

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, DECLARING APNS  
510-326-32T AND 510-326-33T TO BE SURPLUS AND  
DIRECTING STAFF TO COMPLY WITH THE SURPLUS  
LAND ACT

WHEREAS, the City of Fresno is the owner of real properties located at 4170 North Brix Avenue (APN 510-326-32T) and 4176 North Brix Avenue (APN 510-326-33T), (Properties). The Properties are more particularly described in the Legal Descriptions attached as Exhibits "A-1" and "A-2" to this Resolution. In addition, the parcel map is attached as "Exhibit B," and

WHEREAS, under the Surplus Land Act, Government Code Sections 54220, *et seq.*, surplus land means land owned in fee simple for which a local agency's governing body takes formal action at a regular public meeting declaring land to be surplus and not necessary for a local agency's use; and

WHEREAS, land must be declared either "surplus" or "exempt surplus" as supported by written findings before a local agency may take any action to dispose of it consistent with an agency's policies or procedures; and

WHEREAS, except as otherwise provided in the Surplus Land Act and Guidelines, "agency's use" shall include, but not be limited to, land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency's governing board for agency work or operations, including, but not limited to, utility sites, watershed property, land being used for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants

1 of 4

Date Adopted:  
Date Approved:  
Effective Date:

City Attorney Approval: AMK

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as described in Government Code Section 54221(c)(1). Agency's use shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development. Property disposed of for the sole purpose of investment or generation of revenue shall not be considered necessary for the agency's use; and

WHEREAS, staff has identified the Properties as potential surplus real property and wishes to dispose of the Properties; and

WHEREAS, pursuant to Government Code Section 54222, City staff will send a written Notice of Availability to sell the surplus Properties to the entities and agencies identified in Government Code Sections 54222, *et seq.*, and if one of the entities/agencies desires to purchase the Properties after having received notice, it must indicate its intent to do so in writing within 60 days of receiving the notice, and the City and the other entity/agency shall negotiate in good faith for a period of 90 days on the price and terms for the disposition of the Properties; and

WHEREAS, pursuant to Government Code Section 54230.5, City staff will provide to the Department of Housing and Community Development a description of the notices of availability sent, and negotiations conducted with any responding entities, in regard to the disposal of each parcel of surplus land; and

WHEREAS, in the event no agreement is reached between the City and any interested entity/agency to whom notice is provided, staff will present Council with proposals for disposition of the surplus Properties.

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

1. The City Council hereby declares the Properties located at 4170 North Brix Avenue (APN 510-326-32T) and 4176 North Brix Avenue (APN 510-326-33T) Fresno, California 93722, to be surplus; and the City therefore intends to dispose of said Properties.

2. City staff is hereby directed to send all notices and take all actions required by the Surplus Land Act so that it may dispose of the Properties.

3. 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 \_\_\_\_\_ 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2024  
Mayor Approval/No Return: \_\_\_\_\_, 2024  
Mayor Veto: \_\_\_\_\_, 2024  
Council Override Vote: \_\_\_\_\_, 2024

TODD STERMER  
City Clerk

By: \_\_\_\_\_  
Deputy Date

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Angela M. Karst Date  
Senior Deputy City Attorney

Attachments:  
Exhibits A-1, A-2 – Legal Descriptions  
Exhibit B – Parcel Map

**EXHIBIT**  
**"A-1"**  
Legal Description

**For** APN/PARCEL ID(s): 510-326-32

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lot 124 of Tract No. 3439, Trend Homes No. 10, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 39 Pages 80 and 81 of Plats, Fresno County Records.

**EXHIBIT "A-2"**  
Legal Description

**For APN/Parcel ID(s): 510-326-33T**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lot 125 of Tract No. 3439, Trend Homes No. 10, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 39 Pages 80 and 81 of Plats, Fresno County Records.

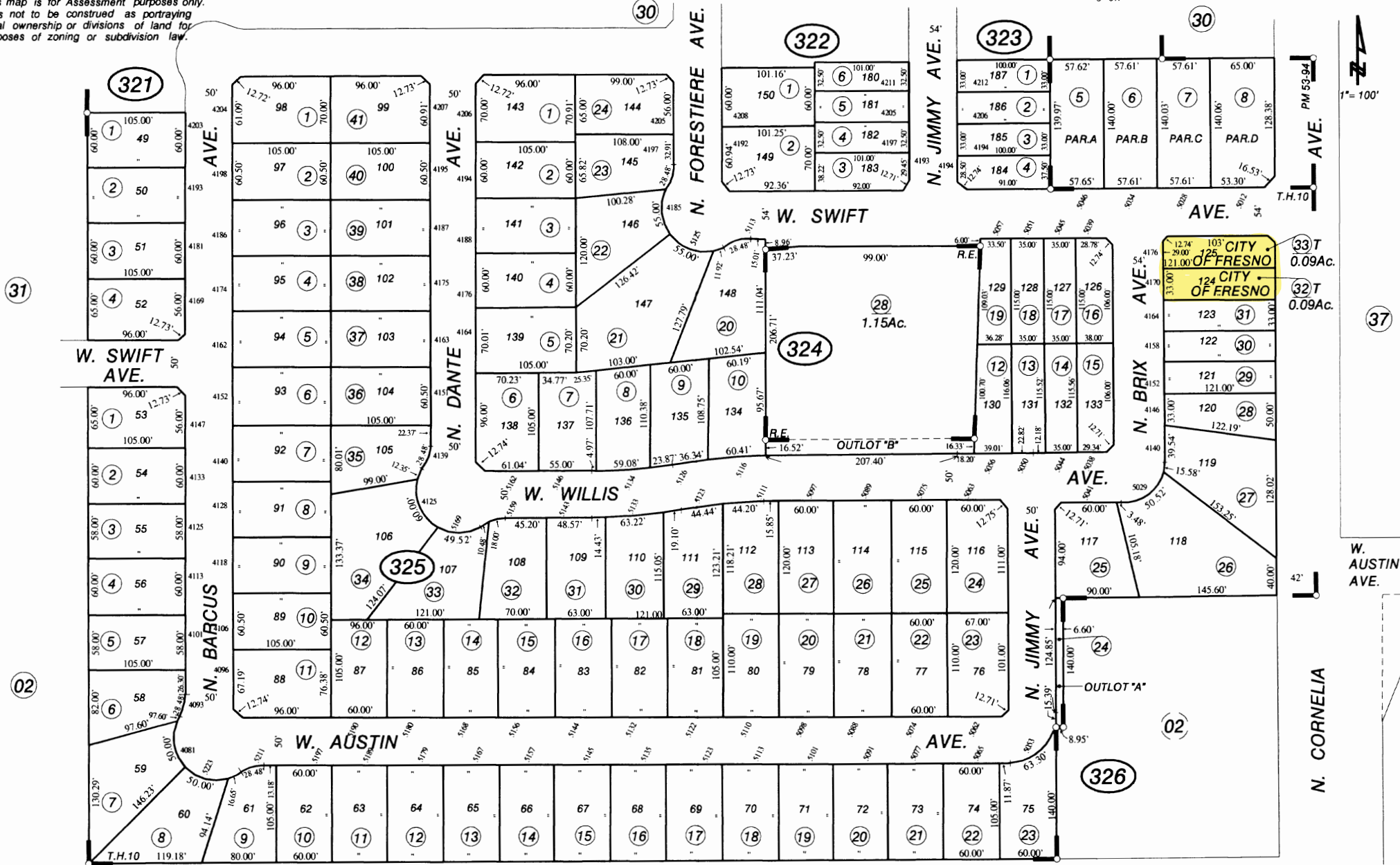
SUBDIVIDED LAND IN POR. SEC., 15, T. 13 S., R. 19 E., M. D. B. & M.

Tax Rate Area 5-611

510-32

--- NOTE ---

This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.



Renie Estates, Tract No. 2828 - Plat Bk. 34, Pg. 47  
Trend Homes No. 10, Tract No. 3439 - Plat Bk. 39, Pgs. 80 & 81  
Parcel Map No. 91-32, Bk. 53, Pgs. 94 & 95

Assessor's Map Bk. 510 - Pg. 32  
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.