

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 VEHICLE ACCESS RIGHTS ON THE  
SOUTHWEST SIDE OF GOLDEN STATE BOULEVARD  
APPROXIMATELY 410 FEET SOUTHEAST OF EAST  
CHURCH 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 vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of East Church Avenue as described herein and depicted on Exhibit "A" to this Resolution; and

WHEREAS, the purpose of the vacation is to allow access to Golden State Boulevard via a 30.00 foot wide commercial driveway approach; and

WHEREAS, the relinquishment of direct vehicle access rights along the southwest side of Golden State Boulevard was dedicated by Parcel Map No. 99-01 recorded on October 5, 2001, in Book 61 of Parcel Maps at Pages 44 through 47, Fresno County Records; and

WHEREAS, the property upon which the vacation is located is Parcel "G" of said Parcel Map No. 99-01, commonly known as 2443 Foundry Park Avenue, Assessor's Parcel Number 479-030-74; and

WHEREAS, the portion of the relinquishment of direct vehicle access rights is described as the southeasterly 30.00 feet of the northwesterly 128.00 feet of said Parcel "G", as measured along the northeasterly property line of said Parcel "G", as shown on Exhibit "A", which is attached and incorporated in this Resolution; and

WHEREAS, the Traffic and Engineering Services Division reviewed this proposal and determined the relinquishment of direct vehicle 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 (whose definition of "street" includes 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, staff has performed a preliminary environmental assessment of this project, prepared Environmental Assessment No. EA-14-041, and determined this project is exempt under Section 15304 (Class 4/Minor Alterations to Land) and Section 15305 (Class 5/Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines; and.

WHEREAS, the Council desires to summarily vacate a portion of the relinquishment of direct vehicle access rights on the southwest side of Golden State Boulevard approximately 410 feet southeast of East Church 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 vehicle access rights described as the southeasterly 30.00 feet of the northwesterly 128.00 feet of said Parcel "G", as measured along the northeasterly property line of said Parcel "G", 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 vehicle access rights described as the southeasterly 30.00 feet of the northwesterly 128.00 feet of said Parcel "G", as measured along the northeasterly property line of said Parcel "G" shall no longer constitute a relinquishment of direct vehicle access rights.

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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

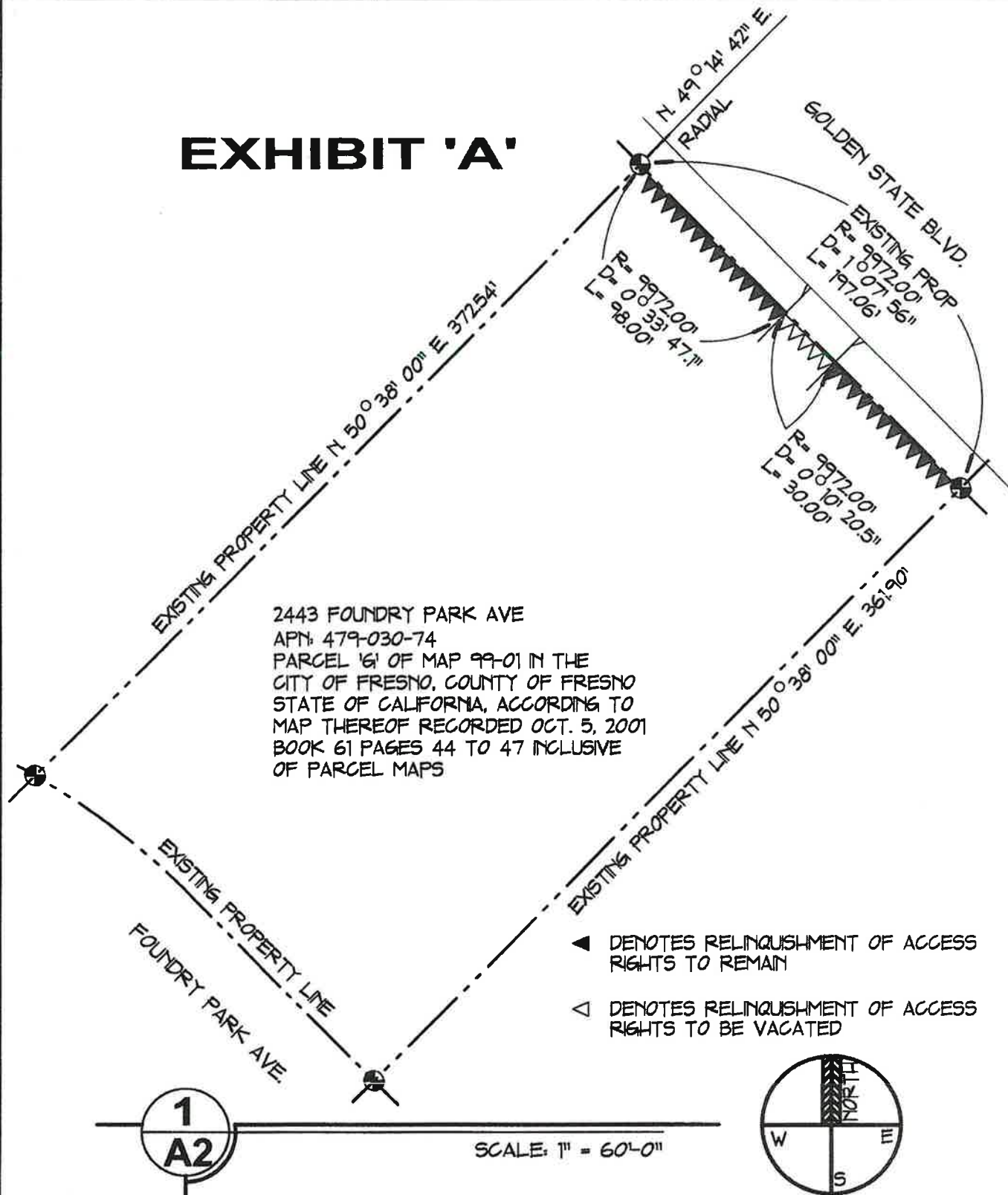
APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
Tracy N. Parvanian [Date]  
Deputy

Attachment: Exhibit "A"

PW File No. 11842

# EXHIBIT 'A'



**L | R | B**

## ARCHITECTURE AND URBAN DESIGN

555 W. Shaw, Suite B-3    Fresno, CA. 93704

**559.779.1886**

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