

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, APPROVING THE SUMMARY  
VACATION OF A PORTION OF ARTHUR AVENUE  
BETWEEN WEST HERNDON AVENUE AND WEST  
SPRUCE AVENUE

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 vacate a portion of Arthur Avenue between West Herndon Avenue and West Spruce Avenue; and

WHEREAS, Costco Wholesale Corporation is requesting the vacation of portion of Arthur Avenue between West Herndon Avenue and West Spruce Avenue, as shown and described in Exhibits "A" & "B" and incorporated in this Resolution; and

WHEREAS the purpose of the vacation is to eliminate excessive public street right of way and accommodate the development of the adjacent property; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed this proposal and have approved the vacation with no conditions after determining that there are no public utility facilities and no public improvements within the area proposed for vacation as shown in Exhibit "A"; and

WHEREAS, the Traffic and Engineering Services Division has further determined that the area proposed for vacation as shown on the attached Exhibits "A" & "B", which are attached and incorporated in this Resolution, is unnecessary for present or prospective public street purposes; and

WHEREAS, this action is being taken pursuant to the provisions of the Public

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

Streets, Highways, and Service Easements Vacation Law (Cal. Sts. & Hy. Code §§ 8300-8363).

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

1. The Council finds from all the evidence submitted for the vacation of a portion of Arthur Avenue between West Herndon Avenue and West Spruce Avenue, as shown in Exhibits "A" & "B", is unnecessary for present and prospective public street purposes.

2. From and after the date this resolution is recorded, that portion of Arthur Avenue between West Herndon Avenue and West Spruce Avenue, as shown on the attached Exhibits shall no longer constitute a public street easement.

4. The City Clerk shall certify to the passage of this Resolution and shall file a certified copy, attested by the City Clerk under the seal of the City, in the Office of the City Clerk.

5. This vacation shall become effective on the date this resolution is recorded.

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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 :

TODD STERMER, CRM  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
ANDREW JANZ  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Deputy City Attorney Date

Attachments: Exhibits "A" and "B"  
PW File No. 13110

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**ARTHUR AVENUE STREET VACATION**

THAT CERTAIN PROPERTY LOCATED IN THE CITY OF FRESNO, THE COUNTY OF FRESNO, STATE OF CALIFORNIA, IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF ARTHUR AVENUE LOCATED BETWEEN WEST HERNDON AVENUE AND WEST SPRUCE AVENUE, AS SAID AVENUE WAS SHOWN AND ACCEPTED ON THAT CERTAIN MAP ENTITLED "MAP OF THE J. C. FORKNER FIG GARDENS, SUBDIVISION NO. 3" FILED FOR RECORD ON MAY 26, 1920, IN PLAT BOOK 8, AT PAGE 79, FRESNO COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SAID AURTHUR AVENUE (60.00-FEET-WIDE), AND THE NORTHERLY RIGHT OF WAY LINE OF WEST HERNDON AVENUE (60.00-FEET-WIDE);

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 89° 45' 05" WEST, 60.04 FEET, TO THE INTERSECTION OF SAID NORTHERLY RIGHT OF WAY LINE, WITH THE WESTERLY RIGHT OF WAY LINE OF SAID AURTHUR AVENUE;

THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, NORTH 02° 18' 07" WEST, 1237.24 FEET, TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE, WITH THE SOUTHERLY RIGHT OF WAY LINE OF WEST SPRUCE AVENUE (60.00-FEET-WIDE) SAID WEST SPRUCE AVENUE SHOWN AS JOSEPHINE AVENUE ON SAID MAP (8 P 79);

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 89° 58' 05" EAST, 60.05 FEET, TO THE INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY LINE, WITH THE SAID EASTERLY RIGHT OF WAY LINE OF AURTHUR AVENUE;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, SOUTH 02° 18' 07" EAST, 1236.95 FEET, TO THE **POINT OF BEGINNING.**

CONTAINING 74,226 SQUARE FEET OR 1.7040 ACRES OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

DESCRIPTION PREPARED BY KIER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC.

  
GARY K. LAMB

5/17/2024  
DATE



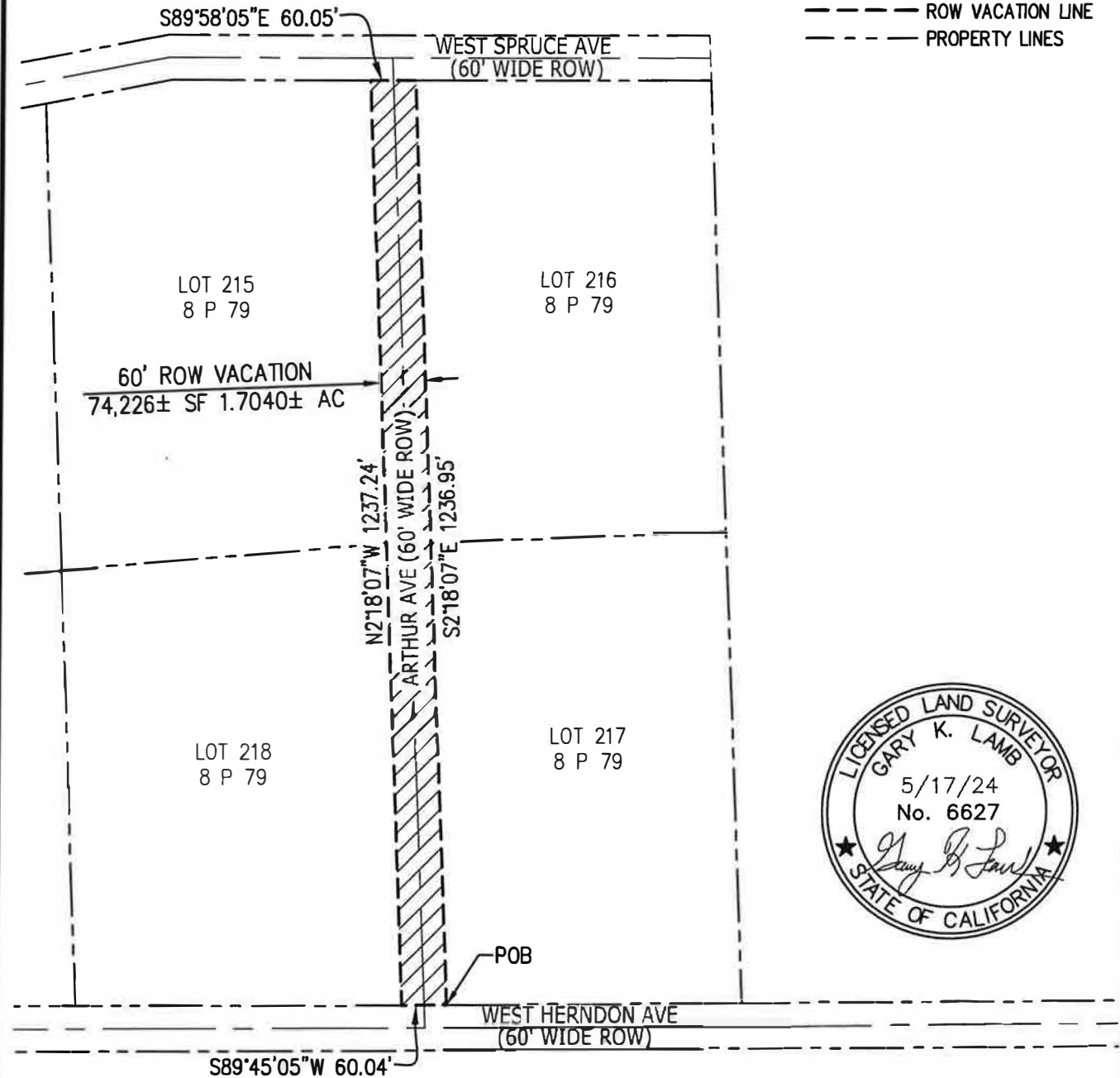


0 100' 200' 400'  
Scale 1" = 200'

# LEGEND

AC ACRES  
P PLATS  
POB POINT OF BEGINNING  
ROW RIGHT OF WAY  
SF SQUARE FEET

— — — CENTERLINE  
- - - ROW VACATION LINE  
- - - PROPERTY LINES



**KIER+WRIGHT**

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Manteca, CA 95337

Phone: (209) 328-1123  
www.kierwright.com

## EXHIBIT "B" PLAT

**ARTHUR AVE. VACATION**  
CITY OF FRESNO, CALIFORNIA

DATE	MAY, 2024
SCALE	1" = 200'
BY	GKL
JOB NO.	A21500-2
SHEET	1 OF 1