

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, ORDERING THE SUMMARY
VACATION OF A PORTION OF THE RELINQUISHMENT
OF DIRECT ACCESS RIGHTS ON THE SOUTH SIDE OF
WEST CLINTON AVENUE WEST OF NORTH WEBER
AVENUE

WHEREAS, the Council has elected to proceed under the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Division 9, Part 3 of the California Streets and Highways Code), and specifically Chapter 4 (commencing with Section 8330) thereof, to summarily vacate a portion of the relinquishment of direct access rights on the south side of West Clinton Avenue west of North Weber Avenue as shown on Exhibit "A" which is attached and incorporated in this Resolution; and

WHEREAS, the purpose of the vacation is to allow a right-in and right-out access onto Clinton Avenue as proposed by Conditional Use Permit No. C-14-096; and

WHEREAS, the relinquishment of direct access rights was originally acquired by the State of California for the Clinton overpass at Freeway 99. The State relinquished the abutting street right-of-way and access rights to the City of Fresno as shown on the map of Relinquishment No. 81617 recorded July 13, 1994, in State Highway Map Book 3 at Pages 56 and 57, Fresno County Records; and

WHEREAS, the State relinquished the abutting street right-of-way and access rights to the City of Fresno as shown on the map of Relinquishment No. 81617 recorded July 13, 1994, in State Highway Map Book 3 at Pages 56 and 57, Fresno County Records; and

WHEREAS, the Traffic and Engineering Services Division reviewed this proposal

1 of 4

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



Resolution No.

and determined the relinquishment of direct access rights is no longer necessary at this location; and

WHEREAS, the provisions of Chapter 4, commencing with Section 8330 of the California Streets and Highways Code (which defines "street" to include restrictions of access or abutters' rights) authorizes the Council to summarily vacate a portion of public street or highway that lies within property under one ownership and that does not continue through such ownership or end touching the property of another. Under these provisions, only one Council action is necessary and a published notice, posting and public hearing are not required; and

WHEREAS, the Council desires to summarily vacate a portion of the relinquishment of direct access rights on the south side of West Clinton Avenue west of North Weber Avenue as shown on Exhibit "A".

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

1. The portion of the relinquishment of direct access rights as shown on Exhibit "A" is hereby vacated.
2. The City Clerk of the City of Fresno shall certify to the passage of this Resolution and shall cause a certified copy, attested by the Clerk under the seal of the City of Fresno, to be recorded in the Office of the County Recorder of the County of Fresno, State of California.
3. This vacation shall become effective on the date this resolution is recorded.
4. From and after the date this resolution is recorded the portion of the

relinquishment of direct access rights on the south side of West Clinton Avenue west of North Weber Avenue as shown on Exhibit "A" shall no longer constitute a relinquishment of direct access rights.

* * * * *

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 _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

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

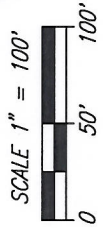
BY: _____
Raj Singh Badhesha, Deputy
Dated:

Attachment: Exhibit "A"

PW File No. 11920

EXHIBIT A

Peter D. Cohrs



NOTE:
NO BUILDINGS
OR STRUCTURES
EXIST ON SITE

LEGEND:
 PORTION OF RELINQUISHED ACCESS TO BE VACATED
 DATA PER STATE HIGHWAY MONUMENTATION MAP RECORDED NOV. 29, 1993 IN STATE HIGHWAY MAP BOOK 4 AT PAGES 52 & 53, FRESNO COUNTY RECORDS.

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	20.68'	S0°09'15"W
L2	12.98'	S83°39'45"W
L3	54.23'	S83°39'45"W
L4	32.11'	S87°41'17"W
L5	93.60'	N87°41'17"E
L6	24.16'	N65°45'17"W

CTR QUARTER CORNER
SEC. 30, T13S, R20E
N89°46'52"E

NW CORNER
PARCEL B
WEST CLINTON AVE.

NORTH WEBER AVE.

PARCEL A

PARCEL B
B.K. 1 OF PARCEL
MAPS, PG. 40, FOR
68-47

UNION PACIFIC RAILROAD



PLANNING • SURVEYING • CIVIL ENGINEERING
1234 O STREET, FRESNO, CALIFORNIA 93721
PHONE: (559) 449-4500 FAX: (559) 449-4515

PROJECT NAME:

RELINQUISHED ACCESS TO BE VACATED

04/20/15

13-102