

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO VACATE A PORTION OF EAST
KAVILAND AVENUE AT SOUTH ROSE AVENUE

WHEREAS, pursuant to Resolution of Intention No. 1147-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on February 17, 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 East Kaviland Avenue at South Rose Avenue; and

WHEREAS, Crosspoint Repair, Inc. is requesting the proposed vacation of a portion of East Kaviland Avenue at South Rose Avenue, 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 P21-00192; 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 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).

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

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 East Kaviland Avenue at South Rose Avenue, 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 17, 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

PW File No. 12931

EXHIBIT "A"
LEGAL DESCRIPTION
STREET VACATION

APN 479-224-32

That portion of Parcel 2 granted by Deed, recorded December 4, 2018, as Document No. 2018-0144805, of Official Records of Fresno County, lying in the Southwest quarter of Section 15, Township 14 South, Range 20 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the City of Fresno, County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Northwest corner of said Parcel 2, said point also being the South Right-of-Way line of Kaviland Avenue, 60 feet wide, as shown on Tract No. 1027 – Edison Manor, according to the map thereof recorded in Book 13 at Page 97 and 98 of Plats, Fresno County Records;

thence North 7°42'29" West, a distance of 30.47 feet to the beginning of a non-tangent curve, concave southeasterly, with a radial bearing of North 17°24'49" West, said point also being the centerline of said Kaviland Avenue;

thence northeasterly, along the arc of said non-tangent curve and said centerline, with a radius of 455.00 feet, through a central angle of 1°07'49", an arc distance of 8.98 feet to the beginning of a non-tangent curve, concave northeasterly, with a radial bearing of South 45°16'18" West;

thence southeasterly, along the arc of last said non-tangent curve, with a radius of 73.00 feet, through a central angle of 36°22'38", an arc distance of 46.35 feet to the aforementioned South Right-of-Way line, said point also being the North line of said Parcel 2 and the beginning of a non-tangent curve, concave southeasterly, with a radial bearing of North 11°48'44" West;

thence southwesterly, along said South Right-of-Way line and the arc of last said non-tangent curve, with a radius of 425.00 feet, through a central angle of 6°17'38", an arc distance of 46.69 feet to the **POINT OF BEGINNING**.

Containing an area of 716 square feet or 0.02 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

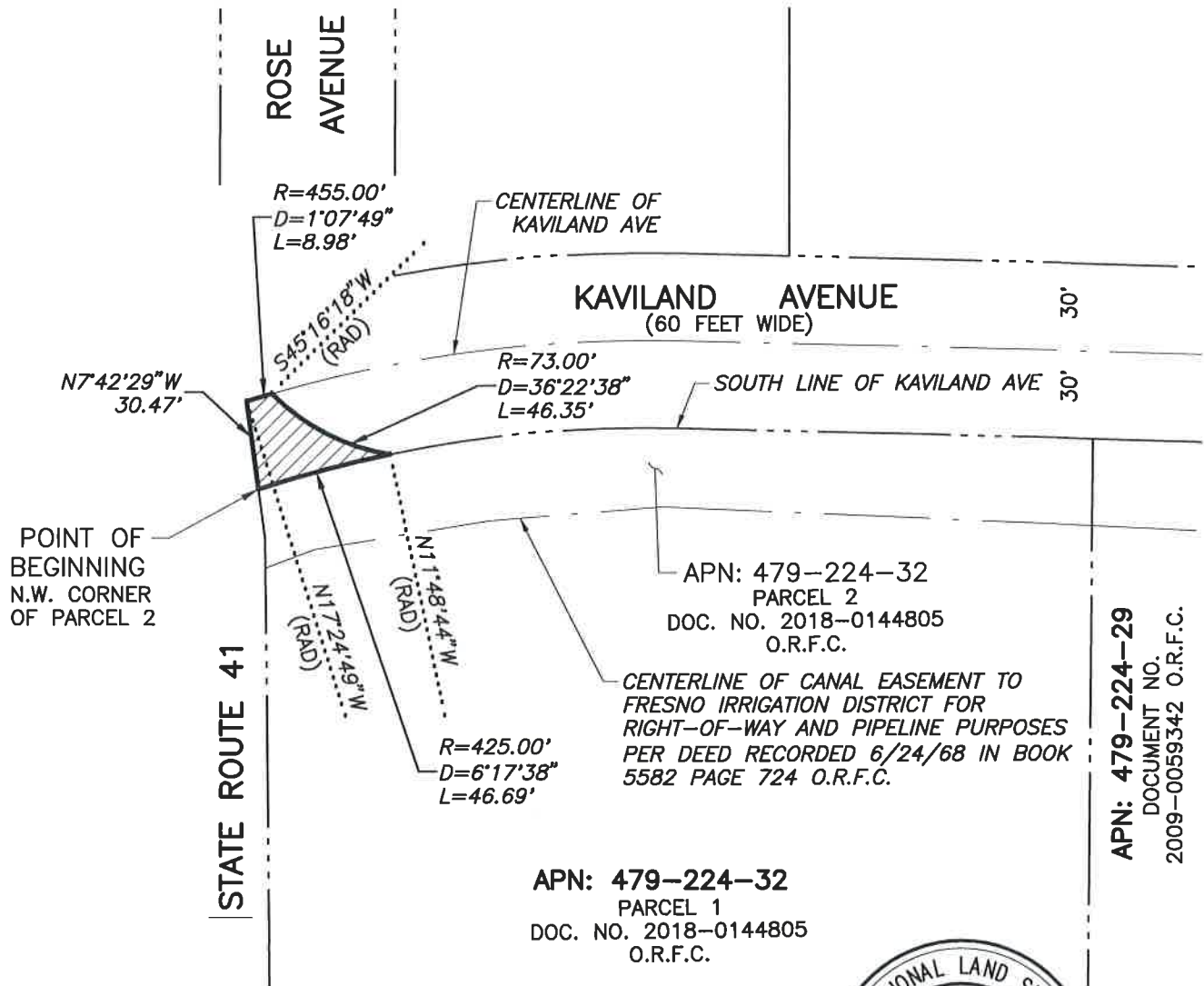
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.



Analisa Raquel Gonzales, PLS 9496
Blair, Church & Flynn

Date: January 27, 2022





OWNER:
JAGDEEP S CHHINA
2411 GREENFIELD
CLOVIS, CA 93611

LEGEND:

- CENTER LINE
- PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE
- AREA TO BE VACATED
±716 S.F./ 0.02 AC.



1/27/22
Date Signed:



REF. & REV. PW FILE NO. _____ PLAT NO. _____	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ FUND NO. _____ ORG. NO. _____	SHEET NO. <u>1</u> OF <u>1</u> SHEETS
	EXHIBIT "B" STREET VACATION APN 479-224-32	DRAWN BY: <u>LL</u> CHECKED BY: <u>ARG</u> DATE: <u>1/27/22</u> SCALE: <u>1:60</u>	

EXHIBIT "C"
VACATION CONDITION OF APPROVAL

1. Fresno Irrigation District's active Fresno Colony No. 24 runs westerly along the south side of Kaviland Avenue as shown on the attached FID exhibit map, within a 40-feet wide exclusive easement recorded March 21, 2002, as Doc. No. 2002-0046896 O.R.F.C. FID sees no adverse impact to the proposed vacation.

FID previously reviewed Site Plan P21-00192 on March 9, 2021, those comments and conditions still apply. For more details, please contact Chris Lundeen at (559) 233-7161.

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. Fresno Metropolitan Flood Control District has no existing or proposed Master Plan facilities within this Drainage Area "II". The District requires the Master Plan drainage patterns remain as designed for the proposed vacation area. Please contact Rick Lyons of FMFCD if you have any questions at (559) 456-3292.
4. Pacific Gas and Electric has an existing 6 inch gas distribution facilities and 12.75 inch transmission gas facilities within or near the proposed area to be vacated. PG&E requests a public utility easement be reserved over the entire area to be vacated. For any questions, please contact Sal Graciliano at (661) 865-2319.

PW File 12931