

RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO VACATE A PORTION OF
EAST PALO ALTO AVENUE, WEST OF NORTH FRESNO
STREET

WHEREAS, pursuant to Resolution of Intent Number 1135-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on March 19, 2020, at a regular meeting of the Council of the City of Fresno, California (City), at which time evidence was heard for and against the vacation of a portion of East Palo Alto Avenue, west of North Fresno Street, situated within the City; and

WHEREAS, DBA Foxwood Apartments is requesting the proposed vacation of a portion of East Palo Alto Avenue, west of North Fresno Street, as described in Exhibit "A" and as shown in Exhibit "B" which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this vacation is to dispose of excess public street right of way; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right of way proposed for vacation as described in Exhibit "A" and as shown in Exhibit "B" is unnecessary for present or prospective public street purposes subject to the reservation of a public utility easement over the entire area proposed to be vacated; 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).

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: *ke*

Resolution No.

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

1. The Council finds from all the evidence submitted that the vacation of a portion of East Palo Alto Avenue, west of North Fresno Street, as described in Exhibit “A” and as shown in Exhibit “B” is unnecessary for present and prospective public street purposes.

2. The public interest and convenience require, and it is hereby ordered, that as of March 19, 2020, the public street easement as described in Exhibit “A” and as shown in Exhibit “B” be vacated.

3. 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.

4. 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.

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 _____, 2020.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2020
Mayor Approval/No Return: _____, 2020
Mayor Veto: _____, 2020
Council Override Vote: _____, 2020

YVONNE SPENCE, MMC CRM
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____ Date
Kristi Costa
Deputy City Attorney

Attachment:
Exhibits "A" and "B"
PW File No. 12312

APN 408-070-05
STREET RIGHT OF WAY VACATION

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF SECTION 3, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF FRESNO, CITY OF FRESNO ALSO BEING A PORTION OF PARCEL 2 OF PARCEL MAP NO. 3511, AS SHOWN ON THE MAP THEREOF RECORDED IN BOOK 22 OF PARCEL MAPS AT PAGE 88, FRESNO COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2; THENCE SOUTH 89°24'11" WEST, ALONG THE SOUTH LINE OF SAID PARCEL 2, A DISTANCE OF 105.92 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, CONTINUING ALONG SAID SOUTH LINE SOUTH 89°24'11" WEST, A DISTANCE OF 661.26 FEET; THENCE, NORTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 60°35'52" EAST, WITH A RADIUS OF 60.00 FEET, THROUGH A CENTRAL ANGLE OF 60°00'04", AN ARC DISTANCE OF 62.83 FEET; THENCE NORTH 89°24'11" EAST, ALONG A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID PARCEL 2 A DISTANCE OF 494.80 FEET; THENCE NORTHEASTERLY ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY, WITH A RADIUS OF 220.00 FEET, THROUGH A CENTRAL ANGLE OF 05°48'45", AN ARC DISTANCE OF 22.32 FEET; THENCE, NORTH 83°35'26" EAST, A DISTANCE OF 76.49 FEET, THENCE NORTH 48°20'20" EAST, A DISTANCE OF 11.86 FEET, THENCE SOUTHEASTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE EAST, WHOSE RADIUS POINT BEARS NORTH 76°16'20" WEST, WITH A RADIUS OF 60.00 FEET, THROUGH A CENTRAL ANGLE OF 46°21'30", AN ARC DISTANCE OF 48.55 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 19,689 SQUARE FEET (0.45 ACRES), MORE OR LESS.



8/29/19

EXHIBIT "B"

STREET RIGHT OF WAY VACATION

SITE INFO:

6655 FRESNO ST.
FRESNO, CA 93710
APN: 408-070-05

OWNER:

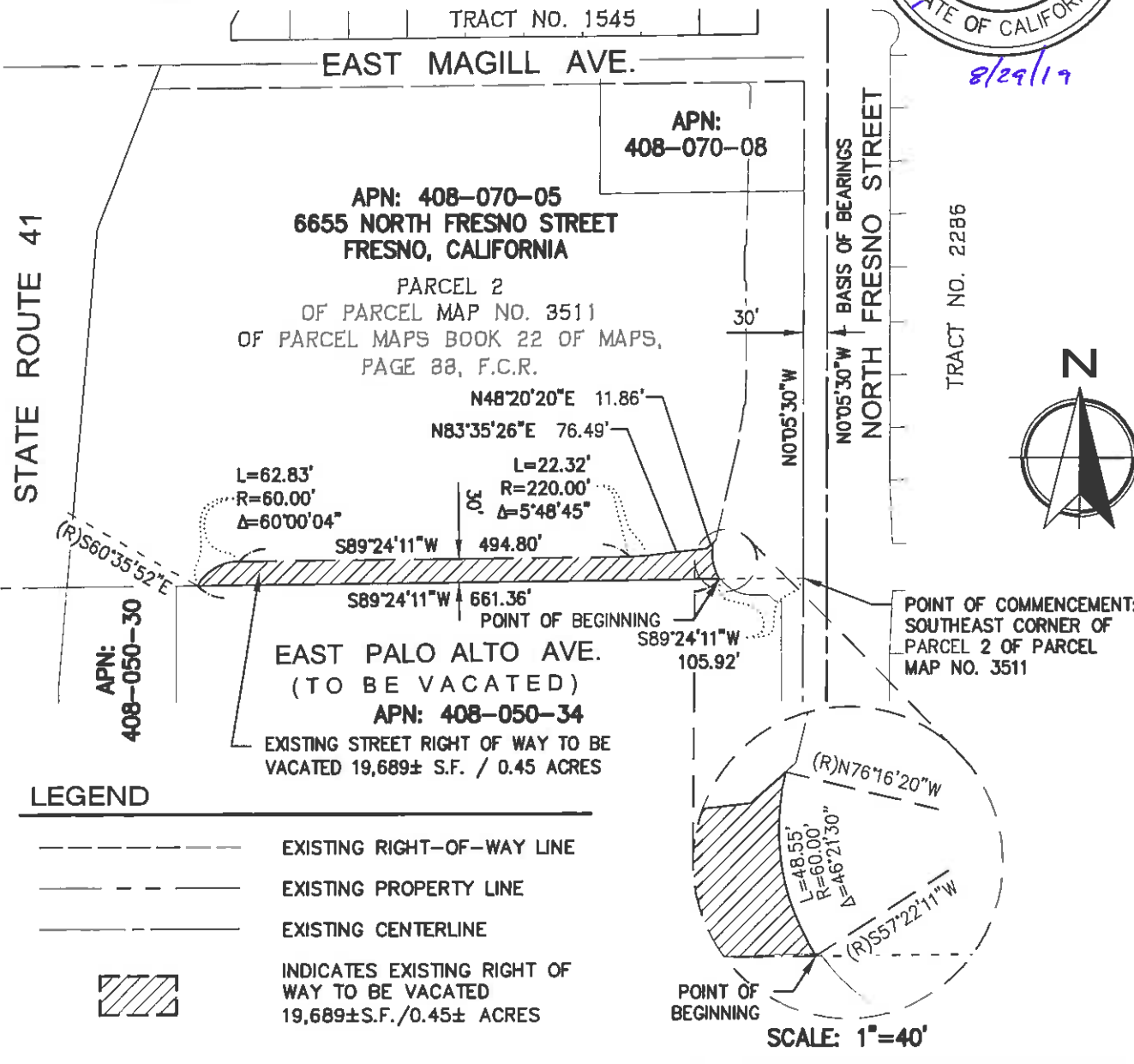
6655 FRESNO ST. LLC.

BASIS OF BEARINGS:

THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 3, T. 13 S., R. 20 E., M.D.B.&M., ALSO THE CENTERLINE OF NORTH FRESNO STREET) IS TAKEN TO BE N0°05'30"W, AS SHOWN ON THE MAP OF TRACT NO. 1545, COLONY HIGHLANDS, RECORDED IN VOLUME 18 OF PLATS, AT PAGE 27, FRESNO COUNTY RECORDS.



8/29/19



LEGEND

- EXISTING RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- EXISTING CENTERLINE
- INDICATES EXISTING RIGHT OF WAY TO BE VACATED 19,689± S.F. / 0.45± ACRES

12/29/2014 1:22 PM K:\GATEWAY PROJECTS\WRIGHT EQUITIES INC\18-049 FOXWOOD APTS\SURVEY\18-049 VACATION EXHIBIT.DWG--VLADIMIR MIKULESKU



P. 558-320-0344 F. 558-320-0345 WWW.GATEWAYENG.COM
405 PARK CREEK DRIVE, CLOVIS, CA 93611

PROJECT:	STREET VACATION EXHIBIT	JOB NO.:	18-049
DESCRIPTION:	STREET VACATION OF E. PALO ALTO AVE. PER DOC.# 84116233 F.C.R FOR FOXWOOD (CAP), LP	DATE:	8/29/19
		SCALE:	1" = 200'
		SHEET:	1 of 1