

RESOLUTION OF INTENT NO. 1131-D

A RESOLUTION OF INTENTION OF THE COUNCIL OF
THE CITY OF FRESNO, CALIFORNIA, TO VACATE ELGIN
AVENUE AND NORTH JAMES STREET BETWEEN OF
GOLDEN STATE BOULEVARD AND STATE ROUTE 99

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of Elgin Avenue and North James Street between Golden State Boulevard and State Route 99; and

WHEREAS, the area proposed for vacation as shown in Exhibit "A", said exhibit is 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, Double S Development, LLC is requesting the proposed vacation;
and

WHEREAS, the purpose of this vacation is to satisfy a condition of approval for Parcel Map 2017-12; and

WHEREAS, the Public Works Department, other City departments and utility agencies have reviewed the proposed vacation and determined that the public street right-of-way easement proposed for vacation as shown in Exhibit "A" is unnecessary for present or prospective public street purposes subject to the Conditions of Approval as listed in Exhibit "B" attached hereto and made a part thereof.

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

1. The hour of 10:00 a.m. on August 15, 2019, in the Council Chambers in Fresno City Hall, 2600 Fresno Street, Fresno 93721, is hereby fixed as the time and

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

Resolution No.

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 (California Street and Highways Code Sections 8300 et seq.).

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 August 15, 2019, hearing, the Council may proceed to make a final determination, at the public hearing, that the public street be vacated as provided herein.

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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 _____, 2019.

AYES :
NOES :
ABSENT :
ABSTAIN :

YVONNE SPENCE, MMC, CRM
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:

DOUGLAS T. SLOAN
CITY ATTORNEY'S OFFICE

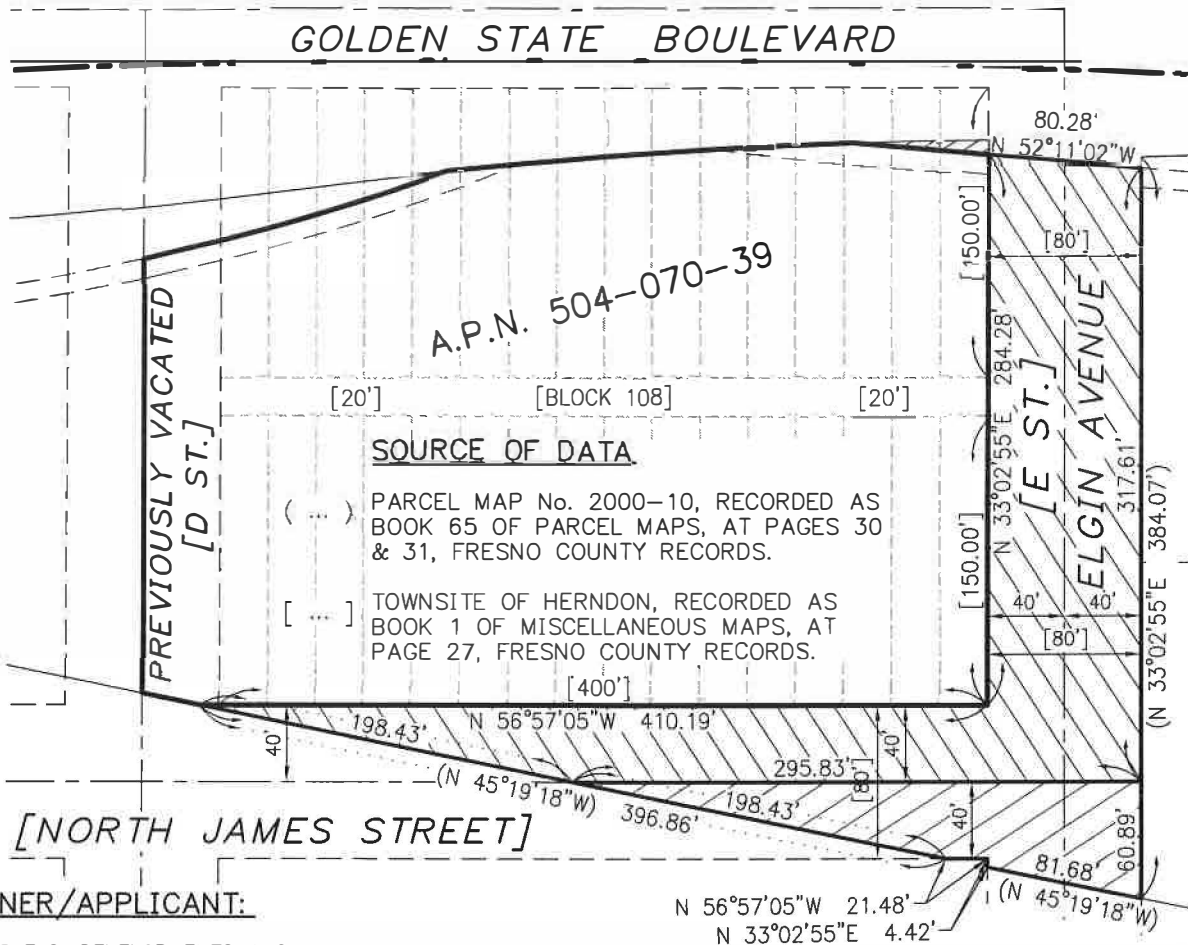
BY: _____
John Hastrup
Deputy City Attorney

Date

Attachments:
Exhibits "A" and "B"

PW File No. 12430

EXHIBIT "A"



R.W.GREENWOOD ASSOCIATES, INC.
CIVIL ENGINEERING — LAND SURVEYING
2558 E. OLIVE AVE. — FRESNO, CALIFORNIA 93701 — Tel: (559) 268-7831
W.O. No. D-16076 NOVEMBER 30, 2018

REF. & REV.
PW FILE
S-
PM 2017-12
PLAT No 1341.

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

STREET VACATION

A PORTION OF THE TOWNSITE OF HERNDON, LOCATED IN THE
NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5,
TOWNSHIP 13 SOUTH, RANGE 19 EAST, M.D.B.&M.

PROJ. ID. _____
FUND NO. _____
ORG. NO. _____

DR. BY PWL
CH. BY _____
DATE _____
SCALE AS SHOWN

SHEET NO. 1
OF 1 SHEETS
15-A-

EXHIBIT "B"
VACATION CONDITIONS OF APPROVAL

The following conditions must be met before the vacation resolution can be recorded:

1. The proposed vacation area lies within the District's Drainage Area "EH". There are no existing or proposed Master Plan facilities within the proposed vacation area. The District requires that the Master Plan drainage patterns remain as designed for the proposed vacation area. 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. Please see attached letter. If you have any questions or concerns about the requirements please contact Gary Chapman at (559) 456-3292.
2. Pacific Gas and Electric Company requires the applicant to RESERVE therefrom pursuant to the provisions of Section 8340 of the Streets and Highways Code and for the benefit of Pacific Gas and Electric Company, a permanent easement and the right at any time and from time to time to construct, reconstruct, maintain, operate, replace, remove, repair, renew, and enlarge lines of pipes, conduits, cables, wires, poles, electrical conductors, and other equipment, fixtures and appurtenances for the operation of electric, gas, and communication facilities, including access, and also the rights to trim and cut down trees and brush that may be a hazard to the facilities; said area shall be kept open and free of buildings, structures and wells of any kind. Please see attached letter. If you have any questions or concerns about the requirements please contact J.M. Hachman at (559) 263-5737.
3. City of Fresno Engineering Division requires that the developer provide street improvement plans for all frontage requirements. If you have any questions, please contact Francisco Magos at (559) 621-8679.
4. A.T. & T. has existing facilities located in Elgin Avenue. They require an easement be reserved for those facilities. If you have any questions or concerns about the requirements please contact David Scott at (559) 454-3714.
5. The High Speed Rail Authority did not respond. They may or may not have additional requirements. I would highly recommend that you contact Robert Cambell at (559) 290-7047 to confirm the Authority's position regarding this proposed street vacation.