

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION 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, pursuant to Resolution of Intention No. 1131-D, on file in the Office of the City Clerk of the City of Fresno (City Clerk), a public hearing was held on August 15, 2019, 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 Elgin Avenue and North James Street between Golden State Boulevard and State Route 99, situated within the City; and

WHEREAS, Double S Development, LLC is requesting the proposed vacation of Elgin Avenue and North James Street between Golden State Boulevard and State Route 99, as shown in Exhibit "A" which is attached and incorporated in this Resolution; 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 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", 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

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



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 Elgin Avenue and North James Street between Golden State Boulevard and State Route 99, as shown in Exhibit "A" is unnecessary for present and prospective public street purposes.

2. The public interest and convenience require, and it is hereby ordered, that as of August 15, 2019, the public street easement as shown in Exhibit "A" 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 "B", which is attached and incorporated herein. All work required by such conditions shall be completed in compliance with City Standard Specifications.

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.

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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 :

Mayor Approval: \_\_\_\_\_, 2019  
Mayor Approval/No Return: \_\_\_\_\_, 2019  
Mayor Veto: \_\_\_\_\_, 2019  
Council Override Vote: \_\_\_\_\_, 2019

YVONNE SPENCE, MMC, CRM  
City Clerk

BY: \_\_\_\_\_  
Deputy

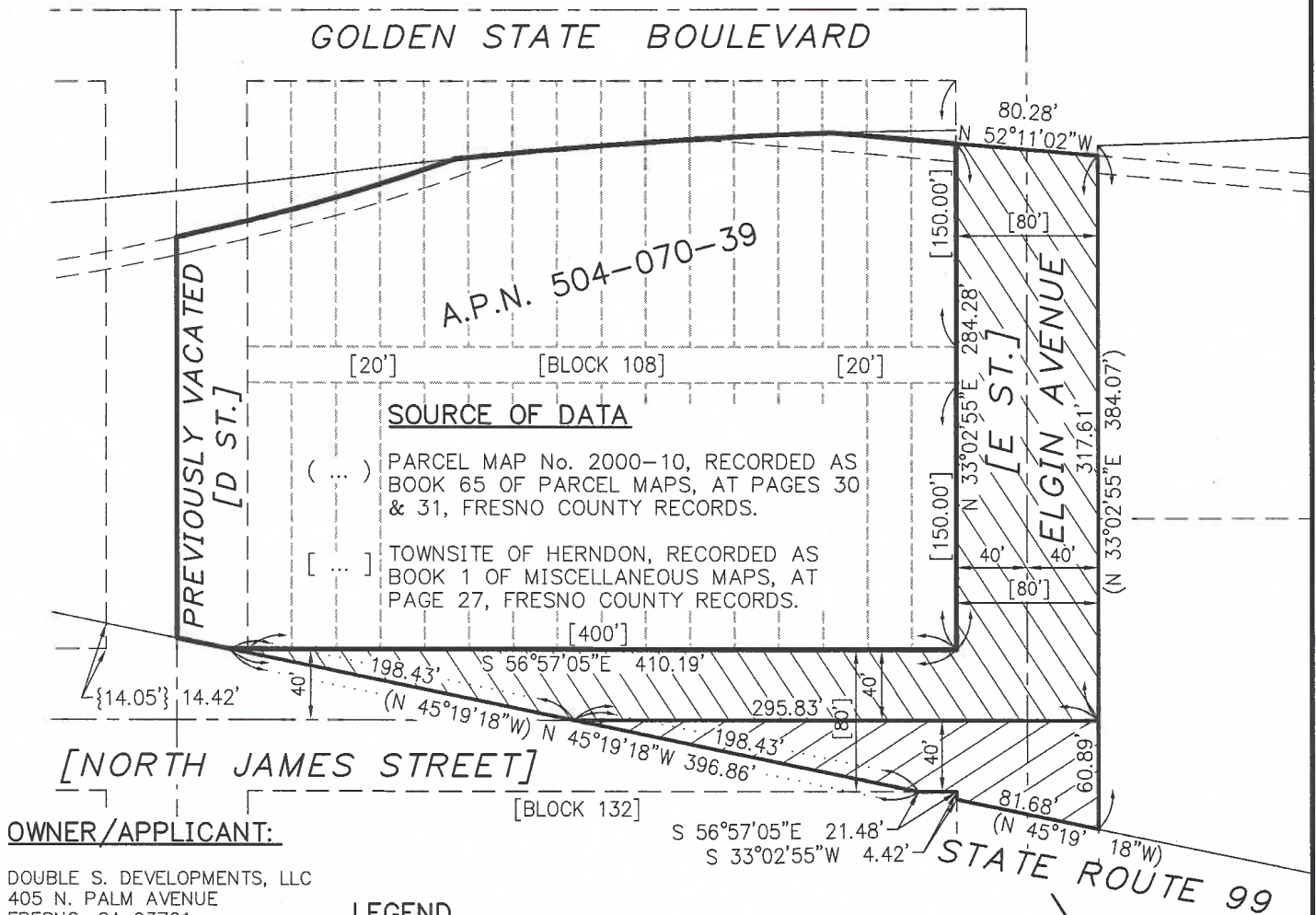
APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
John Hastrup  
Deputy City Attorney

\_\_\_\_\_ Date

Attachment:  
Exhibits "A" and "B"  
PW File No. 12430

**EXHIBIT "A"**



OWNER/APPLICANT:

DOUBLE S. DEVELOPMENTS, LLC  
405 N. PALM AVENUE  
FRESNO, CA 93701  
FAX: (559) 266-3115

### LEGEND

PARCEL 1

INDICATES AREA OF RIGHT-OF-WAY TO BE VACATED.  
RETURNED TO APN 504-070-39

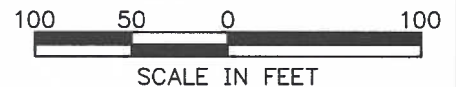
CONTAINS 38,196.2 SQUARE FEET

PARCEL 2

INDICATES AREA OF RIGHT-OF-WAY TO BE VACATED.  
RETURNED TO CAL DOT (SR 99)

CONTAINS 8,958.6 SQUARE FEET

SCALE: 1"  $\equiv$  100'



PLOT VIEW: VAC 1  
AUTOCAD ID: 16076.DWG

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. &amp; REV.

PW FILE  
S-  
PM-  
PLAT No.

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. 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.