

RESOLUTION OF INTENTION NO. 1104-D

A RESOLUTION OF INTENT OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE VACATION OF THE PUBLIC UTILITY EASEMENT IN THE EAST GEARY AVENUE ALIGNMENT BETWEEN SOUTH PLUMAS AND SOUTH WALNUT AVENUES

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 in the previously vacated East Geary Avenue, between South Plumas and South Walnut Avenues, as shown on Exhibit "A", 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, Edison Plaza Partners, L.P. is requesting the proposed vacation; and

WHEREAS, the purpose of the vacation is to eliminate the reserved public utility easement held by the City of Fresno and replace it with a smaller specific easement held by PG&E until such time the existing PG&E facilities are relocated outside of the East Geary Avenue alignment. At that time PG&E will quitclaim their easement; and

WHEREAS, the Traffic and Engineering Services Division, and PG&E have reviewed and approved the proposed vacation, subject to the dedication of a specific easement to PG&E to accommodate its facilities.

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

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

1. The hour of 10:00 p.m. on April 28, 2016, in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno, CA 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 to be vacated is not useful. If the Council does not rescind such preliminary determination, based upon evidence or public testimony presented to it, orally or in writing, at or before the April 28, 2016, hearing, the Council may proceed to make a final determination, at the public hearing, that the public utility easement be vacated as provided herein.

///

///

* * * * *

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 _____, 2016.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

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

BY: _____
Raj Singh Badhesha
Deputy City Attorney

Attachments: Exhibit "A"

PW File 11991

EXHIBIT "A"

WEST CALIFORNIA AVENUE

NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20

[N 89°57'53"W 2609.23'] N 89°09'42"E 2609.26' (N 89°09'48"E 2609.30') WITH 2' SWING TIES
[1941.92'] 1956.94' (1956.97') [652.31'] 652.32' (652.33') CR 6144

NORTHEAST CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M. FOUND 1/2" ROD, DOWN 9"

SOUTH FRUIT AVENUE
WEST LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20

BASIS OF BEARINGS
NORTH 2652.84' (NORTH 2652.89')
1326.42' (1326.44')

NORTH 1/4 CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M.
FOUND 3/4" IRON PIPE TAGGED LS 8354
FLUSH IN PAVEMENT WITH (4) 2-FOOT SWING TIES
MONUMENT OF RECORD
FOUND 1" IRON PIPE DOWN 11" IN HANDWELL TAGGED LS 5096
CR 7414

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, WAS TAKEN TO BEAR NORTH, AS SHOWN ON THE MAP RECORDED IN BOOK 48 OF RECORD OF SURVEYS AT PAGE 95, FRESNO COUNTY RECORDS.

RECORD DATA

[...] PER RECORD OF SURVEY RECORDED IN BOOK 48 OF RECORD OF SURVEYS AT PAGE 95, FRESNO COUNTY RECORDS.

[...] PER DEED OF EASEMENT RECORDED AS DOCUMENT No. 2009-0095487 ON JULY 14, 2009, O.R.F.C.

FOUND 1" IRON PIPE UP 5", TAGGED LS 6945
ACCEPTED AS SOUTHEAST CORNER OF LOT 45 OF CALIFORNIA HEIGHTS VOLUME 12 OF PLATS PAGE 51
FRESNO COUNTY RECORDS



FOUND 1 1/2" IRON PIPE, DOWN 18" WITH BAR IN CENTER, NOT TAGGED
ACCEPTED AS POINT ON WEST LINE OF LOT 9 OF FRESNO COLONY, VOLUME 2 OF PLATS PAGE 8, FRESNO COUNTY RECORDS
N 00°16'28"W 0.25' FROM SOUTH LINE OF SAID LOT 9 (SET TAG, LS 6945)

CENTER 1/4 CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M.
FOUND 3/4" IRON PIPE FLUSH WITH PAVEMENT TAG UNREADABLE
CR 7416

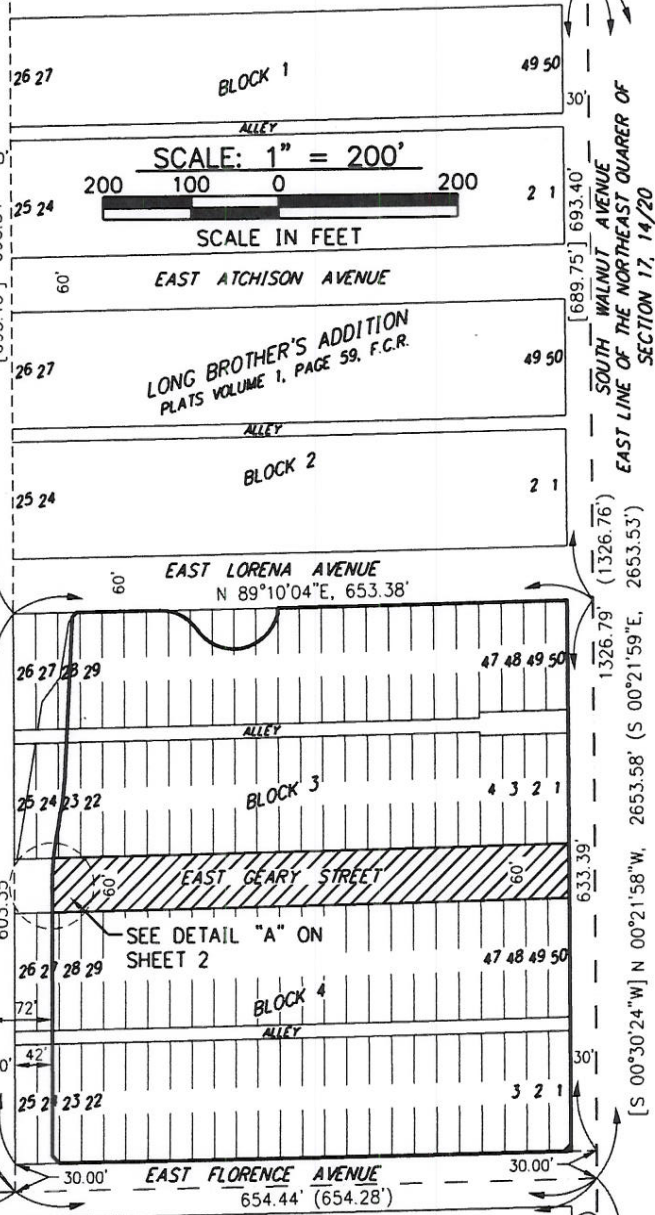


LEGEND

INDICATES AREAS TO BE VACATED FOR PUBLIC UTILITY PURPOSES.

EAST 1/4 CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M.
POSITION FALLS ON MANHOLE RE-ESTABLISHED PER TIES
CR 6763

N 89°10'56"E 2626.20' (S 89°10'54"W 2626.25')
EAST CHURCH AVENUE



SOUTH WALNUT AVENUE
EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20

BASIS OF BEARINGS
NORTH 2653.53' (NORTH 2653.58')
1326.79' (1326.76')

REV. 01/29/16 PWL
PLOT VIEW: SHEET 04
AUTOCAD ID: 15011 EASEMENT.DWG

| | | |
|--|--|--|
| REF. & REV RESOLUTION No. 2015-203 | CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS | PROJ ID _____ KRA FUND NO. _____ RES TYPE _____ ORG. NO. _____ |
| | PUBLIC UTILITY EASEMENT IN LONG BROTHER'S ADDITION TO BE VACATED | DR. BY _____ PWL CH. BY _____ DATE _____ SCALE 1" = 200' |
| | | SHEET NO. 1 OF 2 SHEETS |

EXHIBIT "A"

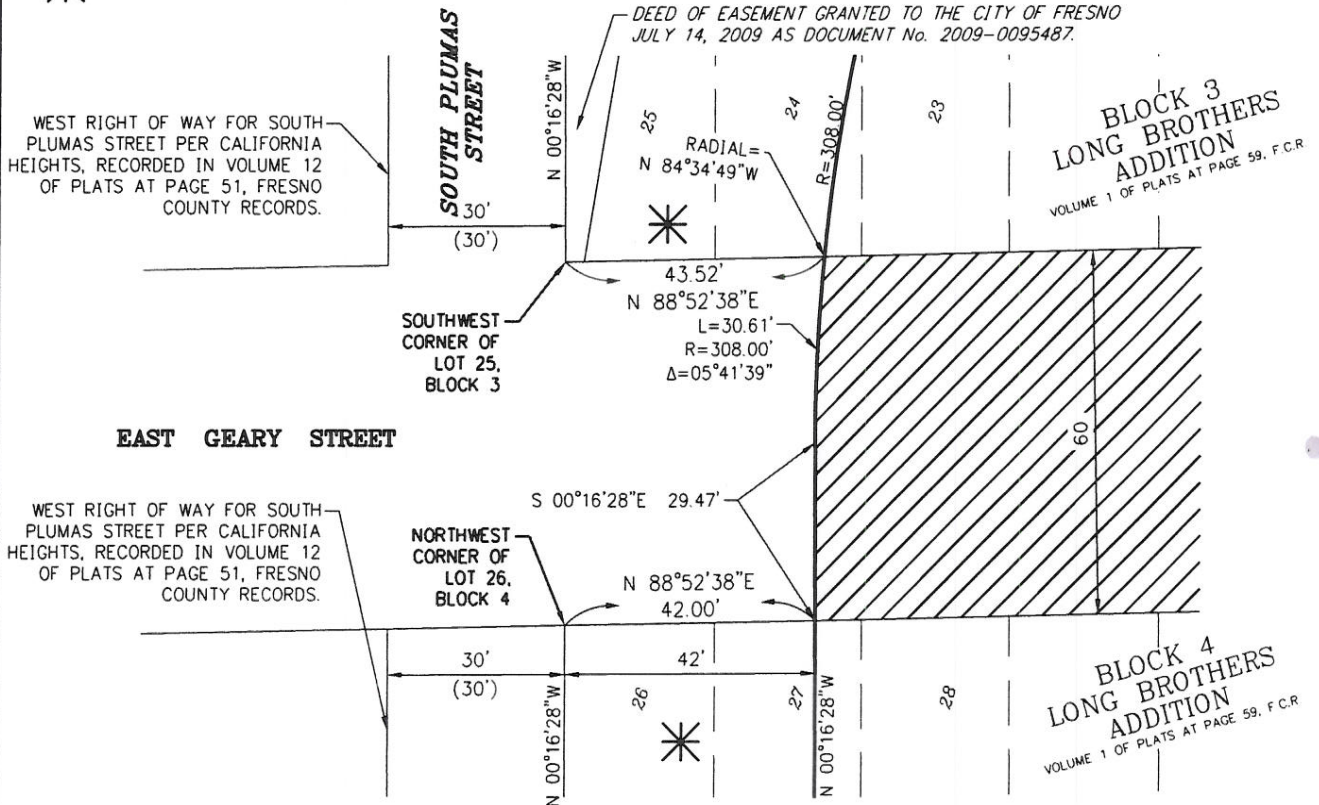
LEGEND



INDICATES AREAS TO BE VACATED FOR PUBLIC UTILITY PURPOSES.

(...) INDICATES RECORD DATA PER DEED OF EASEMENT GRANTED TO THE CITY OF FRESNO JULY 14, 2009 AS DOCUMENT No. 2009-0095487.

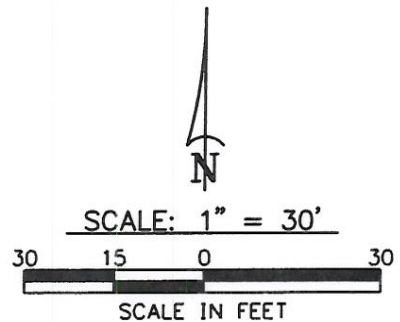
* PUBLIC STREET EASEMENT TO BE DEDICATED.



DETAIL "A"
SCALE: 1" = 30'



MARK W. GREENWOOD LS 6945



REV. 01/29/16 PWL
PLOT VIEW: SHEET 05
AUTOCAD ID. 15011 EASEMENT DWG

| | | | |
|-----------------------------|---|---|--|
| REF. & REV PW FILE 11933 | CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS | PROJ. ID. _____ KRA _____ FUND NO. _____ RES. TYPE _____ ORG. NO. _____ | |
| | PUBLIC UTILITY EASEMENT IN LONG BROTHER'S ADDITION TO BE VACATED | DR. BY _____ PWL _____ CH. BY _____ DATE _____ SCALE 1" = 30' | SHEET NO. <u>2</u> OF <u>2</u> SHEETS |