

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA DECLARING ASSESSOR PARCEL NUMBERS 426-071-23T AND 426-071-24 LOCATED AT 4561 NORTH WISHON AVENUE, FRESNO, CALIFORNIA TO BE EXEMPT SURPLUS LAND

WHEREAS, the City of Fresno currently owns real property located at 4561 North Wishon Avenue, Fresno, California, bearing Assessor Parcel Numbers 426-071-23T and 426-071-24 (Property), more particularly described and depicted on the accompanying Exhibits A-1, B-1, A-2, and B-2, attached hereto; and

WHEREAS, the Property is comprised of two parcels, collectively 3,920.40 square feet in size; 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, declare the land either surplus land or exempt surplus land, at public meeting, as 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

231872v1

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: KAS

Resolution No.

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 from the County of Fresno for the purpose of drilling a pump station; and

WHEREAS, the pump station located on the Property is no longer used by the City;
and

WHEREAS, the City does not intend to use the Property for any future purposes;
and

WHEREAS, on June 4, 2024, the City sought concurrence with the State of California Housing and Community Development Department (HCD), and HCD has concurred that the Property is deemed exempt surplus land; and

WHEREAS, the Property is exempt surplus land pursuant to California Government Code section 54221(f)(1)(B) because the Property is a is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes; 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; and

WHEREAS, the Property is not a property defined by California Government Code section 54221(f)(2), because the Property is not within a coastal zone, is not adjacent to a historical unit of the State Parks System, is not listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places,

and is not located within the Lake Tahoe region as defined in Section 66905.5 of the Government Code.

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)(B) as the Property is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes.

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 _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Deputy _____ Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kelsey Seib Date
Deputy City Attorney

Attachments:
Exhibits A-1, B-1, A-2, B-2

EXHIBIT "A-1"

APN 426-071-23T

Grant Deed from the City of Fresno

Real property in the unincorporated area of the County of Fresno, State of California, described as follows:

East half of Lot 158 Forkner Giffen Fig Gardens Subdivision No. 1, according to the Map thereof, filed September 16, 1919, in Volume 8 of Plats, at Page 89, in the Office of the County Recorder of said County.

EXCEPTING THEREFROM, that portion of the Land conveyed to Leslie D. Catron and Gary D. Catron, as described in Quitclaim Deed recorded June 14, 1990, as Instrument No. 90069012 of Official Records.

ALSO EXCEPTING THEREFROM that portion of the Land conveyed to City of Fresno, a Municipal Corporation, as described in Grant Deed recorded November 20, 1998, as Instrument No. 98169069 of Official Records.

ALSO EXCEPTING THEREFROM that portion of the Land conveyed to City of Fresno, a Municipal Corporation, as described in Grant Deed recorded November 20, 1998, as Instrument No. 98169071 of Official Records.

TOGETHERWITH that easement and right-of-way for ingress-egress purposes granted to the City of Fresno, a municipal corporation, as described in that Deed of Easement recorded November 20, 1998, as Instrument No. 98169070 of Official Records.

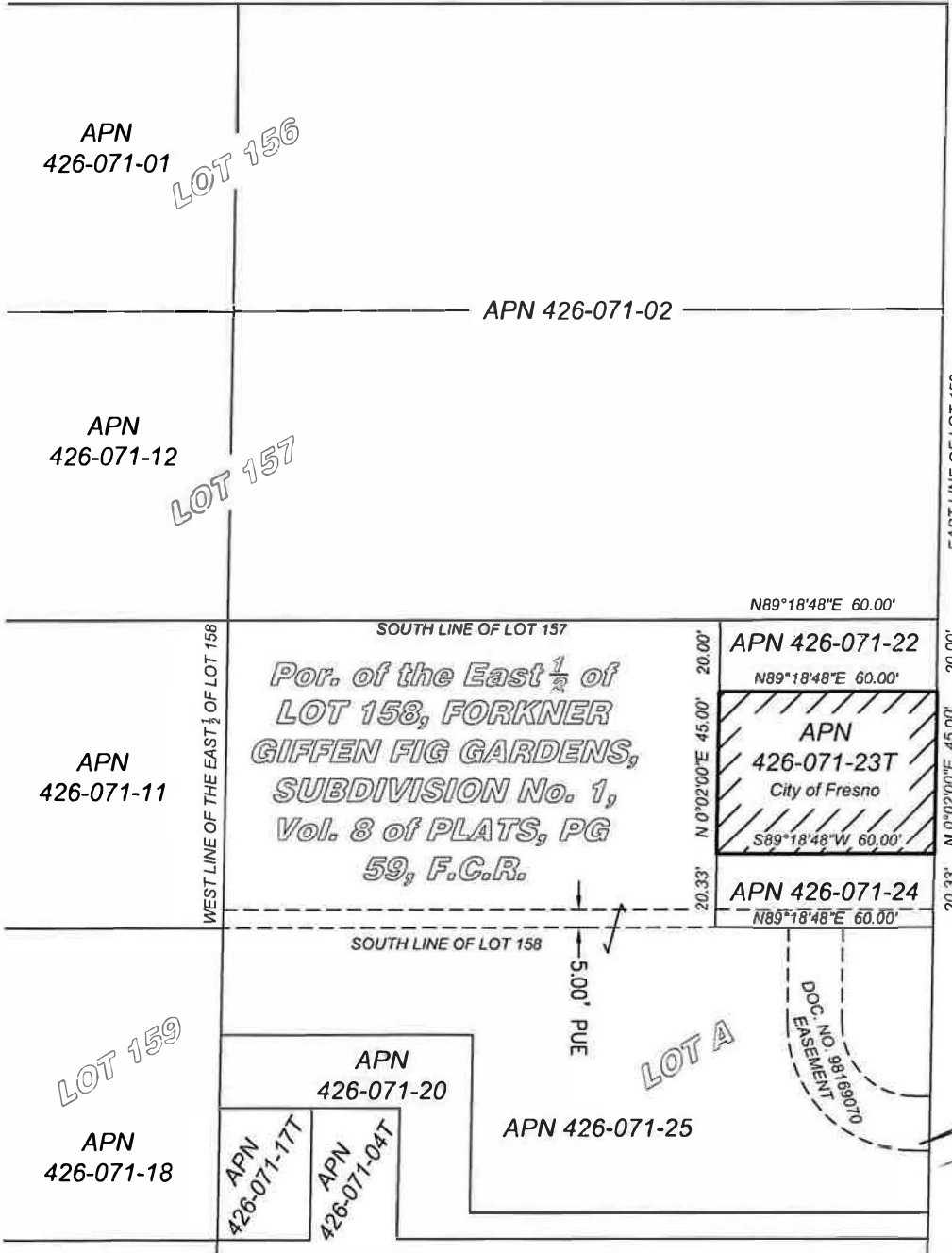
Containing an area of 2700.00 square feet, more or less.



EXHIBIT "B-1"


EAST GETTYSBURG AVENUE

NORTH WISHON AVENUE



Por. of the East $\frac{1}{2}$ of
LOT 158, FORKNER
GIFFEN FIG GARDENS,
SUBDIVISION No. 1,
Vol. 8 of PLATS, PG
59, F.C.R.



 INDICATES SURPLUS AREA TO BE GRANTED BY CITY OF FRESNO. 2,700 S.F. ±.

REF. & REV. 2024-085 PLAT: 1854	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. WM00001 RES TYPE RA
	THAT PORTION OF LAND LYING IN SECTION 16, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN	FUND NO. 40101 ORG. NO. 411001
TO BE GRANTED BY CITY OF FRESNO	DR. BY J.E.H. CH. BY J.A.C. DATE MAY 28, 2024 SCALE 1" = 50'	SHEET NO. 1 OF 1 SHEETS 15-A-10491

EXHIBIT "A-2"

APN 426-071-24
Grant Deed from the City of Fresno

Real property in the unincorporated area of the County of Fresno, State of California, described as follows:

BEGINNING at the Southeast corner of Lot 158 of Forkner Giffen Fig Gardens Subdivision No. 1, according to the map thereof, recorded in Volume 8 of Plats, at Page 59, Fresno County Records, thence N 0°02'00" E, along the East line of said Lot 158, a distance of 20.33 feet; thence S 89°18'48" W, parallel with and 65.00 feet South of the North line of said Lot 158, a distance of 60.00 feet; thence S 0°02'00" W, parallel with and 60.00 feet West of the East line of said Lot 158, a distance of 20.33 feet to the South line of said Lot 158; thence N 89°18'48" E, along said South line a distance of 60.00 feet to the POINT OF BEGINNING.

TOGETHERWITH that easement and right-of-way for ingress-egress purposes granted to the City of Fresno, a municipal corporation, as described in that Deed of Easement recorded November 20, 1998, as Instrument No. 98169070 of Official Records.

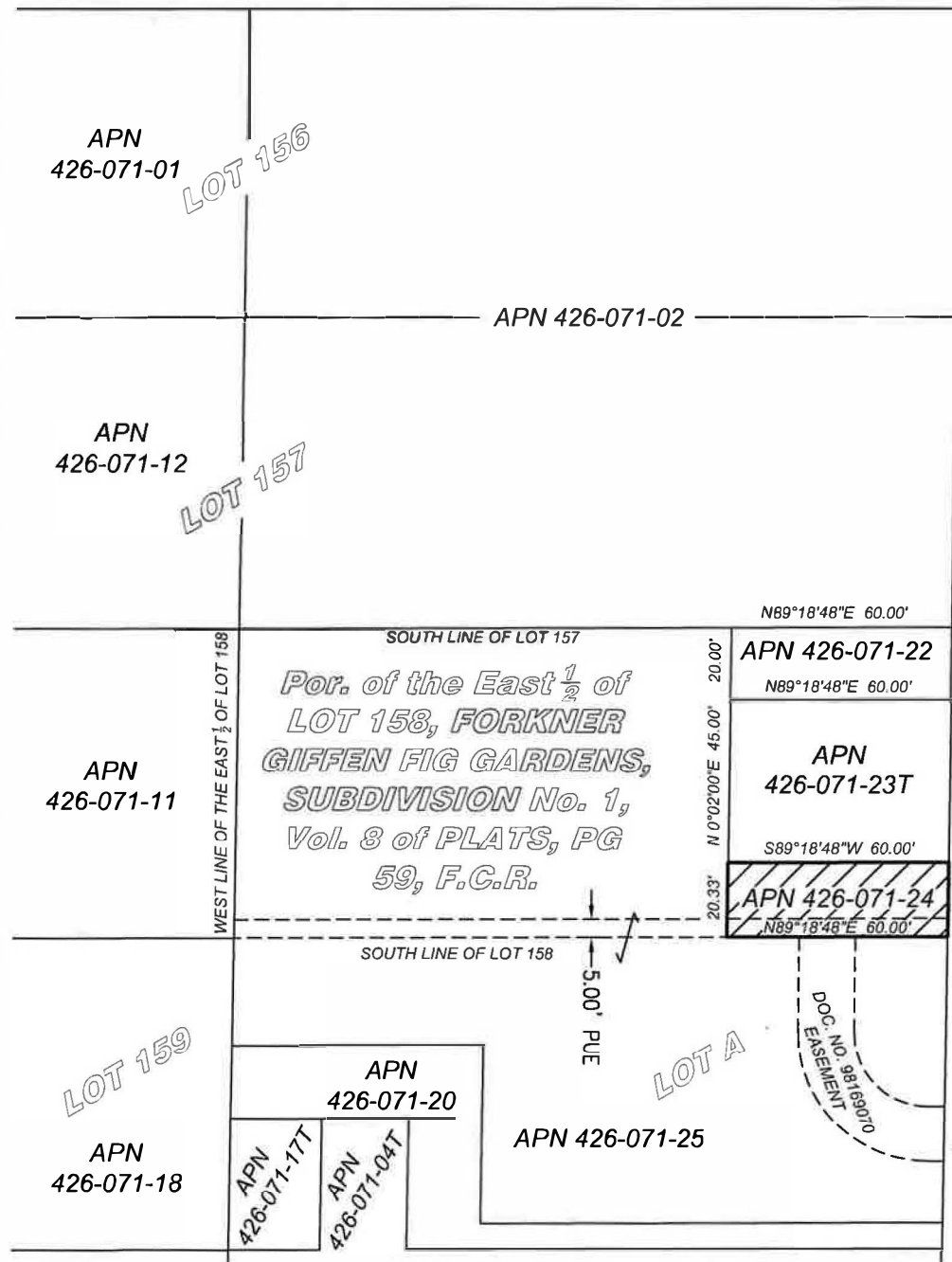
Containing an area of 1219.80 square feet, more or less.




2024-086
15-A-10492
PLAT: 1854
WM00001

EXHIBIT "B-2"

EAST GETTYSBURG AVENUE



 INDICATES SURPLUS AREA TO BE GRANTED BY CITY OF FRESNO. 1,219.80 S.F. ±

REF. & REV. 2024-086 PLAT: 1854	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. WM00001 RES TYPE RA
	THAT PORTION OF LAND LYING IN SECTION 16, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN	FUND NO. 40101 ORG. NO. 411001
TO BE GRANTED BY CITY OF FRESNO	DR. BY J.E.H. CH. BY J.A.C. DATE MAY 28, 2024 SCALE 1" = 50'	SHEET NO. 1 OF 1 SHEETS 15-A-10492