

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, DEDICATING CERTAIN CITY
OWNED PROPERTY FOR PUBLIC STREET PURPOSES
ON THE WEST SIDE OF NORTH WILLOW AVENUE
SOUTH OF EAST TEAGUE AVENUE

WHEREAS, in 1997 the City acquired the 100 foot wide former railroad right-of-way lying on the west side of North Willow Avenue from south of East Teague Avenue to East Copper Avenue from the Southern Pacific Transportation Company; and

WHEREAS, a portion of the 100 foot wide right-of-way is to be used for a multi-purpose trail and a portion needs to be used for the widening of North Willow Avenue; and

WHEREAS, in 2006 the City of Fresno applied for and received Regional Surface Transportation Program (RSTP) grant funding through the Fresno County Council of Governments (COG). This grant was for the widening of Willow Avenue from Shepherd Avenue to Decatur Avenue (0.25 miles south of Nees Avenue). This operational improvement project will reconstruct and widen portions of Willow Avenue within an existing corridor to fill in segments of single lanes between signals. The project will acquire minor to major portions of new right-of-way for turn lane channelization expansion. The work includes the installation of new streetlights, underground utility facilities, modification of traffic signal at the Willow Avenue and Nees Avenue intersection, placing new asphalt pavement, concrete curb and gutter, median curb, sidewalk, driveway approaches, and segments of pedestrian trail on the west side of

1 of 3

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

Resolution No.

Willow Avenue; and

WHEREAS, in order to accommodate this proposed widening of North Willow Avenue it is necessary that the City dedicate a public street easement over a portion of said former railroad property owned by the City south of East Teague Avenue; and

WHEREAS, the portion to be dedicated for public street purposes is described in Exhibit "A" and shown on Exhibit "B", which are attached and incorporated by reference.

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

1. That certain portions of City owned property described in attached Exhibit "A" and shown on attached Exhibit "B" are hereby dedicated as an easement and right-of-way for public street purposes.

2. Nothing contained in this resolution shall be deemed or interpreted by any party to cause any interest created in the public pursuant to this resolution to ripen into any title, interest or right of the public against or adverse to the rights of the City of Fresno nor shall this resolution limit, restrict or modify the exemption of public property to title by prescription as defined within California Civil Code Section 1007.

3. The City Clerk of the City of Fresno shall certify to the passage of this resolution and attest thereto under the seal of the City of Fresno.

4. The City Engineer shall cause a City deed number to be assigned to the resolution and shall cause the resolution to be recorded in the Office of the Recorder of the County of Fresno, California. The original resolution shall be returned to the City Clerk after recordation and a certified copy thereof shall be filed in the Public Works deed file.

* * * * *

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 _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

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

BY: _____
[Name] [Date]
Assistant / Deputy

Attachments: Exhibits "A" and "B"

EXHIBIT "A"

APNs 403-744-14T &
403-753-27T (portion)
Street easement

A portion of that former railroad right-of-way situated in the southeast quarter of Section 25, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof and described as Parcel 16 in that Quitclaim Deed by the Southern Pacific Transportation Company to the City of Fresno recorded December 24, 1997 as Document No. 97169047, Official Records of Fresno County, said former railroad right-of-way also being shown on the map of Tract No. 4868, recorded in Volume 66 of Plats at Pages 50 through 54, Fresno County Records, in the City of Fresno, County of Fresno, State of California, said portion being more particularly described as follows:

BEGINNING at the northeast corner of Lot 10 of said Tract No. 4868; thence N 0°03'00" W, along the northerly prolongation of the east line of said Lot 10, parallel with and 112.00 feet west of the east line of the southeast quarter of said Section 25, said northerly prolongation also being the east line of that portion of East Teague Avenue previously dedicated for public street purposes by the map of said Tract No. 4868, a distance of 26.00 feet to the south right-of-way line of that portion of East Teague Avenue previously dedicated for public road purposes by the map of Garfield Park Colony, recorded in Book 2 of Record of Surveys at Page 66, Fresno County Records; thence N 89°38'38" E, along said south right-of-way line, parallel with and 30.00 feet south of the north line of said southeast quarter, a distance of 82.00 feet to the west right-of-way line of that portion of North Willow Avenue previously dedicated for public road purposes by said map of Garfield Park Colony; thence S 0°03'00" E, along said west right-of-way line, parallel with and 30.00 feet west of the east line of said southeast quarter, a distance of 1256.63 feet to a point on the arc of a non-tangent curve concave easterly and having a radius of 1464.47 feet, a radial to said point bears S 70°50'19" W, said point being the northeast corner of that portion of North Willow Avenue previously dedicated for public street purposes by said Tract No. 4868; thence northerly, along the arc of said curve and along the northerly line of last said portion of North Willow Avenue, through a central angle of 4°17'29", an arc distance of 109.69 feet to the northwest corner of last said portion of North Willow Avenue, said northwest corner also being an angle point on the east line of Lot 29 of said Tract No. 4868 that lies 62.00 feet west of the east line of said southeast quarter; thence N 89°57'00" E, non-tangent to said curve, a distance of 5.00 feet; thence N 0°03'00" W, parallel with and 57.00 feet west of the east line of said southeast quarter, a distance of 584.15 feet; thence N 1°10'46" W, a distance of 279.00 feet; thence N 0°03'00" W, parallel with and 62.50 feet west of the east line of said southeast quarter, a distance of 147.83 feet; thence N 28°43'30" W, a distance of 14.59 feet; thence N 0°03'00" W, parallel with and 69.50 feet west of the east line of said southeast quarter, a distance of 80.00 feet; thence N 25°04'04" W, a distance of 15.30 feet; thence N 65°53'21" W, a distance of 19.07 feet to the easterly prolongation of the north line of Lot 10 of said Tract No. 4868; thence S 89°38'38" W, along said easterly prolongation, parallel with and 56.00 feet south of the north line of said southeast quarter, a distance of 18.63 feet to the POINT OF BEGINNING.

Contains an area of 37,411 square feet, more or less.

2011-081
15-A-8850
PWF 11227



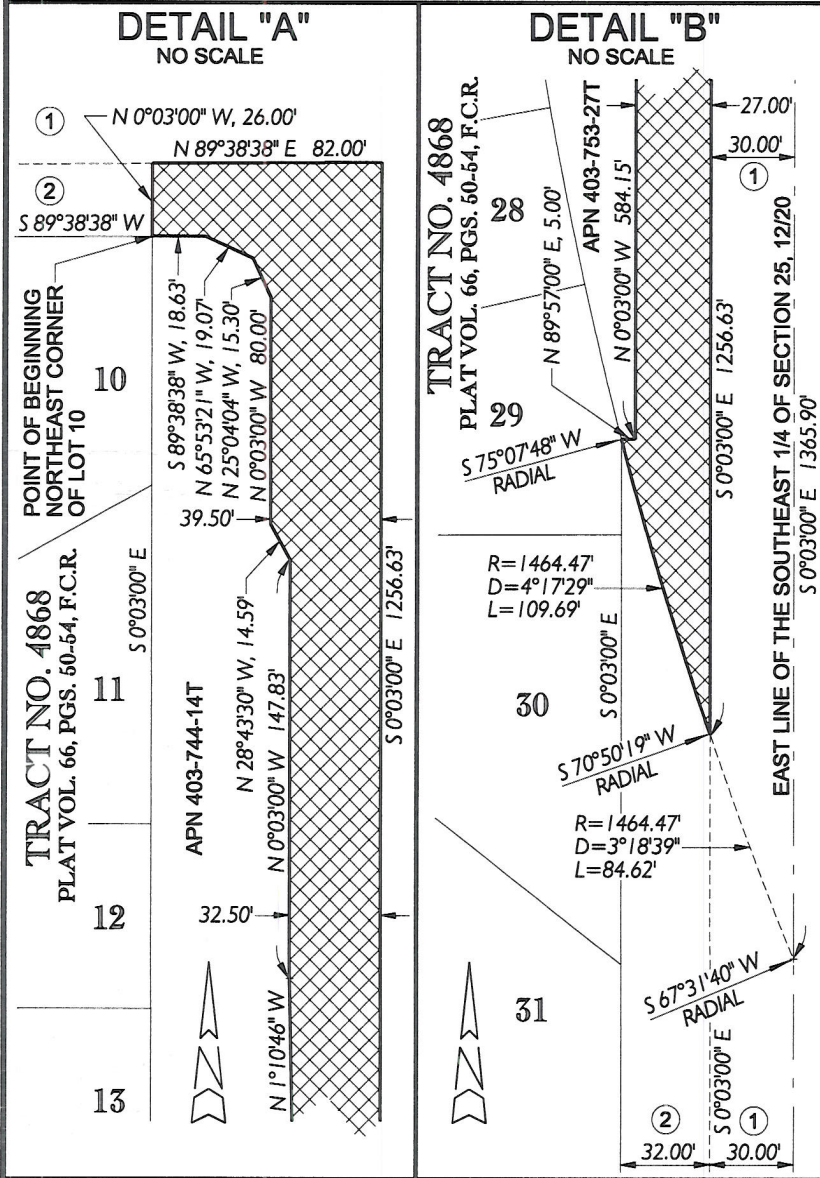
EXHIBIT "B"

EAST TEAGUE AVENUE

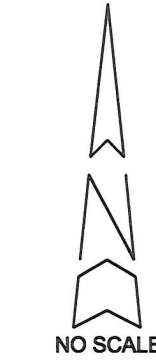
N 89°38'38" E
NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 25, 12/20

EAST 1/4 CORNER
SECTION 25, 12/20

30.00' 26.00'



SEE DETAIL "A"



TRACT NO. 4868
PLAT VOL. 66, PGS. 50-54, F.C.R.

SEE DETAIL "B"

- ① = PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES BY THE MAP OF GARFIELD PARK COLONY, BOOK 2 OF RECORD OF SURVEYS AT PAGE 66, F.C.R.
- ② = PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES BY THE MAP OF TRACT NO. 4868, VOLUME 66 OF PLATS AT PAGES 50-54, F.C.R.

INDICATES AREA TO BE DEDICATED
37,411 S.F. ±



REF. & REV.
2011-081
PWF 11227
PLAT 1062

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

**PARCEL TO BE DEDICATED TO THE CITY OF FRESNO
AS AN EASEMENT AND RIGHT-OF-WAY FOR
PUBLIC STREET PURPOSES**

PROJ. ID. PWD0430
FUND NO. 22048
ORG. NO. 189901

DR. BY A.J.
CH. BY H.B.
DATE MAY 24, 2011
SCALE NO SCALE

CO# CP001
RES TYPE
SHEET NO. 1
OF 1 SHEETS
15-A-8850

TRACT NO. 4868
PLAT VOL. 66, PGS. 50-54, F.C.R.

