

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF EAST COPPER AVENUE AT NORTH MILLBROOKE AVENUE AND A PORTION OF A PUBLIC UTILITY EASEMENT IN OUTLOT A AND LOTS 1 THROUGH 4 OF TRACT NO. 6099

WHEREAS, pursuant to Resolution of Intention No. 1120-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on April 5, 2018, at a regular meeting of the Council of the City of Fresno, California (City), at which time evidence was heard for and against the vacation of the hereinafter described public street right-of-way and public utility easement, situated within the City; and

WHEREAS, Granville Homes is requesting the proposed vacation of a portion of East Copper Avenue at North Millbrook Avenue and a portion of a public utility easement in Outlot "A" and Lots 1 through 4 of Tract Map No. 6099, as shown on Vacation Exhibit, which is attached and incorporated in this Resolution; and

WHEREAS the purpose of the vacation is accommodate development associated with Tract Map No. 6099, recorded in Volume 87, at Pages 32 through 34, Fresno County Records; and

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the public right-of-way and utility easement proposed for vacation as shown on the Vacation Exhibit is unnecessary for present or prospective public street and utility purposes subject to the reservation of a multi-purpose trail easement over a portion of the area proposed for vacation as shown on said Vacation Exhibit.; and that all existing

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



utilities within the proposed public utility easement proposed for vacation be relocated and accepted by the utility companies and departments; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Cal. Sts. & Hy. Code §§ 8300-8363).

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

1. The Council finds from all the evidence submitted that the vacation of a portion of East Copper Avenue at North Millbrook Avenue and a portion of a public utility easement in Outlot "A" and Lots 1 through 4 of Tract Map No. 6099, as shown on the attached Vacation Exhibit is unnecessary for present and prospective public street and utility purposes.

2. The public interest and convenience require, and it is hereby ordered, that as contemplated by Resolution of Intention No. 1120-D adopted by the Council on March 8, 2018, the public street right-of-way and public utility easement as shown on the Vacation Exhibit, be and are hereby vacated and abandoned.

3. The City further reserves a multipurpose trail easement over a portion the area proposed to be vacated as shown on the Vacation Exhibit.

4. The City Clerk shall certify to the passage of this Resolution and shall file a certified copy, attested by the City Clerk under the seal of the City, in the Office of the City Clerk.

5. The City Clerk shall file a certified copy of the resolution for recordation in the Office of the Recorder of Fresno County, but not until the City Engineer determines

that all utility relocation work within the area to be vacated and all work associated with this requirement has been accepted by the City and/or public utility companies.

6. This vacation shall become effective on the date this resolution is recorded.

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

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

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

YVONNE SPENCE, MMC, CRM  
City Clerk

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

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

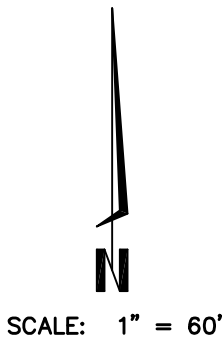
BY: \_\_\_\_\_  
John Hastrup  
Deputy City Attorney

\_\_\_\_\_  
Date

Attachments: Vacation Exhibit  
PW File 11836

# VACATION EXHIBIT

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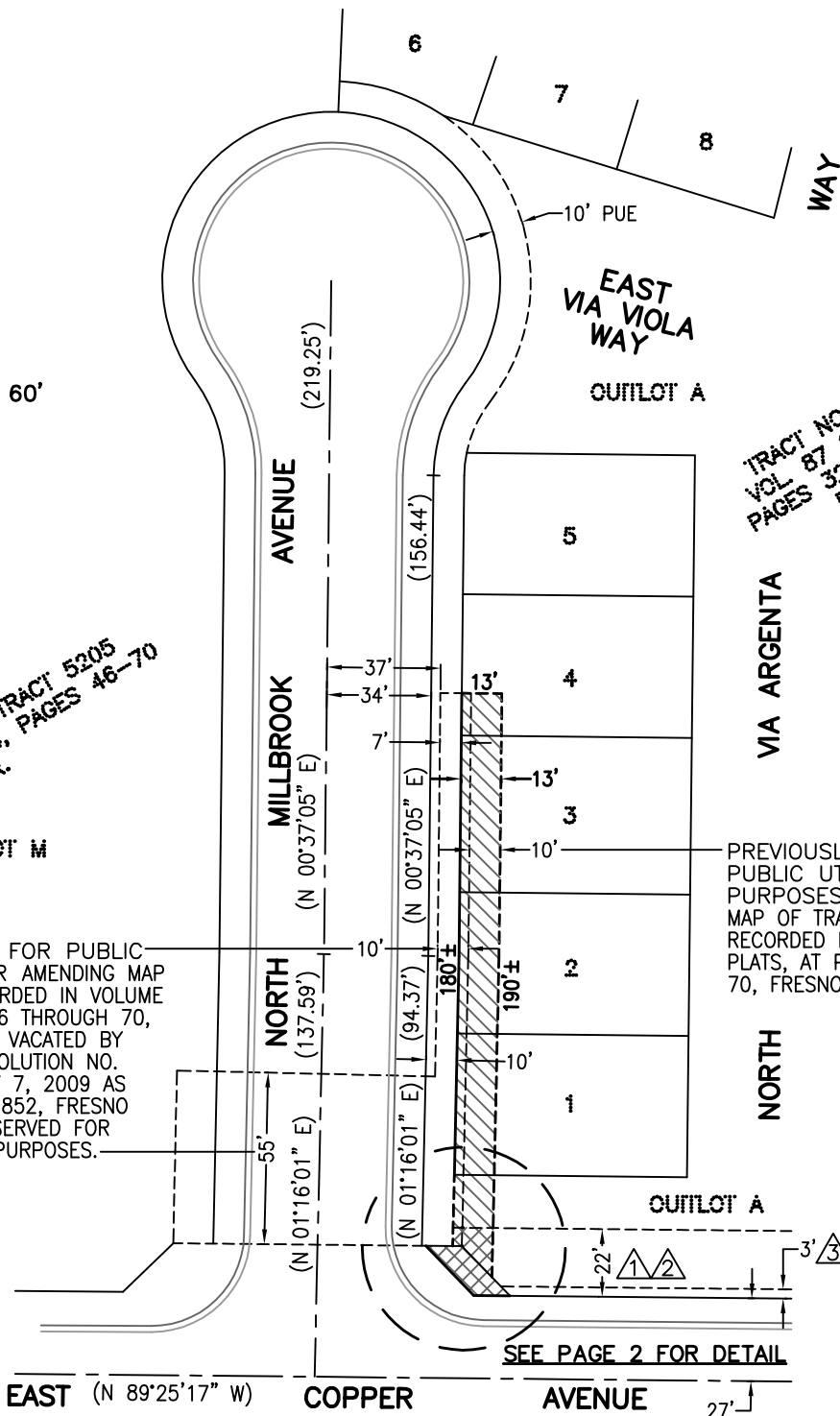
AMENDING MAP OF TRACT 5205  
VOLUME 76 OF PLATS, PAGES 46-70  
F.C.R.

CUTLOT M

TRACT NO. 6099  
VOL. 87 OF PLATS  
PAGES 32, 33 & 34  
F.C.R.

PREVIOUSLY DEDICATED FOR PUBLIC STREET PURPOSES, PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 76 OF PLATS, AT PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS, VACATED BY FRESNO CITY COUNCIL RESOLUTION NO. 2009-138 RECORDED JULY 7, 2009 AS DOCUMENT NO. 2009-0091852, FRESNO COUNTY RECORDS AND RESERVED FOR PUBLIC UTILITY EASEMENT PURPOSES.

PREVIOUSLY DEDICATED FOR PUBLIC UTILITY EASEMENT PURPOSES, PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 76 OF PLATS, AT PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS.



INDICATES PUBLIC UTILITY EASEMENT TO BE VACATED



INDICATES AREA TO BE VACATED AND RESERVED FOR MULTI-PURPOSE TRAIL PURPOSES, PGE EASEMENT PURPOSES AND PUBLIC UTILITY EASEMENT PURPOSES

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA. 93721  
(559) 264-3590

DATE: 1/8/18

# VACATION EXHIBIT

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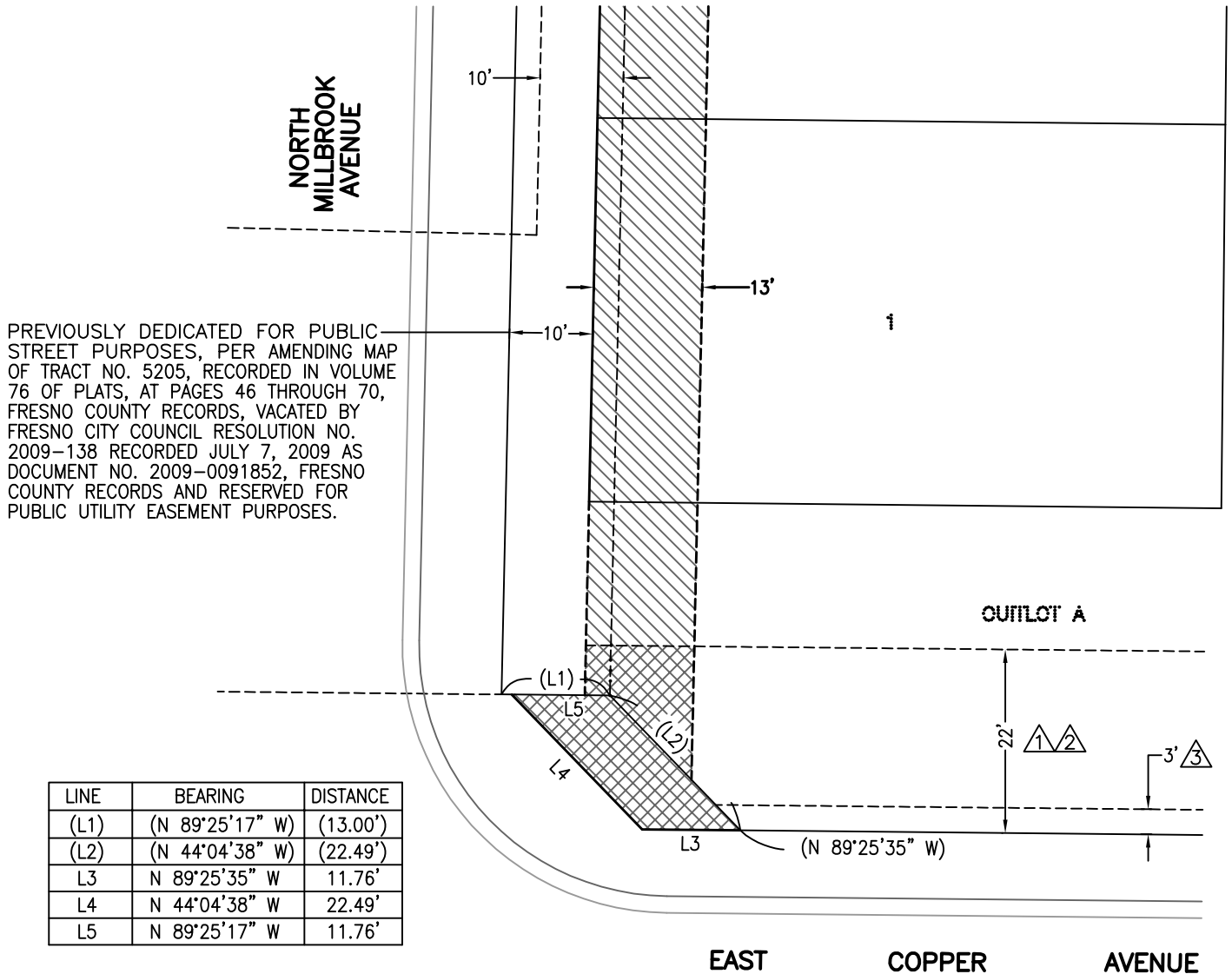
SCALE: 1" = 20'



INDICATES PUBLIC UTILITY EASEMENT TO BE VACATED



INDICATES AREA TO BE VACATED AND RESERVED FOR MULTI-PURPOSE TRAIL PURPOSES, PGE EASEMENT PURPOSES AND PUBLIC UTILITY EASEMENT PURPOSES



LINE	BEARING	DISTANCE
(L1)	(N 89°25'17" W)	(13.00')
(L2)	(N 44°04'38" W)	(22.49')
L3	N 89°25'35" W	11.76'
L4	N 44°04'38" W	22.49'
L5	N 89°25'17" W	11.76'

( ) RECORD DATA AS PER THE MAP OF TRACT NO. 6099, RECORDED IN VOLUME 87 OF PLATS, AT PAGES 32, 33 & 34, FRESNO COUNTY RECORDS.

△ PREVIOUSLY DEDICATED FOR MULTI PURPOSE TRAIL EASEMENT PURPOSES, PER AMENDING MAP OF TRACT NO. 5205, RECORDED IN VOLUME 76 OF PLATS, AT PAGES 46 THROUGH 70, FRESNO COUNTY RECORDS.

△ PREVIOUSLY DEDICATED FOR PG&E EASEMENT PURPOSES, PER DOCUMENT AS RECORDED JUNE 19, 2006 AS DOC. NO. 2006-0127434, FRESNO COUNTY RECORDS.

△ PG&E EASEMENT FOR PUBLIC UTILITIES RECORDED AS DOCUMENT NO. 97048897, FRESNO COUNTY RECORDS.

**PREPARED BY:**  
 GARY GIANNETTA  
 1119 "S" STREET  
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DATE: 1/8/18