

RESOLUTION NO. 2026- _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, DETERMINING THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF A PERMANENT EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES THROUGH AND ACROSS A PORTION OF ASSESSOR'S PARCEL NUMBER 428-090-33, OWNED BY MIKE SAADELDIN, MOHAMMAD T. SAADELDIN, AND MASAD INC., A CALIFORNIA CORPORATION, FOR THE CONSTRUCTION OF THE SENIOR ACTIVITY CENTER TOD HOUSING STREET IMPROVEMENTS PROJECT, AND AUTHORIZING EMINENT DOMAIN PROCEEDINGS FOR PUBLIC USE AND PURPOSE

WHEREAS, the City of Fresno plans to construct the Senior Center TOD Housing Street Improvements Project which will include the installation of a full traffic signal and pedestrian crosswalk at the intersection of North Blackstone and East Holland Avenues to enhance traffic flow and pedestrian safety (the "Project"); and

WHEREAS, it is necessary for the Project to acquire a permanent easement and right-of-way over, under, through, and across the real property located at 4414 North Blackstone Avenue, Fresno, California, more particularly described as Assessor's Parcel Number (APN) 428-090-33, hereinafter called the "Subject Property," for construction of the Project and related purposes; and

WHEREAS, the Traffic and Engineering Services Division of the City's Public Works Department has reviewed and approved the plans to construct the street improvements at the intersection of North Blackstone and East Holland Avenues in a manner that will be compatible with the greatest public good and the least private injury; and

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

Resolution No.

WHEREAS, the design of the Project has been reviewed and it has been determined that the path of the Project cannot be constructed without acquiring the permanent easement and right-of-way over, under, through, and across the Subject Property; and

WHEREAS, the current ownership of the Subject Property is as follows:

Assessor's Parcel Number 428-090-33, address of 4414 North Blackstone Avenue, Fresno, California and currently owned by Mike Saadeldin, Mohammad T. Saadeldin, and Masad Inc., a California corporation.

WHEREAS, the permanent easement and right-of-way to be acquired over, under, through, and across the Subject Property, and its general location and extent, are described in the attached Exhibits "A" and "B," and

WHEREAS, the acquisition of a permanent easement and right-of-way upon the Subject Property is necessary for the construction of the Project because the Subject Property is in the area designated to facilitate the improvements on the east side of North Blackstone Avenue, north of the alignment of East Holland Avenue; and

WHEREAS, the City of Fresno has the power and authority to exercise eminent domain and acquire easements and right-of-way for the public use set forth herein in accordance with the Constitution of the State of California, California Eminent Domain Law, California Code of Civil Procedure section 1230.010 et seq., and pursuant to Government Code sections 37350.5 and 40404, Streets and Highway Code section 10102, and section 200 of the Charter of the City of Fresno; and

WHEREAS, in accordance with Section 7267.2 of the Government Code, an offer to purchase has been made to the owner of record of the Subject Property; and

WHEREAS, the City and the owner of the Subject Property have not been successful in negotiating the acquisition of the permanent easement and right-of-way over, under, through, and across the Subject Property; and

WHEREAS, in accordance with Section 1245.235 of the California Code of Civil Procedure, notice and reasonable opportunity to appear and be heard on this matter have been provided to the persons whose property is to be acquired by eminent domain and whose name and address appear on the last equalized county assessment roll; and

WHEREAS, at such time and place, or as soon thereafter as the matter could be heard, the Council has received, heard, and considered information pertinent to the matters required by Section 1245.230 of the California Code of Civil Procedure to be determined herein; and

WHEREAS, the permanent easement and right-of-way will be appropriated to a public use, and in accordance with California Code of Civil Procedure section 1240.510, the proposed use will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future.

NOW, THEREFORE, BE IT RESOLVED the Council of the City of Fresno finds, declares, determines, and orders as follows:

1. The public interest and necessity require the proposed Project.
2. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The permanent easement and right-of-way that are sought over, under, through, and across the Subject Property are necessary for the proposed Project.

4. The offer to purchase required by Section 7267.2 of the Government Code has been made to the owner of record.

5. The permanent easement and right-of-way which are sought are situated in the City and County of Fresno, State of California, and are more particularly described in Exhibits "A" and "B."

6. The City Attorney of the City of Fresno is authorized and directed to institute and conduct to conclusion, in the name of the City of Fresno, a proceeding in eminent domain, including arbitration of compensation, in accordance with the provisions of the Constitution of the State of California and the California Eminent Domain Law, to acquire the Subject Property in the name of the City for public purposes.

7. Project ID PW01067, Fund 22512, Org 189901, has been established to disburse the necessary funds for the acquisition of the permanent easement and right-of-way upon the Subject Property and to pay for litigation expenses, including staff time. There will be no General Fund dollars required to construct the Project.

8. The Controller of the City of Fresno is authorized to disburse out of the above account, as approved by the City Attorney, such amounts as may be required including costs, witness fees and attorneys' fees, to acquire possession of and title to the permanent easement and right-of-way upon the Subject Property.

9. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, AMY K. ALLER, Interim 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2026
Mayor Approval/No Return: _____, 2026
Mayor Veto: _____, 2026
Council Override Vote: _____, 2026

AMY K. ALLER
Interim City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Tricia Herrera Date
Deputy City Attorney

Attachments:
Exhibits A, B

EXHIBIT "A"

APN: 428-090-33 (portion)
Public Street Easement

A PORTION OF THAT PARCEL OF LAND AS DESCRIBED BY GRANT DEED RECORDED NOVEMBER 20, 2019, AS DOCUMENT NUMBER 2019-0140323, OFFICIAL RECORDS FRESNO COUNTY, LYING IN THE SOUTH HALF OF THE NORTH HALF OF LOT 8 IN BLOCK 'A' OF WOLTERS COLONY, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 2 OF PLATS, AT PAGE 10, FRESNO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTHWEST CORNER OF SECTION 15 OF TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH $89^{\circ}47'27''$ EAST, A DISTANCE OF 55.01 FEET TO A POINT ON THE WEST BOUNDARY OF SAID GRANT DEED, SAID POINT ALSO BEING THE **POINT OF BEGINNING**; THENCE SOUTH $00^{\circ}41'57''$ WEST, ON SAID WEST LINE, A DISTANCE OF 0.41 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 0.80 FEET NORTH OF THE SOUTH LINE OF SAID GRANT DEED; THENCE SOUTH $89^{\circ}18'03''$ EAST, ON SAID PARALLEL LINE, A DISTANCE OF 5.00 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 5.00 FEET EAST OF THE WEST LINE OF SAID DEED; THENCE NORTH $00^{\circ}41'57''$ EAST, ON SAID PARALLEL LINE, A DISTANCE OF 13.99 FEET; THENCE NORTH $89^{\circ}18'03''$ WEST, A DISTANCE OF 2.50 FEET; THENCE NORTH $00^{\circ}41'57''$ EAST, A DISTANCE OF 12.51 FEET; THENCE SOUTH $89^{\circ}18'03''$ EAST, A DISTANCE OF 2.50 FEET; THENCE NORTH $00^{\circ}41'57''$ EAST, A DISTANCE 10.00 FEET; THENCE NORTH $89^{\circ}18'03''$ WEST, A DISTANCE OF 5.00 FEET TO A POINT ON THE WEST LINE OF SAID GRANT DEED; THENCE SOUTH $00^{\circ}41'57''$ WEST, ON SAID WEST LINE, A DISTANCE OF 36.09 FEET TO THE **POINT OF BEGINNING**.

Containing an area of 151.24 square feet, more or less.



2025-131
15-A-10830
PLAT: 1856
PWF# 13624
PW01067

EXHIBIT "B"

APN 428-090-33

MIKE SAADELDIN, MOHAMMAD T. SAADELDIN, AND MASAD, INC., A CALIFORNIA CORPORATION

Doc. No. 2019-0140323 O.R.F.C.



1"=20'

NORTH BLACKSTONE AVENUE
(110 FEET WIDE)

WEST LINE OF GRANT DEED

SECTION LINE

N89°18'03"W 5.00'

N00°41'57"E 10.00'

S89°18'03"E 2.50'

N00°41'57"E 12.51'

N89°18'03"W 2.50'

N00°41'57"E 13.99'

N89°47'27"E 55.01'

POINT OF BEGINNING

S89°18'03"E 5.00'

SOUTH LINE OF GRANT DEED

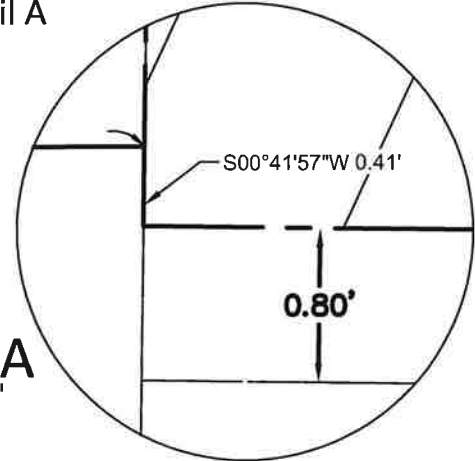
POINT OF COMMENCEMENT, ALSO BEING THE NORTHEAST CORNER OF THE NE 1/4 CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 20 EAST, M.D.B.&M.

See Detail A

PORTION OF THE SOUTH 1/2 OF THE NORTH 1/2 OF LOT 8 IN BLOCK 'A' OF WOLTERS COLONY VOL. 2 OF PLATS, 10, F.C.R.



1-09-2026



Detail A
Scale: 1"=1'



INDICATES AREA TO BE DEDICATED FOR PUBLIC STREET PURPOSES. 151.24 S.F. ±

REF. & REV. 2025-131 PLAT 1856 PWF# 13624	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PW01067	RES TYPE _____
		FUND NO. 22512	
	(PORTION OF THE SOUTH 1/2 OF THE NORTH 1/2 OF LOT 8 IN BLOCK 'A' OF WOLTERS COLONY RECORDED IN VOLUME 2 OF PLATS, PAGE 10, F.C.R.)	ORG. NO. 189901	
	TO BE DEEDED TO THE CITY OF FRESNO FOR PUBLIC STREET EASEMENT PURPOSES	DR. BY S.I.C.	SHEET NO. 1
		CH. BY J.A.C.	OF 1 SHEETS
		DATE June 10, 2025	15-A-10830
		SCALE 1" = 20'	