

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

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.

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: _____
Deputy City Attorney

Date

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

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EXHIBIT "B"

CITY OF FRESNO
SEC 33, T13S, R20E

BROADWAY
STREET

ELIZABETH
STREET

57.00'

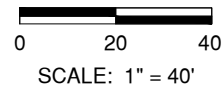
POINT OF COMMENCEMENT
NORTHEAST CORNER LOT 18

N89°56'35"W 140.05'

WEST LINE
LOT 17

POINT OF BEGINNING

AREA=2,756 SQFT



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'

N00°47'36"E 159.51'

S00°47'36"W 165.00'

76.20'

29.70'

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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