

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, APPROVING THE SUMMARY VACATION OF VARIOUS PUBLIC UTILITY EASEMENTS IN TRACT NO. 6073, NORTH OF CHURCH AVENUE, BETWEEN SOUTH CHESTNUT AVENUE AND SOUTH 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 various public utility easements in Tract No. 6073; and

WHEREAS, D.R. Horton, Inc. is requesting the vacation of various public utility easements in Tract No. 6073, as shown on Exhibit "A" which is attached and incorporated in this Resolution; and

WHEREAS the purpose of the vacation is to eliminate excessive public utility easements to accommodate the residential development in Tract No. 6073; and

WHEREAS, the Traffic and Engineering Services Division, 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 shown on Exhibit "A"; and

WHEREAS, the Traffic and Engineering Services Division has further determined that the area proposed for vacation as shown on the attached Exhibit "A", which is attached and incorporated in this Resolution, is unnecessary for present or prospective

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



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public utility easement 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 various public utility easements in Tract No. 6073, shown on Exhibit "A", is unnecessary for present and prospective public utility easement purposes.

2. From and after the date this resolution is recorded, that those various public utility easements in Tract No. 6073, as shown on the attached Exhibit "A" shall no longer constitute a public utility 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. 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.

6. 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 _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC, CRM
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

BY: _____
John Hastrup Date
Deputy City Attorney

Attachment: Exhibit "A"
PW File No. 12357