

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF THE UNUSED PUBLIC UTILITY EASEMENT LOCATED ADJACENT TO NORTH ALICANTE DRIVE AND WEST OF NORTH WILLOW 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 vacate a portion of the unused public utility easement located adjacent to North Alicante Drive and west of North Willow Avenue; and

WHEREAS, CRD East, Inc. is requesting the vacation of a portion of the unused public utility easement located adjacent to North Alicante Drive and west of North Willow Avenue, as described on Exhibit A and as shown on Exhibit B, which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this proposed vacation is to accommodate the development of the adjacent properties; 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 additional public improvements within the area proposed for vacation as described on Exhibit A and as shown on Exhibit B; and

WHEREAS, the Traffic and Engineering Services Division has further determined that the area proposed for vacation as described on Exhibit A and as shown on Exhibit

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: 

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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 public interest and convenience require, and it is hereby ordered, that as of January 11, 2024, the public utility easement of this proposed vacation to accommodate the development of the adjacent properties as described on Exhibit A and as shown on Exhibit B 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.

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 :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

BY: _____
Date
Deputy City Attorney

Attachments:
Exhibits A and B

PW13283

EXHIBIT "A"

**Legal Description
of
Public Utility Easements to be Vacated**

Parcel 1

The 15-foot wide Public Utility Easement previously dedicated as per Parcel Map No. 7473, Recorded in Book 57 of Parcel Maps, at Page 15, Fresno County Records, which lies along the South boundary of Parcel 1 and Parcel 4 of said Parcel Map No. 7473.

Parcel 2

The 10-foot wide Public Utility Easement previously dedicated as per said Parcel Map No. 7473, which lies along the West boundary of Parcel 1 and Parcel 2 of said Parcel Map. 7473.

Excepting therefrom that portion of said 10-foot wide Public Utility Easement lying North of the North boundary of Adjusted Parcel B of Lot Line Adjustment No. 2019-16, as described in the Grant Deed recorded July 26, 2019 as Document No. 2019-0082532, Fresno County Records.



