

RESOLUTION OF INTENT NUMBER 1155-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA OF INTENTION TO VACATE PORTIONS OF EXCESS PUBLIC STREET RIGHT OF WAY ON THE NORTHEAST SIDE OF NORTH WEBER AVENUE AND THE SOUTHEAST SIDE OF WEST FARRINGTON AVENUE, NORTHWEST OF WEST HERNDON AVENUE

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of portions of excess public street right-of-way on the northeast side of North Weber Avenue and the southeast side of West Farrington Avenue, northwest of West Herndon Avenue; and

WHEREAS, the area proposed for vacation is as described in Exhibit A and as shown on Exhibit B, 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, Warner Capital Assets, LP is requesting the proposed vacation; and

WHEREAS, the purpose of this proposed vacation is to accommodate the construction of a ±19,682 (±59,366 gross) square foot three (3) story hotel (Hilton Home 2 Suites) associated with Development Permit Application P22-00207; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way easement proposed for vacation as described in Exhibit A and as shown on Exhibit B is unnecessary for present or prospective public street purposes, subject to the reservation of a public utility easement over the entire area proposed to be vacated and conditions of approval as listed in attached Exhibit C.

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: KAS

Resolution of Intent Number 1155-D

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

1. The hour of 9:30 a.m. on October 31, 2024, in the Council Chambers in Fresno City 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 street 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 October 31, 2024, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

* * * * *

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 _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kelsey A Seib Date
Deputy City Attorney

Attachments:
Exhibit A – Street Easement Vacation Legal Description
Exhibit B – Street Easement Vacation
Exhibit C – Vacation Conditions of Approval

PW File No. 12457

EXHIBIT "A"
LEGAL DESCRIPTION

Public Street Vacation

That portion of F Street and North Weber Avenue lying adjacent to Block 73 of the Map of the Town of Herndon, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Volume 1 of Miscellaneous Maps at Page 27, Fresno County Records, described as follows;

BEGINNING at the West corner of Lot 32 of said Block; thence South 56°51'53" East, along the Southwesterly line of said Block, a distance of 235.21 feet to the beginning of a 40.00 foot radius non-tangent curve concave Northerly, a radial to said beginning bears South 08°16'27" East; thence Westerly, along said curve, through a central angle of 41°24'35", an arc distance of 28.91 feet to a point being 10.00 feet Southwesterly of the Southwesterly line of said Block; thence North 56°51'53" West, parallel with and 10.00 feet Southwesterly of the Southwesterly line of said Block, a distance of 209.28 feet; thence North 12°48'21" West, a distance of 13.19 feet to a point being 10.00 feet Northwesterly of the Northwesterly line of said Block; thence North 33°02'28" East, parallel with and 10.00 feet Northwesterly of the Northwesterly line of said Block, a distance of 260.35 feet to a point on the Northwesterly prolongation of a line being parallel with and 140.00 feet Southwesterly of the Southwesterly line of Lot 34 of the Map of the J.C. Forkner Fig Gardens Subdivision No.10 recorded in Volume 10 of Plats at Page 38, Fresno County Records; thence South 56°57'32" East, along said prolongation, a distance of 10.00 feet to a point on the Northwesterly line of said Block; thence South 33°02'28" West, along the Northwesterly line of said Block, a distance of 259.53 feet to the **POINT OF BEGINNING**.

Containing 4.921 square feet, more or less.



EXHIBIT " B "

WEST FARRINGTON AVENUE

NORTH VAN BUREN STREET

LOT 34 OF THE MAP OF J.C. FORKNER FIG GARDENS SUBDIVISION No. 10 RECORDED IN VOLUME 10 OF PLATS AT PAGE 38, FRESNO COUNTY RECORDS.

NORTH VAN BUREN STREET
(ABANDONED)

BLOCK 74 TOWN OF HERNDON RECORDED IN VOLUME 1 OF MISCELLANEOUS MAPS AT PAGE 27, FRESNO COUNTY RECORDS.

S56°57'32"E
10.00'

1

2

3

4

5

6

7

8

9

10

F STREET

N33°02'28"E 260.35'

S33°02'28"W 259.53'

ALLEY

LEGEND:



INDICATES AREA TO BE VACATED.



INDICATES LOT IN BLOCK 73 OF THE MAP OF THE TOWN OF HERNDON RECORDED IN VOLUME 1 OF MISCELLANEOUS MAPS AT PAGE 27, FRESNO COUNTY RECORDS.

AREA: 4,921 SQUARE FEET, +/-

N12°48'21"W 13.19'

POINT OF BEGINNING.

S56°51'53"E 235.21'

N56°51'53"W 209.28'

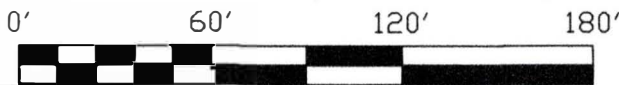
NORTH WEBER AVENUE

S08°16'27"E

Δ=41°24'35"

R=40.00'

A=28.91'



SCALE: 1" = 60'

17-095

Ref. & Rev.

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

Proj. ID:
Fund No.:
Org. No.:

Plat No:

A PORTION OF F STREET AND NORTH WEBER AVENUE TO BE VACATED.

Dr. By: GMR
Ck. By:
Date: Feb. 14, 2024
Scale: 1" = 60'

SHEET NO. 1
OF 1 SHEETS

15-A-

EXHIBIT "C"
VACATION CONDITION OF APPROVAL

1. The proposed vacation area lies within the District's Drainage Area "EH". There are no existing or proposed Master Plan facilities within the proposed vacation area as detailed on the Exhibit "A" provided to the District. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. The District will need to review and approve any improvement plans associated with the project (i.e. grading plan and street plans), for conformance with the Master Plan drainage patterns prior to implementation. Should you have any questions regarding this matter, please do not hesitate to contact Gary Chapman at (559) 456-3292.
2. Pacific Gas and Electric Company may have facilities within the area proposed for vacation. Please contact Fabian Cano at (559) 263-7472. For further details.
3. City of Fresno Engineering Division requires that the developer provide street improvement plans for all frontage requirements. If you have any questions, please contact Francisco Magos at (559) 621-8679.