

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DEDICATING PUBLIC UTILITY EASEMENTS ON PORTIONS OF CITY-OWNED PROPERTIES, TO ACCOMMODATE THE PUBLIC UTILITY RELOCATION ASSOCIATED WITH THE BLACKSTONE MCKINLEY BNSF GRADE SEPARATION PROJECT

WHEREAS, the City of Fresno owns properties at the northeast quadrant of North Blackstone Avenue and East McKinley Avenue, between East University Avenue and East Peralta Avenue; and

WHEREAS, a portion of these properties will be used for the relocation of existing public utility facilities; and

WHEREAS, the purpose of this public utility easement dedication is to accommodate the construction of the relocated public utilities and allow them to remain on City-owned properties; and

WHEREAS, the public utility easement dedications are necessary for the public utility facilities to be relocated to accommodate the construction of the Blackstone McKinley BNSF Grade Separation Project; and

WHEREAS, the proposed public utility easements listed as Exhibits 1, 2 and 3, respectively and attached hereto, 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

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

588082v1

652657v3

Resolution No.

WHEREAS, Public Works Department has determined that the public utility easement legal descriptions attached as Exhibits 1, 2 and 3 hereto are adequate for the proposed public utility improvements.

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

1. Those portions of City-owned properties as shown and described in attached Exhibits 1, 2 and 3 are hereby dedicated for the purpose of public utility easements.

2. Nothing contained in this resolution shall be deemed or interpreted by any 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 the passage of this resolution and attest thereto under the seal of the City of Fresno to be recorded in the Office of the Recorder of the County of Fresno, California.

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.

5. This resolution shall become effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, AMY K. ALLER, Interim 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 _____ 2026.

AYES :
NOES :
ABSENT :
ABSTAIN :

AMY K. ALLER
Interim City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Brent Richardson Date
Deputy City Attorney

Attachments:
Exhibit 1
Exhibit 2
Exhibit 3

PW00937

EXHIBIT 1

Public Utility Easement

(Attached)

EXHIBIT "A"
LEGAL DESCRIPTION

APN: 446-231-08T (portion)
Utility Easement

A portion of that parcel of land as described by Grant Deed, recorded July 18, 2018, as Document No. 2018-0085301, Official Records Fresno County, lying in the Southwest quarter of Section 27, Township 13 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Southeast corner of said Grant Deed;

thence North 89°33'02" West, along the South line of said Grant Deed, a distance of 3.53 feet;

thence North 5°39'26" East, a distance of 12.61 feet;

thence South 84°20'34" East, a distance of 2.40 feet to a point of intersection thereof with the East line of said Grant Deed;

thence South 0°26'20" West, along said East line, a distance of 12.35 feet to the **POINT OF BEGINNING**;

Containing an area of 37 square feet, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers

October 29, 2024
Date



2024-139
15-A-10533
PLAT: 2256
PWF# 12385
PW00937

Sheet 1 of 1

P:\224-0150\001_2024-010_Blackston-McKinley BNSF GS\Exhibits\APN 446-231-08T\Utility\446-231-08T_Legal_Util.doc Blair, Church & Flynn Consulting Engineers

EXHIBIT "B"

APN: 446-231-11T

APN: 446-231-08T
 GRANT DEED
 DOC. NO. 2018-0085301
 O.R.F.C.
 CITY OF FRESNO, A
 CALIFORNIA MUNICIPAL
 CORPORATION

EAST LINE OF DOC. NO.
 2018-0085301

S84°20'34"E
 2.40'

N5°39'26"E
 12.61'

S0°26'20"W
 12.35'

SOUTH LINE OF DOC.
 NO. 2018-0085301

N89°33'02"W
 3.53'

POINT OF
 BEGINNING
 CORNER OF
 DOC. NO.
 2018-0085301
 O.R.F.C.

APN: 446-231-06

APN: 446-231-10T



Randell Scott West
 10/29/2024

LEGEND

- PROPERTY LINE
- PROPOSED UTILITY EASEMENT
- SECTION LINE
- EXISTING RIGHT-OF-WAY LINE
- O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY
- AREA OF UTILITY EASEMENT
 TOTAL AREA:
 37 SQ. FT.



SCALE: 1"=20'

REF. & REV. 2024-139 PLAT: 2256 PWF# 12385	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. PW00937 RES TYPE. - FUND NO. 22517 ORG. NO. 189901
	BEING A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SEC. 27, T13S, R20E, M.D.B.&M. UTILITY EASEMENT	DR. BY. NL CH. BY. HKB DATE 10/29/2024 SCALE 1"=20'

EXHIBIT 2

Public Utility Easement

(Attached)

EXHIBIT "A"
LEGAL DESCRIPTION

APN: 446-231-11T (portion)
Utility Easement

A portion of that parcel of land as described by Grant Deed, recorded August 9, 1991, as Document No. 91097016, Official Records Fresno County, together with that portion of North Effie Street (60 feet wide and abandoned), lying in the Southwest quarter of Section 27, Township 13 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Southwest corner of Grant Deed;

thence North 0°26'20" East, along the West line of said Grant Deed, a distance of 12.35 feet;

thence South 84°20'34" East, a distance of 60.24 feet to a point of intersection with the West line of North Effie Street (Abandoned per Resolution No. 92-288);

thence South 0°26'04" West, along said West line of North Effie Street, a distance of 6.88 feet;

thence North 89°33'04" West, along the South line of said Grant Deed, a distance of 59.99 feet to the **POINT OF BEGINNING**;

Containing an area of 577 square feet or 0.01 acres, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers

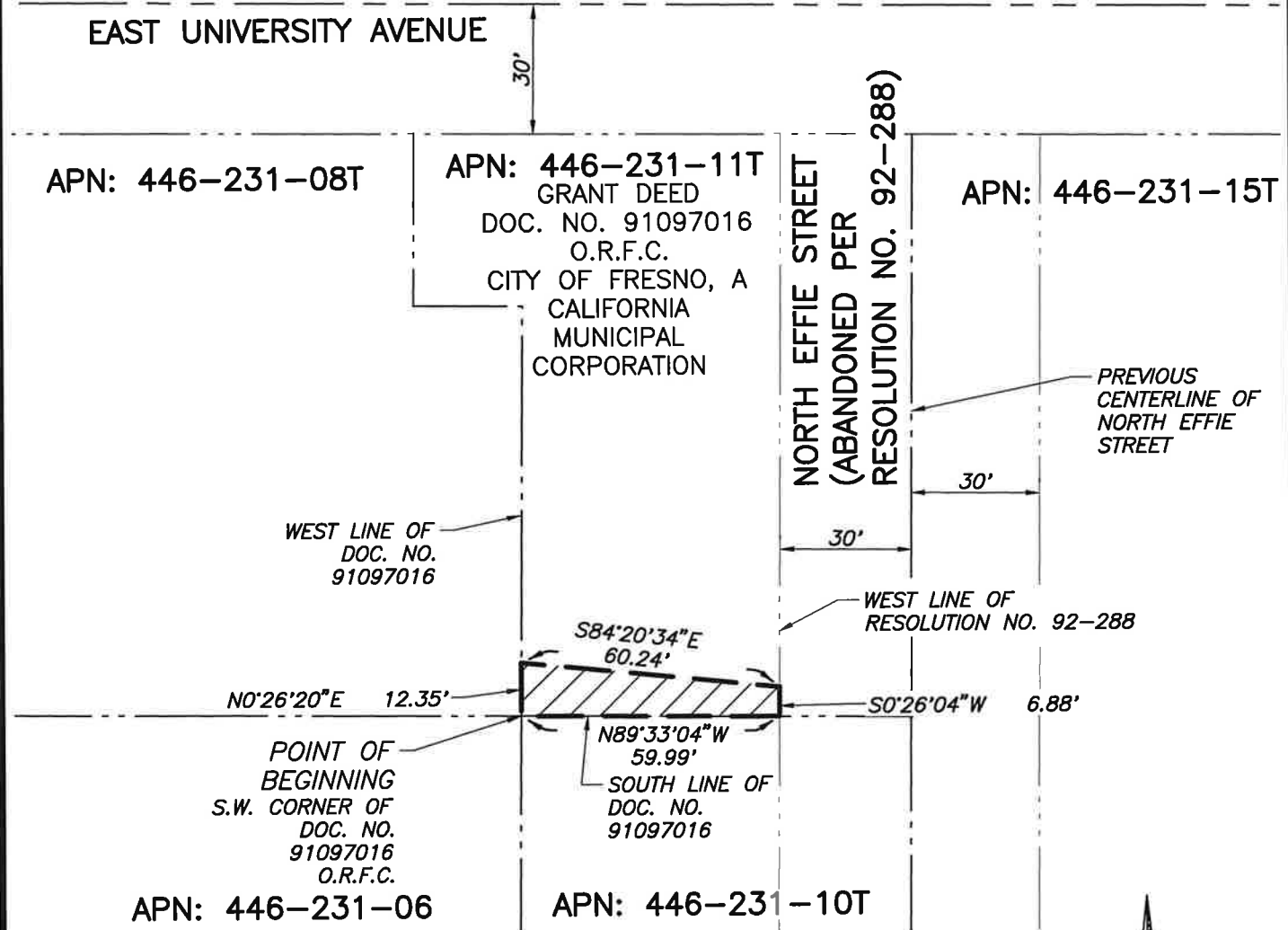
October 29, 2024
Date



2024-140
15-A-10534
PLAT: 2256
PWF# 12385
Pw00937

Sheet 1 of 1

EXHIBIT "B"



LEGEND

- PROPERTY LINE
 - PROPOSED UTILITY EASEMENT LINE
 - SECTION LINE
 - EXISTING RIGHT-OF-WAY LINE
 - PREVIOUS RIGHT-OF-WAY LINE OF NORTH EFFIE STREET
 - OFFICIAL RECORDS FRESNO COUNTY
 - AREA OF UTILITY EASEMENT
- TOTAL AREA:
577 SQ. FT. (0.01 AC)



Randell Scott West
10/29/2024



SCALE: 1"=40'

REF. & REV. 2024-140 PLAT: 2256 PWF# 12385	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. <u>PW00937</u> RES TYPE <u>-</u>
	BEING A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SEC. 27, T13S, R 20E, M.D.B. & M. UTILITY EASEMENT	FUND NO. <u>22517</u> ORG. NO. <u>189901</u>
		DR. BY <u>NL</u> SHEET NO. <u>1</u>
		CH. BY <u>HKB</u> OF <u>1</u> SHEETS
		DATE <u>10/29/2024</u>
		SCALE <u>1"=40'</u> 15-A-10534

EXHIBIT 3

Public Utility Easement

(Attached)

EXHIBIT "A"
LEGAL DESCRIPTION

APN: 446-231-10T (portion)
Utility Easement

That portion of that certain parcel of land as described by Grant Deed, recorded July 2, 1991, as Document No. 91079128, Official Records Fresno County, lying in the Southwest quarter of Section 27, Township 13 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Northwest corner of said Document No. 91079128;

thence South 89°33'04" East, along the North line of said Document No. 91079128, a distance of 59.99 feet to a point of intersection with the West line of North Effie Street (Abandoned per Resolution No. 92-288);

thence South 0°26'04" West, along the West line of North Effie Street, a distance of 25.98 feet;

thence North 84°20'34" West, a distance of 60.24 feet to a point of intersection thereof with the West line of said Document No. 91079128;

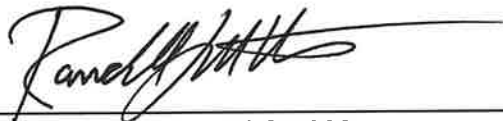
thence North 0°26'21" East, along last said West line, a distance of 17.78 feet to the **POINT OF BEGINNING**;

Containing an area of 1,231 square feet or 0.03 acres, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers

October 29, 2024

Date



2024-166
15-A-10559
PLAT: 2256
PWF: 12385
PW00937

EXHIBIT "B"

APN: 446-231-08T

APN: 446-231-11T

NORTH LINE OF DOC.
NO. 91079128
O.R.F.C.

S89°33'04"E
59.99'

POINT OF BEGINNING
N.W. CORNER OF DOC. NO.
91079128 O.R.F.C.

N0°26'21"E
17.78'

S0°26'04"W 23.25'

N84°20'34"W
60.24'

PREVIOUS
CENTERLINE OF
NORTH EFFIE
STREET

APN: 446-231-06

30'

APN: 446-231-10T
GRANT DEED DOC.
NO. 91079128
O.R.F.C.

WEST LINE OF
DOC. NO.
91079128
O.R.F.C.

WEST LINE OF
RESOLUTION
NO. 92-288

NORTH EFFIE STREET
(ABANDONED PER
RESOLUTION NO. 92-288)

30'

30'

EAST PERALTA WAY



Randell Scott West
10/29/2024

LEGEND

- PROPERTY LINE
 - PREVIOUS RIGHT-OF-WAY LINE OF NORTH EFFIE STREET
 - PROPOSED UTILITY EASEMENT LINE
 - SECTION LINE OR CENTERLINE
 - EXISTING RIGHT-OF-WAY LINE
 - O.R.F.C.
 - AREA OF UTILITY EASEMENT
- TOTAL AREA:
1,231 SQ. FT. (0.03 AC)



SCALE: 1"=40'

REF. & REV. 2024-166 PLAT: 2256 PWF# 12385	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS BEING A PORTION OF THE SW 1/4 OF THE SW 1/4 SEC. 27, T13S, R 20E, M.D.B. & M. UTILITY EASEMENT	PROJ. ID. PW00937 RES TYPE -
		FUND NO. 22517 189901
		DR. BY NL SHEET NO. 1
		CH. BY HKB OF 1 SHEETS
		DATE 10/29/2024
		SCALE 1"=40' 15-A-10559