

RESOLUTION OF INTENT NO. 1129-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF WEST DEVLAN AVENUE AND NORTH WEBER AVENUE NORTH OF THE SOUTHERN PACIFIC RAILROAD

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 Devlan Avenue and North Weber Avenue north of the Southern Pacific Railroad; and

WHEREAS, the area proposed for vacation as 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, Susan Flores is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to eliminate excess public street right-of-way; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way easement proposed for vacation as shown in Exhibit "A" is unnecessary for present or prospective public street purposes subject to the Conditions of Approval as listed in Exhibit "B" attached hereto and made a part thereof.

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

1. The hour of 10:00 a.m. on May 16, 2019, in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and place when and

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:



Resolution No.

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 May 16, 2019, 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 _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC, CRM
City Clerk

BY: _____
Deputy

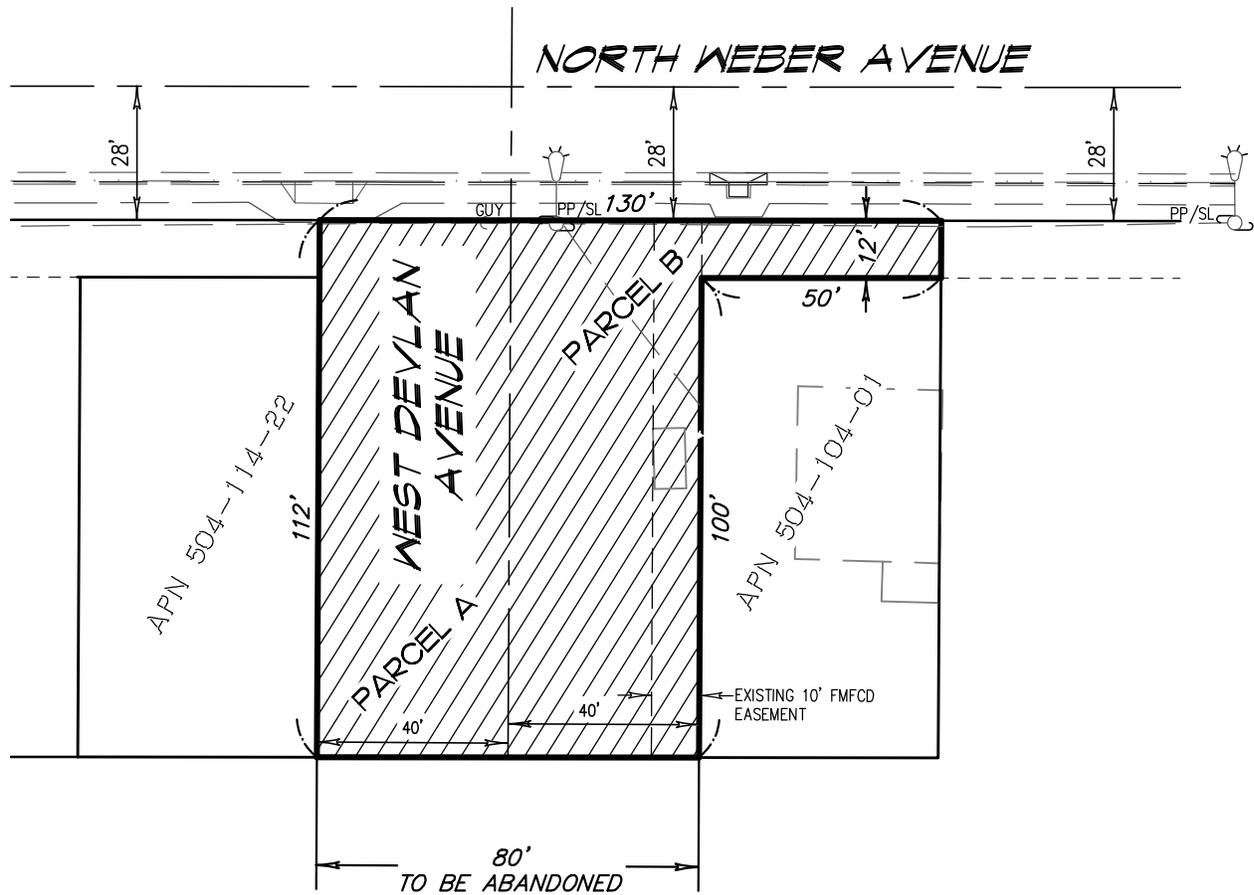
APPROVED AS TO FORM:

DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

BY: _____
John Hastrup
Deputy

Attachment: Exhibits "A" and "B"
PW File No. 12359

PLOTTED BY: MARJAN ESLIMI ISFAHANI - 3/19/2019 5:02:29 PM C:\MY DOCUMENTS\18-027EX02.DWG



RECORD OWNER :
WAYNE & SUSAN FLORES
6641 NORTH PIMA AVENUE
FRESNO, CA 93722

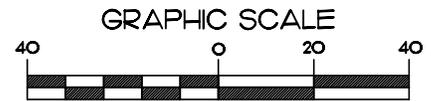
RECORD OWNER :
VINCENT MONTEZ
6987 NORTH WEBER AVENUE
FRESNO, CA 93722

A.P.N. : 504-114-22

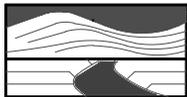
A.P.N. : 504-104-01

AREA TO BE ABANDONED: PARCEL A: 4500 SQ. FT.
PARCEL B: 5100 SQ. FT.

INDICATES AREA TO BE ABANDONED



1 INCH = 40 FEET



PREPARED BY:

DALE G. MELL
& ASSOCIATES

ENGINEERING & SURVEYING SERVICES

2090 NORTH WINERY AVENUE, FRESNO, CALIFORNIA 93703
(559) 292-4046 * FAX 251-9220 * EMAIL: STAFF@DALEMELL.COM



BY: M.ESLIMI - 03/19/19
DMA CADFILE:18-027EX02

REF & REV 201_-. PWF . PLAT .	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ CO _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	A PORTION OF WEST DEVLAN AVENUE & A PORTION OF NORTH WEBER AVENUE TO BE ABANDONED	DR. BY: _____ M.E. _____ CH. BY: _____ DATE: _____ 03/19/19 SCALE: _____ AS SHOWN
		SHEET NO. <u>1</u> OF <u>1</u> SHEETS 15-A-

EXHIBIT "B"
VACATION CONDITIONS

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

1. The proposed street vacation area lies within the Fresno Metropolitan Flood Control District's Drainage Area "EH". This portion of Devlan Avenue is located in an area that has historically provided a passage for major storm flows from the areas to the north and east of the proposed vacation area. As a condition of the vacation a passageway for major storm flows must be provided and a drainage channel easement shall be granted to the District. The size and type of drainage channel easement will need to be reviewed and approved by the District prior to implementation. Approximately 131 acres of land contribute to this major storm water flow location.

The District will need to review and approve any improvement plans associated with the vacation (i.e. grading plan and street plans), for conformance with the Master Plan drainage patterns prior to implementation.

2. The City of Fresno Street Maintenance Division requires a 6.00 foot wide public utility easement reserved for street light maintenance. If you have any questions or concerns about the requirements please contact Bill Shoemaker at (559) 621-1312.