

RESOLUTION NO. 1109-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF AN ALLEY BETWEEN NORTH BLACKSTONE AVENUE AND NORTH EFFIE STREET NORTH OF EAST CORNELL AVENUE

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the "City"), to order the vacation of a portion of an alley between North Blackstone Avenue and North Effie Street north of East Cornell Avenue as shown on Exhibit "A", and described as that portion the 16 foot wide alley lying in Block 1 of the Blackstone Avenue Tract No. 1 in Book 10 of Plats at Page 51, Fresno County Records, together with additional alley dedications per document recorded in Book 6682, Page 854, Official Records Fresno County, said exhibit incorporated herein by reference and on file in the Office of the City Clerk of the City at Fresno City Hall, 2600 Fresno Street, Fresno, California, 93721; and

WHEREAS, Jimmie Policarpo as Trustee of the Jimmie Policarpo Trust, U/D/T, dated June 1, 2007 is requesting the proposed vacation and owns the entire parcel affected by it; and

WHEREAS, the purpose of the vacation is to accommodate development as proposed by Conditional Use Permit (CUP) No. C-16-015.

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the right-of-way proposed for vacation is unnecessary for present or prospective public alley purposes subject to the reservation of a public utility easement over the

1 of 3

Date Adopted:  
Date Approved:  
Effective Date:

City Attorney Approval: 

Resolution No.

entire area being vacated and the conditions listed on Exhibit "B" of the attached Resolution of Intention.

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

1. The hour of 10:00 a.m. on January 12, 2017, in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and place when and where all persons interested in or objecting to the proposed vacation may appear before the Council and be heard in relation thereto.
2. The Council elects to proceed under the provisions of Chapter 3, commencing with Section 8320, of the Public Streets, Highways, and Service Easements Vacation Law of the State of California (California Street and Highways Code Sections 8300 et seq.).
3. The Public Works Director of the City is directed to cause notices of the proposed vacation to be published and posted for the time and in the manner prescribed by the provisions of Sections 8322 and 8323 of the California Streets and Highways Code.
4. The Council preliminarily determines that the public alley proposed to be vacated is not useful as a bicycle path or route under applicable general, specific, or community plans and policies. If the Council does not rescind such preliminary determination, based on evidence or public testimony presented to it, orally or in writing, at or before the January 12, 2017, hearing, the Council may proceed to make a final determination, at the public hearing, that the public alley be vacated as provided herein.

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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 \_\_\_\_\_, 2016.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

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

APPROVED AS TO FORM:

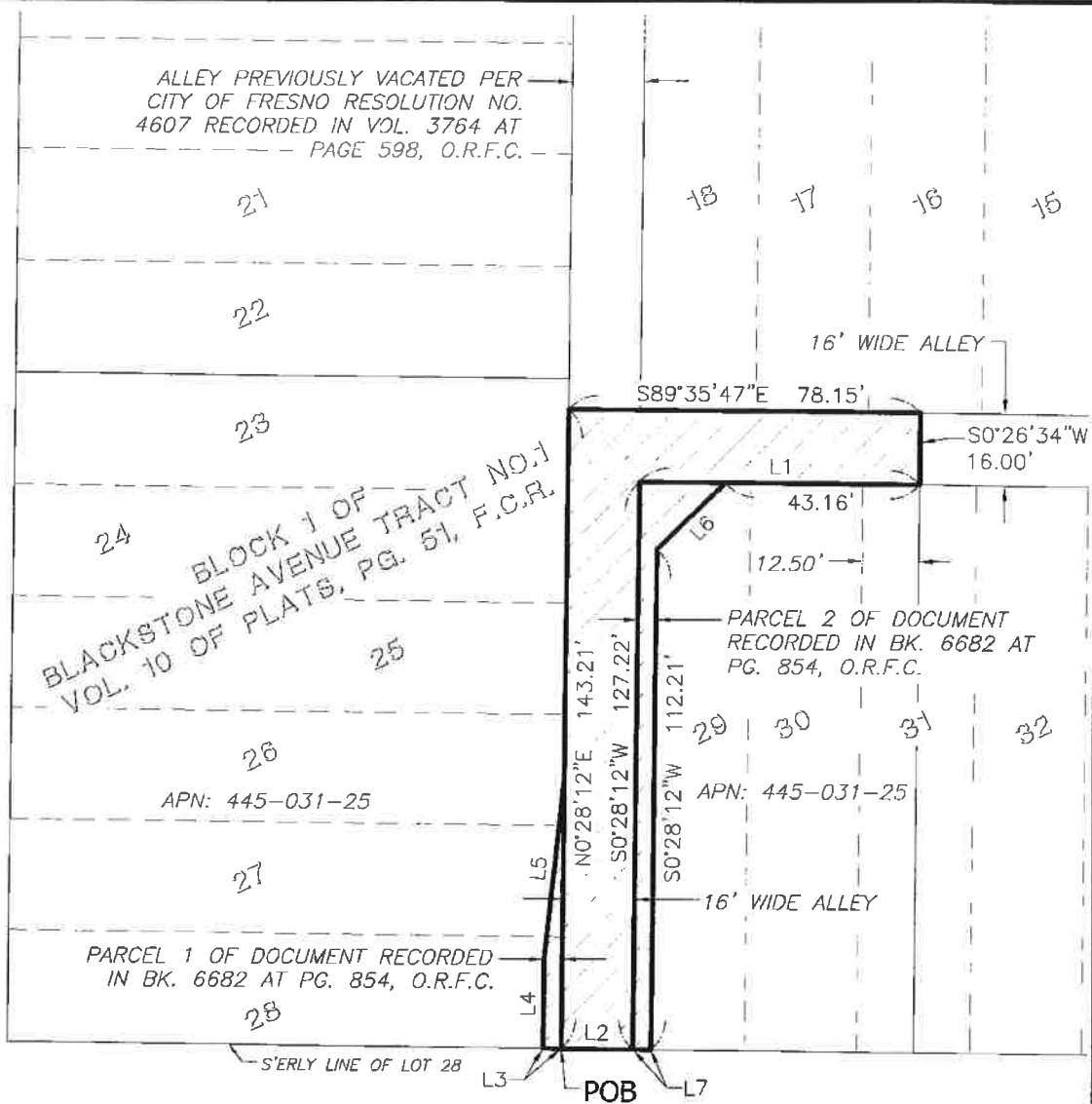
DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Seth Mehrten  
Deputy

Attachment: Exhibits "A" & "B"  
PW File No. 12001

N0°28'12"E  
WEST LINE OF SECTION 27-13/20

NORTH BLACKSTONE AVENUE



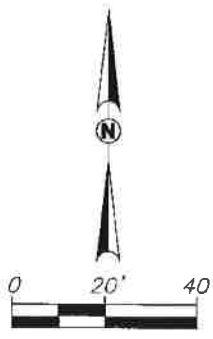
ALLEY PREVIOUSLY VACATED PER  
CITY OF FRESNO RESOLUTION NO.  
4607 RECORDED IN VOL. 3764 AT  
PAGE 598, O.R.F.C.

BLOCK 1 OF  
BLACKSTONE AVENUE TRACT NO.1  
VOL. 10 OF PLATS, PG. 51, F.C.R.

PARCEL 1 OF DOCUMENT RECORDED  
IN BK. 6682 AT PG. 854, O.R.F.C.

PARCEL 2 OF DOCUMENT  
RECORDED IN BK. 6682 AT  
PG. 854, O.R.F.C.

EAST CORNELL AVENUE



Line Table		
Line #	Direction	Length
L1	N89°35'47"W	62.16'
L2	N89°34'59"W	16.00'
L3	N89°34'59"W	4.00'
L4	N00°28'12"E	20.00'
L5	N06°10'48"E	40.20'
L6	S45°25'29"W	21.23'
L7	N89°34'59"W	4.00'

**LEGEND**

- = AREA OF ALLEY TO BE VACATED  
AREA = ±4,067 sq ft
- POB = POINT OF BEGINNING

SCALE: 1" = 40'

REF. & REV.	<b>CITY OF FRESNO</b> DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ CO _____ FUND NO. _____ RES. TYPE _____ ORD. NO. _____	SHEET NO. <u>1</u> OF <u>1</u> SHEETS
PLAT 2156	<b>EXHIBIT 'A'</b> <b>PORTIONS OF 16' WIDE ALLEY TO BE VACATED</b>	DR. BY <u>CRB</u> CH. BY <u>AKM</u> DATE <u>4/6/16</u> SCALE <u>1" = 40'</u>	_____ _____ _____

**EXHIBIT "B"**  
**VACATION CONDITIONS**

The following conditions must be met before the vacation resolution can be recorded:

1. A reservation of a Public Utility Easement will be required over the entire area proposed for vacation to accommodate existing facilities.
2. A public alley dedication is required to replace access being vacated to East Cornell Avenue per Conditions of Approval for CUP C-16-015.
3. Remove all City of Fresno improvements from the area being vacated and replace alley approach at the new alley alignment.
4. All sewer and water requirements must be in compliance with the Conditions of Approval for CUP C-16-015.