

RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF PUBLIC WATERMAIN EASEMENT ON PARCEL N OF PARCEL MAP NUMBER 2008-13, LYING SOUTHWEST OF NORTH RIVERSIDE DRIVE, BETWEEN WEST HERNDON AVENUE AND NORTH VETERANS BOULEVARD

WHEREAS, the Council has elected to proceed under the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Division 9, Part 3 of the California Streets and Highways Code), and specifically Chapter 4 (commencing with Section 8330) thereof, to summarily vacate a portion of a public watermain easement on Parcel N of Parcel Map Number 2008-13, lying southwest of North Riverside Drive, between West Herndon Avenue and North Veterans Boulevard as described in Exhibit A and as shown on Exhibit B, which are attached and incorporated in this Resolution; and

WHEREAS, Rich Development Enterprises, LLC is requesting the proposed vacation of a portion of a public watermain easement on Parcel N of Parcel Map Number 2008-13, lying southwest of North Riverside Drive, between West Herndon Avenue and North Veterans Boulevard as described on Exhibit A and as shown on Exhibit B, which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this proposed vacation is to accommodate Water Main Improvements associated with Water Job number J5755 for commercial development; and

WHEREAS, the Traffic and Engineering Services Division has reviewed this proposal and determined the public watermain easement on Parcel N of Parcel Map

Number 2008-13, lying southwest of North Riverside Drive, between West Herndon Avenue and North Veterans Boulevard as described on Exhibit A and as shown on Exhibit B is no longer necessary at this location because the watermain associated with this easement was relocated during the construction of the Hobby Lobby. Please see the Exhibits accompanying this Resolution; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Cal. Sts. & Hy. Code §§ 8300-8363).

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

1. The public interest and convenience require, and it is hereby ordered, that as of January 11, 2024, that portion a public water main easement as described in Exhibit A and as shown on Exhibit B be vacated.
2. The City Clerk shall certify to the passage of this Resolution and shall file a certified copy, attested by the City Clerk under the seal of the City of Fresno, to be recorded in the Office of the County Recorder of the County of Fresno, State of California.
3. The City Clerk shall file a certified copy of the resolution for recordation in the Office once all work associated with this requirement has been accepted by the City Engineer or the Public Works Director.
4. This vacation shall become effective on the date this resolution is recorded.

* * * * *

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 :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

BY: _____
Date
Deputy City Attorney

Attachments:
Exhibits A and B

PW13225

EXHIBIT A

VACATION OF WATERMAIN (Portion)

APN 504-091-69 (portion)

That portion of that certain parcel granted to the City of Fresno for water main purposes by Grant Deed recorded August 23, 2013 as Document No. 2013-121620, Official Records Fresno County, being in Lot 336 of J.C. Forkner Fig Gardens Subdivision No. 3, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Volume 8 of Plats, Page 79, Fresno County Records, described as follows:

COMMENCING at the most southerly corner of Parcel N of Parcel Map No. 2008-13, recorded in Book 71 of Parcel Maps, Pages 81-89, Fresno County Records; thence North 40° 11' 34" East, along the southeasterly line of said Parcel N, a distance of 60.00 feet; thence South 49° 49' 49" East, along the southwesterly line of said parcel granted to the City of Fresno for water main purposes, a distance of 21.00 feet to the TRUE POINT OF BEGINNING; thence North 40° 11' 34" East, a distance of 22.00 feet; thence South 49° 49' 49" East, along the northeasterly line of said water main easement and its northwesterly prolongation, a distance of 57.50 feet; thence South 40° 11' 34" West, along the southeasterly line of said water main easement, a distance of 22.00 feet; thence North 49° 49' 49" West, along the southwesterly line of said water main easement, a distance of 57.50 feet to the True Point of Beginning.

Contains an area of: 1265 Sq. Ft., more or less.



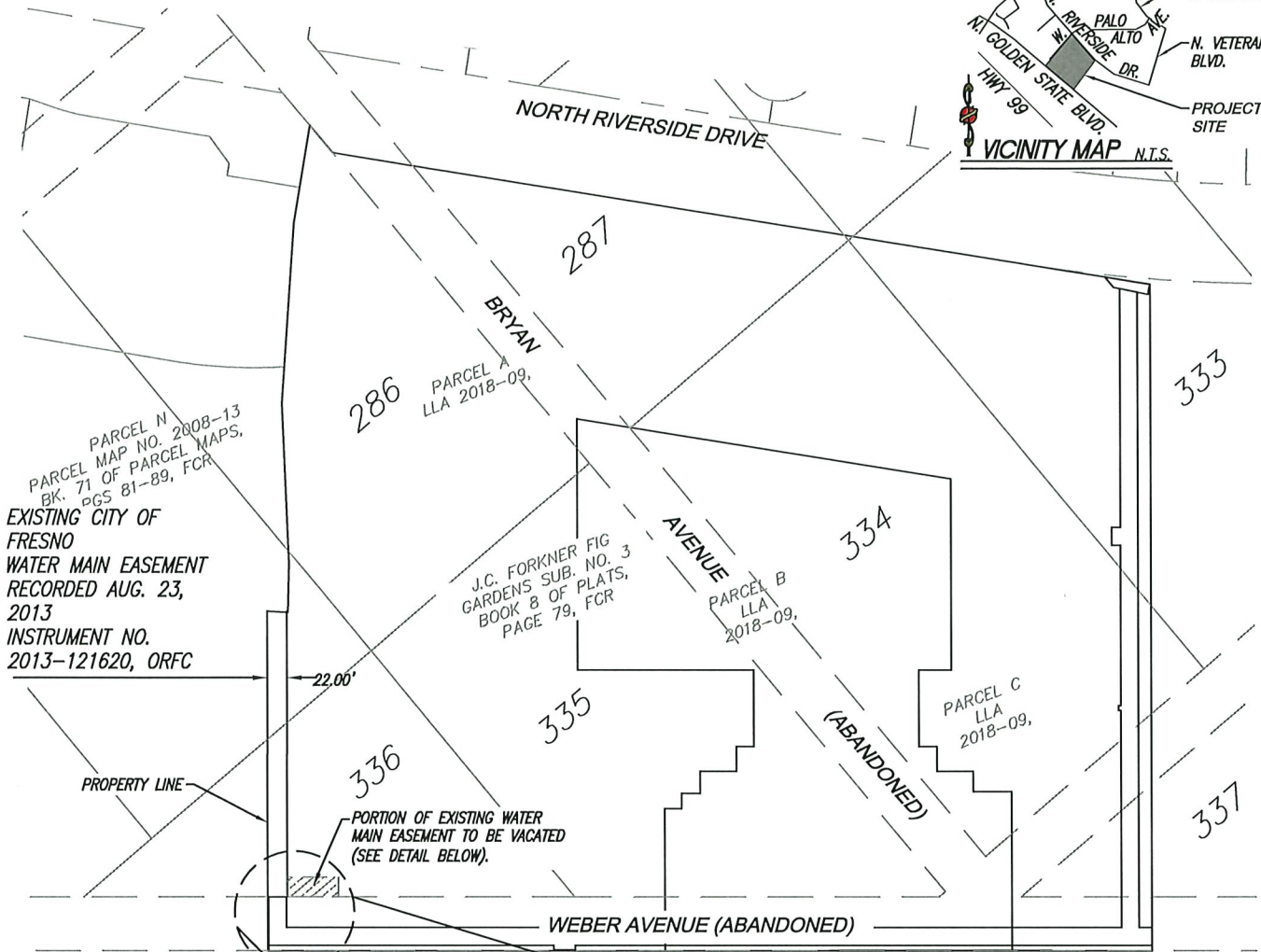
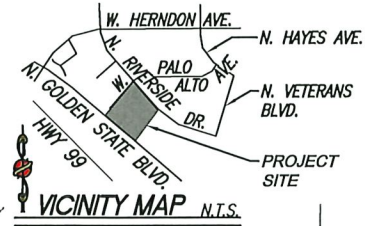
1-20-2023

FILE NO. 13225

PLAT 1342

WATER JOB J5755

EXHIBIT "B"



PROPERTY INFORMATION

APN: 504-091-69S

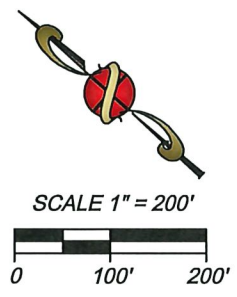
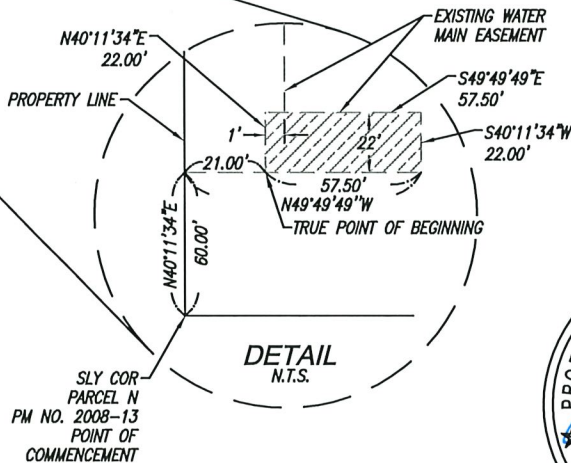
LOCATION:
SOUTH OF NORTH RIVERSIDE DRIVE AND EAST
OF WEST PALO ALTO AVENUE.

LEGEND

EXISTING CITY OF FRESNO
WATER MAIN EASEMENT AREA
TO BE VACATED



AREA: 1,265 SQ. FT. MORE OR LESS



1-20-2023

P:\CIVIL 3D PROJECTS\2022\22-369 SURVEY AND MAPPING\SURVEY EXHIBITS\22-369 WATER VACATION.DWG 1/20/2023 4:00:46 PM

REF. & REV. FILE NO. 13225 PLAT 1342 WATER JOB J5755	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS		PROJ. ID. _____ KRA _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PORTION OF WATER EASEMENT TO BE VACATED		DR. BY _____ IMB _____ CH. BY _____ IMB _____ DATE _____ 01/20/2023 _____ SCALE _____ 1"=200' _____ JOB NO. _____ 23-269 _____
			SHEET NO. _____ 1 _____ OF _____ 1 _____ SHEETS