

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO VACATE A PORTION OF THE
"M" – "N" ALLEY LYING SOUTHEASTERLY OF MARIPOSA
MALL

WHEREAS, pursuant to Resolution of Intention No. 1121-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on January 11, 2018, at a regular meeting of the Council of the City of Fresno, California (City), at which evidence was heard for and against the vacation of the hereinafter described public street right-of-way, situated within the City; and

WHEREAS, the City of Fresno is requesting the proposed vacation of a portion of the "M"- "N" alley southeasterly of the Mariposa Mall, as described in Exhibit "A" and as shown in Exhibit "B" said exhibits 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

WHEREAS the purpose of the vacation is to provide additional access to the exhibit building on the east corner of the Mariposa Mall and M Street; and

WHEREAS, the right-of-way is a 20.00 foot wide alley that was originally dedicated by the Map of the Town of Fresno, recorded Volume 1 of Plats at Page 2, 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 right-of-way proposed for vacation as described in Exhibit "A" and shown on Exhibit "B" is unnecessary for present or prospective public street purposes subject to

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



Resolution No.

the reservation of a public utility easement over the entire area being vacated; 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 the “M”-“N” alley southeasterly of the Mariposa Mall, 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 contemplated by Resolution of Intention No. 1121-D adopted by the Council on December 14, 2017, the public street right-of-way as described in Exhibit “A” and as shown in Exhibit “B,” be and are hereby vacated and abandoned.

3. The City reserves the entire area being vacated as a permanent easement, to be used any time, to construct, maintain, operate, replace, remove and renew sanitary sewers, water mains, storm drains, and appurtenant structures in, upon, and over the public road easement proposed to be vacated and, pursuant to any existing franchises or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipe, conduits, cables, wires, poles, and other convenient structures, equipment, and fixtures for the operation of gas pipelines, telegraphic and telephone lines, railroad lines, and for the transportation or distribution of electric energy, petroleum and its products, ammonia and water, and for incidental

purposes, including access to protect such works from all hazards in, upon, and over the public street right-of-way to be vacated.

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. 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 _____, 2018.

AYES :
NOES :
ABSENT :
ABSTAIN :

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

YVONNE SPENCE, MMC
City Clerk

BY: _____

Deputy

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

BY: _____
John Hastrup Date
Deputy City Attorney

Attachments: Exhibits "A" & "B"
PW File 12185

EXHIBIT 'A'

A portion of the 20 feet wide alley in Block 116 of the Town (now City) of Fresno, in the County of Fresno, State of California, according to the map thereof recorded June 8, 1876 in Volume 1 of Plats, Page 2, Fresno County Records, being more particularly described as follows:

That portion of said 20 feet wide alley lying between the southwesterly prolongation of the northwesterly line of Lot 1 and the southwesterly prolongation of the northwesterly line of Lot 8, all in said Block 116.

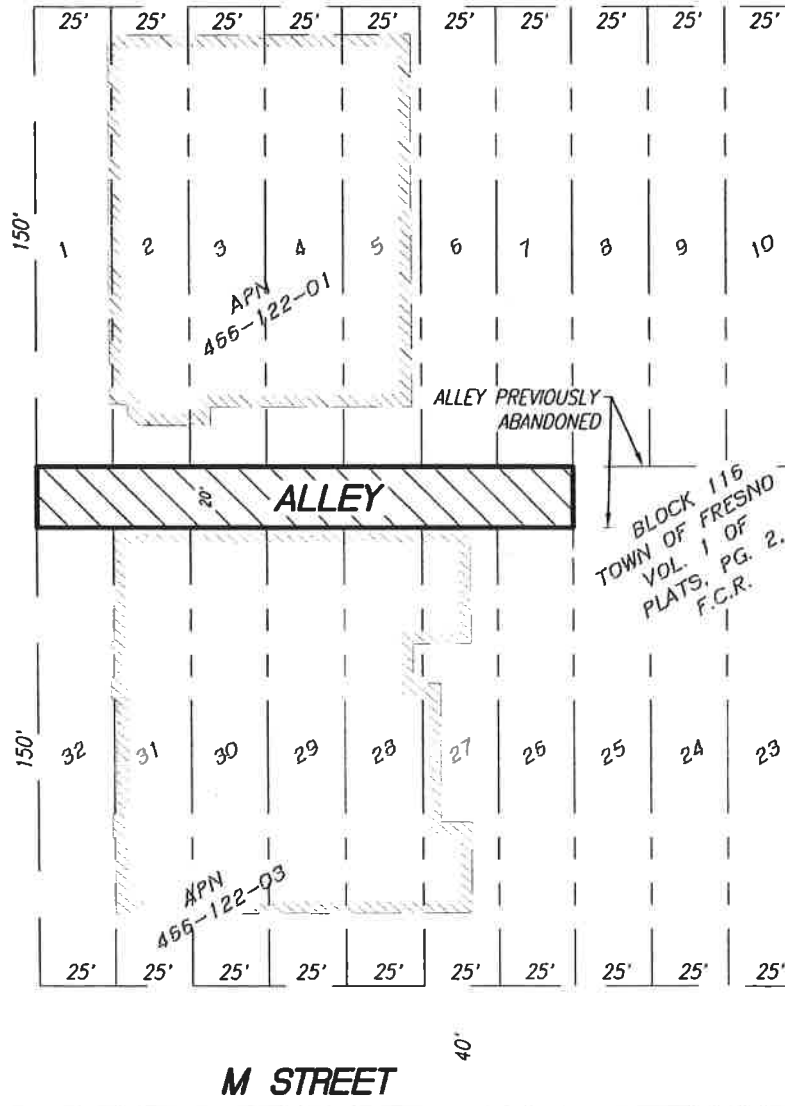


Peter D. Cohrs
5/1/17

EXHIBIT "B"

N STREET

MARIPOSA STREET MALL



M STREET



SCALE 1" = 60'



LEGEND

- STREET CENTERLINE
- EX. PROPERTY LINE
- EX. RIGHT-OF-WAY
- PORTION OF 20' ALLEY IN BLOCK 116 OF TOWN (NOW CITY) OF FRESNO TO BE ABANDONED. AREA = 3,500 SQ. FT.

REF. & REV.

2006-
PWF
PLAT

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PORTION OF 20' ALLEY IN BLOCK 116 OF TOWN
(NOW CITY) OF FRESNO TO BE ABANDONED.

PROJ. ID. _____ KRA _____
FUND NO. _____ RES TYPE _____
ORG. NO. _____

DR. BY _____ PLS _____ SHEET NO. 1
CH. BY _____ PDC _____ OF 1 SHEETS
DATE 04/27/17
SCALE AS NOTED
JOB NO. 17-049 **15-A-**