

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA DECLARING A PORTION OF PUBLIC STREET RIGHT OF WAY LOCATED AT THE NORTHEAST CORNER OF SOUTH HUGHES AVENUE AND WEST DAN RONQUILLO DRIVE TO BE EXEMPT SURPLUS LAND

WHEREAS, the City of Fresno currently owns a portion of the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive, in Fresno, California, and legally described as a portion of Assessor's Parcel Number 458-090-83 (Property), as described and depicted on the attached exhibits hereto as Exhibits A and B; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54236) is generally intended to make a local agency's surplus land (i.e., land not needed for the agency's use) available for potential acquisition by affordable housing sponsors for affordable housing purposes or by other local public entities; and

WHEREAS, California Government Code section 54221(b) and the April 2021 Surplus Land Act Guidelines (SLA Guidelines) published by the California Department of Housing and Community Development (HCD) require that prior to taking any action to dispose of land that is subject to the Surplus Land Act, the City Council must, at public meeting, declare the land either surplus land or exempt surplus land, as each are defined in California Government Code section 54221; and

WHEREAS, under the Surplus Land Act, land shall be declared either "surplus land" or "exempt surplus land" as supported by written findings, before a local agency may take any action to dispose of it consistent with the agency's policies or procedures; and

WHEREAS, the City acquired the property in fee through relinquishment from the

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: KAS

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State of California on October 27, 2009 specifically for use as city streets; and

WHEREAS, City no longer intends to use the Property as a city street; and

WHEREAS, the City has sought concurrence with the State of California Housing and Community Development Department (HCD), and HCD has concurred that a portion of the northeast corner of South Hughes Avenue and West Dan Ronquillo Drive were determined to be exempt surplus land on September 27, 2023; and

WHEREAS, the Property is exempt surplus land pursuant to California Government Code section 54221(f)(1)(E) because the Property is a former street, right of way, or easement, and will be conveyed to the owner of an adjacent property.; and

WHEREAS, in accordance with the Government Code Section 54221(b)(1), the land is owned in fee simple by the City for which the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use.

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

1. The Property shall be declared exempt surplus land pursuant to California Government Code section 54221(f)(1)(E) as the Property is a former street, right of way, or easement, and will be conveyed to the owner of an adjacent property.
2. This resolution shall be effective upon final approval.

\* \* \* \* \*

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 \_\_\_\_\_ 2023.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2023  
Mayor Approval/No Return: \_\_\_\_\_, 2023  
Mayor Veto: \_\_\_\_\_, 2023  
Council Override Vote: \_\_\_\_\_, 2023

TODD STERMER, CMC  
City Clerk

By: \_\_\_\_\_  
Date

Deputy

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Kelsey Seib Date  
Deputy City Attorney

Attachments:  
Exhibit A Legal Description of Property  
Exhibit B Legal Depiction of Property

**EXHIBIT 'A'**  
**VACATION LEGAL DESCRIPTION**

A VACATION OF A PORTION OF THAT PROPERTY RELINQUISHED TO THE CITY OF FRESNO BY DOCUMENT RECORDED OCTOBER 27, 2009, AS DOCUMENT NO. 2009-0148223, OF OFFICIAL RECORDS OF FRESNO COUNTY, SITUATE IN THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SEGMENT 3, AS SHOWN ON THAT MAP OF RELINQUISHMENT NO. 85836, RECORDED IN STATE HIGHWAY MAP BOOK 5 AT PAGES 68 THROUGH 71, FRESNO COUNTY RECORDS;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID SEGMENT 3, SOUTH  $00^{\circ}21'31''$  WEST, A DISTANCE OF 127.75 FEET, TO THE BEGINNING OF A TANGENT CURVE TO THE NORTHEAST, HAVING A RADIUS OF 42.00 FEET, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $76^{\circ}29'00''$ , A DISTANCE OF 56.07 FEET, TO THE BEGINNING OF A REVERSE CURVE TO THE SOUTHWEST, HAVING A RADIUS OF 78.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF  $81^{\circ}25'54''$ , A DISTANCE OF 110.77 FEET, TO THE NORTHERLY BOUNDARY OF THAT LAND DESCRIBED IN DIRECTOR'S DEED TO THE CITY OF FRESNO, RECORDED MAY 16, 2013, AS DOCUMENT NO. 2013-0070514, OF OFFICIAL RECORDS OF FRESNO COUNTY;


THENCE ALONG SAID NORTHERLY LINE, NORTH  $89^{\circ}23'36''$  WEST, A DISTANCE OF 77.68 FEET;

THENCE NORTH  $44^{\circ}31'02''$  WEST, A DISTANCE OF 19.83 FEET, TO THE SOUTHERLY EXTENSION OF THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH HUGHES AVENUE (32-FOOT HALF-WIDTH);

THENCE ALONG SAID EASTERLY LINE, NORTH  $00^{\circ}21'31''$  EAST, A DISTANCE OF 108.93 FEET, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.15 ACRES OR 6,642 SQUARE FEET, MORE OR LESS.

PREPARED BY:

 2/3/2023

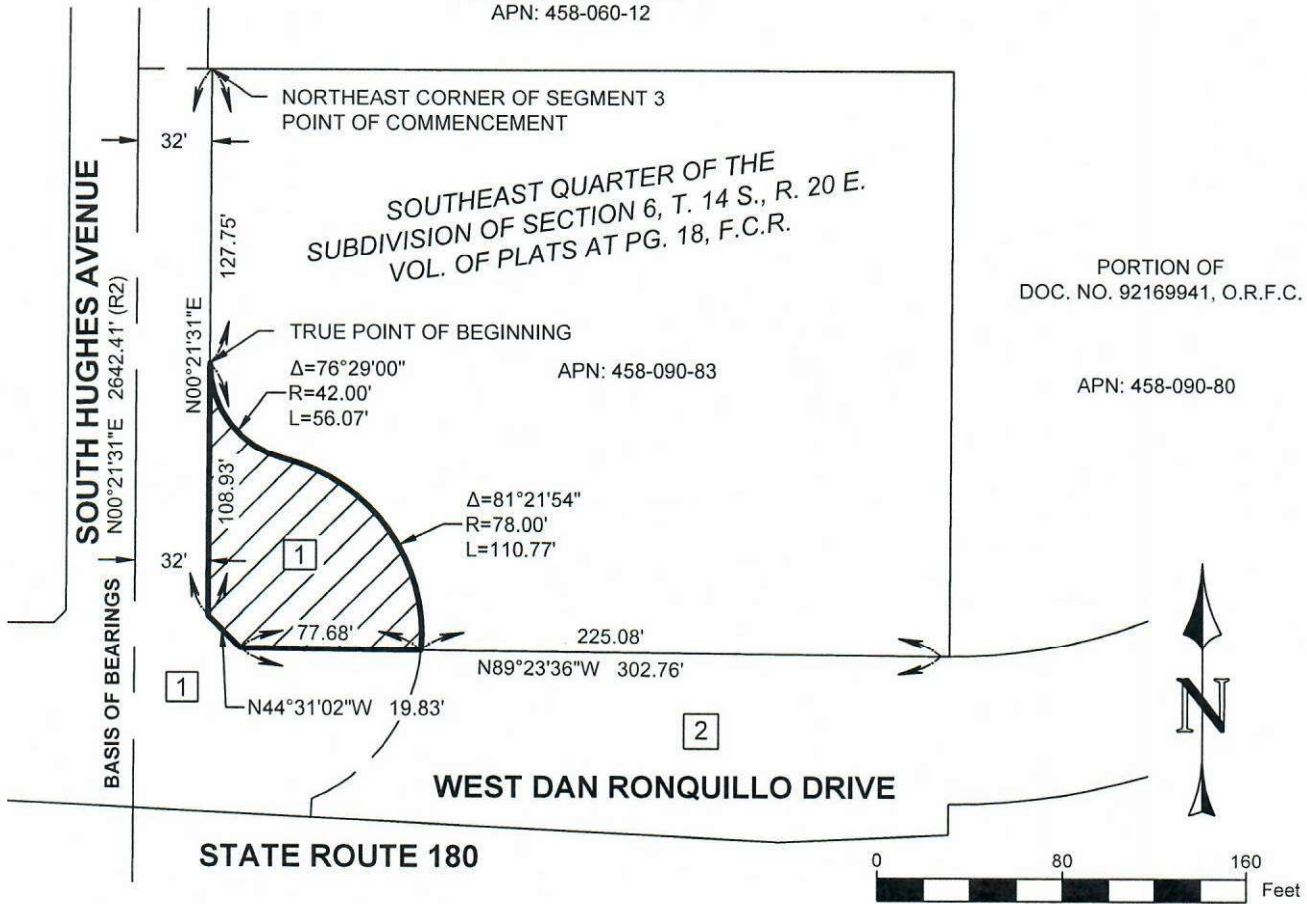
NEIL E. THONESEN  
P.L.S. 8656  
LIC. EXP. 12/31/2023

DATE



**EXHIBIT 'B'**

GRANT DEED  
 DOC. NO. 2021-0017373  
 APN: 458-060-12




PORTION OF  
 DOC. NO. 92169941, O.R.F.C.

APN: 458-090-83

APN: 458-090-80

**LEGEND**

- LOT LINE — — — — — CENTERLINE
- 1** RELINQUISHED TO CITY OF FRESNO BY DOCUMENT RECORDED OCTOBER 27, 2009, AS DOC. NO. 2009-0148223, O.R.F.C.
- 2** DIRECTOR'S DEED MAP FOR DD 81681-01-01 RECORDED MAY 16, 2013, AS DOC. NO. 2013-0070514, O.R.F.C.
- (R1) RECORD AND CALCULATED DIMENSIONS PER DIRECTOR'S DEED MAP FOR DD 81681-01-01, RECORDED MAY 16, 2013, AS DOC. NO. 2013-0070514, O.R.F.C.
- (R2) RECORD AND CALCULATED DIMENSIONS PER CALTRANS RIGHT-OF-WAY RECORD MAP, FRE-180, PM 55.05, SHEET 2 OF 3, IN DISTRICT 6 OF CALTRANS.
- O.R.F.C. OFFICIAL RECORDS OF FRESNO COUNTY
- F.C.R. FRESNO COUNTY RECORDS
-  AREA TO BE VACATED  
 0.15 ACRES / 6,642 SQUARE FEET

PREPARED BY:



1713 11TH STREET, SUITE 1  
 REEDLEY, CA 93654  
 PH:(559) 637-1544

**EASEMENT VACATION**

DATE: 02/03/2023

DRAWN BY: JDK

JOB NO.: 21057

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