

Agenda Item: ID17-1498 (1-E)

Date: 11/9/17

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Item(s) – ID17-1498 (1-E)

Contents of Supplement: Amended Resolution of Intention to Vacate

Agenda Item Title

File ID17-1489 (1-E) – Adopt Resolution of Intention No. 1118-D to vacate a portion of N. Carnegie Avenue between Union Pacific Railroad and W. Bullard Avenue (Council District 2)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RESOLUTION OF INTENT NO. 1118-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF NORTH CARNEGIE AVENUE BETWEEN UNION PACIFIC RAILROAD AND WEST BULLARD AVENUE

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (City), to order the vacation a portion of North Carnegie Avenue between Union Pacific Railroad and West Bullard Avenue. This area is a portion of a 110.00 foot wide section of North Carnegie Avenue. This section was acquired by three separate documents, the first being a deed recorded September 14, 1990, by Instrument No. 90110656, Official Records Fresno County. The second was Tract Map No. 4358, recorded August 11, 1997, in Volume 61 of Plats at Pages 9 through 11, Fresno County Records. Finally, the third was by deed recorded January 14, 2008, by Instrument No. 2008-0004194, Official Records Fresno County; and

WHEREAS, the area proposed for vacation is shown in Exhibit "A", said exhibit is 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 City of Fresno Public Works Department is requesting the proposed vacation; and

WHEREAS, the purpose of the vacation is accommodate street improvements for the Veterans Boulevard/State Route 99 Interchange project, as well as the construction of the California High Speed Rail project; and

WHEREAS, the Traffic and Engineering Services Division, other City

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: JNP

Resolution No.

departments and utility agencies have reviewed the proposed vacation and determined that the right-of-way proposed for vacation as shown in Exhibit "A" which is attached and incorporated in this Resolution of Intent, is unnecessary for present or prospective public street purposes subject to the reservation of a public utility easement over the entire area being vacated and also reserving a landscape easement over that portion as shown on said Exhibit "A".

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

1. The hour of 10:00 a.m. on December 7, 2017, 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 December 7, 2017, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

* * * * *

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 _____, 2017.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:

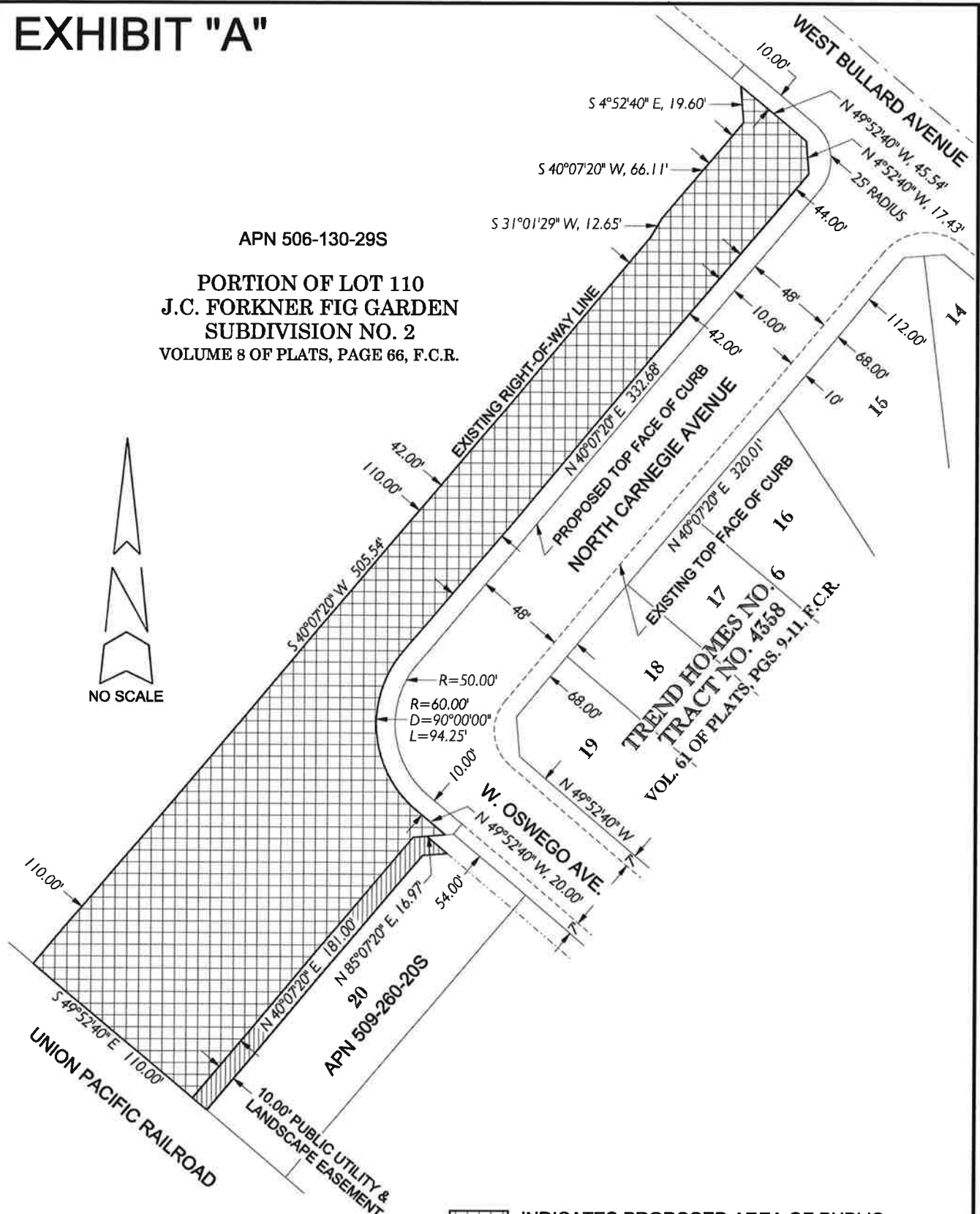
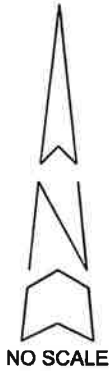
DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE



BY: _____
Tracy N. Parvanian Date
Deputy City Attorney

Attachment: Exhibit "A"
PW File No. 11844

EXHIBIT "A"

APN 506-130-29S
 PORTION OF LOT 110
 J.C. FORKNER FIG GARDEN
 SUBDIVISION NO. 2
 VOLUME 8 OF PLATS, PAGE 66, F.C.R.



-  INDICATES PROPOSED AREA OF PUBLIC STREET EASEMENT TO BE VACATED
-  INDICATES PROPOSED AREA OF PUBLIC UTILITY AND LANDSCAPE EASEMENT TO BE VACATED