RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DECLARING PORTIONS OF UNDEVELOPED, CITY-OWNED STREET RIGHT-OF-WAY LOCATED AT NORTH BRAWLEY AVENUE AND WEST BUCKINGHAM WAY TO BE EXEMPT SURPLUS LAND

WHEREAS, the City of Fresno (City) owns the undeveloped portions of City right-of-way, located at North Brawley Avenue and West Buckingham Way, Fresno, California, (Property), more particularly described in Exhibit A-2 and shown on Exhibit B-2, both of which are attached hereto and made a part hereof by reference; and

WHEREAS, Caltrans relinquished fee title ownership of the Property to the County of Fresno on November 15, 1961, and the County subsequently annexed the Property into the City of Fresno on April 25, 1979; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54236) is generally intended to make a local agency's surplus land (i.e., land not needed for the agency's use) available for potential acquisition by affordable housing sponsors for affordable housing purposes or by other local public entities; and

WHEREAS, California Government Code section 54221(b) and the April 2021 Surplus Land Act Guidelines (SLA Guidelines) published by the California Department of Housing and Community Development (HCD) require that prior to taking any action to dispose of land that is subject to the Surplus Land Act, the City Council must, at a public meeting, declare the land either surplus land or exempt surplus land, as each are defined in California Government Code section 54221; and

WHEREAS, under the Surplus Land Act, land shall be declared either “surplus land” or “exempt surplus land” as supported by written findings, before a local agency may take any action to dispose of it consistent with the agency’s policies or procedures; and

WHEREAS, the 0.3641-acre (15,862 square feet) unimproved parcel is designated as street right-of-way; and

WHEREAS, the Property has not been used by the City as improved right-of-way, and the City does not intend to use the Property for any future purpose; and

WHEREAS, the City plans to convey the Property to the owner of an adjacent property; and

WHEREAS, the City’s interest in the Property shall be declared exempt surplus land pursuant to Government Code section 54221(f)(1)(B), land that is less than one-half acre in area (21,780 square feet) and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

WHEREAS, the Property is exempt surplus land pursuant to Government Code section 54221(f)(1)(E) because the Property is a former street, right-of-way, or easement, and is being conveyed to an owner of an adjacent property; and

WHEREAS, none of the characteristics outlined in Government Code section 54221(f)(2) apply to the Property; and

WHEREAS, in accordance with the Government Code section 54221(b)(1), the land is owned in fee simple by the City, and the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use.

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

1. The City Council hereby declares the Property, located at North Brawley Avenue and West Buckingham Way, Fresno, California, to be exempt surplus land pursuant to Government Code section 54221(f)(1)(B) and (E) , as a small surplus land parcel that is less than one-half acre in area (21,780 square feet) and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes and the Property is a former street or right-of-way, and is being conveyed to an owner of an adjacent property.

2. This resolution shall be effective upon final approval.

* * * * * * * * * * * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, AMY K. ALLER, 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2026
Mayor Approval/No Return: _____, 2026
Mayor Veto: _____, 2026
Council Override Vote: _____, 2026

AMY K. ALLER
City Clerk

By: _____
Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kelsey A Seib Date
Deputy City Attorney

Attachment: Exhibit A-2, B-2

EXHIBIT "A-2"
LEGAL DESCRIPTION

That portion of the northeast quarter of Section 23, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the intersection of the east line of said Section 23 with the northerly boundary of Parcel 2 described in the document entitled "Relinquishment of State Highway in the County of Fresno, Road VI-FRE-4-C" recorded November 15, 1961 in Book 4636 at Page 658 as Document No. 83881, Official Records of Fresno County from which intersection the northeast corner of said Section 23 bears North 00° 28' 18" East, a distance of 287.10 feet;

Thence along said east line of Section 23, South 00° 28' 18" West, a distance of 255.21 feet to the northeasterly boundary of Parcel 80120 described in the grant deed recorded October 8, 1984 as Document No. 84096803, Official Records of Fresno County, being the northeasterly right-of-way line of State Route 99;

Thence along said northeasterly boundary of Parcel 80120, North 45° 53' 25" West, a distance of 20.57 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 500.00 feet;

Thence continuing along said northeasterly boundary of Parcel 80120, northwesterly along said tangent curve, through a central angle of 16° 33' 34", an arc distance of 144.51 feet to the most easterly corner of the parcel described in Exhibit "B" of the Grant Deed recorded February 18, 1982 in Book 7861 at Page 80 as Document No. 13635, Official Records of Fresno County;

Thence along the northwesterly boundary of said Parcel 2, North 30° 28' 18" East, a distance of 147.41 feet to the northwest corner thereof;

Thence along said northerly boundary of Parcel 2, South 89° 31' 42" East, a distance of 30.00 feet to the **Point of Beginning**.

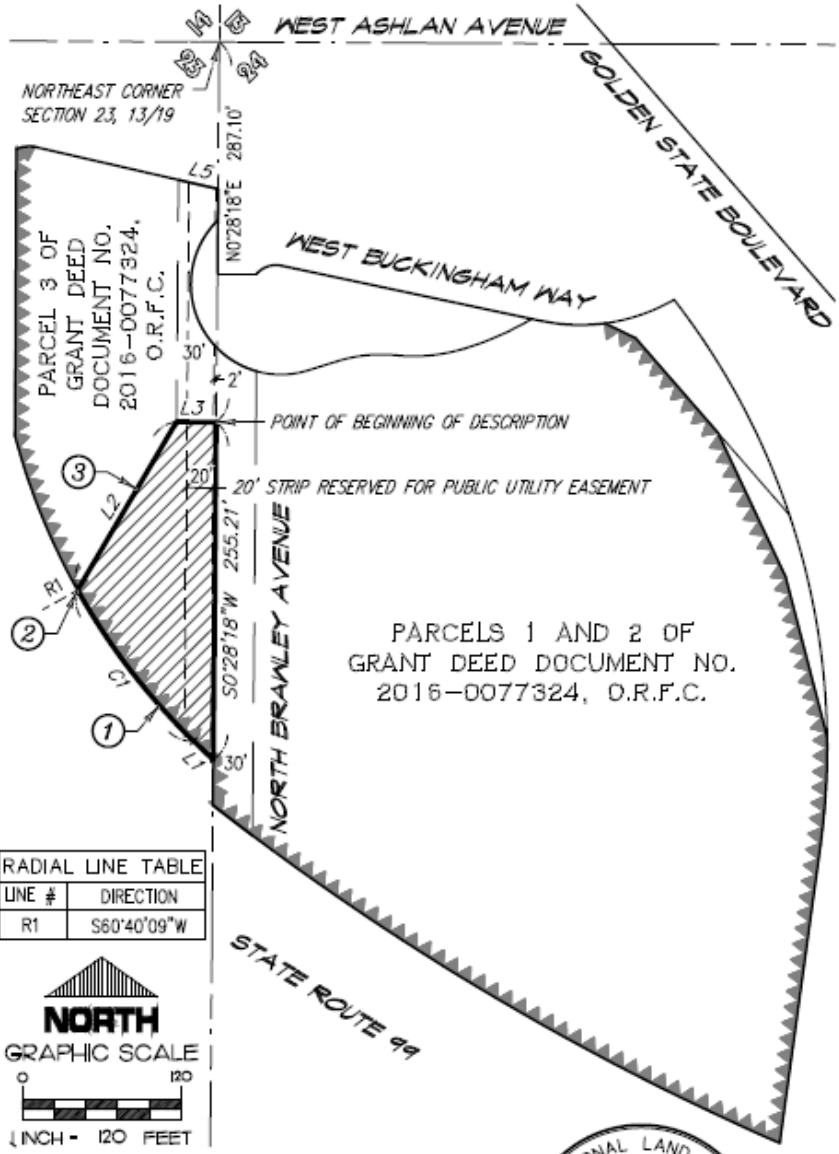
Area: 15,862 square feet

A.P.N. 433-040-54 and 511-240-26

PWF# 12131, 13608
PLAT: 1947, 1948
P23-02136, P25-01002
DMA PROJECT NO. 24-009 EX05

PAGE 1 OF 1 PAGES

EXHIBIT "B-2"



RADIAL LINE TABLE	
LINE #	DIRECTION
R1	S60°40'09"W

NOTES

RECORD OR CALCULATED BEARINGS AND DISTANCES PER RIGHT OF WAY MAP OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT NO. 6, FRESNO COUNTY, STATE ROUTE 99, POST MILE 26.25, SHEETS 18 AND 19 AND GRANT DEED DOCUMENT NO. 2016-0077324 RECORDED JUNE 15, 2016, O.R.F.C.

A.P.N. 433-040-54 & 511-240-26

RECORD OWNERS

OPTIMUM PROPERTIES, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
2894 EAST POWERS AVENUE
FRESNO, CA 93720

LEGEND

CITY OF FRESNO FEE INTEREST RIGHT OF WAY TO BE VACATED CONSISTING OF 15,862 SQ. FT.

ACCESS RIGHTS PREVIOUSLY RESTRICTED

1. NORTHEASTERLY BOUNDARY OF PARCEL 80120 DESCRIBED IN THE GRANT DEED RECORDED OCTOBER 8, 1984 AS DOCUMENT NO. 84096803, O.R.F.C.
2. MOST EASTERLY CORNER OF THE PARCEL DESCRIBED IN EXHIBIT "B" OF THE GRANT DEED RECORDED FEBRUARY 18, 1982 IN BOOK 7861 AT PAGE 80 AS DOCUMENT NO. 13635, O.R.F.C.
3. NORTHERLY BOUNDARY OF PARCEL 2 DESCRIBED IN THE DOCUMENT ENTITLED "RELINQUISHMENT OF STATE HIGHWAY IN THE COUNTY OF FRESNO, ROAD VI-FRE-4-C" RECORDED NOVEMBER 15, 1961 IN BOOK 4636 AT PAGE 658 AS DOCUMENT NO. 83881, O.R.F.C.

LINE TABLE		
LINE #	BEARING	LENGTH
L1	N45°53'25"W	20.57'
L2	N30°28'18"E	147.41'
L3	S89°31'42"E	30.00'

CURVE TABLE			
CURVE #	RADIUS	LENGTH	DELTA
C1	500.00'	144.51'	16°33'34"

PREPARED BY:

DALE G. MELL & ASSOCIATES
ENGINEERING & SURVEYING SERVICES
2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
(559) 292-4046 * FAX 251-9220 * EMAIL: DMASUBMITTALS@DALEMELL.COM

PROFESSIONAL LAND SURVEYOR DALE G. MELL No. 4823 STATE OF CALIFORNIA

BY: D.G.MELL – 06/12/26
DMA CADFILE 24-009EX05

REF & REV
PFW#12131,13608
PLAT: 1947,1948
P23-02136
P25-01002

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PORTION OF NORTH BRAWLEY AVENUE, NORTH OF STATE ROUTE 99 AND SOUTH OF WEST ASHLAN AVENUE, TO BE VACATED

PROJ. ID. - CO -
FUND NO. - RES TYPE -
ORG. NO. -

DR. BY: D.G.M.
CH. BY: DGM
DATE: 06/12/26
SCALE: AS SHOWN

SHEET NO. 1 OF 1 SHEETS

15-A-11004

PLOTTED BY: MARJAN ESLIMI ISFAHANI – 6/12/2026 8:21:07 AM V:\PROJECTS\2024\PROJECTS\24-009\DWGS\24-009EX05.DWG