

RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, ORDERING THE SUMMARY
VACATION OF ACCESS RIGHT RESTRICTIONS ON A
PORTION OF EAST BELMONT AVENUE, WEST OF
NORTH FOWLER AVENUE

WHEREAS, the Council has elected to proceed under the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Division 9, Part 3 of the California Streets and Highways Code), and specifically Chapter 4 (commencing with Section 8330) thereof, to summarily vacate the access right restrictions on a portion of the East Belmont Avenue, west of North Fowler Avenue, as shown on Exhibit "A" which is attached and incorporated in this Resolution; and

WHEREAS, Beal Development, LLC is requesting the proposed vacation of access right restrictions on a portion of East Belmont Avenue, west of North Fowler Avenue, as shown on Exhibit A which is attached and incorporated in this Resolution; and

WHEREAS, the purpose of this proposed vacation is to construct a second public access to accommodate development for condition use permit P21-02155 for the construction of a convenience store and restaurant with a drive thru; and

WHEREAS, the Traffic and Engineering Services Division has reviewed this proposal and determined the proposed vacation of access right restrictions as shown on Exhibit A is necessary at this location, said Exhibit is included in this Resolution; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Cal. Sts. & Hy. Code §§ 8300-8363).

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: *KE*

Resolution No. _____

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

1. The public interest and convenience require, and it is hereby ordered, that as of March 9, 2023, the access right restrictions of this proposed vacation to accommodate development associated with site plan number P21-02155 for the construction of a second public access, as shown in Exhibit A be vacated.

2. The City Clerk shall certify to the passage of this Resolution and shall file a certified copy, attested by the City Clerk under the seal of the City of Fresno, to be recorded in the Office of the County Recorder of the County of Fresno, State of California.

3. The City Clerk shall file a certified copy of the resolution for recordation in the Office once all work associated with this requirement has been accepted by the City Engineer or the Public Works Director.

4. This vacation shall become effective on the date this resolution is recorded.

5. This resolution shall be effective upon final approval.

* * * * *

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 _____, 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2023
Mayor Approval/No Return: _____, 2023
Mayor Veto: _____, 2023
Council Override Vote: _____, 2023

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

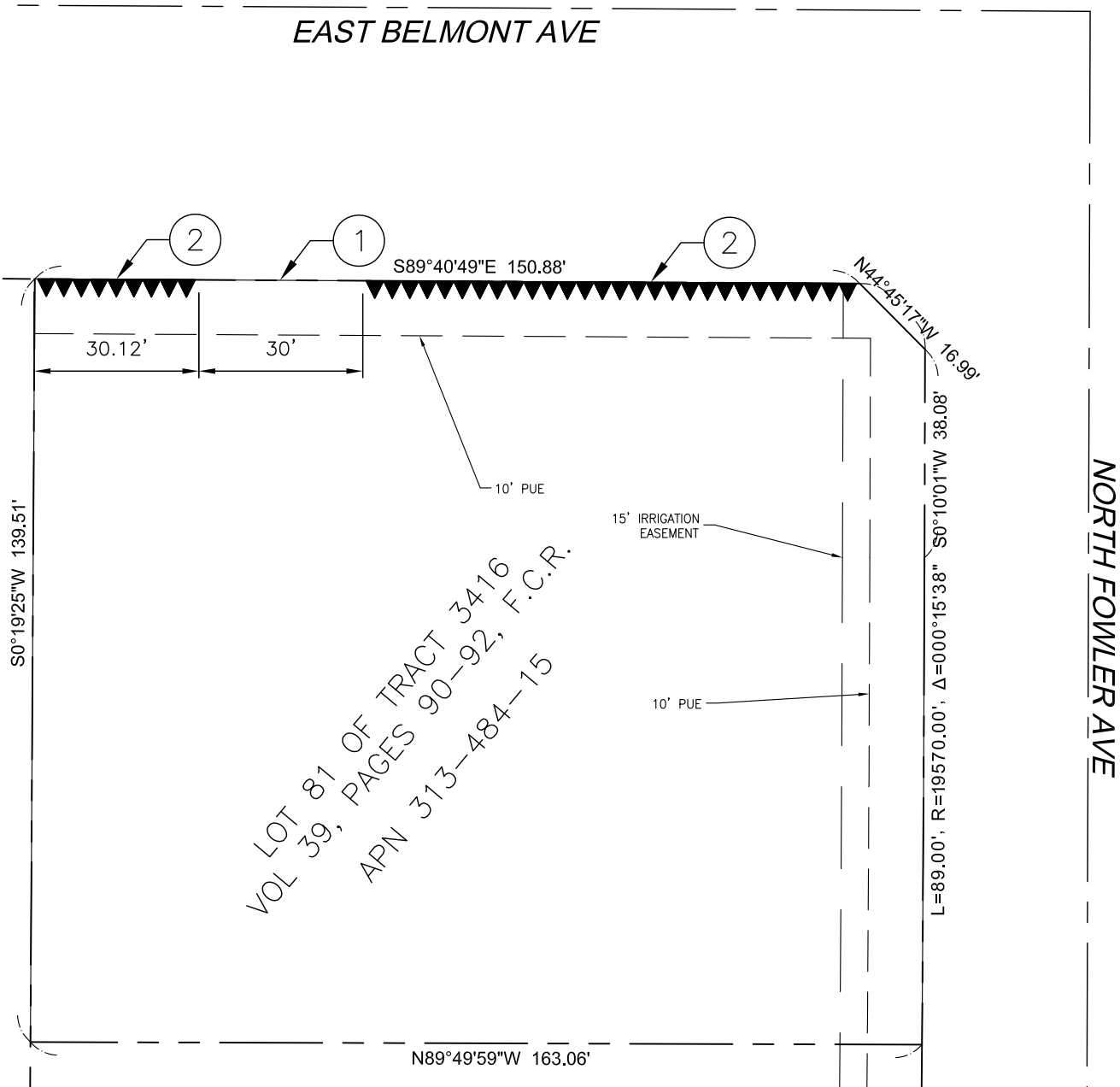
APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kristi M. Costa Date
Senior Deputy City Attorney

Attachment:
Exhibit A

PW13226

EXHIBIT "A"



KEYNOTES

- ① EXISTING RELINQUISHMENT OF VEHICULAR ACCESS TO BE VACATED
- ② EXISTING RELINQUISHMENT OF VEHICULAR ACCESS TO REMAIN

REF. & REV. PW FILE NO. 13226 PLAT 2567	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ FUND NO. _____ PROJ. ID. _____	KRA _____ RES TYPE _____
	COMMERCIAL DEVELOPMENT VACATION EXHIBIT FOWLER AND BELMONT	DR. BY _____ CH. BY _____ DATE _____ SCALE _____ JOB NO. _____	SHEET NO. _____ OF _____ SHEETS 15-A-