

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA DECLARING A 475.3 SQUARE
FOOT PORTION OF PUBLIC STREET RIGHT OF WAY
LOCATED ON THE EAST SIDE OF BROADWAY AVENUE,
NORTH OF DIVISADERO STREET, FRESNO, CALIFORNIA
TO BE EXEMPT SURPLUS LAND

WHEREAS, the City of Fresno currently owns vacant land identified as a 475.3 square foot portion of land, located on the east side of Broadway Avenue, north of Divisadero Street, Fresno, California, adjacent to Assessor Parcel Number 459-304-01 (Property), more particularly described and depicted on the accompanying Exhibits A and B attached hereto; and

WHEREAS, the Property is a former street or right-of-way; and

WHEREAS, the Surplus Land Act (California Government Code sections 54220 through 54234) is generally intended to make a local agency's surplus land (i.e., land not needed for the agency's use) available for potential acquisition by affordable housing sponsors for affordable housing purposes or by other local public entities; and

WHEREAS, California Government Code section 54221(b) and the August 2024 Surplus Land Act Guidelines (SLA Guidelines) published by the California Department of Housing and Community Development (HCD) require that prior to taking any action to dispose of land that is subject to the Surplus Land Act, the City Council must, declare the land either surplus land or exempt surplus land, at public meeting, as defined in California Government Code section 54221; and

WHEREAS, under the Surplus Land Act, land shall be declared either "surplus

land” or “exempt surplus land” as supported by written findings, before a local agency may take any action to dispose of it consistent with the agency’s policies or procedures; and

WHEREAS, the City acquired a 456.3 square foot portion of the Property in fee from Bianca Brooks in 1913 and a 19 square foot portion of the Property in fee from C. L. Freitas and Mary Freitas in 1913; and

WHEREAS, the Property is no longer used by the City as street or right-of-way; and

WHEREAS, the City does not intend to use the Property for any future purposes; and

WHEREAS, the City sought concurrence with the State of California Housing and Community Development Department (HCD), and HCD has concurred that the Property is deemed exempt surplus land on August 29, 2024; and

WHEREAS, the Property is exempt surplus land pursuant to California Government Code section 54221(f)(1)(B) because the Property is a is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes; and

WHEREAS, the Property is exempt surplus land pursuant to Government Code section 54221(f)(1)(E) because the Property is a former street, right-of-way, or easement, and is being conveyed to an owner of an adjacent property; and

WHEREAS, in accordance with the Government Code Section 54221(b)(1), the land is owned in fee simple by the City for which the governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the

agency's use; and

WHEREAS, none of the characteristics outlined in Government Code section 54221(f)(2) apply to the Property.

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

1. The Property shall be declared exempt surplus land pursuant to California Government Code section 54221(f)(1)(B) and (E) as the Property is less than one-half acre in size and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes, and the Property is a former street or right-of-way, and is being conveyed to an owner of an adjacent property.
2. This resolution shall be effective upon final approval.

* * * * *

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 _____, 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, CMC
City Clerk

By: _____ Date
Deputy

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____ Date
Kelsey Seib
Deputy City Attorney

Attachments:
Exhibits A, B

EXHIBIT "A"

STREET VACATION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF FRESNO, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 3, 4, 5 AND 6 IN BLOCK 2 OF CENTRAL ADDITION TO FRESNO CITY, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 30 OF PLATS, RECORDS OF SAID COUNTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEASTERLY 3.00 FEET OF THE NORTHEASTERLY RIGHT OF WAY OF BROADWAY (FORMERLY "I" STREET) AS ESTABLISHED OF RECORD ON OCTOBER 28, 1913, RECORDED IN VOLUME 537 OF DEEDS, AT PAGE 226, AND VOLUME 543 OF DEEDS, AT PAGE 101, OFFICIAL RECORDS OF FRESNO COUNTY,

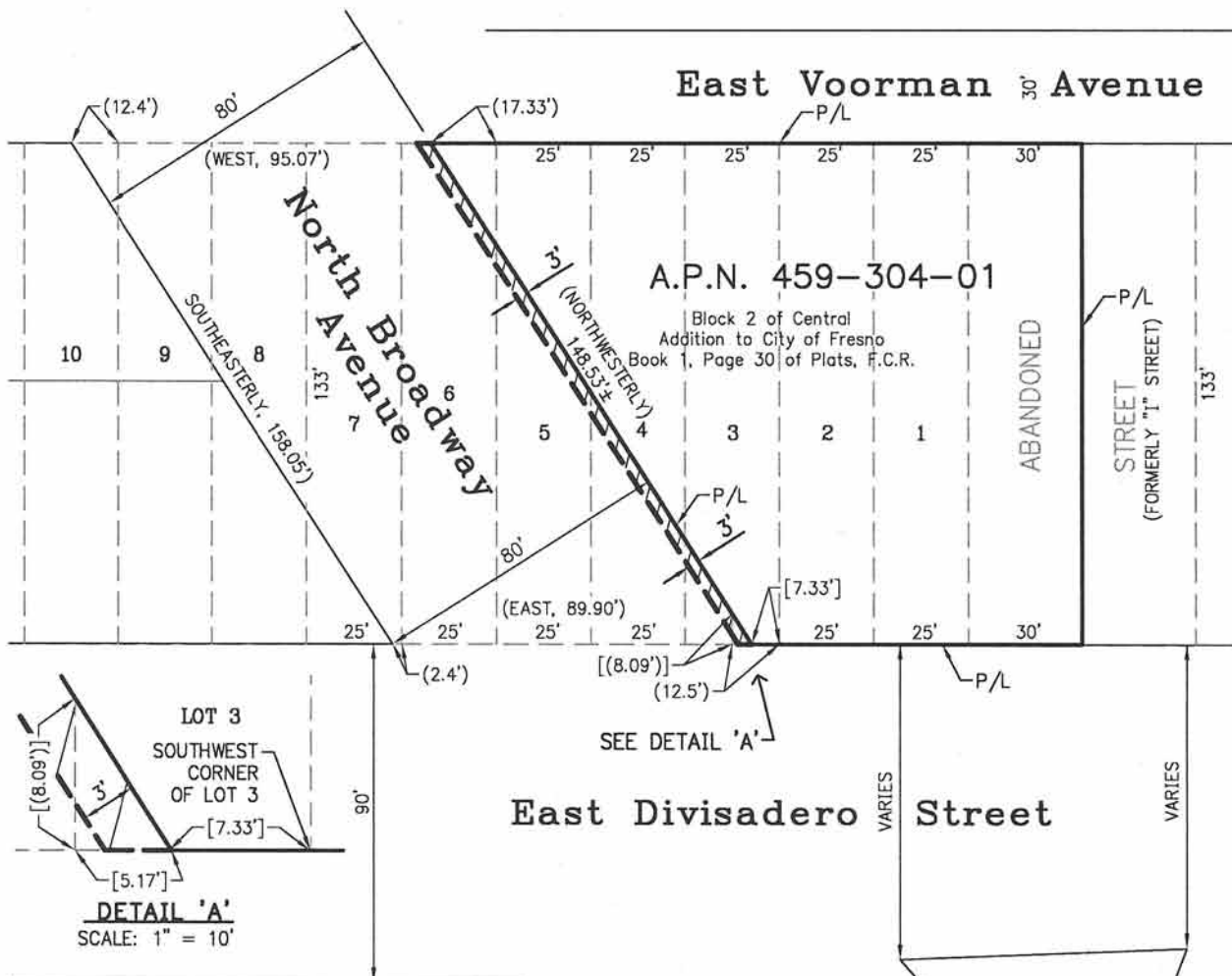
CONTAINS 475.3 SQUARE FEET, MORE OR LESS.

PWF#13357
PLAT: 2554
P23-01843
2024-182

MG/pwl
22075 Vacation Exhibit A.doc



EXHIBIT "B"



SOURCE OF DATA

CENTRAL ADDITION TO FRESNO CITY ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 30 OF PLATS, FRESNO COUNTY RECORDERS.

LEGEND



INDICATES AREA OF RIGHT-OF-WAY TO BE VACATED.
CONTAINS 475.3± SQUARE FEET

(...)

INDICATES RECORD DATA AS SHOWN IN THE DEED RECORDED OCTOBER 28, 1913, IN BOOK 537 OF DEEDS AT PAGE 226, FRESNO COUNTY RECORDS.

[...]

INDICATES RECORD DATA AS SHOWN IN THE DEED RECORDED OCTOBER 28, 1913, IN BOOK 543 OF DEEDS AT PAGE 101, FRESNO COUNTY RECORDS.



OWNER/APPLICANT:

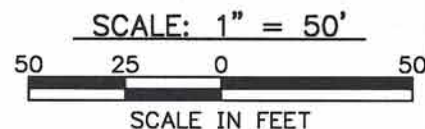
JAMES COURTIS
873 EAST ARETHA AVENUE
FOWLER, CA 93625
PH: (559) 318-4335

R.W.GREENWOOD ASSOCIATES, INC.

CIVIL ENGINEERING — LAND SURVEYING
2558 E. OLIVE AVE. — FRESNO, CALIFORNIA 93701 — Tel. (559) 268-7831

W.O. No. E-22075

SEPTEMBER 6, 2023



PLOT VIEW: VAC 1
AUTOCAD ID: 22075.DWG

REF. & REV.
PW FILE No. 13357
PLAT No. 2554
P23-01843
2024-182

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

STREET VACATION

A PORTION OF LOTS 3, 4, 5 AND 6 IN BLOCK 2 OF CENTRAL ADDITION TO FRESNO CITY ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 1, PAGE 30 OF PLATS, F.C.R.

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

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

SHEET NO. 1
OF 1 SHEETS

15-A-10574