

Recording Requested By:
Public Works Department
City of Fresno
No Fee-Gov't. Code Sections
6103 and 27383

When Recorded, Mail To:
City Clerk
City of Fresno
2600 Fresno Street
Fresno, CA. 93721-3623

6



FRESNO County Recorder
Paul Dictos, C.P.A.

DOC- 2016-0060706

Friday, MAY 13, 2016 10:09:46

Ttl Pd \$0.00 Rpt # 0004531262
CRR/R2/1-6

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CITY OF FRESNO
RESOLUTION NO. 2016-59**

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, ORDERING THE VACATION OF THE PUBLIC
UTILITY EASEMENT IN THE EAST GEARY AVENUE
ALIGNMENT BETWEEN SOUTH PLUMAS AND SOUTH
WALNUT AVENUES



RESOLUTION NO. 2016-59

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ORDERING THE VACATION OF THE PUBLIC UTILITY EASEMENT IN THE EAST GEARY AVENUE ALIGNMENT BETWEEN SOUTH PLUMAS AND SOUTH WALNUT AVENUES

WHEREAS, pursuant to Resolution of Intention No. 1104-D, on file in the Office of the City Clerk of the City of Fresno (the City Clerk), a public hearing was held on April 28, 2016, at a regular meeting of the Council of the City of Fresno, California (the City), at which evidence was heard for and against the vacation of the hereinafter described public utility easement, situated within the City; and

WHEREAS, Edison Plaza Partners, L.P. is requesting the vacation of a public utility easement in the previously vacated East Geary Avenue, between South Plumas and South Walnut Avenues, as shown on Exhibit "A", which is attached and incorporated in this Resolution; and

WHEREAS, the public utility easement proposed to be vacated was reserved in the vacation of East Geary Avenue as ordered by City of Fresno Resolution 2015-203, recorded November 20, 2015, as Document No. 2015-0148678, Official Records Fresno County, to accommodate existing PG&E facilities; and

WHEREAS, the purpose of the vacation is to eliminate the reserved public utility easement held by the City of Fresno and replace it with a smaller specific easement held by PG&E until such time the existing PG&E facilities are relocated outside of the East Geary Avenue alignment. At that time PG&E will quitclaim its easement; and

WHEREAS, the Traffic and Engineering Services Division, and PG&E have reviewed and approved the proposed vacation, subject to the dedication of a specific



easement to PG&E to accommodate its facilities; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code Sections 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 public utility easement, as shown on Exhibit "A", is unnecessary for present and prospective public utilities after recordation of a specific easement to PG&E.

2. The public interest and convenience require, and it is hereby ordered, that as contemplated by Resolution of Intention No. 1104-D adopted by the Council on March 31, 2016, the public utility easement as shown on Exhibit "A", which is attached and incorporated herein, be and are hereby vacated and abandoned.

3. All proceedings for the vacation of such public utility easement are intended to be and shall be taken subject to the recordation of a specific easement to PG&E.

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 of the Recorder of Fresno County.

6. The vacation shall become effective on the date this resolution is recorded.

* * * * *



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 28th day of April, 2016.

AYES : Baines, Brand, Brandau, Quintero, Soria, Caprioglio
NOES : None
ABSENT : Olivier
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

BY: *Yvonne Spence*
Deputy

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

BY: *D. S. Sloan* 5.9.16
Raj Singh Badhesha,
Deputy City Attorney

Attachments: Exhibit "A"



EXHIBIT "A"

WEST CALIFORNIA AVENUE
 NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20
 [N 89°57'53"W 2609.23'] N 89°09'42"E 2609.26' (N 89°09'48"E 2609.30') WITH 2' SWING TIES
 [1941.92'] 1956.94' (1956.97') [652.31'] 652.32' (652.33') CR 6144

NORTHEAST CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M. FOUND 1/2" ROD, DOWN 9" CR 6144

NORTH 1/4 CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M. FOUND 3/4" IRON PIPE TAGGED LS 8354 FLUSH IN PAVEMENT WITH (4) 2-FOOT SWING TIES MONUMENT OF RECORD. FOUND 1" IRON PIPE DOWN 11" IN HANDWELL TAGGED LS 5096 CR 7414

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, WAS TAKEN TO BEAR NORTH, AS SHOWN ON THE MAP RECORDED IN BOOK 48 OF RECORD OF SURVEYS AT PAGE 95, FRESNO COUNTY RECORDS.

RECORD DATA

- (...) PER RECORD OF SURVEY RECORDED IN BOOK 48 OF RECORD OF SURVEYS AT PAGE 95, FRESNO COUNTY RECORDS.
- (...) PER DEED OF EASEMENT RECORDED AS DOCUMENT No. 2009-0095487 ON JULY 14, 2009, O.R.F.C.

FOUND 1" IRON PIPE UP 5", TAGGED LS 6945 ACCEPTED AS SOUTHEAST CORNER OF LOT 45 OF CALIFORNIA HEIGHTS VOLUME 12 OF PLATS PAGE 51 FRESNO COUNTY RECORDS



FOUND 1 1/2" IRON PIPE, DOWN 18" WITH BAR IN CENTER, NOT TAGGED ACCEPTED AS POINT ON WEST LINE OF LOT 9 OF FRESNO COLONY, VOLUME 2 OF PLATS PAGE 8, FRESNO COUNTY RECORDS N 00°16'28"W 0.25' FROM SOUTH LINE OF SAID LOT 9 (SET TAG, LS 6945)

LEGEND

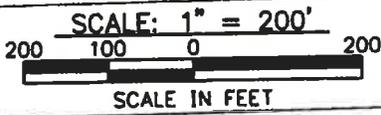
INDICATES AREAS TO BE VACATED FOR PUBLIC UTILITY PURPOSES.

EAST 1/4 CORNER OF SECTION 17, T. 14 S., R. 20 E., M.D.B. & M. POSITION FALLS ON MANHOLE RE-ESTABLISHED PER TIES CR 6763

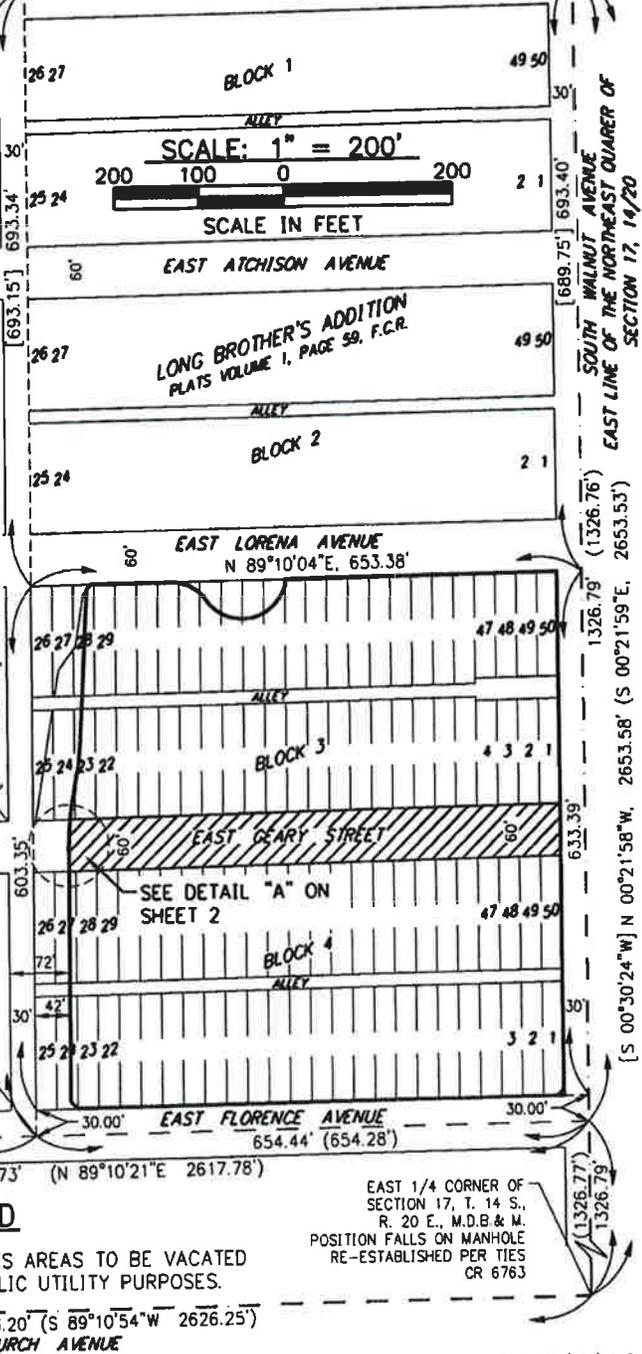
SOUTH FRUIT AVENUE
 WEST LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20

BASIS OF BEARINGS
 [S 00°35'54"W] NORTH 2652.84' (NORTH 2652.89') 1326.42' (1326.44')

[1326.42'] (1326.45')



SOUTH PLUMAS AVENUE
 [S 00°35'54"W] N 00°16'28"W 1326.69' (N 00°16'55"W 1326.68') [693.15'] 693.34'



SOUTH WALNUT AVENUE
 EAST LINE OF THE NORTHEAST QUARTER OF SECTION 17, 14/20

[689.75'] 693.40'
 [1326.76'] (1326.79')
 [S 00°30'24"W] N 00°21'59"E 2653.58' (S 00°21'58"W 2653.58') 633.39'

[1326.77'] (1326.79')

REV. 01/29/16 PWL
 PLOT VIEW: SHEET 04
 AUTOCAD ID: 15011 EASEMENT.DWG

REF. & REV. RESOLUTION No. 2015-203	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ KRA FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PUBLIC UTILITY EASEMENT IN LONG BROTHER'S ADDITION TO BE VACATED	DR. BY _____ PWL CH. BY _____ DATE _____ SCALE 1" = 200'

SHEET NO. 1
OF 2 SHEETS



EXHIBIT "A"

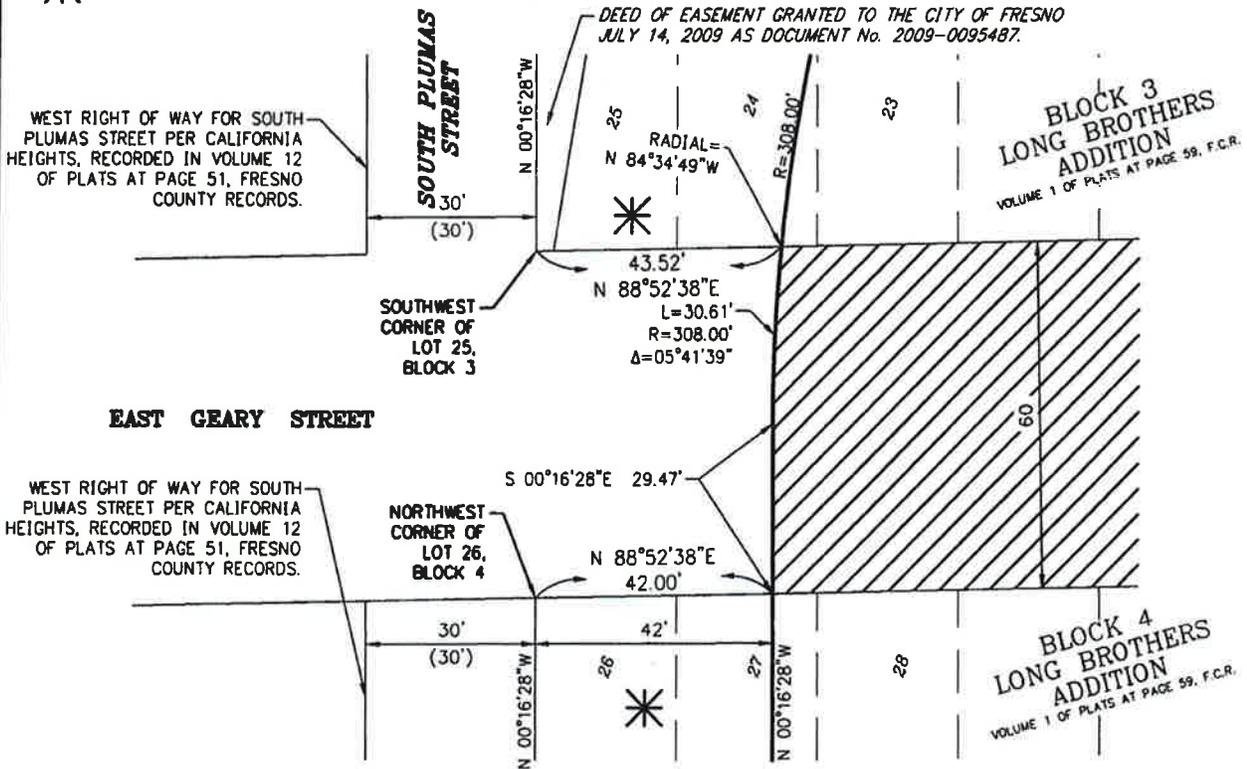
LEGEND



INDICATES AREAS TO BE VACATED FOR PUBLIC UTILITY PURPOSES.

(...) INDICATES RECORD DATA PER DEED OF EASEMENT GRANTED TO THE CITY OF FRESNO JULY 14, 2009 AS DOCUMENT No. 2009-0095487.

* PUBLIC STREET EASEMENT TO BE DEDICATED.

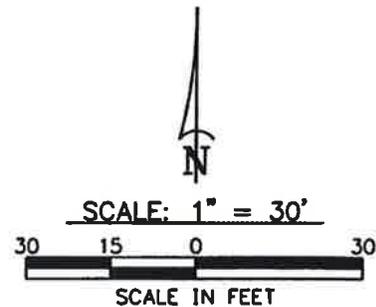


DETAIL "A"

SCALE: 1" = 30"



MARK W. GREENWOOD LS 6945



REV. 01/29/16 PWL
PLOT VIEW: SHEET 05
AUTOCAD ID: 15011 EASEMENT.DWG

REF. & REV. PW FILE 11933	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ KRA _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PUBLIC UTILITY EASEMENT IN LONG BROTHER'S ADDITION TO BE VACATED	DR. BY PWL CH. BY _____ DATE _____ SCALE 1" = 30'
		SHEET NO. 2 OF 2 SHEETS