

RESOLUTION OF INTENT NO. 1123-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PUBLIC UTILITY EASEMENT ON THE NORTHWEST CORNER OF EAST CHURCH AVENUE AND SOUTH CHESTNUT AVENUE

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the "City"), to order the vacation of a public utility easement on the northwest corner of East Church Avenue and South Chestnut Avenue; and

WHEREAS, the area proposed for vacation as shown on Exhibit "A", said exhibit is 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, Embree Asset Group, Inc. is requesting the proposed vacation; and

WHEREAS, the purpose of the vacation is to accommodate development associated with site plan D-16-111 for the construction of a Dollar General department store; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the public utility easement proposed for vacation as shown in Exhibit "A" is unnecessary for present or prospective public utilities subject to the relocation of all public utilities currently located within the public utility easement proposed for vacation.

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

1. The hour of 10:05 a.m. on May 10, 2018, in the Council Chambers in Fresno City

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:



Resolution No.

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 utility easement 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 May 10, 2018, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein

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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 _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC, CRM
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:

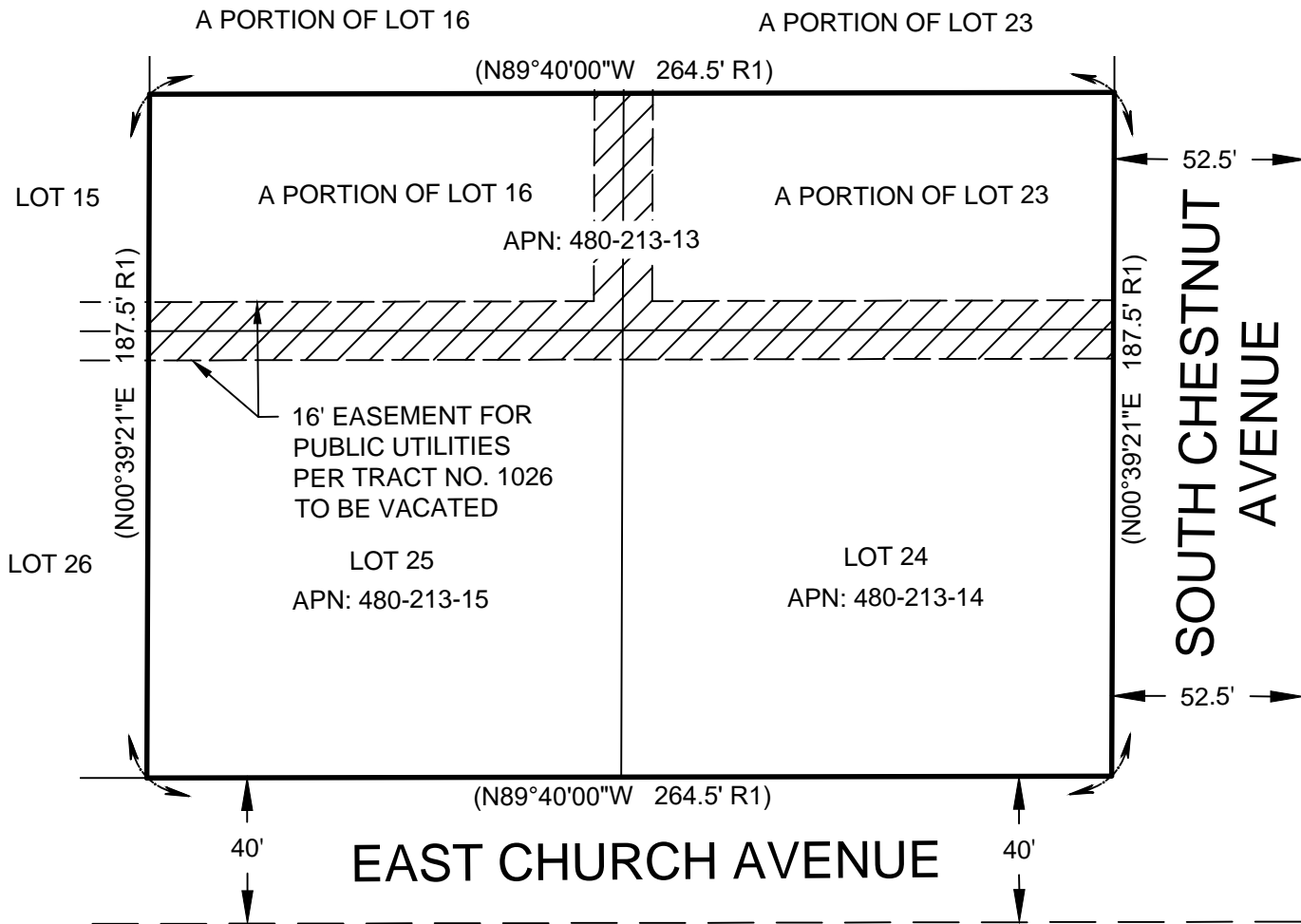
DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

BY: _____





Deputy

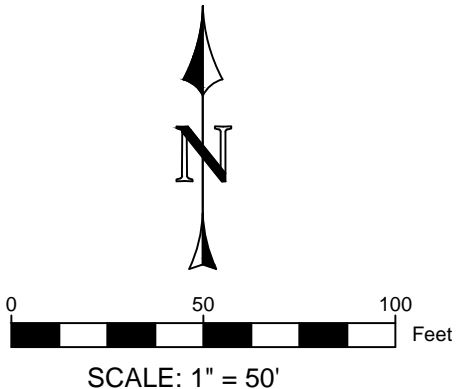
Attachment: Vacation Exhibit
PW File No. 12151

EXHIBIT 'A'



LEGEND

-  = EASEMENT VACATION
AREA = +/- 5,144 SQ FT
-  = PROPERTY LINE
-  = SECTION LINE
-  = LOT LINE
- F.C.R. = FRESNO COUNTY RECORDS
- O.R.F.C. = OFFICIAL RECORDS OF FRESNO COUNTY
- (R1) = MARIGOLD ACRES TRACT NO. 1026 RECORDED IN VOLUME 14 OF PLATS AT PAGE 8, F.C.R.



REF. & REV.	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. 16001	CO _____
	PLAT <u>2961</u>	LOTS 24 AND 25 AND THE SOUTH 65 FEET OF LOTS 16 AND 23 OF TRACT NO. 1026 MARIGOLD ACRES, IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF FILED FOR RECORD APRIL 21, 1948 IN BOOK 14 OF MAPS, PAGE 8, FRESNO COUNTY RECORDS.	FUND NO. _____
DR. BY <u>JDK</u>			SHEET NO. <u>1</u>
CH. BY <u>NET</u>			OF <u>1</u> SHEETS
		DATE <u>04/20/2017</u>	
		SCALE <u>1" = 50'</u>	