

RESOLUTION OF INTENT NUMBER 1150-D

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA OF INTENTION TO VACATE A
PORTION OF THE NORTH GLENN AVENUE-NORTH
BLACKSTONE AVENUE ALLEY

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 the North Glenn Avenue-North Blackstone Avenue Alley; and

WHEREAS, the area proposed for vacation as described in Exhibit A and as shown on Exhibit B, 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 Fresno Housing Authority is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to is to accommodate development for Conditional Use Permit Application Number D-17-153. This development permit is for the proposed construction of a new three and four story, 45-unit affordable housing residential building and the rehabilitation/adaptive re-use of an existing two-story commercial building for residential and commercial uses; 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 easement proposed for vacation as described in Exhibit A and as shown on Exhibit B is unnecessary for present or prospective public street purposes,

1 of 3

Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: 

Resolution of Intent Number 1150-D

subject to the reservation of a public utility easement over the entire area proposed to be vacated and conditions of approval as listed in attached Exhibit C.

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

1. The hour of 10:05 a.m. on December 1, 2022, 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 1, 2022, 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, 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 _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

By: _____
Angela M. Karst Date
Deputy City Attorney

Attachments:

Exhibit A – Street Easement Vacation Legal Description
Exhibit B – Street Easement Vacation
Exhibit C – Vacation Conditions of Approval

PW File No. 12316

EXHIBIT "A"
LEGAL DESCRIPTION

Existing 16.00 foot Wide Alley to be Vacated

A portion of the 16.00 foot North-South Alley of Block 2 as dedicated as an Alley for Public Use by Blackstone Avenue Tract No. 2, July 16, 1925, recorded in Book 10, page 55 of Plats, Fresno County Records, situated in the Northeast quarter of Section 28, Township 13 South, Range 20 East, Mount Diablo Base and Meridian, more particularly described as follows:

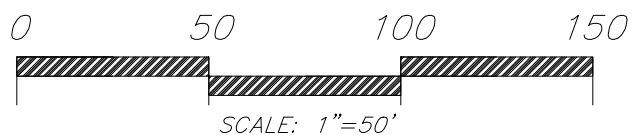
COMMENCING at the Northeasterly corner of said Block 2 being the intersection of the Southerly Right of Way line of Simpson Avenue and the Westerly Right of Way line of Blackstone Ave of said Book 10, Page 55 of Plats; thence along said Southerly Right of Way South 89°32'15" West a distance of 125.33 feet more or less to the Easterly Right of Way of said North-South 16.00 foot Alley and the **TRUE POINT OF BEGINNING**;

Thence along said Easterly Right of Way South 00°00'00" East a distance of 127.22 feet more or less to the projection of the Northerly Right of Way of the 16.00' foot East-West Alley of said Block 2; thence along said Northerly Right of Way projection South 89°32'00" West a distance of 16.00 feet more or less to the Westerly Right of Way of said 16.00 foot North-South Alley; thence along said Westerly Right of Way North 00°00'00" East a distance of 127.23 feet more or less to a point on the Southerly Right of Way of said Simpson Avenue; thence along said Southerly Right of Way North 89°32'15" East a distance of 16.00 feet to the **TRUE POINT OF BEGINNING**.


Contains 2,036 Square Feet or 0.047 acres, more or less.

END OF DESCRIPTION

ALLEY VACATION



LEGEND

 INDICATES AREA TO BE VACATED
CONTAINING 2,036 ± SQ. FT.

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PUBLIC ALLEY RIGHT-OF-WAY TO BE VACATED

PROJ. ID. _____ RES TYPE _____
FUND NO. _____
ORG. NO. _____

DR. BY _____
CH. BY _____
DATE _____
SCALE _____

SHEET NO. 1
OF 1 SHEETS

EXHIBIT "C"
VACATION CONDITION OF APPROVAL

1. Comcast has existing facilities that are within the proposed alley vacation. These facilities will need to be relocated or a public utility easement must be reserved to accommodate them. If you have any questions about this condition, please contact Michael "Cory" Sue at (559) 455-4221.

2. Pacific Gas and Electric Company has existing facilities that are within the proposed alley vacation. They require the that the City EXCEPT AND RESERVE from said vacation the permanent easement and right at any time or from time to time, pursuant to the provisions of Section 8340 of the Street and Highways Code and for the benefit of Pacific Gas and Electric Company, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipes, conduits, cables, wires, poles, manholes and other convenient structures, equipment and fixtures for the operation of gas pipe lines and the transportation or distribution of electric energy, and communication facilities, including access and the right to keep the property free from inflammable materials and wood growth, and to prevent any building or structure near the facilities and otherwise to protect the same from all hazards in, upon, over and across said vacation. If you have any questions about this condition, please contact Mike Galvan at (559) 263-5649.