

RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO VACATE A PORTION OF
SOUTH GOLDEN STATE BOULEVARD, SOUTH OF SAN
BENITO STREET, BETWEEN G STREET AND F STREET

WHEREAS, pursuant to Resolution of Intent Number 1134-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on December 12, 2019, 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 a portion of South Golden State Boulevard, south of San Benito Street, between G Street and F Street, situated within the City; and

WHEREAS, The Fresno Rescue Mission is requesting the proposed vacation of a portion of South Golden State Boulevard, south of San Benito Street, between G Street and F Street, as described in Exhibit "A" and as shown in Exhibit "B" which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this vacation is to dispose of 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 proposed for vacation as described in Exhibit "A" and as shown in Exhibit "B" is unnecessary for present or prospective public street purposes subject to the reservation of a public utility easement over the entire area proposed to be vacated, and also subject to all conditions as listed in Exhibit "C" incorporated herein; and

WHEREAS, this action is being taken pursuant to the provisions of the Public

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

Resolution No.

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 South Golden State Boulevard, south of San Benito Street, between G Street and F Street, as described in Exhibit "A" and as shown in Exhibit "B" is unnecessary for present and prospective public street purposes.

2. The public interest and convenience require, and it is hereby ordered, that as of December 12, 2019, the public street easement as described in Exhibit "A" and as shown in Exhibit "B" be vacated.

3. All work required by such conditions shall be completed in compliance with City Standard Specifications.

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 once all work associated with this requirement has been accepted by the City Engineer or the Public Works Director.

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

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 :

Mayor Approval: _____, 2019
Mayor Approval/No Return: _____, 2019
Mayor Veto: _____, 2019
Council Override Vote: _____, 2019

YVONNE SPENCE, MMC CRM
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Kristi Costa Date
Deputy City Attorney

Attachment:
Exhibits "A" through "C"
PW File No. 12454

EXHIBIT "A"
LEGAL DESCRIPTION

COMMENCING at the Westerly corner of Lot 1 in Block 222 of the Supplemental Map of the Town (now City) of Fresno, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 1 of Plats at Page 7, Fresno County Records; along the Southwesterly prolongation of the Northwesterly line of said Lot 1, a distance of 4.15 feet to the beginning of a 700.00 foot radius non-tangent curve concave Southerly, a radial to said beginning bears North 38°47'43" East, said point being on the Northerly right-of-way line of Golden State Boulevard, said point being the **TRUE POINT OF BEGINNING**;

Thence Westerly, along the Northerly right-of-way line of said Golden State Boulevard, along said curve, through a central angle of 34°27'36", an arc distance of 421.01 feet; thence North 85°18'39" West, continuing along the Northerly right-of-way line of said Golden State Boulevard, a distance of 210.15 feet to a point of intersection with a fence as located on October 2, 2018; thence, along said fence, the following sixteen (16) courses: (1) South 19°47'35" West, a distance of 14.00 feet; thence (2) South 78°04'20" East, a distance of 31.92 feet; thence (3) South 78°35'56" East, a distance of 40.13 feet; thence (4) South 78°41'13" East, a distance of 51.71 feet; thence (5) South 78°11'36" East, a distance of 51.43 feet; thence (6) South 81°26'32" East, a distance of 47.42 feet; thence (7) South 80°28'08" East, a distance of 51.69 feet; thence (8) South 77°26'34" East, a distance of 49.13 feet; thence (9) South 73°17'17" East, a distance of 52.41 feet; thence (10) South 71°44'47" East, a distance of 48.78 feet; thence (11) South 68°24'54" East, a distance of 50.53 feet; thence (12) South 65°53'06" East, a distance of 54.30 feet; thence (13) South 64°09'00" East, a distance of 23.06 feet; thence (14) South 61°54'20" East, a distance of 50.26 feet; thence (15) South 64°45'56" East, a distance of 10.75 feet; thence (16) North 51°42'48" East, a distance of 19.19; thence North 11°40'17" West, a distance of 2.66 feet to the **TRUE POINT OF BEGINNING**.

Containing 20,567 square feet, more or less.

12-28-18



EXHIBIT "B"

LEGEND

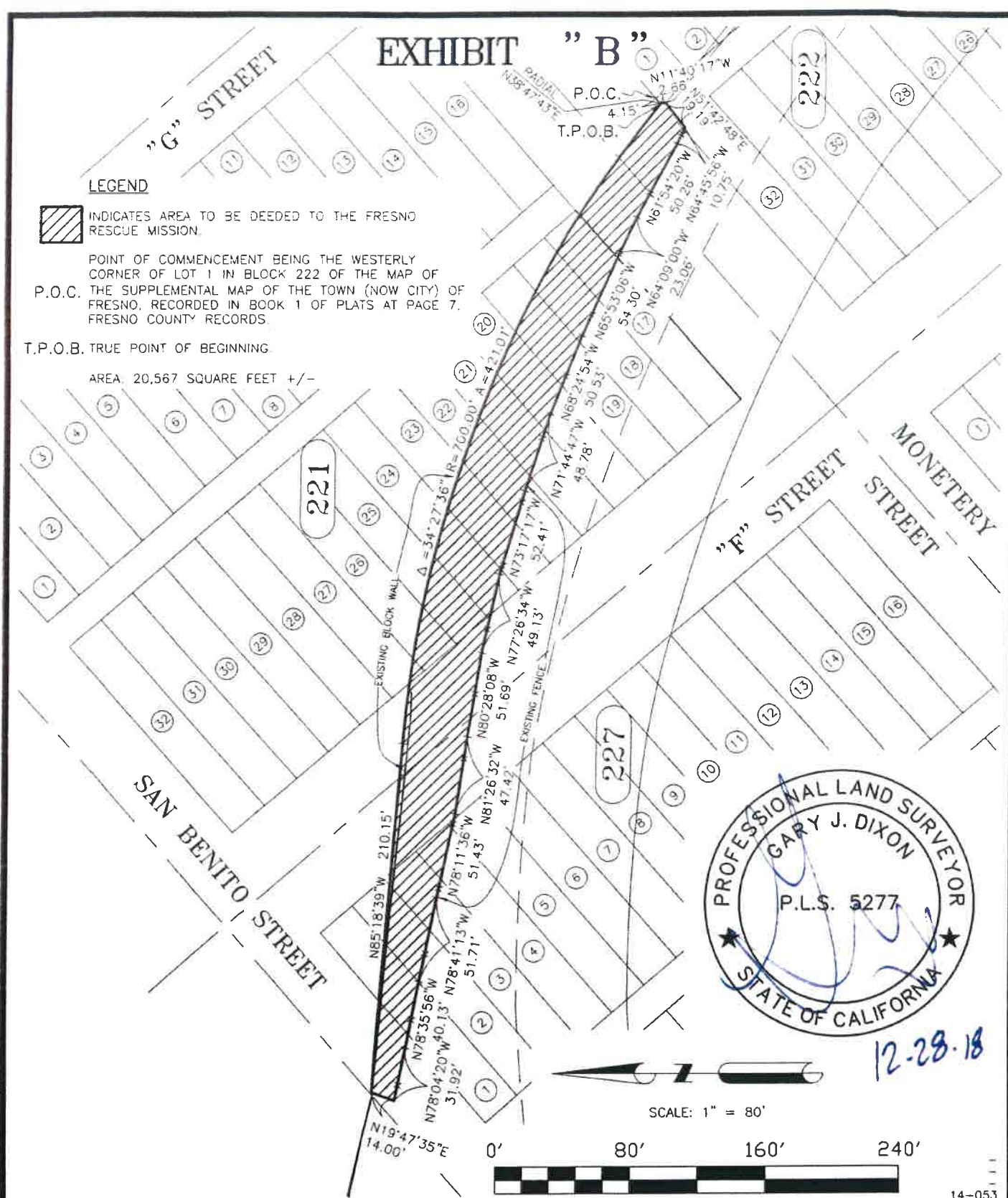


INDICATES AREA TO BE DEEDED TO THE FRESNO RESCUE MISSION.

POINT OF COMMENCEMENT BEING THE WESTERLY CORNER OF LOT 1 IN BLOCK 222 OF THE MAP OF P.O.C. THE SUPPLEMENTAL MAP OF THE TOWN (NOW CITY) OF FRESNO, RECORDED IN BOOK 1 OF PLATS AT PAGE 7, FRESNO COUNTY RECORDS.

T.P.O.B. TRUE POINT OF BEGINNING

AREA 20,567 SQUARE FEET +/-



SCALE: 1" = 80'



14-053

Ref. & Rev. PW File No: _____ Plat No: _____ T - _____ 2007 - _____	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	Proj. ID: - Fund No.: - Org. No.: -
	PORTION OF PARCELS 1 & 2 OF PARCEL MAP NO. 2657 RECORDED IN BOOK 18 OF PARCEL MAPS AT PAGE 41, FRESNO COUNTY RECORDS.	Dr. By: GMR Ck. By: Date: Dec. 19, 2018 Scale: 1" = 80'

EXHIBIT "C"
VACATION CONDITIONS OF APPROVAL

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

1. The proposed street vacation, as shown on Exhibit "A", supplied to the District, is located within an exempt area of the Fresno Metropolitan Flood Control District. Once recorded, the proposed vacation area will become part of the District's Drainage Area "II". Drainage fees for the proposed vacation area will be calculated when improvement plans are submitted to the District. The District will need to review and approve any improvement plans associated with the project (i.e. grading plan and street plans), for conformance with the Master Plan drainage patterns prior to implementation. Should you have any questions regarding this matter, please do not hesitate to contact Gary Chapman at (559) 456-3292.
2. Pacific Gas and Electric Company requires that the City of Fresno does hereby 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, reconstruct, maintain, operate, replace, remove, repair, renew and enlarge lines of pipes, conduits, cables, wires, poles, electrical conductors, manholes and other convenient structures, equipment, fixtures and appurtenances for the operation of electric, gas 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 as shown on "EXHIBIT B" dated 12/19/18. This reservation will protect our facilities installed pursuant to our franchise agreement with the City of Fresno. Any relocation of PG&E's electric, gas or communication facilities will be at the expense of any developer. If you have questions or comments, please coordinate with Fabian Cano at (559) 263-7472.
3. City of Fresno Department of Utilities has three water mains located in the Monterey Street alignment, south of G Street. They will require a site plan which depicts the proposed block wall with property setbacks from streets. They would also require that the applicant provide the location of the existing utilities and proposed clearances. Please coordinate with the Kevin Gray at (559) 621-8553, if you have any questions.
4. The City of Fresno Engineering Division requires that any work performed within the public street right of way will require improvement plans to be submitted for review. Please coordinate with the Engineering Division Manager Francisco Magos at (559) 621-8679.

5. Comcast has existing facilities in this area. Please coordinate with Comcast as to the exact location of these facilities. If you have any questions, please contact Michael Sue at (559) 455-4221.

PW File 12454