

RESOLUTION NO. 1113-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF WEST BULLARD AVENUE, WEST OF NORTH BRAWLEY 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 West Bullard Avenue, west of North Brawley Avenue, as shown on Exhibit "A." The right-of-way is a portion of a 80 foot wide public street dedicated by Figarden Subdivision No. 2 in Volume 9 of Plats, at Page 8, Fresno County Records, as shown on said exhibit "A" 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, Jordan Freeman is requesting the proposed vacation; and

WHEREAS, the proposed vacation is needed to satisfy a condition per CUP C-07-157;

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion right-of-way easement proposed for vacation is unnecessary for present or prospective public street purposes as shown in Exhibit "A," subject to the reservation of a public utility easement, as shown in exhibit "B", and a pedestrian walkway easement, as shown in exhibit "C" over a portion proposed area being vacated.

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

1. The hour of 2:00 p.m. on December 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 (Cal. Sts. & Hy. Code §§ 8300-8363).

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 December 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

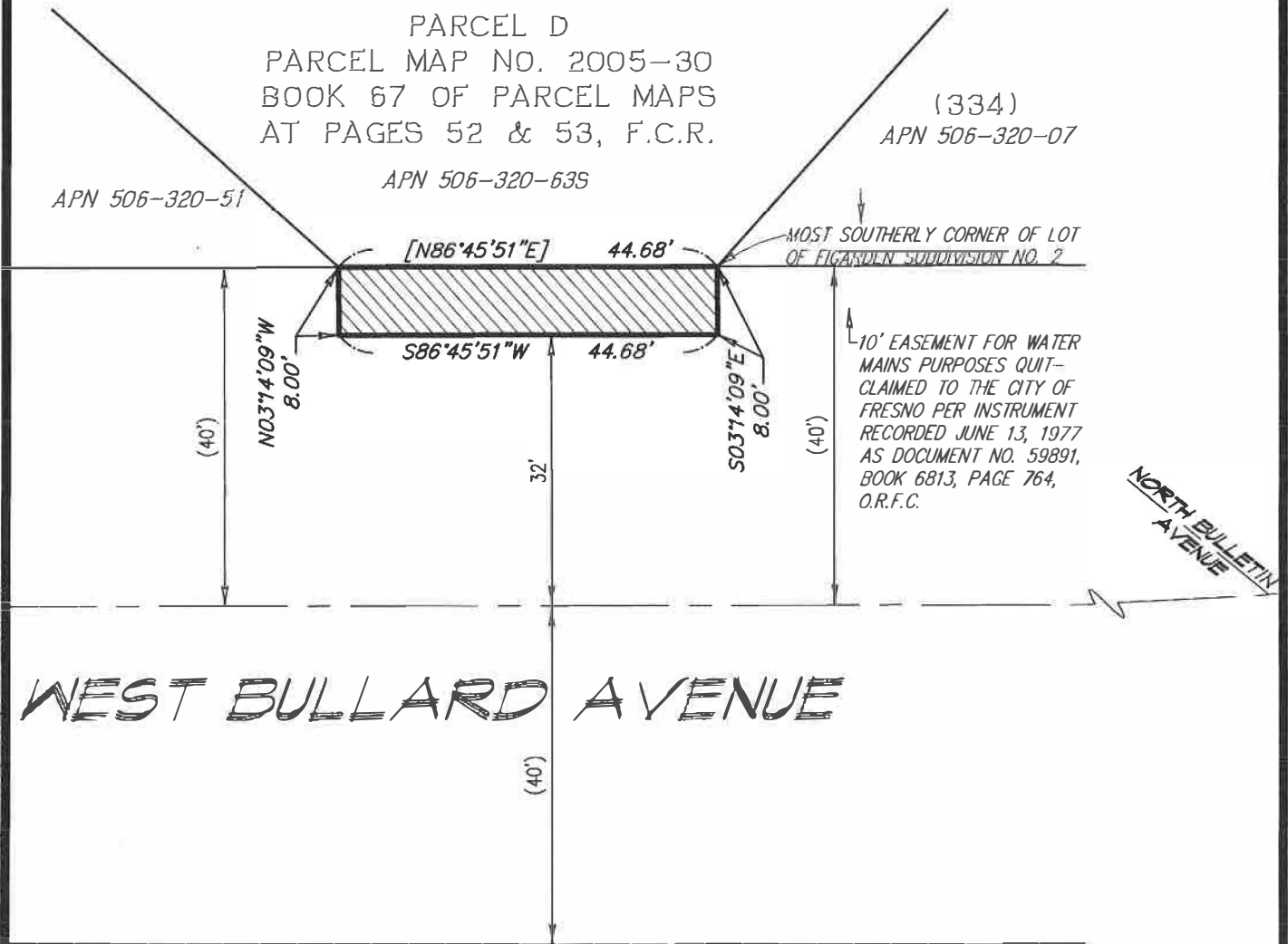
APPROVED AS TO FORM:

DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Seth Mehrten  
Deputy City Attorney

Attachments: Exhibits "A" – "C"  
PW File No. 11995

**EXHIBIT 'A'**  
**EXHIBIT FOR ABANDONMENT OF STREET RIGHT OF WAY**  
**PORTION FIGARDEN SUBDIVISION NO. 2 - PLATS VOL. 9 PG. 8, F.C.R.**



**LEGEND**



INDICATES AREA TO BE ABANDONED

O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY

( . . . ) MAP OF FIGARDEN SUBDIVISION NO. 2 PLATS VOL. 9 PG. 8, F.C.R.

[ . . . ] PARCEL MAP NO. 2005-30, BK 67 OF PARCEL MAPS AT PG 52 & 53, F.C.R.

PREPARED BY:



**DALE G. MELL**  
**& ASSOCIATES**

**ENGINEERING & SURVEYING SERVICES**

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703  
 (559) 292-4046 \* FAX 251-9220



GRAPHIC SCALE



1 INCH = 20 FEET

BY: R.ESPINOZA - 04/25/16  
 DMA CADFILE: 12-026.03EX01

PLOTTED BY: DALE G. MELL -- 5/6/2016 1:21:55 PM V:\PROJECTS\2012\PROJECTS\12-026\DWGS\12-026.03EX01.DWG

# EXHIBIT 'B'

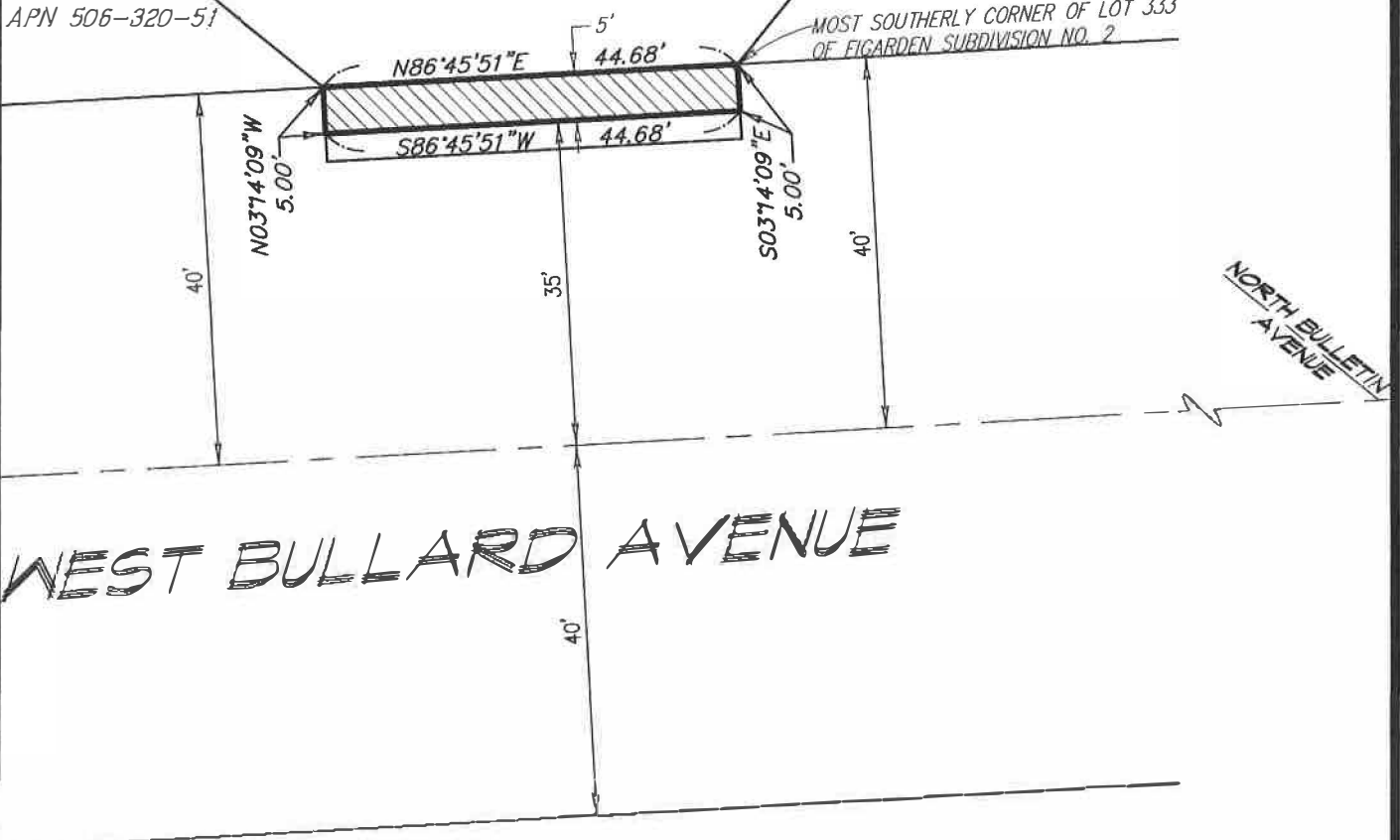
## AREA(S) TO BE RESERVED AS A PUBLIC UTILITY EASEMENT

PARCEL D  
PARCEL MAP NO. 2005-30  
BOOK 67 OF PARCEL MAPS  
AT PAGES 52 & 53, F.C.R.

334  
APN 506-320-07

APN 506-320-63S

APN 506-320-51



### LEGEND

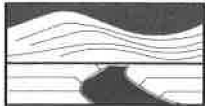


INDICATES AREA TO BE RESERVED  
FOR PUBLIC UTILITY EASEMENT

O.R.F.C.

OFFICIAL RECORDS FRESNO COUNTY

PREPARED BY:



**DALE G. MELL**  
**& ASSOCIATES**

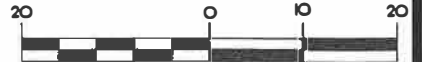
**ENGINEERING & SURVEYING SERVICES**

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703  
(559) 292-4046 \* FAX 251-9220



**NORTH**

GRAPHIC SCALE



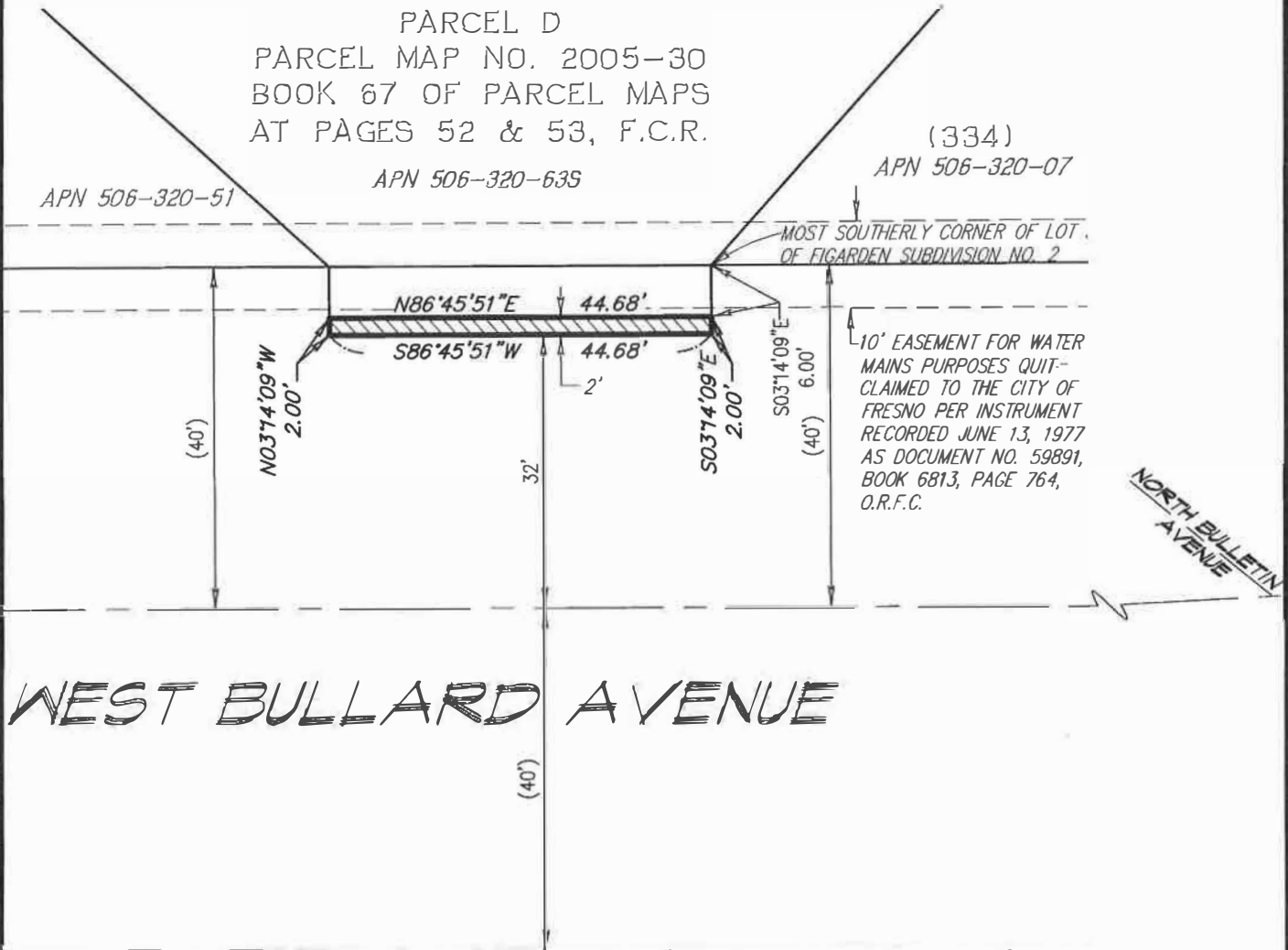
1 INCH = 20 FEET

BY: R.ESPINOZA - 07/23/15

DMA CADFILE:12-026.03EE02

**EXHIBIT 'C'**  
**AREA(S) TO BE RESERVED AS**  
**A PEDESTRIAN WALKWAY EASEMENT**

PARCEL D  
 PARCEL MAP NO. 2005-30  
 BOOK 67 OF PARCEL MAPS  
 AT PAGES 52 & 53, F.C.R.



(334)  
 APN 506-320-07  
 MOST SOUTHERLY CORNER OF LOT  
 OF FIGARDEN SUBDIVISION NO. 2  
 10' EASEMENT FOR WATER  
 MAINS PURPOSES QUIT-  
 CLAIMED TO THE CITY OF  
 FRESNO PER INSTRUMENT  
 RECORDED JUNE 13, 1977  
 AS DOCUMENT NO. 59891,  
 BOOK 6813, PAGE 764,  
 O.R.F.C.

**WEST BULLARD AVENUE**

**LEGEND**

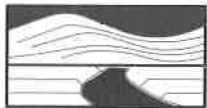


INDICATES AREA TO BE RESERVED  
 FOR PEDESTRIAN WALKWAY EASEMENT

O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY

(...) MAP OF FIGARDEN SUBDIVISION NO. 2  
 PLATS VOL. 9 PG. 8, F.C.R.

PREPARED BY:



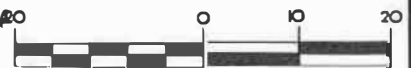
**DALE G. MELL**  
**& ASSOCIATES**

**ENGINEERING & SURVEYING SERVICES**

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 (559) 292-4046 \* FAX 251-9220



GRAPHIC SCALE



1 INCH = 20 FEET

BY: R.ESPINOZA - 05/06/16  
 DMA CADFILE: 12-026.03EEO1

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