

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING THE SUMMARY VACATION OF A PORTION OF NORTH BROADWAY STREET, SOUTH OF EAST ELIZABETH STREET

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 vacate a portion of North Broadway Street, South of East Elizabeth Street; and

WHEREAS, the City of Fresno Public Works Department is requesting the vacation of a portion of North Broadway Street, South of East Elizabeth Street, as described and shown in Exhibits "A" & "B" and incorporated in this Resolution; and

WHEREAS the purpose of the vacation is to eliminate excessive public street right of way and accommodate the future development and construction of a new pocket park; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed this proposal and have approved the vacation with no conditions after determining that there are no public utility facilities and no public improvements within the area proposed for vacation as described and shown in Exhibits "A" & "B"; and

WHEREAS, the Traffic and Engineering Services Division has further determined that the area proposed for vacation as described and shown on the attached in Exhibits "A" & "B", which is attached and incorporated in this Resolution, is unnecessary for present or prospective public street purposes; and

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: OB

Resolution No.

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).

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

1. The Council finds from all the evidence submitted for the vacation of a portion of North Broadway Street, South of East Elizabeth Street, as described and shown in Exhibits "A" & "B", is unnecessary for present and prospective public street purposes.

2. From and after the date this resolution is recorded, that portion of North Broadway Street, South of East Elizabeth Street, as shown on the attached Exhibits shall no longer constitute a public street easement.

4. 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, in the Office of the City Clerk.

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

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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 \_\_\_\_\_, 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
ANDREW JANZ  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Date  
Deputy City Attorney

Attachments: Exhibits "A" and "B"  
PW File No. 13109

# EXHIBIT "A"

## LAND DESCRIPTION

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

### **ROAD VACATION:**

A portion of Lot 17, of Burlingame Villa Parks, according to the Map thereof recorded February 5, 1908, in Book 004, Page 11 of Record of Surveys, in the office of the County Recorder of Fresno County, more particularly described as follows.

**COMMENCING** at the northeast corner of Lot 18 of said map;

thence along the north line of said Lots 17 and 18, North 89°56'35" West 140.05 feet to the **POINT OF BEGINNING**;

thence South 00°47'36" West 165.00 feet to the south line of said Lot 17;

thence, along the south line of said Lot 17, North 89°56'35" West 16.80 feet;

thence North 00°47'36" East 159.51 feet;

thence North 47°56'33" East 8.19 feet to the north line of said Lot 17;

thence, along the north line of said Lot 17, South 89°56'35" East 10.80 feet to the **POINT OF BEGINNING**;

Containing 2,756 square feet.

A PLAT OF THE ABOVE DESCRIBED PARCEL(S) OF LAND IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

## END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.

Stephen Pyle  
Stephen J. Pyle  
Professional Land Surveyor  
California No. 8385

January 31, 2024

Date



# EXHIBIT "B"

CITY OF FRESNO  
SEC 33, T13S, R20E

ELIZABETH  
STREET

BROADWAY  
STREET

WEST LINE  
LOT 17

76.20'

29.70'

N00°47'36"E 159.51'

S00°47'36"W 165.00'

L1

L2

L3

57.00'

POINT OF COMMENCEMENT  
NORTHEAST CORNER LOT 18

N89°56'35"W 140.05'

POINT OF BEGINNING

AREA=2,756 SQFT

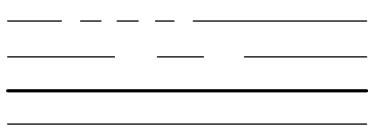
0 20 40  
SCALE: 1" = 40'

## LINE TABLE

LINE #	DIRECTION	LENGTH
L1	N89°56'35"W	16.80'
L2	N47°56'33"E	8.19'
L3	S89°56'35"E	10.80'

WEST LINE EAST HALF  
LOT 17

## LEGEND



ADJACENT PARCEL LINE  
CENTER LINE  
SUBJECT AREA  
RIGHT OF WAY LINE

## ABBREVIATIONS

SQFT      SQUARE FEET



1165 Scenic Drive, Suite A  
Modesto, CA 95350  
odellengineering.com

DESCRIPTION: ROW VACATION

SCALE:	1"=40'	DATE:	FEB 1, 2024
JOB NO.:	40410		
FILE:	40410-PLAT-VACATION.DWG		

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