

RESOLUTION NO. 1110-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE THE "F" - "G" ALLEY BETWEEN STANISLAUS STREET AND TUOLUMNE STREET, AND A PORTION OF TUOLUMNE STREET

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the "City"), to order the vacation of the "F" – "G" alley between Stanislaus Street and Tuolumne Street and a portion Tuolumne Street, as shown on Exhibit "A." The right-of-way is described as a portion of Tuolumne Street and the 20-foot wide "F" – "G" alley in Block 16 of the map of the Town of Fresno in Book 1 of Plats at Page 2, Fresno County Records, said exhibit 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, the Ellis Family Partnerships is requesting the proposed vacation; and

WHEREAS, the proposed vacation is to mitigate impacts to the adjacent properties northerly of the Tuolumne Street overpass reconstruction;

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

1 of 3

Date Adopted:
Date Approved:

Effective Date:
City Attorney Approval: SM

Resolution No.

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

1. The hour of 2:00 p.m. on November 17, 2016, 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 November 17, 2016, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

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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: _____
Seth Mehrten
Deputy City Attorney

Attachments: Exhibits "A" and "B"
PW File No. 12014

EXHIBIT "A" (1 of 2)

G STREET

CITY OF FRESNO
 COUNTY OF FRESNO
 T.14S. R.20E. M.D.M.
 SECTION 9

465-091-371

465-091-38

465-091-34
 PARCEL MAP
 PM 1/22

465-091-33

S.E. 1/4 R/W
 STANISLAUS STREET
 PER PB 1/2

FRESNO
 BLOCK 46
 PB 1/21

N.E. 1/4 ALLEY R/W

S48°59'46"W
 20.00'

ALLEY

N41°02'33"W 376.81'
 S41°02'33"E 360.99'

TOWN

S.W. 1/4 ALLEY R/W

S48°57'27"W 0.50'
 N48°57'27"E 1.14'
 R=30.00'
 A=31°31'14"
 L=16.50'
 N40°28'40"E 1.14'

32

31

30

29

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11

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PARCEL MAP
 No. 73-36
 PM 8/68

PARCEL MAP No. 73-23
 PM 7/76

PARCEL A

PARCEL B

PARCEL A 465-091-36

PARCEL B

E. 1/4 LNK
 PARCEL B

PARCEL



RIGHT OF WAY
 VACATION
 EXHIBIT B



F STREET

SHEET NO. TOTAL SHEETS



465-095-011

P.O.B.
 N41°02'33"W 23.20'
 S. COR.
 101' 16'

N53°15'40"E
 1.89'
 N48°58'19"E
 23.05'

TUOLUMNE STREET

EXHIBIT "B"
VACATION CONDITIONS

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

1. Several utility companies and the City of Fresno have facilities in the alley, and in Tuolumne Street, therefore it is a requirement that a public utility easement (PUE) be reserved over the entire area being vacated. This will occur through the vacation process and requires no separate action by the Applicant. No structures will be allowed in the PUE. The City's Department of Public Utilities requires unrestricted 24 hour access to the PUE by the City for maintenance of the existing water and sewer lines in the alley.
2. There is one City of Fresno streetlight located in the alley (SL 23979). The City requires that the Applicant contact the City's Traffic Signal and Street Lighting Division to disconnect the streetlight from the current circuit. Please contact Dave Row to make arrangement for the process at (559) 621-1312
3. Coordinate all construction with the approved street plans for Tuolumne Street overpass.
4. The Applicant and the City must execute a Reciprocal Agreement for a Cross Access Easement for Vehicular and Pedestrian Access, Solid Waste Collection and Surface Water Drainage and have it ready to recorded.