

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF THE RELINQUISHMENT OF DIRECT ACCESS RIGHTS ON THE NORTHWEST SIDE OF STANISLAUS STREET NORTHEAST OF "E" 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 summarily vacate a portion of the relinquishment of direct access rights on the northwest side of Stanislaus Street northeast of "E" Street as shown on Exhibit "A" which is attached and incorporated in this Resolution; and

WHEREAS, the purpose of the vacation is to allow access to Stanislaus Street via a 40.50 foot wide commercial driveway approach; and

WHEREAS, the relinquishment of direct access rights along the northwest side of Stanislaus Street was dedicated by the map of Tract No. 2119, West Fresno Project Two, recorded May 31, 1967, in Volume 23 of Plats at Pages 59 and 60, Fresno County Records; and

WHEREAS, the property upon which the vacation is located is Parcel "B" of Parcel Map No. 73-57 recorded October 5, 1973, in Book 9 of Parcel Maps at Page 89, Fresno County Records, Assessor's Parcel Number 465-084-24; and

WHEREAS, the portion of the relinquishment of direct access rights is shown on Exhibit "A", which is attached and incorporated in this Resolution; and

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

Resolution No.

WHEREAS, the Traffic and Engineering Services Division reviewed this proposal and determined the relinquishment of direct access rights is no longer necessary at this location; and

WHEREAS, the provisions of Chapter 4, commencing with Section 8330 of the California Streets and Highways Code (whose definition of "street" includes restrictions of access or abutters' rights) authorizes the Council to summarily vacate a portion of public street or highway that lies within property under one ownership and that does not continue through such ownership or end touching the property of another. Under these provisions, only one Council action is necessary and a published notice, posting and public hearing are not required; and

WHEREAS, the Council desires to summarily vacate a portion of the relinquishment of direct access rights on the northwest side of Stanislaus Street northeast of "E" Street as shown on Exhibit "A".

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

1. The portion of the relinquishment of direct access rights as shown on Exhibit "A" is hereby vacated.
2. The City Clerk of the City of Fresno shall certify to the passage of this Resolution and shall cause a certified copy, attested by the 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. This vacation shall become effective on the date this resolution is recorded.

4. From and after the date this resolution is recorded the portion of the relinquishment of direct access rights on the northwest side of Stanislaus Street northeast of "E" Street as shown on Exhibit "A" shall no longer constitute a relinquishment of direct access rights.

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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 _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

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

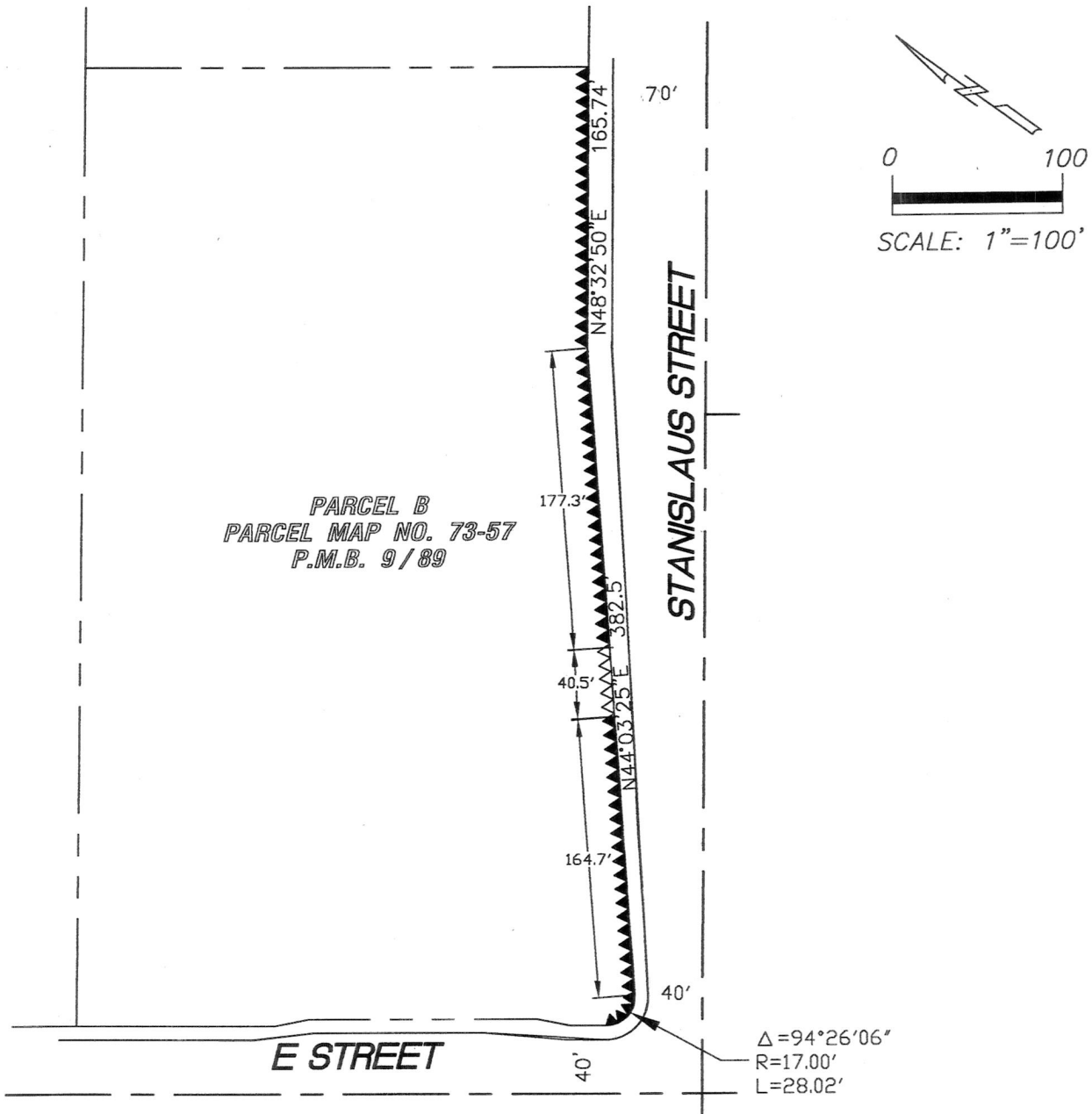
BY: _____
, Deputy

Dated:

Attachment: Exhibit "A"

PW File No. 11889

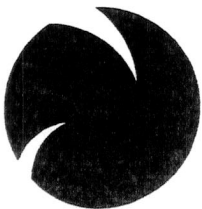
EXHIBIT "A"



▲▲▲ INDICATES RELINQUISHMENT OF ACCESS RIGHTS TO BE VACATED

▲▲▲ INDICATES RELINQUISHMENT OF ACCESS RIGHTS TO REMAIN

1550 E STREET
APN: 465-084-24



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714.281.1640 FAX