RESOLUTION NUMBER _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A PORTION OF A PUBLIC STREET EASEMENT ON THE SOUTHEAST CORNER OF EAST SHAW AVENUE AND NORTH FRESNO STREET

WHEREAS, the Council has elected to proceed under the provisions of the Public Streets, Highways, and Service Easements Vacation Law (Division 9, Part 3 of the California Streets and Highways Code), and specifically Chapter 4 (commencing with Section 8330) thereof, to summarily vacate a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street, as described on Exhibit A and as shown on Exhibit B, which are attached and incorporated in this Resolution; and

WHEREAS, Zinkin & Penny, LLC is requesting the proposed vacation of a portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street; and

WHEREAS, the purpose of this proposed vacation is to accommodate development associated with Development Permit Application No. D-17-120, which is the construction of an approximately 2,240 square foot commercial retail A. T. & T. building with associated parking and landscaping; and

WHEREAS, the Traffic and Engineering Services Division has reviewed this proposal and determined the portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street which is proposed to be vacated as described on Exhibit A and as shown on Exhibit B, is not necessary at this location; and

WHEREAS, this action is being taken pursuant to the provisions of the Public

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: #9

Resolution No.

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 public interest and convenience require, and it is hereby ordered, that as of September 14, 2023, that portion of a public street easement at the southeast corner of East Shaw Avenue and North Fresno Street as described on Exhibit A and as shown on Exhibit B be vacated.

2. 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 of Fresno, to be recorded in the Office of the County Recorder of the County of Fresno, State of California.

3. 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.

4. This vacation shall become effective on the date this resolution is recorded.

* * * * * * * * * * * * * * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, 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 _____, 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

BY:_____
Heather Thomas Date
Deputy City Attorney

Attachment:
Exhibit A and B

PW13213

EXHIBIT "A"

APN 427-030-01 (portion)
Street Vacation

The land referred to herein is siturated in the City of Fresno, County of Fresno, State of California and is more particularly described as follows:

That portion of Lot 6, Block B, of Wolters Colony, according to the map thereof recorded in Book 2 of Plat Maps, Page 10, Fresno County Records, described as follows:

COMMENCING at the North quarter corner of Section 15, Township 13 South, Range 20 East, Mount Diablo Base and Meridian; thence South 00° 21' 15" East, along the Section line, a distance of 84.97 feet; thence North 89° 22' 10" East, a distance of 51.00 feet to the True Point of Beginning; thence

1) South 50° 32' 55" East, a distance of 5.21 feet; thence
2) South 00° 21' 15" East, a distance of 17.21 feet; thence
3) North 50° 32' 55" West, a distance of 5.21 feet; thence
4) North 00° 21' 15" West, a distance of 17.21 feet, to the True Point of Beginning

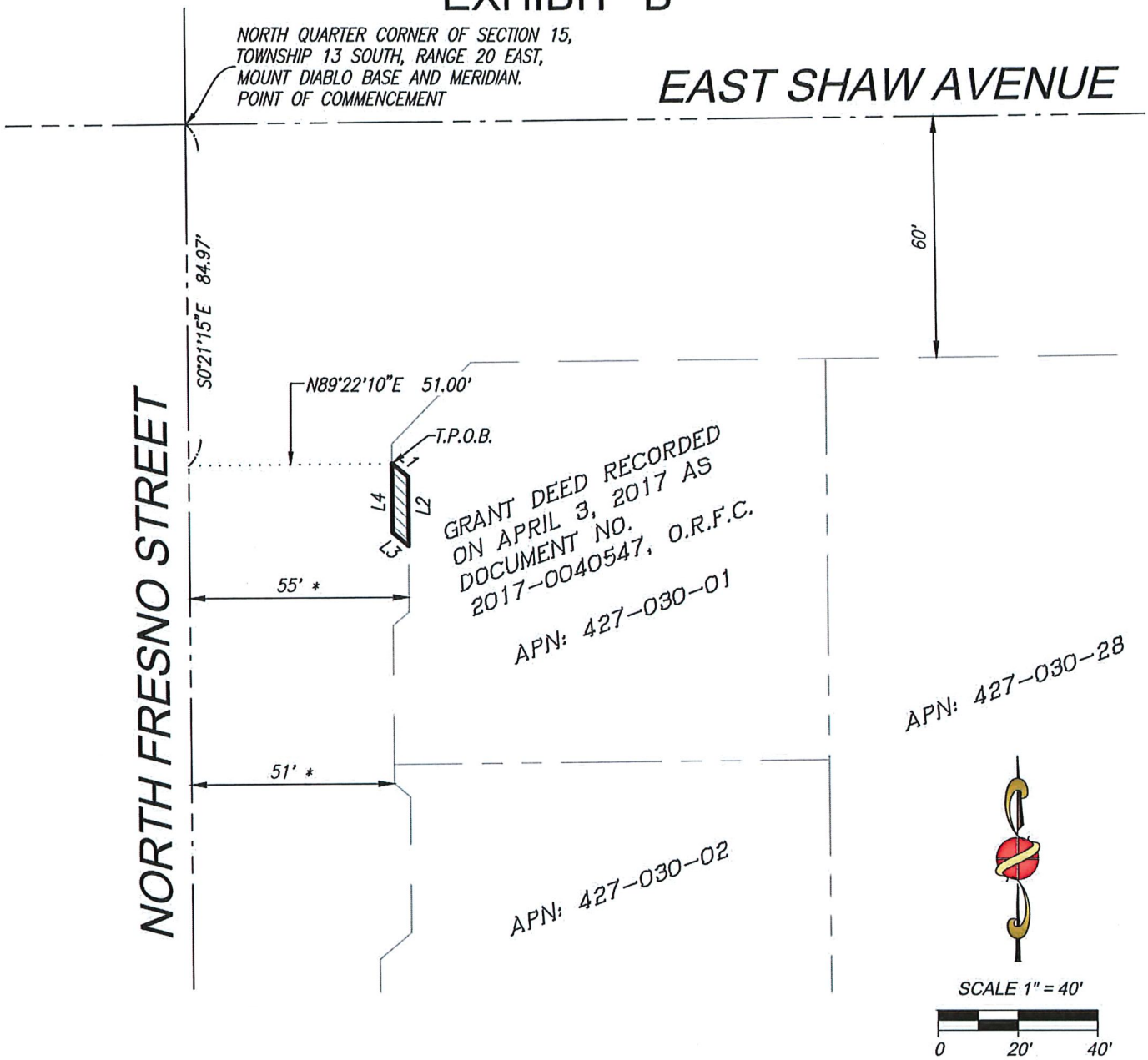
Contains an area of: 68.88 Sq. Ft., more or less.



1-11-2023

File No. 13213
P-578163
PLAT 1757

EXHIBIT "B"



LEGEND:

*	EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES PREVIOUSLY DEDICATED PER DOCUMENT NO. 2004-0030754, F.C.R.
	EXISTING R/W
	SECTION LINE
	EXISTING PROPERTY LINE
	INDICATES AREA OF EASEMENT TO BE VACATED BY THE CITY OF FRESNO AREA: ±68.88 SF
T.P.O.B.	TRUE POINT OF BEGINNING

LINE TABLE		
LINE	BEARING	LENGTH
L1	S50°32'55"E	5.21'
L2	S0°21'15"E	17.21'
L3	N50°32'55"W	5.21'
L4	N0°21'15"W	17.21'

PROFESSIONAL LAND SURVEYOR
KILEY MICHAEL BALLINGER
No. 8768
STATE OF CALIFORNIA

1-11-2023

REF. & REV.

FILE NO. 13213

P-578163

PLAT: 1757

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

PORTION OF NORTH QUARTER SECTION 15,
T.13S., R. 20E., M.D.B.&M. TO BE VACATED

PROJ. ID. 22-342 KRA ----
FUND NO. ---- RES TYPE ----
ORG. NO. ----

DR. BY JML
CH. BY IB
DATE 1/11/2023
SCALE AS NOTED
JOB NO. 22-342

SHEET NO. 1
OF 1 SHEETS

P:\CIVIL 3D PROJECTS\2022\22-342\SURVEY AND MAPPING\SURVEY EXHIBITS\22-342 VACATION EXHIBIT.DWG 1/11/2023 9:03:13 AM