

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DEDICATING A PORTION OF A CITY-OWNED PROPERTY FOR THE PURPOSE OF PROVIDING A PUBLIC STREET EASEMENT TO ACCOMMODATE EXISTING PUBLIC STREETS ON KERN STREET AND MONO STREET BETWEEN THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND "H" STREET

WHEREAS, the City of Fresno is the owner of the subject property; and

WHEREAS, the purpose of this dedication is to perfect the existing prescriptive right-of-way into a dedicated public street easement; and

WHEREAS, the proposed area to be dedicated as described in Exhibits "A", "B", "D", and "E" and as shown in Exhibits "C" and "F" of the attached resolution are to accommodate existing streets for Kern Street and Mono Street, 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; and

WHEREAS, the Traffic and Engineering Services Division and other City departments have determined that this public street easement is adequate for existing and future public street purposes.

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

1. That portion of a City-owned property as described in Exhibits "A", "B", "D", and "E" and as shown in Exhibits "C" and "F" of the attached resolution are to accommodate existing streets for Kern Street and Mono Street are hereby dedicated for the purpose of a public street easement.

2. Nothing contained in this resolution shall be deemed or interpreted by any

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

party to cause any interest created in the public pursuant to this resolution to ripen into any title, interest, or right of the public against or adverse to the rights of the City of Fresno nor shall this resolution limit, restrict, or modify the exemption of public property to title by prescription as defined within California Civil Code Section 1007.

3. The City Clerk of the City of Fresno shall certify to the passage of this resolution and attest thereto under the seal of the City of Fresno.

4. The City Engineer shall cause a City deed number to be assigned to the resolution and shall cause the resolution to be recorded in the Office of the Recorder of the County of Fresno, California. The original resolution shall be returned to the City Clerk after recordation and a certified copy thereof shall be filed in the Public Works deed file.

\* \* \* \* \*

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 \_\_\_\_\_, 2018.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2018  
Mayor Approval/No Return: \_\_\_\_\_, 2018  
Mayor Veto: \_\_\_\_\_, 2018  
Council Override Vote: \_\_\_\_\_, 2018

YVONNE SPENCE, CRM, MMC  
City Clerk

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

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

BY: \_\_\_\_\_  
Tracy N. Parvanian      Date  
Senior Deputy City Attorney

Attachment: Exhibits "A" through "F"

EXHIBIT "A"  
 LEGAL DESCRIPTION  
 KERN STREET

PARCEL FB-10-0150-1 (Easement)

An easement for road purposes, and incidents thereto, over and across that portion of Land as described in the Amended Final Order of Condemnation, recorded October 20, 2003, as Document No. 2003-0253574, Official Records of Fresno County, also being a portion of the 600 foot wide Central Pacific Railroad Reservation, shown and labeled as "Depot Grounds", on the Map of the Town of Fresno, filed June 08, 1876 in Book 1 of Plats at Page 2, Fresno County Records, situated in Section 9, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, said portion described as follows;

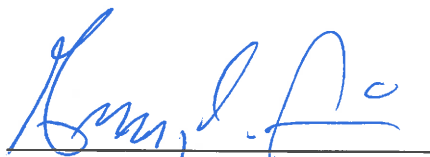
**COMMENCING** at the most northerly corner of the said Amended Final Order of Condemnation; thence along the northeasterly line thereof, South 41°01'40" East, 40.00 feet to a line 40.00 feet southeasterly of, and parallel with, the northwesterly line of said Amended Final Order of Condemnation; thence along said parallel line, South 48°57'50" West, 133.19 feet to the beginning of a non-tangent curve concave southeasterly, to which point a radial line bears North 49°45'49" West, said point being the **POINT OF BEGINNING**;

Thence departing said parallel line, southerly along said curve having a radius of 36.00 feet, through a central angle of 37°44'14", an arc length of 23.71 feet to the beginning of a reverse curve concave northwesterly, to which point a radial line bears South 87°30'02" East; thence southerly along said curve, having a radius of 54.00 feet, through a central angle 107°11'09", an arc length of 101.02 feet to a line 40.00 feet southeasterly of, and parallel with, the northwesterly line of said Amended Final Order of Condemnation; thence along said parallel line, North 48°57'50" East, 106.88 feet to the **POINT OF BEGINNING**.

Containing 1,881 square feet, more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 4, as shown on Record of Survey, Book 58, pages 71 to 72, Epoch 2007.00. Multiply distances shown above by 1.000066514 to obtain ground level distances.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



Gregory L. Rice  
 Licensed Land Surveyor  
 California No. 8201



8/10/18  
 Date

EXHIBIT "B"  
LEGAL DESCRIPTION  
KERN STREET

PARCEL FB-10-0150-001 (Easement)

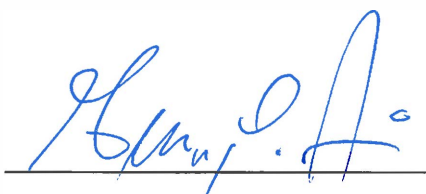
An easement for road purposes, and incidents thereto, over and across that portion of Land as described in the Amended Final Order of Condemnation, recorded October 20, 2003, as Document No. 2003-0253574, together with that portion of Land described in the Final Order of Condemnation, recorded April 13, 2005, as Document No. 2005-0081383, both of Official Records of Fresno County, also being a portion of the 600 foot wide Central Pacific Railroad Reservation, shown and labeled as "Depot Grounds", on the Map of the Town of Fresno, filed June 08, 1876 in Book 1 of Plats at Page 2, Fresno County Records, situated in Section 9, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, said portion described as follows;

**BEGINNING** at the most northerly corner of the said Amended Final Order of Condemnation; thence along the northeasterly line thereof, South 41°01'40" East, 40.00 feet to a line 40.00 feet southeasterly of, and parallel with, the northwesterly line of said Amended Final Order of Condemnation; thence along said parallel line, South 48°57'50" West, 249.98 feet to the southwesterly line of said Amended Final Order of Condemnation; thence along said southwesterly line and the northwesterly prolongation thereof, North 41°01'40" West, 79.99 feet to a line 40.00 feet northwesterly of and parallel with the northwesterly line of said Amended Final Order of Condemnation; thence along said parallel line, North 48°57'50" East, 115.06 feet to the southwesterly line of Land as described in the Grant Deed to EIE ALPHA, LLC, recorded March 27, 2007, as Document No. 2007-0061229, Official Records of Fresno County, thence along said southwesterly line, South 41°01'46" East, 40.00 feet to the northwesterly line of said Amended Final Order of Condemnation; thence along said northwesterly line, North 48°57'50" East, 134.92 feet to the **POINT OF BEGINNING**.

Containing 14,601 square feet more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 4, as shown on Record of Survey, Book 58, pages 71 to 72, Epoch 2007.00. Multiply distances shown above by 1.000066514 to obtain ground level distances.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



Gregory L. Rice  
Licensed Land Surveyor  
California No. 8201



Date

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA
C1	23.71'	36.00'	37°44'14"

**EXHIBIT "C" LEGEND**

O.R.F.C. = Official Records Fresno County

F.C.R. = Fresno County Records

(RAD) = Radial Line

— — — = Existing Parcel Line

▭ = Area to be Dedicated

To the City of Fresno

**LINE TABLE**

LINE	BEARING	LENGTH
L1	S41°01'40"E	40.00'
L2	N41°01'40"W	79.99'
L3	S41°01'46"E	40.00'

**"H" STREET**

POC  
FB-10-0150-1  
POB  
FB-10-0150-001

DEPOT

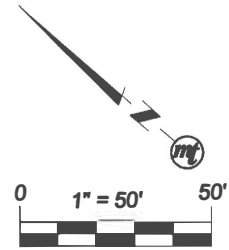
**EE ALPHA, LLC**

**GRANT DEED**

**2007-0061229 O.R.F.C.**

MAP of the

GROUNDS



TOWN of FRESNO

**CITY of FRESNO F.O.C.**

**2005-0081383 O.R.F.C.**

**KERN STREET**

FB-10-0150-001

POB  
FB-10-0150-1

S87°30'02"E (RAD)

FB-10-0150-1

**U.P.R.R. OPERATING CORRIDOR**

BOOK 1, PLATS, PAGE 2, F.C.R.



8/10/18

THE BEARINGS AND DISTANCES SHOWN HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (NSRS 2007), ZONE 4, EPOCH 2007.00, AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 58, AT PAGE 71 & 72, FRESNO COUNTY RECORDS. MULTIPLY BY 1.000066514 TO OBTAIN GROUND DISTANCES.

**MARK THOMAS**

REF. & REV.

CHSR  
2018-068  
PLAT 2755

**CITY OF FRESNO**  
DEPARTMENT OF PUBLIC WORKS

**PARCELS to be DEDICATED as  
PUBLIC STREET RIGHT-OF-WAY  
TO THE CITY OF FRESNO**

PROJ. ID. \_\_\_\_\_  
FUND ID. \_\_\_\_\_  
ORG. NO. \_\_\_\_\_

DR. BY G.L.R.  
CH. BY M.M.P.  
DATE 8/10/18  
SCALE AS SHOWN

SHEET NO. 1  
OF 1 SHEETS  
**15-A-9491**

EXHIBIT "D"  
LEGAL DESCRIPTION  
MONO STREET

PARCEL FB-10-0150-2 (Easement)

An easement for road purposes, and incidents thereto, over and across that portion of Land as described in the Amended Final Order of Condemnation, recorded October 20, 2003, as Document No. 2003-0253574, Official Records of Fresno County, also being a portion of the 600 foot wide Central Pacific Railroad Reservation, shown and labeled as "Depot Grounds", on the Map of the Town of Fresno, filed June 08, 1876 in Book 1 of Plats at Page 2, Fresno County Records, situated in Section 10, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, said portion described as follows;

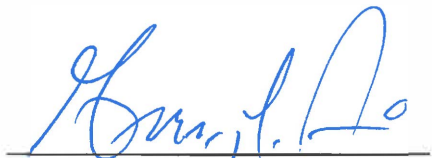
**COMMENCING** at the most easterly corner of the said Amended Final Order of Condemnation; thence along the northeasterly line thereof, North 41°01'40" West, 40.00 feet to a line 40.00 feet northwesterly of and parallel with the southeasterly line of said Amended Final Order of Condemnation; thence along said parallel line, South 48°57'26" West, 122.54 feet to the **POINT OF BEGINNING**;

Thence continuing along said parallel line, South 48°57'26" West, 112.37 feet to the beginning of a non-tangent curve concave southeasterly, to which point a radial line bears South 77°44'11" West; thence departing said parallel line, northerly along said curve having a radius of radius of 54.00 feet, through a central angle of 107°40'43", an arc length of 101.48 feet to the beginning of a reverse curve concave northerly, to which point a radial line bears South 05°24'54" West; thence northeasterly along said curve, having a radius of 36.01 feet, through a central angle 46°07'26", an arc length of 28.99 feet to the **POINT OF BEGINNING**.

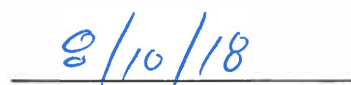
Containing 1,926 square feet more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 4, as shown on Record of Survey, Book 58, pages 71 to 72, Epoch 2007.00. Multiply distances shown above by 1.000066514 to obtain ground level distances.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



Gregory L. Rice  
Licensed Land Surveyor  
California No. 8201



Date

EXHIBIT "E"  
 LEGAL DESCRIPTION  
 MONO STREET

PARCEL FB-10-0150-002 (Easement)

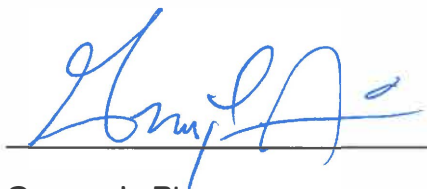
An easement for road purposes, and incidents thereto, over and across that portion of Land as described in the Amended Final Order of Condemnation, recorded October 20, 2003, as Document No. 2003-0253574, Official Records of Fresno County, also being a portion of the 600 foot wide Central Pacific Railroad Reservation, shown and labeled as "Depot Grounds", on the Map of the Town of Fresno, filed June 08, 1876 in Book 1 of Plats at Page 2, Fresno County Records, situated in Section 10, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, in the City of Fresno, County of Fresno, State of California, said portion described as follows;

**BEGINNING** at the most easterly corner of the said Amended Final Order of Condemnation; thence along the southeasterly and southwesterly lines thereof, the following two (2) courses and distances: (1) South 48°57'26" West, 249.98 feet; (2) North 41°01'40" West, 40.00 feet to a line 40.00 feet northwesterly of and parallel with the southeasterly line of said Amended Final Order of Condemnation; thence along said parallel line, North 48°57'26" East, 249.98 feet to the northeasterly line of said Amended Final Order of Condemnation; thence along said northeasterly line, South 41°01'40" East, 40.00 feet to the **POINT OF BEGINNING**.

Containing 9,999 square feet more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 4, as shown on Record of Survey, Book 58, pages 71 to 72, Epoch 2007.00. Multiply distances shown above by 1.000066514 to obtain ground level distances.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.



Gregory L. Rice  
 Licensed Land Surveyor  
 California No. 8201



9/10/18

Date



**CURVE TABLE**

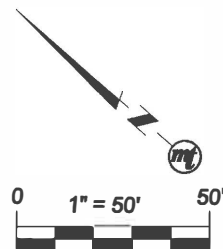
CURVE	LENGTH	RADIUS	DELTA
C1	28.99'	36.01'	46°07'26"

**EXHIBIT "F"**

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N41°01'40"W	40.00'
L2	S41°01'40"E	40.00'

**"H" STREET**



DEPOT

GROUNDS

CITY of FRESNO

AMENDED F.O.C.

2003-0253574 O.R.F.C.

POB  
FB-10-0150-2

S05°24'54"W(RAD)

S77°44'11"W(RAD)

MAP of the

TOWN of FRESNO

STREET

MONO

**LEGEND**

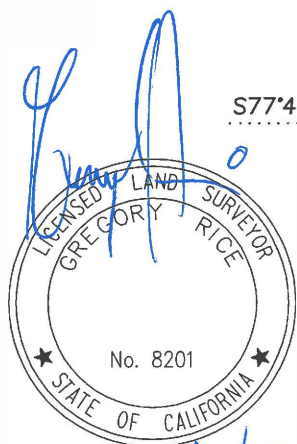
O.R.F.C. = Official Records Fresno County

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(RAD) = Radial Line

— = Existing Parcel Line

▭ = Area to be Dedicated  
To the City of Fresno



**U.P.R.R. OPERATING CORRIDOR**

BOOK 1, PLATS, PAGE 2, F.C.R.

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REF. & REV.

CHSR  
2018-066  
PLAT 2756

**CITY OF FRESNO**  
DEPARTMENT OF PUBLIC WORKS

**PARCELS to be DEDICATED as  
PUBLIC STREET RIGHT-OF-WAY  
TO THE CITY OF FRESNO**

PROJ. ID. \_\_\_\_\_  
FUND ID. \_\_\_\_\_  
ORG. NO. \_\_\_\_\_

DR. BY G.L.R.  
CH. BY M.M.P.  
DATE 8/10/18  
SCALE AS SHOWN

SHEET NO. 1  
OF 1 SHEETS  
**15-A-9489**