

RESOLUTION NO. 1112-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF
THE CITY OF FRESNO, CALIFORNIA, TO VACATE
PORTIONS OF NORTH PARKWAY DRIVE AND NORTH
LAFAYETTE AVENUE, NORTH OF WEST WELDON
AVENUE ALIGNMENT

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the "City"), to order the vacation of portions of North Parkway Drive and North Lafayette Avenue, north of West Weldon Avenue Alignment, as shown on Exhibit "A." The right-of-way is shown as that portion a frontage road adjacent westerly to State Route 99 acquired by the State of California in sections in 1936. The entire frontage road was then relinquished to the County of Fresno by Grant Deed recorded October 24, 1956 in Book 3836, Page 268, Official Records Fresno County. The City of Fresno annexed the area in 1962 and acquired the roads at that time, said exhibit "A" 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 State of California is requesting the proposed vacation; and

WHEREAS, the proposed vacation is needed to mitigate a remnant portion of public street due to the realignment of State Route 99 due to High Speed Rail construction;

WHEREAS, the Traffic and Engineering Services Division, other City departments and utility agencies have reviewed the proposed vacation and determined that the portion right-of-way easement proposed for vacation is unnecessary for present

or prospective public street purposes as shown in Exhibit "A," subject to the reservation of a public utility easement over the entire area proposed for vacation.

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

1. The hour of 2:10 p.m. on December 15, 2016, in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and place when and where all persons interested in or objecting to the proposed vacation may appear before the Council and be heard in relation thereto.
2. The Council elects to proceed under the provisions of Chapter 3, commencing with Section 8320, of the Public Streets, Highways, and Service Easements Vacation Law of the State of California (Cal. Sts. & Hy. Code §§ 8300-8363).
3. The Public Works Director of the City is directed to cause notices of the proposed vacation to be published and posted for the time and in the manner prescribed by the provisions of Sections 8322 and 8323 of the California Streets and Highways Code.
4. The Council preliminarily determines that the public street proposed to be vacated is not useful as a bicycle path or route under applicable general, specific, or community plans and policies. If the Council does not rescind such preliminary determination, based on evidence or public testimony presented to it, orally or in writing, at or before the December 15, 2016, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

* * * * *

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 _____, 2016.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:

DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

BY: _____
Seth Mehrten
Deputy City Attorney

Attachments: Exhibits "A"
PW File No. 12019

EXHIBIT A

N26°59'47"W
40.25

R = 240.1
N27°05'19"W
L = 186.19
Δ = 4°26'36"
N 51°49'53" E
Radial

STATE HIGHWAY 99

R = 321.21
L = 41.65
N27°05'19"W
66.81

S 53°28'53" W
Radial
R = 321.21
L = 20°24'12"
= 114.39

NO SCALE

ROEDING'S VILLA COLONY

BK 2; PG 43 OF RS

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CITY OF FRESNO

SECTION 30

T. 13 S., R. 20 E., M. D. M.

N00°33'52"E
35.55

N89°37'49"W

PROPOSED WELDON AVE

10

N89°37'49"W

N LAFAYETTE AVE

Lot 36
Highway
Heights
BK 9,
PG 38
of RS

SW Cor. Lot 36