

RESOLUTION OF INTENT NUMBER 1134-D

A RESOLUTION OF INTENT OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO VACATE A PORTION OF SOUTH GOLDEN STATE BOULEVARD, SOUTH OF SAN BENITO STREET, BETWEEN G STREET AND F STREET

WHEREAS, it is the intention of the Council of the City of Fresno, State of California (the City), to order the vacation of a portion of South Golden State Boulevard, south of San Benito Street, between G Street and F Street; 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, The Fresno Rescue Mission is requesting the proposed vacation; and

WHEREAS, the purpose of this vacation is to dispose of excess public street right of way; 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 reservation of a public utility easement over the entire area proposed to be vacated, and also subject to all conditions as listed in Exhibit "B" incorporated herein.

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

1. The hour of 10:00 a.m. on December 12, 2019, 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 (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 December 12, 2019, 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 \_\_\_\_\_, 2019.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

YVONNE SPENCE, MMC CRM  
City Clerk

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

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

BY: \_\_\_\_\_  
Kristi Costa                      Date  
Deputy City Attorney

Attachments:  
Exhibit "A" & "B"

PW File No. 12454

# EXHIBIT "A"

## LEGEND

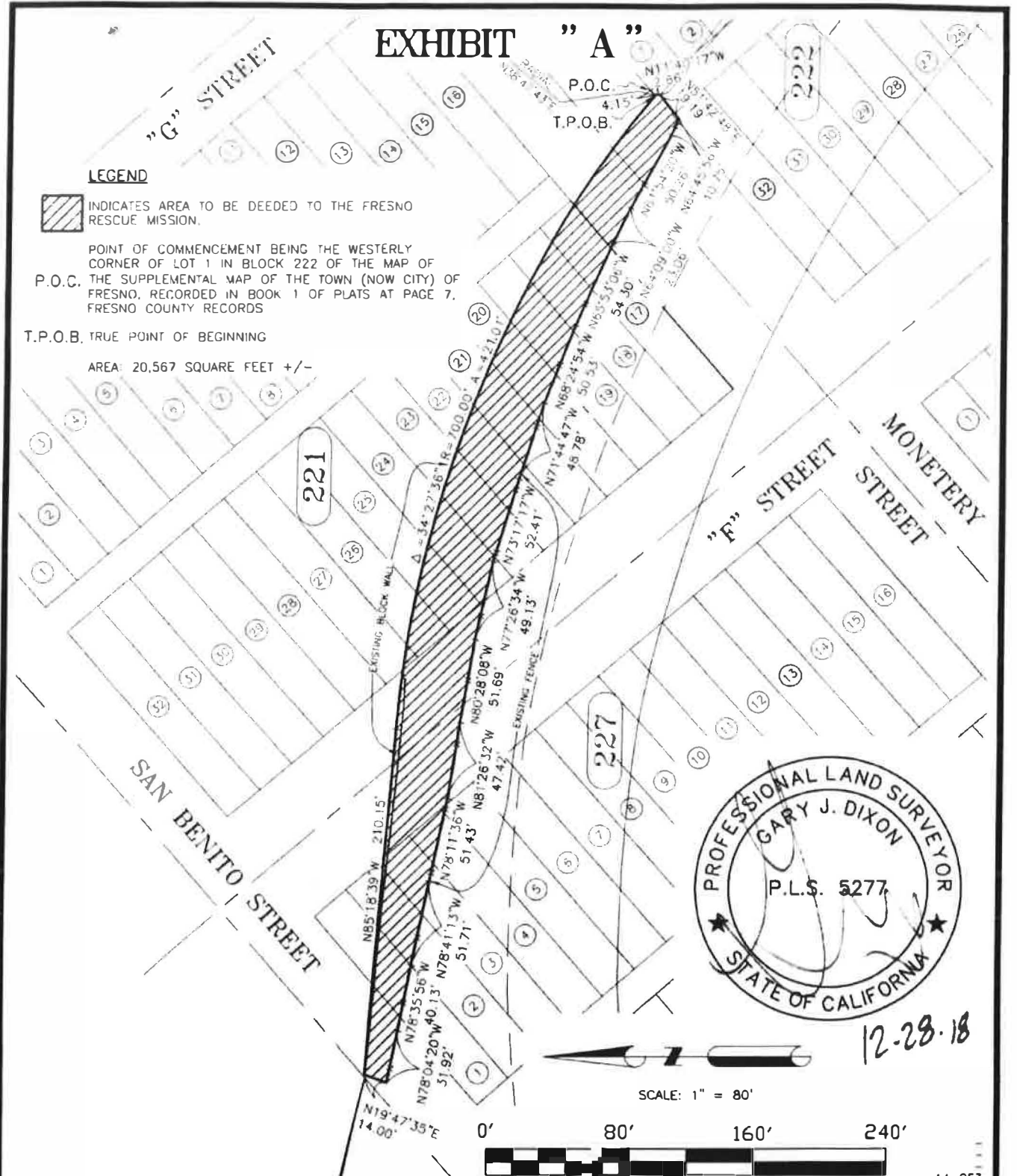


INDICATES AREA TO BE DEEDED TO THE FRESNO RESCUE MISSION.

POINT OF COMMENCEMENT BEING THE WESTERLY CORNER OF LOT 1 IN BLOCK 222 OF THE MAP OF P.O.C. THE SUPPLEMENTAL MAP OF THE TOWN (NOW CITY) OF FRESNO, RECORDED IN BOOK 1 OF PLATS AT PAGE 7, FRESNO COUNTY RECORDS

T.P.O.B. TRUE POINT OF BEGINNING

AREA: 20,567 SQUARE FEET +/-



12-28-18

SCALE: 1" = 80'



14-053

Ref. & Rev.

PW File No. \_\_\_\_\_  
Plot No. \_\_\_\_\_

T - \_\_\_\_\_  
2007 - \_\_\_\_\_

## CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS

PORTION OF PARCELS 1 & 2 OF PARCEL MAP NO. 2657 RECORDED IN BOOK 18 OF PARCEL MAPS AT PAGE 41, FRESNO COUNTY RECORDS.

Proj. ID: -  
Fund No.: -  
Org. No.: -

Dr. By: GMR  
Ck. By: \_\_\_\_\_  
Date: Dec 19, 2018  
Scale: 1" = 80'

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 street vacation, as shown on Exhibit "A", supplied to the District, is located within an exempt area of the Fresno Metropolitan Flood Control District. Once recorded, the proposed vacation area will become part of the District's Drainage Area "II". Drainage fees for the proposed vacation area will be calculated when improvement plans are submitted to the District. 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. Should you have any questions regarding this matter, please do not hesitate to contact Gary Chapman at (559) 456-3292.
2. Pacific Gas and Electric Company requires that the City of Fresno does hereby EXCEPT AND RESERVE from said vacation the permanent easement and right at any time or from time to time, pursuant to the provisions of Section 8340 of the Street and Highways Code and for the benefit of Pacific Gas and Electric Company, to construct, reconstruct, maintain, operate, replace, remove, repair, renew and enlarge lines of pipes, conduits, cables, wires, poles, electrical conductors, manholes and other convenient structures, equipment, fixtures and appurtenances for the operation of electric, gas and communication facilities, including access and the right to keep the property free from inflammable materials and wood growth, and to prevent any building or structure near the facilities and otherwise to protect the same from all hazards in, upon, over and across said vacation as shown on "EXHIBIT B" dated 12/19/18. This reservation will protect our facilities installed pursuant to our franchise agreement with the City of Fresno. Any relocation of PG&E's electric, gas or communication facilities will be at the expense of any developer. If you have questions or comments, please coordinate with Fabian Cano at (559) 263-7472.
3. City of Fresno Department of Utilities has three water mains located in the Monterey Street alignment, south of G Street. They will require a site plan which depicts the proposed block wall with property setbacks from streets. They would also require that the applicant provide the location of the existing utilities and proposed clearances. Please coordinate with the Kevin Gray at (559) 621-8553, if you have any questions.
4. The City of Fresno Engineering Division requires that any work performed within the public street right of way will require improvement plans to be submitted for review. Please coordinate with the Engineering Division Manager Francisco Magos at (559) 621-8679.

5. Comcast has existing facilities in this area. Please coordinate with Comcast as to the exact location of these facilities. If you have any questions, please contact Michael Sue at (559) 455-4221.

PW File 12454