

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF STANISLAUS STREET AND L STREET ADJACENT TO BLOCK 89 OF THE TOWN (NOW CITY) OF FRESNO, AND A PORTION OF AN ALLEY IN BLOCK 89 OF THE TOWN (NOW CITY) OF FRESNO

WHEREAS, pursuant to Resolution of Intention No. 1145-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on January 13, 2022, 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 Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno, situated within the City; and


WHEREAS, Teter Architects and Engineers, Inc. is requesting the proposed vacation of a portion of Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno, described in Exhibit A and as shown on Exhibit B, which are attached and incorporated in this Resolution; and

WHEREAS the purpose of this vacation is to accommodate Development Permit Application Number P21-01805; and

WHEREAS, the Traffic and Engineering Services Division, 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 on Exhibit B are unnecessary for present or prospective public street purposes subject to the conditions of approval as listed in Exhibit C, said exhibits are incorporated herein by

1 of 3

Date Adopted:
Date Approved:
Effective Date:

City Attorney Approval: 

Resolution No.

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, 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 Stanislaus Street and L Street adjacent to Block 89 of the Town (now City) of Fresno, and a portion of an alley in Block 89 of the Town (now City) of Fresno, as described in Exhibit A and as shown on Exhibit B are unnecessary for present and prospective public street purposes.

2. The public interest and convenience require, and it is hereby ordered, that as of February 10, 2022, the public street easement as described in Exhibit A and as shown on Exhibit B be vacated.

3. The proceedings for the vacation of such right-of-way are intended to be and shall be taken subject to the conditions of approval listed in Exhibit C, which is attached and incorporated herein. All work required by such conditions shall be completed in compliance with City Standard Specifications and approved by the Public Works Department.

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, TODD STERMER, 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 _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Vote: _____, 2022

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Angela M. Karst Date
Deputy City Attorney

Attachments:
Exhibit A – Street Easement Vacation Legal Description
Exhibit B – Street Easement Vacation
Exhibit C – Vacation Condition of Approval

EXHIBIT "A"

Parcel 1:

That portion of the Alley which lies within Block 89 of the Town (now City) of Fresno, recorded in Volume 1 of Plats, at Page 2, Fresno County Records, described as follows:

BEGINNING at the most Westerly corner of Lot 5 in said Block 89; thence Southeasterly along the Southwesterly line of Lots 5 through 16 of said Block 89, and its Southeasterly prolongation, a distance of 304 feet, more or less, to the intersection with a line and its Southwesterly prolongation, parallel with and 4.00 feet Southeasterly of the Southeasterly line of Lot 16 of said Block 89; thence Southwesterly, along said parallel line, a distance of 20 feet to the intersection with the Northeasterly line of Lots 17 through 32 of said Block 89, and its Southeasterly prolongation; thence Northwesterly along last said line, a distance of 304 feet, more or less, to the most Northerly corner of Lot 28 of said Block 89; thence Northeasterly, a distance of 20 feet to the Point of Beginning.

Parcel 2:

That portion of L Street and Stanislaus Street which lies adjacent to Block 89 of the Town (now City) of Fresno, recorded in Volume 1 of Plats, at Page 2, Fresno County Records, described as follows:

BEGINNING at the most Northerly corner of Lot 5 of said Block 89; thence Northeasterly, a distance of 4.00 feet at a right angle from the Northeasterly line of Lots 1 through 16 of said Block 89, to the intersection with a line parallel with and 4.00 feet Northeasterly of said Northeasterly line of Lots 5 through 16; thence Southeasterly along said parallel line, a distance of 304 feet, more or less, to the intersection with a line parallel with and 4.00 feet Southeasterly of the Southeasterly line of Lot 16 of said Block 89, and its Northeasterly prolongation; thence Southwesterly along last said parallel line, a distance of 154 feet, more or less, to the intersection with the Southeasterly prolongation of the Southwesterly line of said Lots 1 through 16; thence Northwesterly along said Southwesterly line, a distance of 4.00 feet to the most Southerly corner of said Lot 16; thence Northeasterly, a distance of 150 feet, more or less, to the most Easterly corner of said Lot 16; thence Northwesterly along the Northeasterly line of said Lots 5 through 16, a distance of 300 feet, more or less, to the Point of Beginning.

EXHIBIT "A"

Parcel 3:

That portion of Stanislaus Street which lies adjacent to Block 89 of the Town (now City) of Fresno, recorded in Volume 1 of Plats, at Page 2, Fresno County Records, described as follows:

BEGINNING at the most Easterly corner of Lot 17 of said Block 89; thence Southwesterly along the Southeasterly line of said Lot 17, a distance of 142 feet, more or less, to the beginning of a tangent curve with a radius of 8.00 feet; thence along said tangent curve, concave Northerly, to the intersection with the Southwesterly line of Lots 17 through 32 of said Block 89; thence Southeasterly along said Southwesterly line and its Southeasterly prolongation, a distance of 12 feet, more or less, to the intersection with a line parallel with and 4.00 feet Southeasterly of said Southeasterly line of Lot 17; thence Northeasterly, a distance of 150 feet, more or less, to the intersection with the Southeasterly prolongation of the Northeasterly line of Lots 17 through 32 of said Block 89; thence Northwesterly, a distance of 4.00 feet to the Point of Beginning.



EXHIBIT "B"

LEGEND:



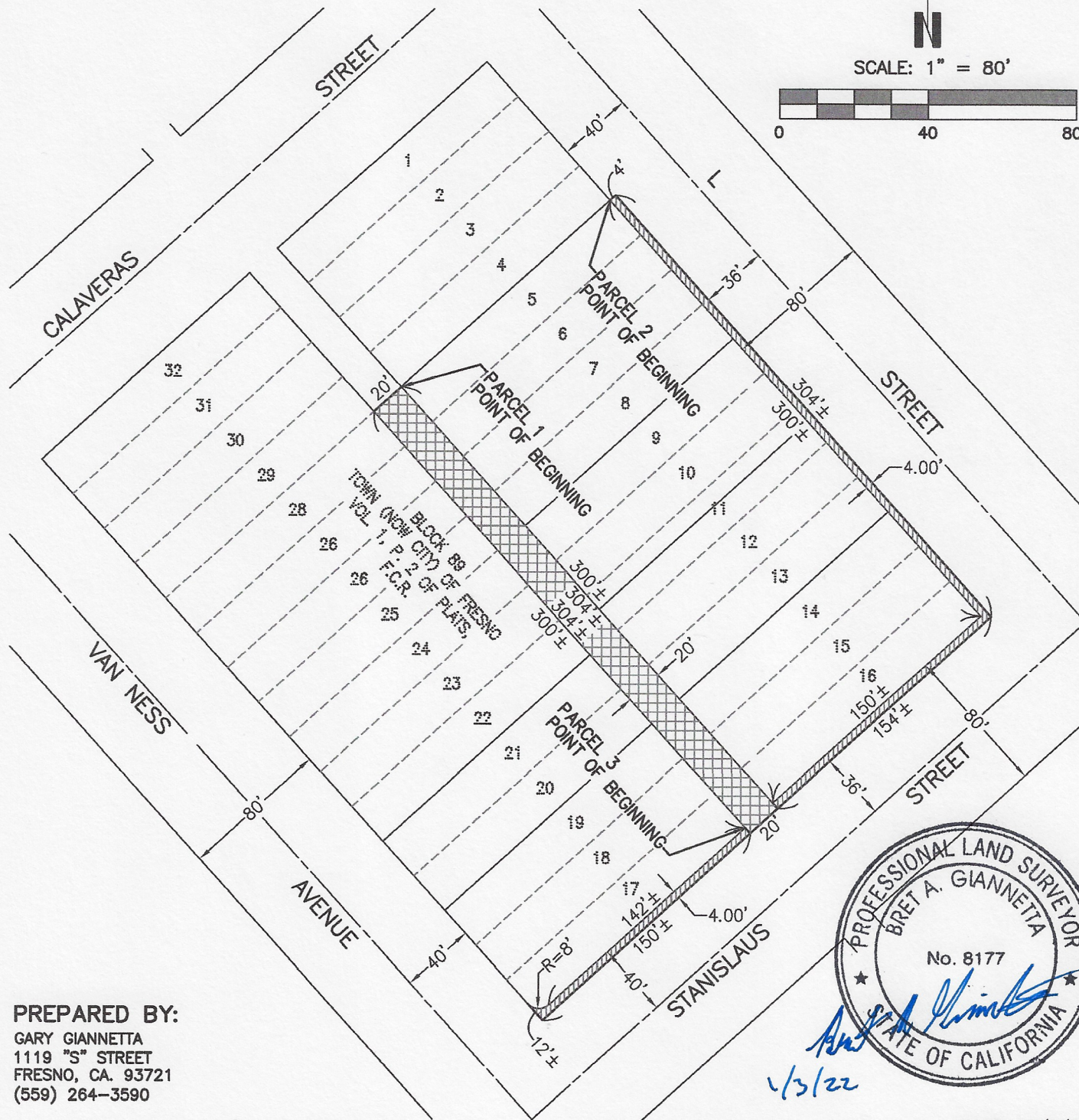
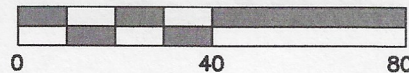
INDICATES AREA TO BE VACATED AND RESERVED AS A PUBLIC UTILITY EASEMENT BY THE CITY OF FRESNO. (CONTAINS AN AREA OF 6,080± SQ. FT.)



INDICATES AREA TO BE VACATED. (CONTAINS AN AREA OF 2,433± SQ. FT.)



SCALE: 1" = 80'



PREPARED BY:

GARY GIANNETTA
1119 "S" STREET
FRESNO, CA. 93721
(559) 264-3590



DATE: 12/2/21

REF. & REV.

2021-
PLAT

CITY OF FRESNO

DEPARTMENT OF PUBLIC WORKS

A PORTION OF L STREET, STANISLAUS STREET AND THE
VAN NESS/L STREET ALLEY
PUBLIC STREET RIGHT-OF-WAY TO BE VACATED

DR. BY: B. GIANNETTA
CH BY:
DATE:
SCALE: AS NOTED

SHEET NO. 1
OF 1 SHEET

EXHIBIT "C"
VACATION CONDITION OF APPROVAL

1. A.T & T. has conduit and facilities within the area proposed for vacation. It serves addresses 1528, 1544, & 1568 on Van Ness Avenue and 1527 L Street. The facilities must remain and 24 hour access must be maintained for these facilities. A.T & T requires a public utility easement be reserved in the alley. For more details, please contact and Brian Weldon at (559) 548-0736.
2. The City of Fresno Engineering Services Division shall be provided any plans for all improvements within the public right of way for review and approval. If you have any question regarding this condition, please contact Francisco V. Magos at (559) 621-8679.
3. Comcast has existing facilities in this area. They require a public utility easement be reserved in the alley. Please contact Michael Sue of Comcast at (559) 217-8937.
4. The City of Fresno Land Division requires that a public utility easement be reserved in the alley proposed to be vacated. The applicant must convert to one-way (North) to Calaveras Street to allow for egress from the Funeral Home parking lot. If you have any question regarding this condition, please contact Francisco Magos at (559) 263-8679.
5. The proposed vacation areas lie within the District's Drainage Area "FF". There are no existing or proposed Master Plan facilities within the proposed vacation areas as detailed on the Exhibit provided to the District. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation areas. 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 us at (559) 456-3292.
6. Lumen has existing facilities within the area proposed to be vacated. Please coordinate with them to preserve or relocate any of the facilities that may be in conflict with your proposed development. Please contact Aliya Skaro, aliyah.skaro@lumen.com.
7. The City of Fresno Department of Public Utilities - Water Division has existing facilities withing the area proposed to be vacated. They require the following conditions:
 1. Dedication of a Public Utility Easement (Easement) shall be required for public utility purposes for the full width of the existing alleyway from Stanislaus Avenue north approximately 300-linear feet.

- a. All easements shall be clear and unobstructed by buildings or other structures. No fencing or wall shall either enclose or be located above the water main. The planting plan, for any proposed landscape within the easement, shall be approved by the Department of Public Utilities. No Trees shall be located within 8-feet of the water main. All water mains within an easement shall be clearly marked with signage above indicating the exact location and type of facility below.
 - b. In the event City damages any street, sidewalk, landscaping or other improvements in exercising reasonable care, use and enjoyment of the Easement, City shall not be obligated to restore any street, sidewalk, landscaping or other improvements so damaged. City shall have the right, without notice and at the property owner's expense, to remove from the Easement any building, fence, tree, or other encroachment not approved by City's Assistant Director of Public Utilities. The Easement shall be maintained by the property owner free of any surface obstructions, except for those that may be approved by City's Assistant Director of Public Utilities, so that City may have vehicular access to and through the Easement at all times.
2. Existing street furniture (City public fire hydrants and water valves) within the proposed street vacation of Stanislaus Avenue shall be relocated to City right of way.

Should you have any questions regarding this matter, please do not hesitate to contact Robert Diaz at (559) 621-8600.

8. The City of Fresno Department of Public Utilities has existing facilities withing the area proposed to be vacated. The require the following conditions:
 - I. Reservation of public utility easement for an existing 6-inch sewer main in the alley.
 - II. The conditioned easement shall be clear and unobstructed by buildings or any other structure. No fencing or wall shall either enclose or be located above the sewer main.
 - III. No planting plan for any proposed landscape shall be approved within the easement. No trees shall be located within 8 feet of the existing sewer main.

For more details, please contact Kevin Gray at (559) 621-8553.