

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, TO VACATE PORTIONS OF  
PUBLIC STREET EASEMENT AT THE NORTHWEST  
CORNER OF EAST SAN GABRIEL AND NORTH  
CHESTNUT AVENUES

WHEREAS, pursuant to Resolution of Intention No. 1101-D, on file in the Office of the City Clerk of the City of Fresno (the City Clerk), a public hearing was held on October 29, 2015, at a regular meeting of the Council of the City of Fresno, California (the City), at which evidence was heard for and against the vacation of the hereinafter described portions of public street easement, situated within the City; and

WHEREAS, Robert L. Thompson is part owner of the parcel abutting the areas proposed to be vacated and is requesting the vacation of portions of public street easement at the northwest corner of East San Gabriel and North Chestnut Avenues as described in Exhibit "A" and shown on Exhibit "B", which are attached and incorporated in this Resolution; and

WHEREAS, the purpose of the vacation is to facilitate future development of a single family residence by increasing the square footage of the parcel; and

WHEREAS, the abutting parcel is a triangular shaped remnant parcel of land created by the relocation of the Fresno Irrigation District Dry Creek Canal necessitated by the construction of State Route Freeway 168; and

WHEREAS, the portions of street easement proposed to be vacated were dedicated as easements for public street purposes by the map of Tract No. 1856,

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

Bonadelle Homes No. 6 in Volume 21 of Plats at Page 41, Fresno County Records; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the easements proposed for vacation are unnecessary for present or prospective public street purposes subject to the reservation of public utility easements over portions of the area proposed to be vacated as described in Exhibit "C" and shown on Exhibit "D", and the conditions listed on Exhibit "E" of the attached resolution; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code Sections 8300-8363).

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

1. The Council finds from all the evidence submitted that the portions of public street easement proposed to be vacated at the northwest corner of East San Gabriel and North Chestnut Avenues as described in Exhibit "A" and shown on Exhibit "B", are unnecessary for present and prospective public street or alley purposes.

2. The public interest and convenience require, and it is hereby ordered, that as contemplated by Resolution of Intention No. 1101-D adopted by the Council on October 8, 2015, the public street easements as described in Exhibit "A" and shown on Exhibit "B", which are attached and incorporated herein, be and are hereby vacated and abandoned.

3. The City reserves a portions of the area to be vacated as permanent easements, to be used any time, to construct, maintain, operate, replace, remove and

renew sanitary sewers, water mains, storm drains, and appurtenant structures in, upon, and over the public street easement proposed to be vacated and, pursuant to any existing franchises or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, railroad lines, and for the transportation or distribution of electric energy, petroleum and its products, ammonia and water, and for incidental purposes, including access to protect such works from all hazards in, upon, and over the public street right-of-way to be reserved. The area to be reserved pursuant to this paragraph is described in Exhibit "C" and shown on Exhibit "D", which are attached and incorporated herein.

4. All proceedings for the vacation of such right-of-way are intended to be and shall be taken subject to the conditions listed described in Exhibit "E", which is attached and incorporated herein. All work required by such conditions shall be completed in compliance with City Standard Specifications and approved by the Public Works Department.

5. 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, in the Office of the City Clerk.

6. The City Clerk shall file a certified copy of the resolution for recordation in the Office of the Recorder of Fresno County, but not until the City Engineer determines that the conditions listed in Exhibit "E", which is attached and incorporated herein, have been satisfied and the required conditions are accepted by the City.

7. This vacation shall become effective on the date this resolution is recorded.

\* \* \* \* \*

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 \_\_\_\_\_, 2015.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2015  
Mayor Approval/No Return: \_\_\_\_\_, 2015  
Mayor Veto: \_\_\_\_\_, 2015  
Council Override Vote: \_\_\_\_\_, 2015

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

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

BY: \_\_\_\_\_  
Raj Singh Badhesha [Date]  
Deputy

Attachments: Exhibits "A" through "E"

PW File 11728

**EXHIBIT "A"**

Page 1 of 4

**Parcel A-1**

A portion of North Chestnut Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the intersection of the east line of the northeast quarter of Section 13, Township 13 South, Range 20 East, Mount Diablo Meridian, in the City of Fresno, County of Fresno, State of California, with the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said intersection also being the northeasterly end of course (31) as described in said deed;

THENCE (1) South 00° 20' 00" West, 5.06 feet along said east line to a point on a line parallel with and 3.00 feet southeasterly from said southeasterly boundary;

THENCE (2) South 36° 40' 28" West, 23.46 feet along said parallel line to the beginning of a tangent curve concave to the southeast having a radius of 67.34 feet;

THENCE (3) southwesterly along said curve an arc distance of 33.19 feet through a central angle of 28° 14' 26" to a point which lies South 89° 40' 00" East, 13.67 feet from the northeast corner of that land described in a deed recorded on April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county;

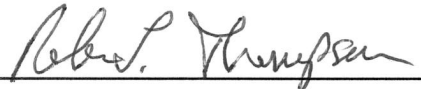
THENCE (4) North 89° 40' 00" West, 13.67 feet to said northeast corner, said corner also being on said southeasterly boundary;

THENCE (5) North 36° 36' 48" East, 2.70 feet along said southeasterly boundary to an angle point at the northeasterly end of course (30) as described in said deed to FID;

THENCE (6) North 36° 40' 28" East, 64.80 feet along said southeasterly boundary to the POINT OF BEGINNING.

Containing 300 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: 

Registered Civil Engineer

Date: August 17, 2015



**EXHIBIT "A"**

Page 2 of 4

**Parcel A-2**

A portion of North Chestnut Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the easternmost southeast corner of Lot 107 of said Tract No. 1256;

THENCE (1) North 00° 20' 00" East, 82.45 feet along the east line of said Lot 107 to the northeast corner of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county;

THENCE (2) South 89° 40' 00" East, 13.67 feet to a point on a non-tangent curve concave to the southeast having a radius of 67.34 feet and a radial of North 81° 33' 58" West;

THENCE (3) southerly along said curve an arc distance of 9.52 feet through a central angle of 08° 06' 02" to a line parallel with and 13.00 feet east from the east line of said Lot 107;

THENCE (4) South 00° 20' 00" West, 45.81 feet along said parallel line to the beginning of a tangent curve concave to the northwest having a radius of 20.00 feet;

THENCE (5) southerly along said curve an arc distance of 12.66 feet through a central angle of 36° 16' 48" to a line parallel with the northwesterly line of said parcel, the southwesterly prolongation thereof which would pass through the southernmost southeast corner of said Lot 107;

THENCE (6) South 36° 36' 48" West, 3.80 feet along last said parallel line to the beginning of a tangent curve concave to the southeast having a radius of 20.00 feet;


THENCE (7) southerly along said curve an arc distance of 12.66 feet through a central angle of 36° 16' 48" to a line parallel with and 3.00 feet east from the east line of said Lot 107;

THENCE (8) South 00° 20' 00" West, 0.43 feet along last said parallel line;

THENCE (9) North 89° 40' 00" West, 3.00 feet to the POINT of BEGINNING.

Containing an area of 936 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature:   
Registered Civil Engineer

Date: August 17, 2015



**EXHIBIT "A"**

Page 3 of 4

**Parcel A-3**

A portion of East San Gabriel Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the southwest corner of Lot 107 of said Tract No. 1856;

THENCE (1) South 89° 42' 12" East, 57.01 feet along the south line of said Lot 107 to the southernmost southeast corner of Lot 107;

THENCE (2) South 36° 36' 48" West, 8.69 feet along a line parallel with the northwesterly line of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county;

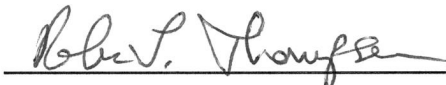
THENCE (3) North 89° 42' 12" West, 53.28 feet parallel with and 7.00 feet south from the south line of said Lot 107;

THENCE (4) North 00° 17' 48" East, 7.00 feet to a point on the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said point also being the southwest corner of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county, said point also being on the south line of Lot 108 of said Tract No. 1856;

THENCE (5) South 89° 42' 12" East, 1.42 feet along the south line of said Lot 108 to the POINT of BEGINNING.

Containing an area of 391 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: 

Registered Civil Engineer

Date: August 17, 2015



**EXHIBIT "A"**

Page 4 of 4

**Parcel A-4**

A portion of East San Gabriel Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

COMMENCING at the southwest corner of Lot 107 of said Tract No. 1256;

THENCE (1) North 89° 42' 12" West, 1.42 feet along the south line of Lot 108 of said Tract No. 1856 to a point on the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said point also being both the southwest corner of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county and the POINT of BEGINNING;

THENCE (2) South 00° 17' 48" West, 7.00 feet;

THENCE (3) North 89° 42' 12" West, 2.66 feet parallel with and 7.00 feet south from the south line of said Lot 108 to a line parallel with and 2.00 feet southeasterly from said southeasterly boundary;

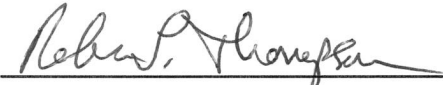
THENCE (4) South 36° 36' 48" West, 28.55 feet along last said parallel line;

THENCE (5) North 89° 42' 12" West, 2.48 feet parallel with and 30.00 feet south from the south line of said Lot 108 to said southeasterly boundary;

THENCE (6) North 36° 36' 48" East, 37.23 feet northeasterly along said southeasterly boundary to the POINT of BEGINNING.

Containing an area of 75 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: 

Registered Civil Engineer

Date: August 17, 2015



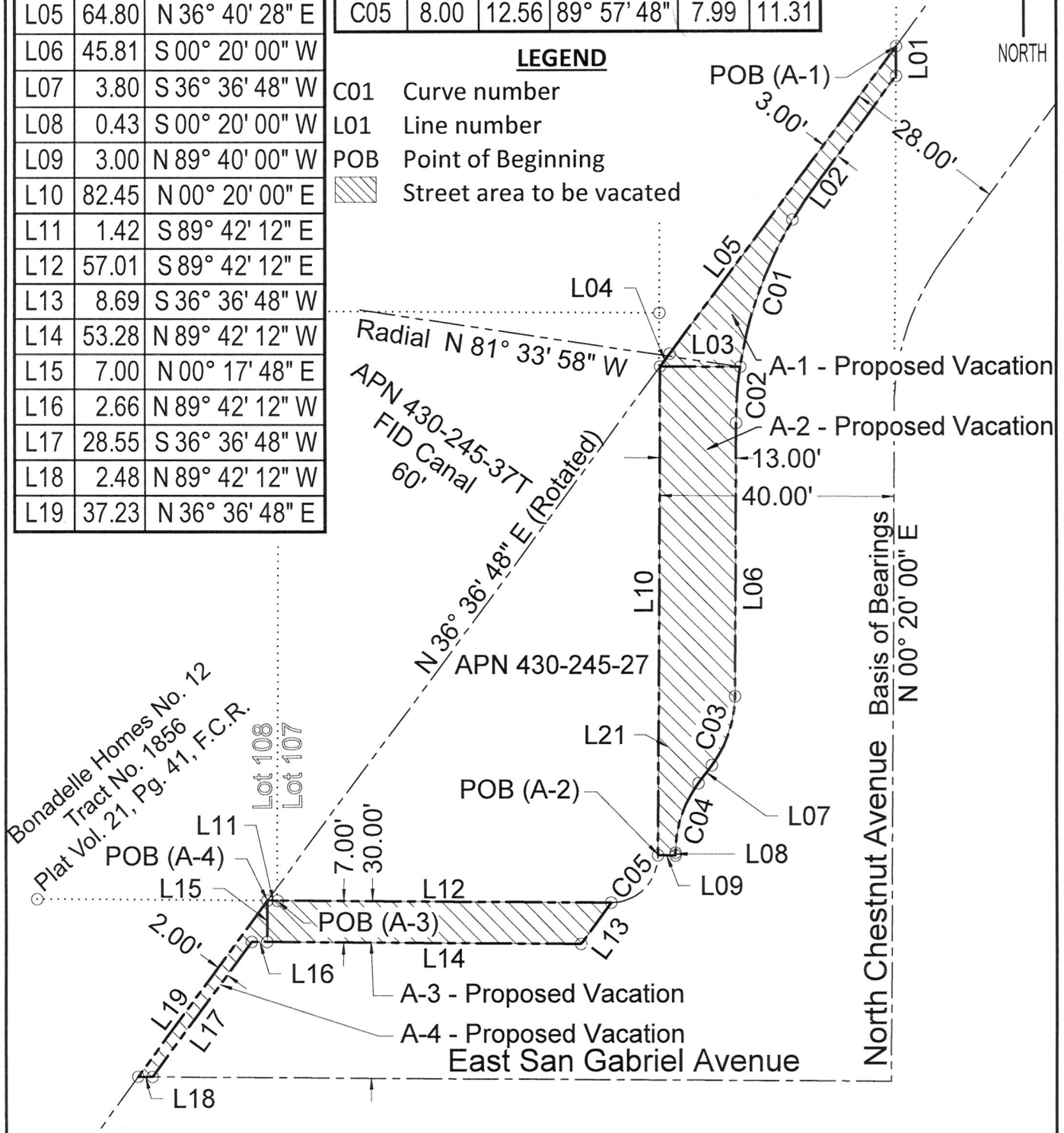


Line	L, ft	Brg
L01	5.06	S 00° 20' 00" W
L02	23.46	S 36° 40' 28" W
L03	13.67	N 89° 40' 00" W
L04	2.70	N 36° 36' 48" E
L05	64.80	N 36° 40' 28" E
L06	45.81	S 00° 20' 00" W
L07	3.80	S 36° 36' 48" W
L08	0.43	S 00° 20' 00" W
L09	3.00	N 89° 40' 00" W
L10	82.45	N 00° 20' 00" E
L11	1.42	S 89° 42' 12" E
L12	57.01	S 89° 42' 12" E
L13	8.69	S 36° 36' 48" W
L14	53.28	N 89° 42' 12" W
L15	7.00	N 00° 17' 48" E
L16	2.66	N 89° 42' 12" W
L17	28.55	S 36° 36' 48" W
L18	2.48	N 89° 42' 12" W
L19	37.23	N 36° 36' 48" E

Curve	R, ft	L, ft	Δ	T, ft	LC, ft
C01	67.34	33.19	28° 14' 26"	16.94	32.86
C02	67.34	9.52	08° 06' 02"	4.77	9.51
C03	20.00	12.66	36° 16' 48"	6.55	12.45
C04	20.00	12.66	36° 16' 48"	6.55	12.45
C05	8.00	12.56	89° 57' 48"	7.99	11.31

**LEGEND**

- C01 Curve number
- L01 Line number
- POB Point of Beginning
- Street area to be vacated



SCALE: None  
DATE: August 2015

Proposed Street Vacation  
4791 E. San Gabriel Avenue  
Fresno, CA

DRAWN BY: RLT  
REVISED: 8/17/2015

**EXHIBIT "C"**

Page 1 of 4

**Parcel C-1**

A portion of North Chestnut Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the intersection of the east line of the northeast quarter of Section 13, Township 13 South, Range 20 East, Mount Diablo Meridian, in the City of Fresno, County of Fresno, State of California, with the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said intersection also being the northeasterly end of course (31) as described in said deed;

THENCE (1) South 00° 20' 00" West, 5.06 feet along said east line to a point on a line parallel with and 3.00 feet southeasterly from said southeasterly boundary;

THENCE (2) South 36° 40' 28" West, 23.46 feet along said parallel line to the beginning of a tangent curve concave to the southeast having a radius of 67.34 feet;

THENCE (3) southwesterly along said curve an arc distance of 33.19 feet through a central angle of 28° 14' 26" to a point which lies South 89° 40' 00" East, 13.67 feet from the northeast corner of that land described in a deed recorded on April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county;

THENCE (4) North 89° 40' 00" West, 13.67 feet to said northeast corner, said corner also being on said southeasterly boundary;

THENCE (5) North 36° 36' 48" East, 2.70 feet along said southeasterly boundary to an angle point at the northeasterly end of course (30) as described in said deed to FID;

THENCE (6) North 36° 40' 28" East, 64.80 feet along said southeasterly boundary to the POINT OF BEGINNING.

Containing 300 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Robert L. Thompson  
Registered Civil Engineer

Date: August 17, 2015



**EXHIBIT "C"**

Page 2 of 4

**Parcel C-2**

A portion of North Chestnut Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the easternmost southeast corner of Lot 107 of said Tract No. 1256;

THENCE (1) North 00° 20' 00" East, 16.41 feet along the east line of said Lot 107;

THENCE (2) North 36° 36' 48" East, 4.52 feet parallel with the northwest line of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county, to the beginning of a tangent curve concave to the northwest having a radius of 12.00 feet; and;

THENCE (3) northeasterly along said curve an arc distance of 7.60 feet through a central angle of 36° 16' 48" to a line parallel with and 5.00 feet east from the east line of said Lot 107;

THENCE (4) North 00° 20' 00" East, 55.30 feet along last said parallel line to a point lying South 89° 40' 00" East, 5.00 feet from the northeast corner of said parcel;

THENCE (5) South 89° 40' 00" East, 8.67 feet to a point on a non-tangent curve concave to the southeast having a radius of 67.34 feet and a radial of North 81° 33' 58" West;

THENCE (6) southerly along said curve an arc distance of 9.52 feet through a central angle of 08° 06' 02" to a line parallel with and 13.00 feet east from the east line of said Lot 107;

THENCE (7) South 00° 20' 00" West, 45.81 feet along last said parallel line to the beginning of a tangent curve concave to the northwest having a radius of 20.00 feet;

THENCE (8) southerly along said curve an arc distance of 12.66 feet through a central angle of 36° 16' 48" to a line parallel with the northwesterly line of said parcel, the southwesterly prolongation thereof which would pass through the southernmost southeast corner of said Lot 107;

THENCE (9) South 36° 36' 48" West, 3.80 feet along last said parallel line to the beginning of a tangent curve concave to the southeast having a radius of 20.00 feet;

THENCE (10) southerly along said curve an arc distance of 12.66 feet through a central angle of 36° 16' 48" to a line parallel with and 3.00 feet east from the east line of said Lot 107;

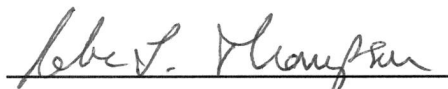
THENCE (11) South 00° 20' 00" West, 0.43 feet along last said parallel line;

THENCE (12) North 89° 40' 00" West, 3.00 feet to the POINT of BEGINNING.

Containing an area of 625 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature:



Registered Civil Engineer

Date:

August 17, 2015



**EXHIBIT "C"**

Page 3 of 4

**Parcel C-3**

A portion of East San Gabriel Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

BEGINNING at the southwest corner of Lot 107 of said Tract No. 1856;

THENCE (1) South 89° 42' 12" East, 57.01 feet along the south line of said Lot 107 to the southernmost southeast corner of Lot 107;

THENCE (2) South 36° 36' 48" West, 8.69 feet along a line parallel with the northwesterly line of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county;

THENCE (3) North 89° 42' 12" West, 53.28 feet parallel with and 7.00 feet south from the south line of said Lot 107;

THENCE (4) North 00° 17' 48" East, 7.00 feet to a point on the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said point also being the southwest corner of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county, said point also being on the south line of Lot 108 of said Tract No. 1856;

THENCE (5) South 89° 42' 12" East, 1.42 feet along the south line of said Lot 108 to the POINT of BEGINNING.

Containing an area of 391 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Robert L. Thompson

Registered Civil Engineer

Date: August 17, 2015



**EXHIBIT "C"**

Page 4 of 4

**Parcel C-4**

A portion of East San Gabriel Avenue as shown on the map of Bonadelle Homes No. 12, Tract No. 1856, recorded in Volume 21 of Plats at Page 41, Fresno County Records, said portion being more particularly described as follows:

COMMENCING at the southwest corner of Lot 107 of said Tract No. 1256;

THENCE (1) North 89° 42' 12" West, 1.42 feet along the south line of Lot 108 of said Tract No. 1856 to a point on the southeasterly boundary of that land described in a deed to Fresno Irrigation District (FID) recorded March 13, 2003 as Document No. 2003-0058446 in the Office of the Recorder of said county, said point also being both the southwest corner of that parcel described in a deed recorded April 22, 1999 as Document No. 1999-0062040 in the Office of the Recorder of said county and the POINT of BEGINNING;

THENCE (2) South 00° 17' 48" West, 7.00 feet;

THENCE (3) North 89° 42' 12" West, 2.66 feet parallel with and 7.00 feet south from the south line of said Lot 108 to a line parallel with and 2.00 feet southeasterly from said southeasterly boundary;

THENCE (4) South 36° 36' 48" West, 28.55 feet along last said parallel line;

THENCE (5) North 89° 42' 12" West, 2.48 feet parallel with and 30.00 feet south from the south line of said Lot 108 to said southeasterly boundary;

THENCE (6) North 36° 36' 48" East, 37.23 feet northeasterly along said southeasterly boundary to the POINT of BEGINNING.

Containing an area of 75 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *Robert L. Thompson*  
Registered Civil Engineer

Date: August 17, 2015

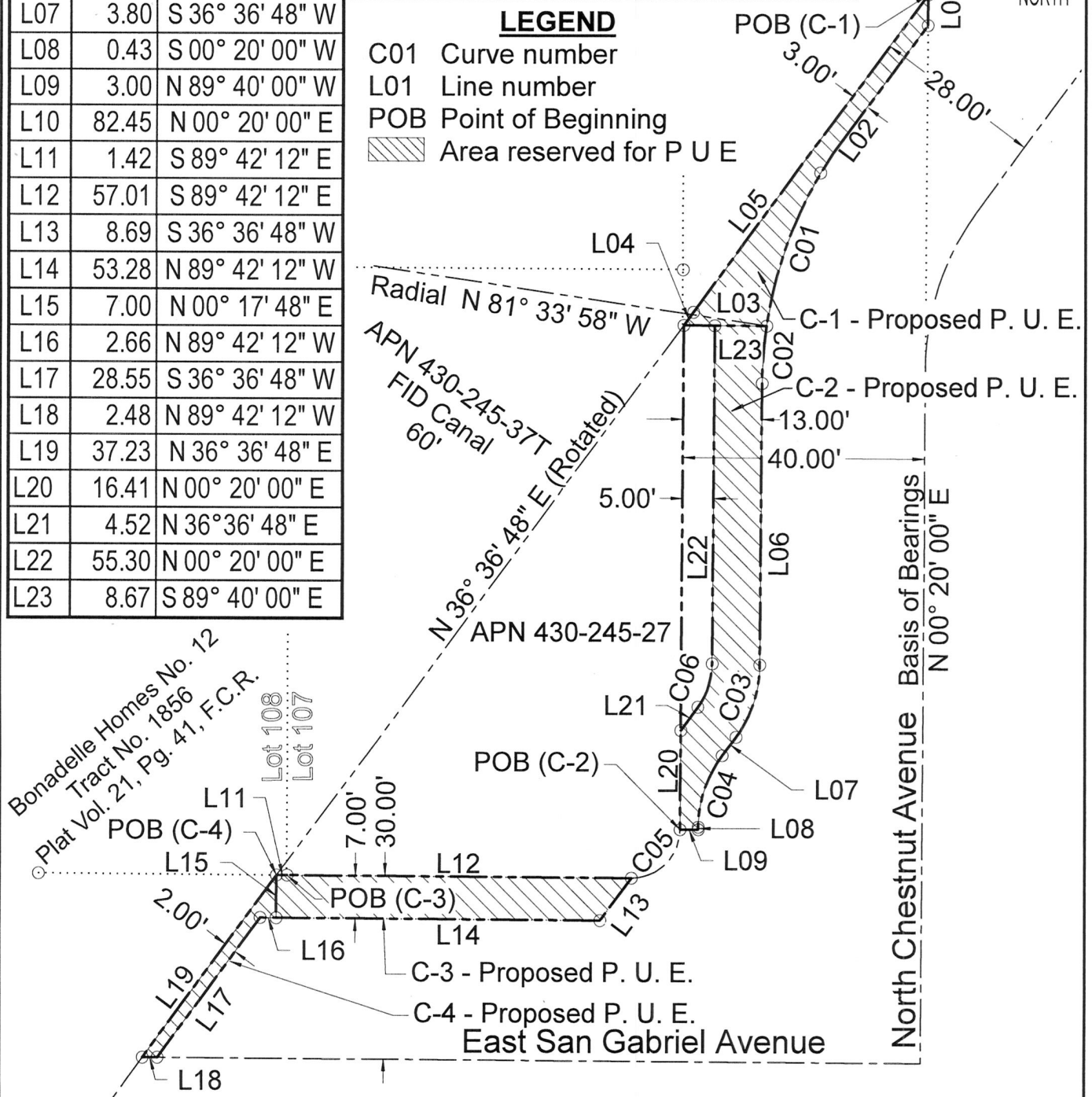


Line	L, ft	Brg
L01	5.06	S 00° 20' 00" W
L02	23.46	S 36° 40' 28" W
L03	13.67	N 89° 40' 00" W
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L12	57.01	S 89° 42' 12" E
L13	8.69	S 36° 36' 48" W
L14	53.28	N 89° 42' 12" W
L15	7.00	N 00° 17' 48" E
L16	2.66	N 89° 42' 12" W
L17	28.55	S 36° 36' 48" W
L18	2.48	N 89° 42' 12" W
L19	37.23	N 36° 36' 48" E
L20	16.41	N 00° 20' 00" E
L21	4.52	N 36° 36' 48" E
L22	55.30	N 00° 20' 00" E
L23	8.67	S 89° 40' 00" E

Curve	R, ft	L, ft	Δ	T, ft	LC, ft
C01	67.34	33.19	28° 14' 26"	16.94	32.86
C02	67.34	9.52	08° 06' 02"	4.77	9.51
C03	20.00	12.66	36° 16' 48"	6.55	12.45
C04	20.00	12.66	36° 16' 48"	6.55	12.45
C05	8.00	12.56	89° 57' 48"	7.99	11.31
C06	12.00	7.60	36° 16' 48"	3.93	7.47

**LEGEND**

- C01 Curve number
- L01 Line number
- POB Point of Beginning
- Area reserved for P U E



SCALE: None  
 DATE: August 2015

Proposed Public Utility Easement  
 4791 E. San Gabriel Avenue  
 Fresno, CA

DRAWN BY: RLT  
 REVISED: 8/17/2015

## EXHIBIT "E"

### VACATION CONDITIONS

The following conditions must be met before the vacation resolution can be recorded:

1. Remove existing improvements and relocate utilities as required to construct full offsite improvements along Chestnut Avenue including concrete curb, gutter and sidewalk and any transitional pavement. Utility relocation and improvements must be constructed to City of Fresno standards with plans approved by the Public Works Department and other affected agencies.
2. Construct Ramp per P-28 and P-32. Reserve a street or pedestrian easement, as needed to provide four (4) feet of clear sidewalk behind the ramp. If the existing ramp is not to current standards or if there is not four (4) feet of clear sidewalk, this still applies.