, UTILITY AND LANDSCAPE PURPOSES AT PUMP STATION NO. 349 LOCATED AT THE SOUTHWEST CORNER OF NORTH LOCAN AVENUE AND EAST ANDREWS AVENUE

WHEREAS, the City of Fresno owns property at the southwest corner of North Locan Avenue and East Andrews Avenue; and

WHEREAS, the property is being developed by the City of Fresno's Water Division as Pump Station No. 349 in accordance with Conditional Use Permit No. C-13-157; and

WHEREAS, the property was acquired by that Grant Deed recorded November 14, 2008, as Document No. 2008-0159222, Official Records of Fresno County; and

WHEREAS, in order to satisfy the requirements of Conditional Use Permit No. C-13-157, it is necessary to dedicate the following easements: (1) an easement for public street purposes, as described in Exhibit "A" and shown on Exhibit "B"; (2) easements for public pedestrian walkway purposes as described in Exhibit "C" and shown on Exhibit "D"; (3) an easement for public utility purposes as described in Exhibit "E" and shown on Exhibit "F"; (4) an easement for public landscape purposes as described in Exhibit "G" and shown on Exhibit "H". Exhibits "A" through "H" are attached hereto and incorporated in this Resolution.

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

1. That certain portion of City-owned property described in attached Exhibit "A" and shown on attached Exhibit "B" is hereby dedicated as an easement and right-of-way for public street purposes.

2. Those certain portions of City-owned property described in attached Exhibit "C" and shown on attached Exhibit "D" are hereby dedicated as easements and rights-of-way for public pedestrian walkway purposes.

3. That certain portion of City-owned property described in attached Exhibit "E" and shown on attached Exhibit "F" is hereby dedicated as an easement and right-of-way for public utility purposes.

4. That certain portion of City-owned property described in attached Exhibit "G" and shown on attached Exhibit "H" is hereby dedicated as an easement and right-of-way for public landscape purposes.

5. Nothing contained in this resolution shall be deemed or interpreted by any party to cause any interest created in the public pursuant to this resolution to ripen into any title, interest or right of the public against or adverse to the rights of the City of Fresno nor shall this resolution limit, restrict or modify the exemption of public property to title by prescription as defined within California Civil Code Section 1007.

6. The City Clerk of the City of Fresno shall certify to the passage of this resolution and attest thereto under the seal of the City of Fresno.

7. The City Engineer shall cause a City deed number to be assigned to this resolution and shall cause this resolution to be recorded in the Office of the Recorder of

the County of Fresno, California. The original resolution shall be returned to the City Clerk after recordation and a certified copy thereof shall be filed in the Public Works deed file.

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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 _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

BY: _____
Tracy Parvanian, Deputy
Dated:

Attachments: Exhibits "A" through "H"