

RESOLUTION OF INTENT NUMBER 1139-D

A RESOLUTION OF INTENT OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF EAST ILLINOIS AVENUE BETWEEN NORTH VALERIA STREET AND NORTH FRESNO STREET

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 East Illinois Avenue between North Valeria Street and North Fresno Street; 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, Community Regional Medical Center is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to accommodate development associated with conditional use permit number C-16-011; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public utility easement proposed for vacation as shown in Exhibit "A" is unnecessary for present or prospective public utility purposes subject to conditions of approval as listed in attached Exhibit "B".

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

1. The hour of 10:00 a.m. on December 10, 2020, in the Council Chambers in

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: AZ

Resolution No.

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 10, 2020, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

Attachments:  
Exhibits "A" and "B"

PW File No. 12065

\* \* \* \* \*

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 \_\_\_\_\_, 2020.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, MMC CRM  
City Clerk

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

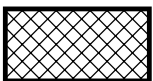
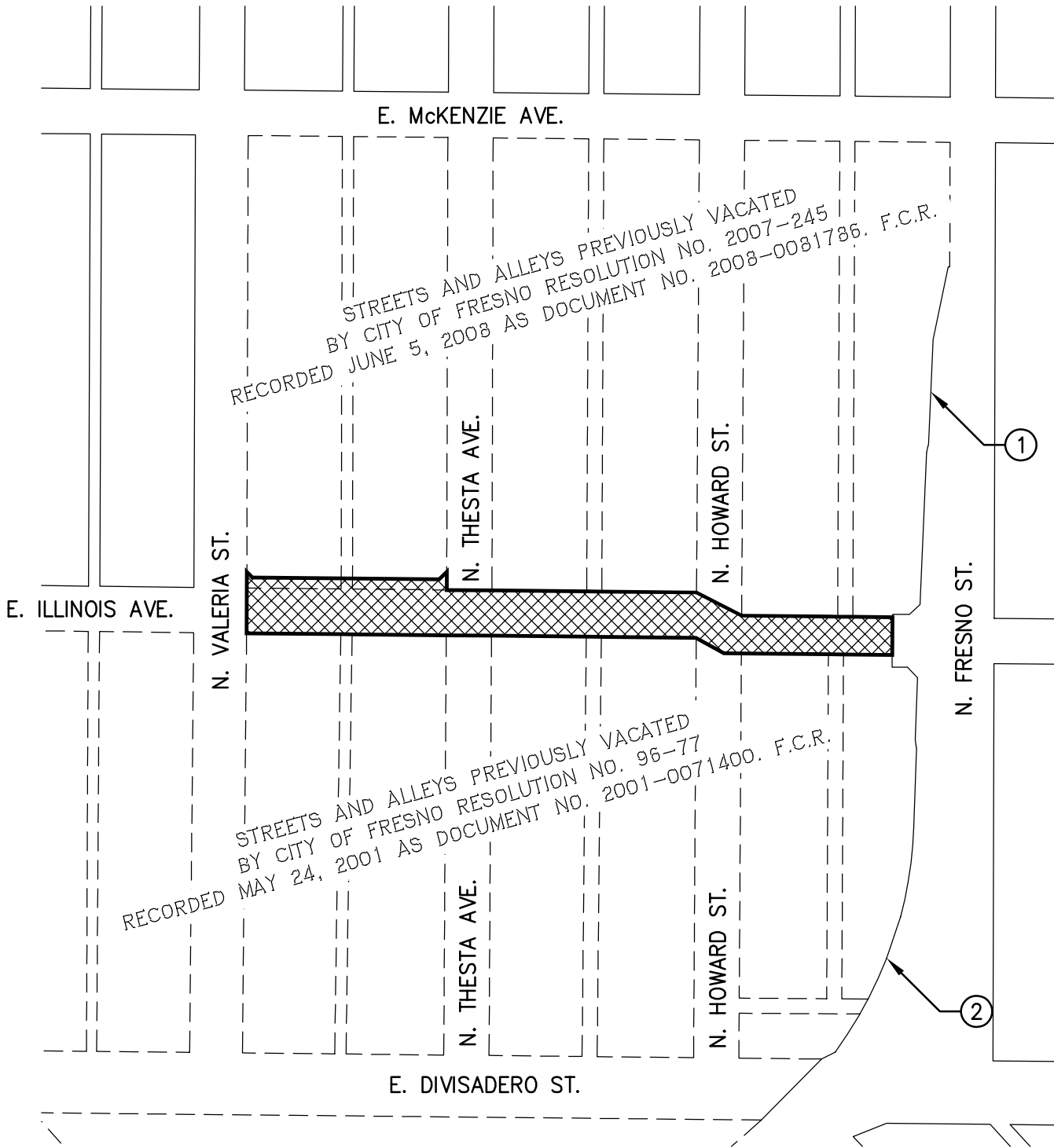
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

BY: \_\_\_\_\_  
Aaron Zaheen Date  
Deputy City Attorney

# EXHIBIT A

## FRESNO COMMUNITY HOSPITAL AND MEDICAL CENTER VACATION OF E. ILLINOIS AVENUE



STREET TO BE VACATED

①

STREET EASEMENT PER DOCUMENT NO. 1999-0067975

②

STREET EASEMENT PER DOCUMENT NO. 1999-0067976



**EXHIBIT "B"**  
**VACATION CONDITIONS OF APPROVAL**

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

1. Pacific Gas and Electric Company (PG&E) 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, 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 as shown on E. Illinois Ave Street Vacation exhibit. Any relocation of PG&E's gas or electric facilities will be at the expense of the developer. If you have any questions, please contact Marisol Garcia at (559) 263-5240.
2. Comcast has existing facilities within the proposed street vacation. They require that an easement be reserved to accommodate these assets. Any relocation of such facilities will be at the expense of the developer. Please contact Michael Sue at (559) 217-8937, for further details.
3. The proposed street vacation area lies within the District's Drainage Area "FF". The District has existing storm drainage facilities within the area of the proposed vacation as detailed on the Exhibit provided to the District. The District's facilities are shown on the included map. The District is requiring that the City of Fresno retain a public utility easement or provide the District with a twenty-foot (20') wide exclusive storm drainage easement centered on the pipeline. No encroachments into the easement will be allowed including, but not limited to, buildings, roof overhangs, swimming pools and trees. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. Any proposed revisions to existing District facilities must be reviewed and approved by the District prior to implementation. Should you have any questions regarding this matter, please do not hesitate to contact us at (559) 456-3292.
4. The City of Fresno Traffic Signal division requires that all of their facilities at located at East Illinois Avenue and North Fresno Street has an easement reserved, protected in place , and must be accessible at all times. Please contact Bill Shoemaker at (559) 621-1312 for details and locations of their facilities.

5. This City of Fresno Public Utility Department has existing facilities in the proposed street vacation. A 10-inch water main exists within the proposed vacation of East Hamilton Avenue and an 8- inch water main exists within the proposed vacation of South Parallel Avenue. The City of Fresno Water Division approves of the proposed closure, subject to the following conditions listed below:
  - a. An easement shall be dedicated to the City of Fresno. The proposed easement shall be a minimum of 20-feet centered over existing 10-inch and 8-inch water mains (including public fire hydrants) located within the proposed vacation.
  - b. If vacated streets are to be locked from access, Water service(s), gate valve(s), water meter(s), meter box(es) or other public utility to be relocated shall be performed by City Forces.
  - c. Master Meters shall be installed for private on-site utilities.
  - d. The Water Division shall be provided a key to ensure 24-hour access for operation and maintenance purposes.

Please coordinate with Robert Diaz at (559) 621-1623 for water facilities and Kevin Gray at (559) 621-8553 for sewer facilities.

6. The City of Fresno Right of Way division requires a Public Utility Easement be reserved and/or dedicated for any existing or proposed public utilities within the area proposed to be vacated. Please contact Jason Camit at (559) 621-8681 for further details.

PW File 12065