



Legislation Details (With Text)

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**Title:** Approve the Agreement for Purchase and Sale of a 24,674 square foot Easement to facilitate the Peach Avenue Widening Project from a portion of 2122 South Peach Avenue (APN: 481-020-47), located on the west side of South Peach Avenue, owned in equal shares by Rose Avedisian, Martin Dedekian, Darlene Jarvis, Robert Ohanesian, Stephen Ohanesian, and Charlene Shuttera for \$90,000 in monetary compensation (Council District 5)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-001451 Vicinity Map, 2. 20-001451 Location Map, 3. 20-001451 Agreement for Purchase and Sale, 4. 20-001451 Deed of Easement

Date	Ver.	Action By	Action	Result
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**REPORT TO THE CITY COUNCIL**

**November 5, 2020**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**THROUGH:** RANDALL W. MORRISON, PE, Assistant Director  
Public Works Department, Engineering Division

**BY:** R. SCOTT BEYELIA, Supervising Real Estate Agent  
Public Works Department, Real Estate and Lease Services

**SUBJECT**

Approve the Agreement for Purchase and Sale of a 24,674 square foot Easement to facilitate the Peach Avenue Widening Project from a portion of 2122 South Peach Avenue (APN: 481-020-47), located on the west side of South Peach Avenue, owned in equal shares by Rose Avedisian, Martin Dedekian, Darlene Jarvis, Robert Ohanesian, Stephen Ohanesian, and Charlene Shuttera for \$90,000 in monetary compensation (Council District 5)

## **RECOMMENDATION**

Staff recommends City Council approve the Agreement for Purchase and Sale of a Permanent Street Easement and Escrow Instructions for the acquisition of a 24,674 square foot permanent street easement and right of way from a portion of 2122 South Peach Avenue (APN: 481-020-47), owned in equal shares by Rose Avedisian, Martin Dedekian, Darlene Jarvis, Robert Ohanesian, Stephen Ohanesian, and Charlene Shuttera for \$90,000 in total monetary compensation, and authorize the Public Works Director or his designee to sign all documents necessary to complete the subject acquisition.

## **EXECUTIVE SUMMARY**

The City of Fresno seeks to construct street improvements and widen South Peach Avenue between East Butler Avenue and East Florence Avenue. The Project is currently being designed and the necessary right of way acquisition moving forward. The subject property is located at 2122 South Peach Avenue (APN: 481-020-47), on the west side of South Peach Avenue between East Church Avenue and the East California Avenue Alignment. The property owners, Rose Avedisian, Martin Dedekian, Darlene Jarvis, Robert Ohanesian, Stephen Ohanesian and Charlene Shuttera, have agreed to accept the appraised value of \$90,000 for the 24,674 square foot permanent street easement and right of way. The acquisition is funded with Local Development Impact Fees allocated to the Project.

## **BACKGROUND**

The City of Fresno seeks to construct street improvements and widen South Peach Avenue between East Butler Avenue and East Jensen Avenue from two lanes to a four-lane arterial with median landscaping, protected-left-turn-lanes, bike lanes, curb and gutter, sidewalk, landscaping, streetlights, and traffic signal facilities.

In 2014, due to funding constraints, the project was split into two phases. Phase 1 (Project I-2B) of the project is between East Butler Avenue and East Florence Avenue and Phase 2 (Project I-2C) is between East Florence Avenue and East Jensen Avenue. Phase 1 is currently programmed with the anticipated State reimbursement in the Measure "C" program. Phase 2 will be completed as funding becomes available and/or development occurs.

The subject property is located at 2122 South Peach Avenue (APN: 481-020-47), on the west side of South Peach Avenue, between East Church Avenue and the East California Avenue Alignment. The 24,674 square foot easement along the frontage of the subject property is the first of nine partial acquisitions of permanent street easement and right of way necessary to facilitate the construction of the first phase of the Peach Avenue Widening Project, between East Butler Avenue and East Florence Avenue.

An appraisal of the subject partial acquisition was conducted by Tiffany K.V. Mach, MAI of Real Property Analysts, Inc. The total appraised value of the acquisition area was \$90,000, including damages to improvements. Real Estate staff reviewed the appraisal and determined the value as just

compensation. The property owners, Rose Avedisian, Martin Dedekian, Darlene Jarvis, Robert Ohanesian, Stephen Ohanesian and Charlene Shuttera have agreed to accept the appraised value of \$90,000 as full compensation.

The City Attorney's Office has approved the Agreement for Purchase and Sale of a Street Easement and Escrow Instructions, and the Deed of Easement as to form.

## **ENVIRONMENTAL FINDINGS**

Initial Study Mitigated Negative Declaration (IS/MND) determined that the project could have significant construction-related aesthetic, biological resources, hydrology and water quality, and noise impacts. To avoid the impacts or to reduce them to an insignificant level, the City has incorporated mitigation measures in the project that will avoid or reduce the effects to less than significant. A Mitigated Negative Declaration (MND) was adopted by City Council on August 27, 2020 and filed with the County of Fresno on August 28, 2020.

## **LOCAL PREFERENCE**

Local preference is not involved because this item does not involve public contracting or bidding with the City of Fresno.

## **FISCAL IMPACT**

This acquisition has no impact to the General Fund and is located in District 5. The acquisition is funded with Local Development Impact Fees. The Project also includes Measure "C" funding for the Design phase, which is nearly complete, and Construction. All funding necessary for the subject acquisition was included in the current fiscal year adopted City budget.

Attachments:

Vicinity Map

Location Map

Agreement for Purchase and Sale

Deed of Easement