

RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF 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

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 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, as described in Exhibits "A1 through A3" and as shown on Exhibits "B1 through B3" which are attached and incorporated in this Resolution; and

WHEREAS, The State of California, is requesting the proposed vacation of 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, as described in Exhibits "A1 through A3" and as shown on Exhibits "B1 through B3" which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this proposed vacation is to dispose of excess right of way from remnant portions of public street created by the State Route 99 Realignment project; and

Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: VC

Resolution No.

WHEREAS, the Traffic and Engineering Services Division has reviewed this proposal and determined the proposed vacation of 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, as described in Exhibits "A1 through A3" and as shown on Exhibits "B1 through B3" is unnecessary for present or prospective public street purposes, 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, 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 December 15, 2022, 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, as described in Exhibits "A1 through A3" and as shown on Exhibits "B1 through B3" 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 _____, 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Vote: _____, 2022

TODD STERMER, CMC
City Clerk

BY: _____

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

BY: _____
Date
Deputy City Attorney

Attachment:
Exhibits A1 through A3 – Street Easement Vacation Legal Descriptions
Exhibits B1 through B3 – Street Easement Vacation Exhibit Maps

PW00663

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.

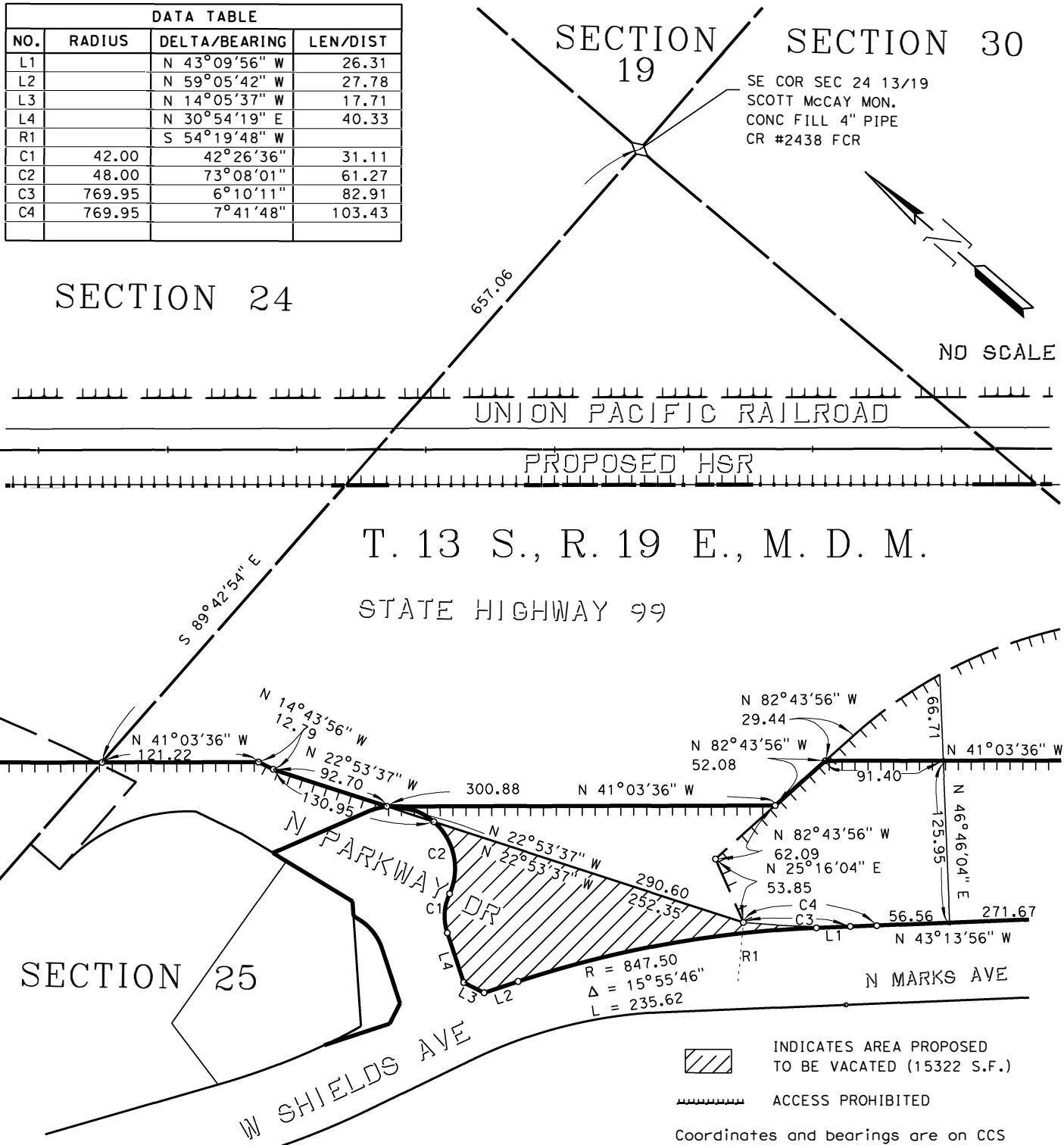
Signature Glenn R. Medina
Professional Land Surveyor

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

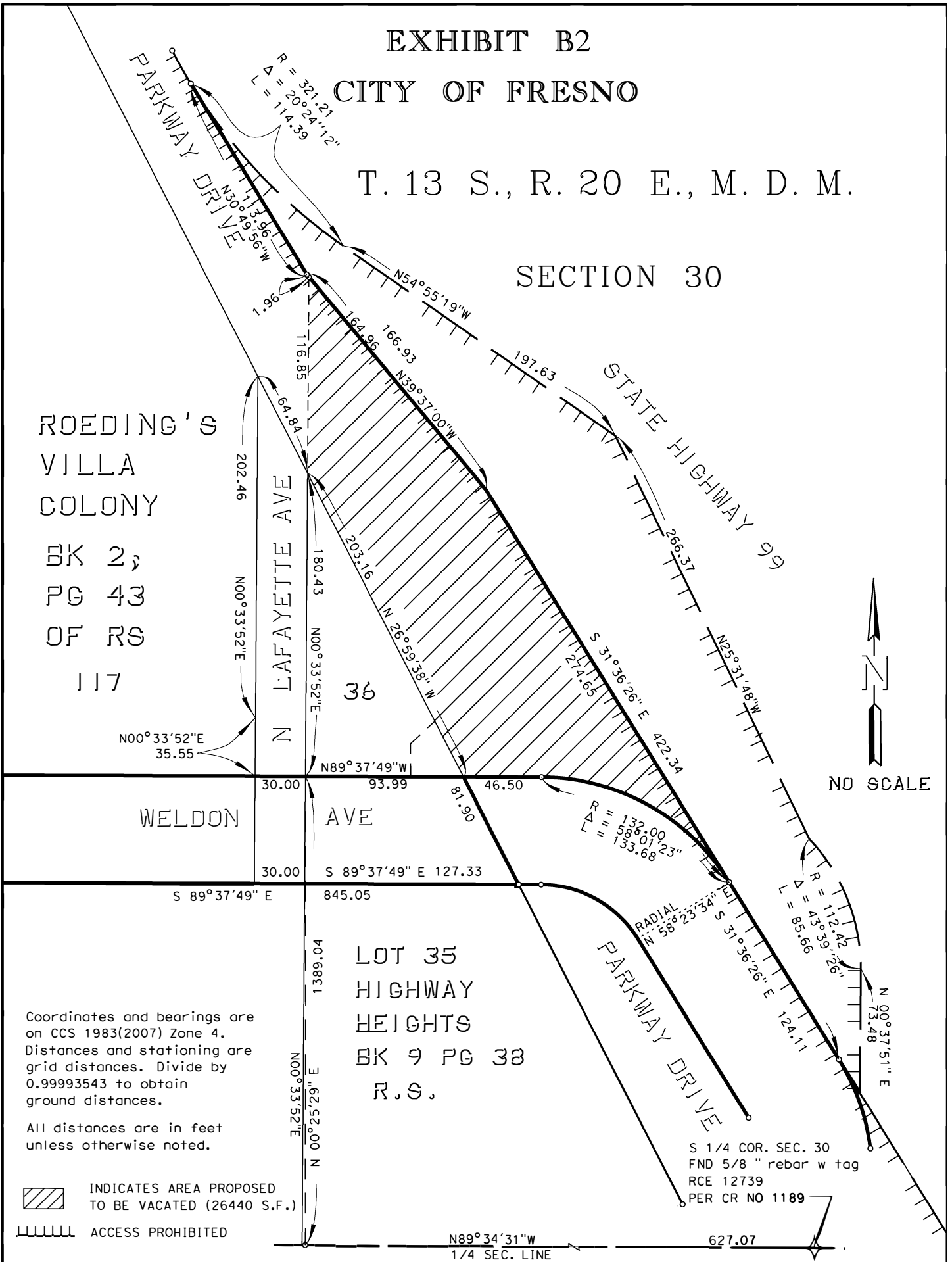
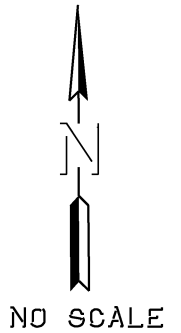
T. 13 S., R. 20 E., M. D. M.

SECTION 30

ROEDING'S
VILLA
COLONY

BK 2;
PG 43
OF RS

117



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

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.
Page 2 of 2

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

MARKS-SHIELDS CONNECTOR

SECTION 25

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.

