

RESOLUTION NO. 1107-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF NORTH BLYTHE AVENUE, AND A PORTION OF A LANDSCAPE AND PUBLIC UTILITY EASEMENT, NORTH OF WEST MINARETS 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 North Blythe Avenue, and a portion of a landscape and public utility easement, north of West Minarets Avenue as shown on Exhibit "A." The right-of-way is described as that portion of the westerly 20 foot wide North Blythe Avenue as dedicated by Parcel Map 90-14, recorded in Book 51 of Parcel Maps at pages 98 and 99, Fresno County Records. The landscape and public utility easement is described as a portion that 10 foot wide easement as dedicated by Tract Map No. 4173, recorded in Volume 152 of Plats at Pages 89-92, Fresno County Records, 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, the adjacent property owners (Jeffry S. Argyilan, Stan Rosenthal, and J. Todd Armas) are requesting the proposed vacation; and

WHEREAS, the purpose is to remove a sidewalk area within the right-of-way, and vacate a portion of a landscape and public utility easement that is not needed.

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion of right-of-way and the portion of the landscape and public utility

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: SM

Resolution No.

easement are unnecessary for present or prospective public street, landscape, and utility purposes, subject to the reservation of a public utility easement over the northerly 20 feet of the area being vacated as shown in Exhibit "B" and conditions listed in Exhibit "C."

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

1. The hour of 10:00 a.m. on September 15, 2016, 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 street 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 September 15, 2016 hearing, the Council may proceed to make a final determination, at the public hearing, that the public street 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

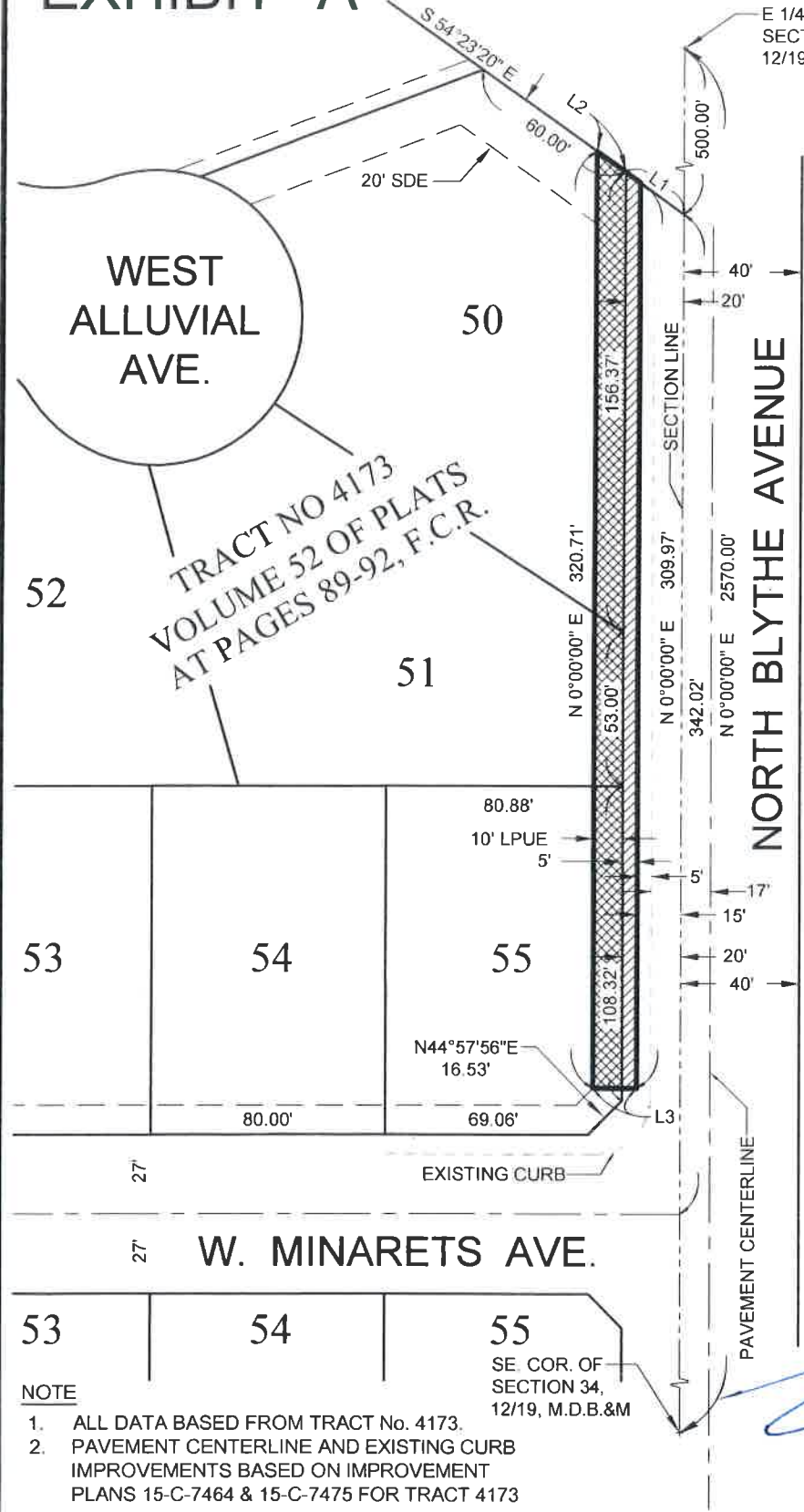
BY: _____
Seth Mehrten
Deputy

Attachment: Exhibits "A" through "C"

PW File No. 11997

EXHIBIT "A"

SIERRA SKY PARK
VOLUME 18 OF PLATS
AT PAGE 27, F.C.R.



LEGEND

LPUE INDICATES LANDSCAPE AND PUBLIC UTILITY EASEMENT DEDICATED PER TRACT No. 4173.

SDE INDICATES STORM DRAIN EASEMENT DEDICATED PER TRACT No. 4173.

INDICATES LANDSCAPE AND PUBLIC UTILITY EASEMENT AREA TO BE VACATED. CONTAINING: 3172 SQ. FT.

INDICATES PUBLIC STREET EASEMENT AREA TO BE VACATED. CONTAINING: 2178 SQ. FT.

LINE	BEARING	DISTANCE
L1	S 54°23'20" E	24.60'
L2	S 54°23'20" E	12.30'
L3	S 00°00'00" E	15.00'

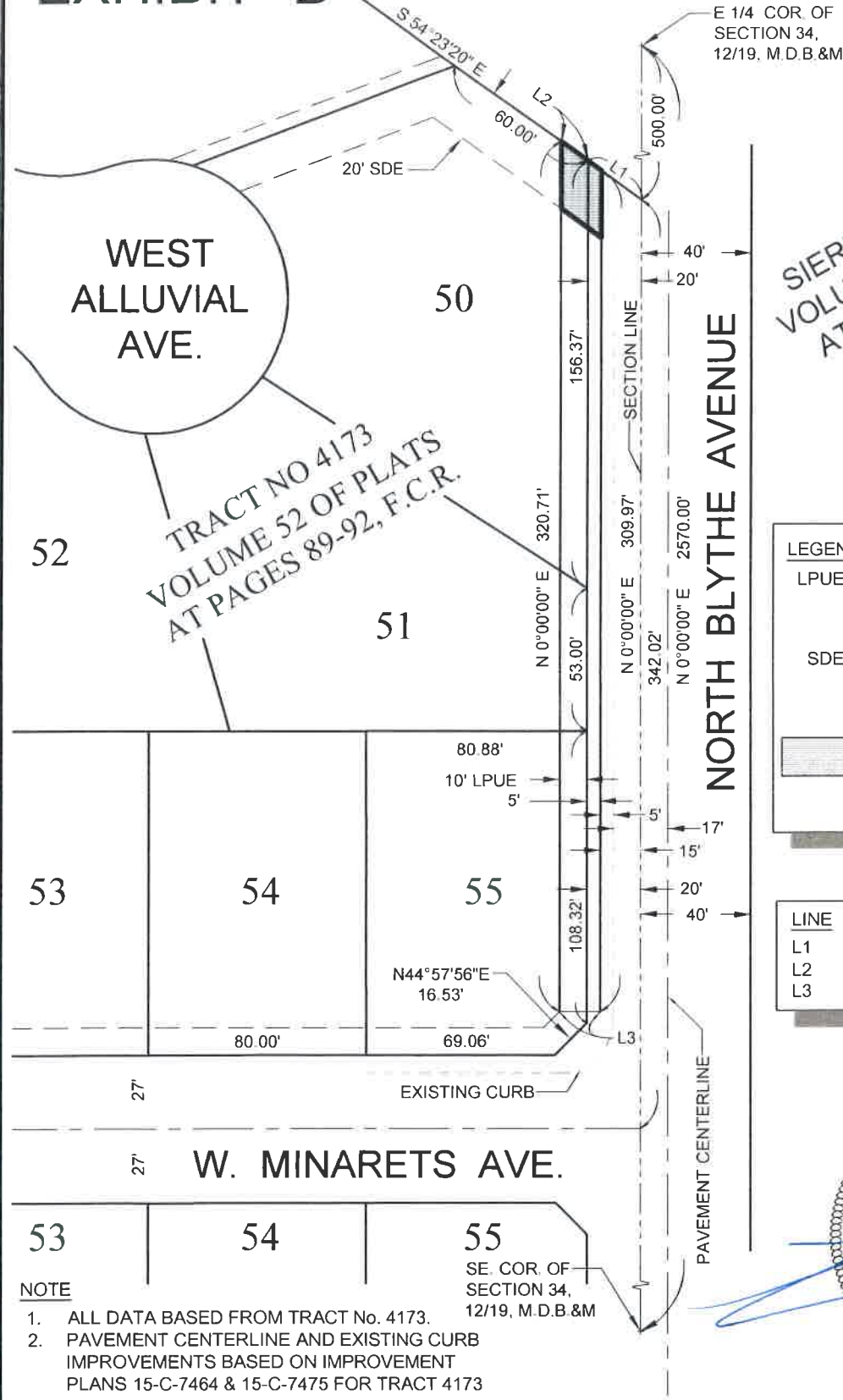


7-21-2016

- NOTE**
- ALL DATA BASED FROM TRACT No. 4173.
 - PAVEMENT CENTERLINE AND EXISTING CURB IMPROVEMENTS BASED ON IMPROVEMENT PLANS 15-C-7464 & 15-C-7475 FOR TRACT 4173

REF. & REV. PLAT 1246	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PW00044 FUND NO. 22508 ORG NO. 189901	CO# RES TYPE 44019
	PUBLIC STREET RIGHT-OF-WAY, LANDSCAPE AND PUBLIC UTILITY EASEMENT TO BE VACATED BY THE CITY OF FRESNO	DR. BY J. CAMIT CH BY DATE 7-01-2016 SCALE 1" = 60'	SHEET NO. 1 OF 1 SHEETS

EXHIBIT "B"



SIERRA SKY PARK
VOLUME 18 OF PLATS
AT PAGE 27, F.C.R.



LEGEND

LPUE INDICATES LANDSCAPE AND PUBLIC UTILITY EASEMENT DEDICATED PER TRACT No. 4173.

SDE INDICATES STORM DRAIN EASEMENT DEDICATED PER TRACT No. 4173.

INDICATES PUBLIC UTILITY RETAINED. CONTAINING: 370 SQ. FT.

LINE	BEARING	DISTANCE
L1	S 54°23'20" E	24.60'
L2	S 54°23'20" E	12.30'
L3	S 00°00'00" E	15.00'



7-21-2016

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- ALL DATA BASED FROM TRACT No. 4173.
 - PAVEMENT CENTERLINE AND EXISTING CURB IMPROVEMENTS BASED ON IMPROVEMENT PLANS 15-C-7464 & 15-C-7475 FOR TRACT 4173

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EXHIBIT “C”
VACATION CONDITIONS

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

1. The Fresno Metropolitan Flood Control District (FMFCD) has existing facilities in the proposed vacation area. The District requires that the existing 20 foot wide Public Utility Easement be retained or provide the District with a 20 foot wide exclusive drainage easement. The District does require that existing drainage patterns be maintained as per the District’s Master Plan and that they will need to review and approve any improvement plans associated with the project for conformance with the Master Plan drainage patterns.
2. The City of Fresno Traffic and Engineer Services Division requires maintenance of a 30 foot visibility triangle. A ten foot visibility triangle may be acceptable if approved by the Public Works Director. The Division will also require the removal of all existing street improvements from the area proposed to be vacated.
3. The City of Fresno Public Works Department requires that the landscape area being vacated be maintained by the adjacent property owners. The relocation of fence lines and/or block walls shall also be the responsibility of the adjacent property owners.
4. The City of Fresno Landscape Maintenance Division requires the remaining landscape area be capped by concrete or decomposed granite. Any irrigation lines and/or valves within the proposed area shall be removed and capped.