

RESOLUTION OF INTENT NUMBER 1163-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, OF INTENTION TO VACATE PORTIONS OF UNDEVELOPED STREET RIGHT-OF-WAY LOCATED AT NORTH BRAWLEY AVENUE AND WEST BUCKINGHAM WAY, A PORTION BEING CITY-OWNED RIGHT-OF-WAY

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of portions of undeveloped street right-of-way located at North Brawley Avenue and West Buckingham Way, a portion of which is City-owned right-of-way, with a reservation therefrom for a public utility easement; and

WHEREAS, the area proposed for vacation is described in Exhibit A-1 and shown on Exhibit B-1, both of which are incorporated herein by reference and are on file in the Office of the City Clerk of the City at Fresno City Hall, 2600 Fresno Street, Fresno, California, 93721; and

WHEREAS, Optimum Properties LLC, a California limited liability company, is requesting the proposed vacation; and

WHEREAS, the purpose of this proposed vacation is to accommodate the construction of a commercial retail building, a gas canopy, and a car wash associated with Conditional Use Permit Application Numbers P19-04757 and P23-02136; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way proposed for vacation as described in Exhibit A-1 and as shown on Exhibit B-1 is unnecessary for present or prospective public street purposes, subject to a

reservation of a public utility easement as shown on Exhibit B-1, and Conditions of Approval as listed in Exhibit C, said exhibits are 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.

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

1. The hour of 9:10 a.m. on August 27, 2026, 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 vacation shall reserve therefrom a public utility easement over that portion of the area to be vacated, as described in Exhibit A-1 and shown on Exhibit B-1.

4. 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 15303 and 15332 of the California Streets and Highways Code.

5. 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 August 27, 2026, 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, AMY K. ALLER, 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

AMY K. ALLER
City Clerk

By: _____ Date _____
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____ Date _____
Kelsey A. Seib
Deputy City Attorney

Attachments:
Exhibit A-1 – Street Easement Vacation Legal Description
Exhibit B-1 – Street Easement Vacation and PUE Reservation Map
Exhibit C – Condition of Approval

PW File No. 13608

EXHIBIT "A-1"
PUBLIC STREET VACATION
LEGAL DESCRIPTION

Those portions of the northeast quarter of Section 23 and the northwest quarter of Section 24, both in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the southeast corner of the property described in Exhibit "A" of the Grant Deed recorded February 18, 1982 in Book 7861 at Page 80 as Document No. 13635, Official Records of Fresno County situated on the west line of said Section 24, from which the northwest corner of said Section 24, being coincident with the northeast corner of said Section 23, bears North 00° 28' 18" East, a distance of 110.98 feet;

Thence along said west line of Section 24, South 00° 28' 18" West, a distance of 23.66 feet to the beginning of a curve concave easterly and having a radius of 68.00 feet, to which beginning a radial line bears North 44° 26' 18" West;

Thence southerly and easterly along said curve, through a central angle of 119° 45' 34", an arc distance of 142.13 feet to a line parallel with and 30.00 feet east of said west line of Section 24;

Thence along said line, South 00° 28' 18" West, a distance of 350.55 feet to intersection with the northeasterly right-of-way line of State Route 99, being a curve concave northeasterly and having a radius of 2,000.00 feet to which intersection a radial line bears South 36° 52' 21" West;

Thence northwesterly along said curve, through a central angle of 1° 04' 35", an arc distance of 37.57 feet to said west line of Section 24;

Thence along said line, North 00° 28' 18" East, a distance of 34.05 feet;

Thence continuing along said northeasterly right-of-way line of State Route 99, North 45° 53' 25" West, a distance of 20.57 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 500.00 feet;

Thence northwesterly along said tangent curve, through a central angle of 16° 33' 34", an arc distance of 144.51 feet to the most easterly corner of the property described in Exhibit "B" of said Grant Deed recorded February 18, 1982 in Book 7861 at Page 80 as Document No. 13635, Official Records of Fresno County;

Thence leaving said northeasterly right-of-way line of State Route 99, North 30° 28' 18" East, a distance of 147.41 feet to a line parallel with and 30.00 feet west of said west line of Section 24;

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P23-02136, P25-01002
DMA PROJECT NO. 24-009 EX01

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EXHIBIT "A-1"
PUBLIC STREET VACATION
LEGAL DESCRIPTION

Thence along said line, North 00° 28' 18" East, a distance of 182.74 feet to the southerly line of said property described in Exhibit "A" of the Grant Deed recorded February 18, 1982 in Book 7861 at Page 80 as Document No. 13635, Official Records Fresno County;

Thence along said line, South 77° 05' 08" East, a distance of 30.72 feet to the **Point of Beginning**.

Area to be disposed: 15,862 square feet

Area to be vacated: 14,455 square feet

Total Area: 30,317 square feet

Area reserved for Public Utility Easement: 7,312 square feet

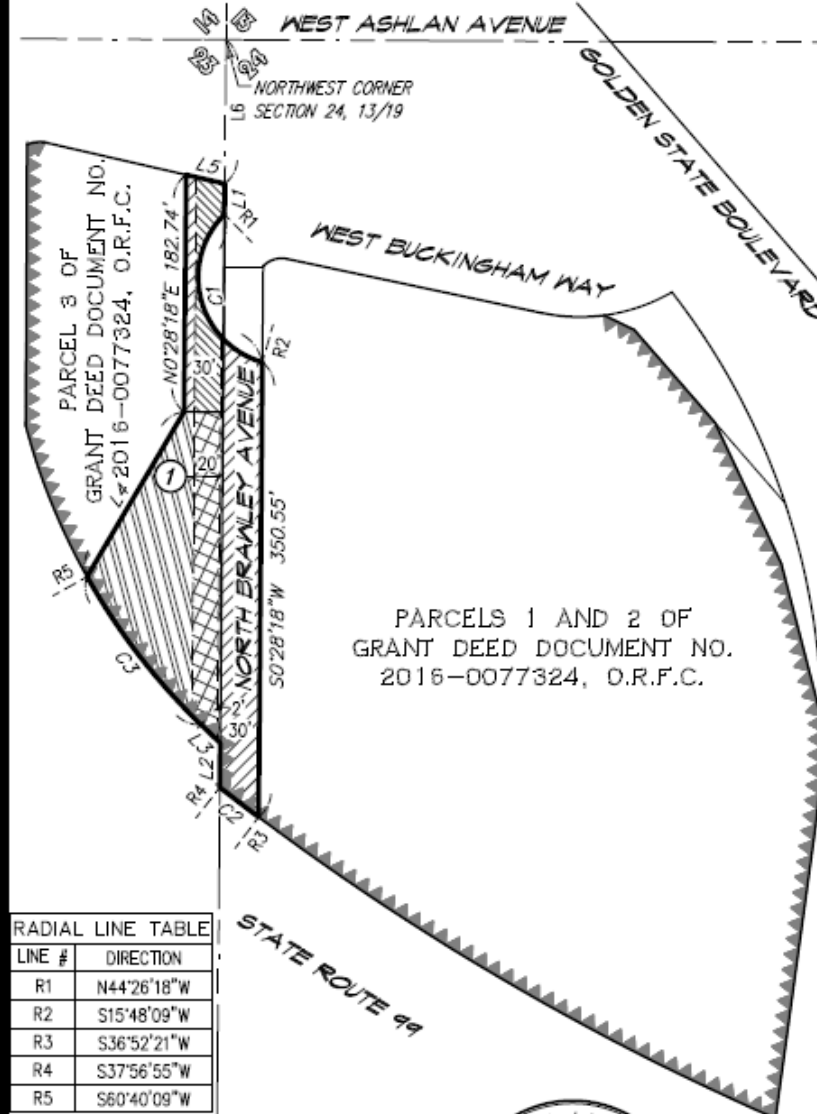
A.P.N. 433-040-54 and 511-240-26



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EXHIBIT "B-1"



NOTES

RECORD OR CALCULATED BEARINGS AND DISTANCES PER RIGHT OF WAY MAP OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DISTRICT NO. 6, FRESNO COUNTY, STATE ROUTE 99, POST MILE 26.25, SHEETS 18 AND 19 AND GRANT DEED DOCUMENT NO. 2016-0077324 RECORDED JUNE 15, 2016, OFFICIAL RECORDS OF FRESNO COUNTY.

A.P.N. 433-040-54 & 511-240-26

RECORD OWNERS

OPTIMUM PROPERTIES, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY
2894 EAST POWERS AVENUE
FRESNO, CA 93720

LEGEND

- AREA (PUBLIC STREET EASEMENT) TO BE VACATED: 12,018 SQ. FT.
- AREA (IN FEE) TO BE DISPOSED: 10,987 SQ. FT.
- AREA (PUBLIC STREET EASEMENT) TO BE VACATED BUT RESERVED FOR PUBLIC UTILITY EASEMENT: 2,437 SQ. FT.
- AREA (IN FEE) TO BE DISPOSED BUT RESERVED FOR PUBLIC UTILITY EASEMENT: 4,875 SQ. FT.
- ACCESS RIGHTS PREVIOUSLY RESTRICTED
- 1 20' STRIP RESERVED FOR PUBLIC UTILITY EASEMENT CONSISTING OF 7,052 SQ. FT.

CURVE TABLE

CURVE #	RADIUS	LENGTH	DELTA
C1	68.00'	142.13'	119°45'34"
C2	2,000.00'	37.57'	1°04'35"
C3	500.00'	144.51'	16°33'34"

LINE TABLE

LINE #	BEARING	LENGTH
L1	S0°28'18"W	23.66'
L2	N0°28'18"E	34.05'
L3	N45°53'25"W	20.57'
L4	N30°28'18"E	147.41'
L5	S77°05'08"E	30.72'
L6	N0°28'18"E	110.98'

RADIAL LINE TABLE

LINE #	DIRECTION
R1	N44°26'18"W
R2	S15°48'09"W
R3	S36°52'21"W
R4	S37°56'55"W
R5	S60°40'09"W

PREPARED BY:



DALE G. MELL

& ASSOCIATES

ENGINEERING & SURVEYING SERVICES

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
(559) 293-4046 * FAX 251-9220 * EMAIL: DMASUBMITTALS@DALEMELL.COM



BY: M.ESLIMI - 06/10/26
DMA CADFILE:24-009EX01

REF & REV
PFW#12131,13608
PLAT:1947,1948
P23-02136
P25-01002

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PORTION OF NORTH BRAWLEY AVENUE, NORTH OF
STATE ROUTE 99 AND SOUTH OF WEST ASHLAN
AVENUE, TO BE VACATED

PROJ. NO. _____ CO. _____
FUND NO. _____ RES. TYPE _____
ORG. NO. _____
DR. BY: M.E. SHEET NO. 1
CH. BY: DGM. OF 1 SHEETS
DATE: 06/10/26
SCALE: AS SHOWN **15-A-**

PLOTTED BY: MARJAN ESLIMI ISFAHANI - 6/10/2026 4:04:52 PM C:\MY DOCUMENTS\24-009EX01.DWG

EXHIBIT “C”

VACATION CONDITION OF APPROVAL

1. Fresno Metropolitan Flood Control District requires a 20-foot-wide public utility easement for their facilities within the proposed area to be vacated.