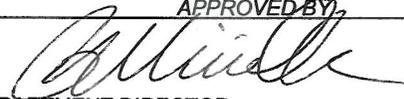


AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

August 28, 2007

FROM: PATRICK N. WIEMILLER, Director 
Public Works Department

BY: SCOTT L. MOZIER, PE, Assistant Director 
Public Works Department, Engineering Division

SUBJECT: ADOPT A RESOLUTION DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES ON THE SOUTH SIDE OF VOORMAN AVENUE EAST OF GLENN AVENUE AND AT THE NORTHEAST CORNER OF DIVISADERO AND GLENN AVENUES (LOCATED IN COUNCIL DISTRICT NO. 3)

KEY RESULT AREA

Customer Satisfaction

RECOMMENDATION

It is recommended that the Council adopt the attached resolution dedicating certain City-owned property for public street purposes.

EXECUTIVE SUMMARY

The City acquired a parcel located at the northeast corner of Divisadero and Glenn Avenues, as shown on Exhibit "B" of the attached resolution, for the development of the Dickey Youth Development Center. The Dickey Youth Development Center is being developed in accordance with Conditional Use Permit (CUP) No. C-06-206. It is a condition of the CUP to construct or reconstruct the street improvements along the frontages of Divisadero, Glenn, and Voorman Avenues. The dedication of City-owned property as easements for public street purposes must be completed to accommodate the construction of the required street improvements.

KEY OBJECTIVE BALANCE

The proposed dedication balances the three key objectives of Customer and Employee Satisfaction, and Financial Management. The proposed dedications provide for Customer Satisfaction by satisfying a condition of approval for the Customer's development of the Dickey Youth Development Center.

BACKGROUND

The City acquired a parcel located at the northeast corner of Divisadero and Glenn Avenues, as shown on Exhibit "B" of the attached resolution, for the development of the Dickey Youth Development Center. The Dickey Youth Development Center is being developed in accordance with Conditional Use Permit (CUP) No. C-06-206. It is a condition of the CUP to construct or reconstruct the street improvements along the frontages of Divisadero, Glenn and Voorman Avenues. The dedication of City-owned property as easements for public street purposes must be completed to accommodate a new curb return and handicap ramp at the northeast corner of Divisadero and Glenn Avenues, and to allow for the construction of the curb and relocation of the existing utilities along the south side of Voorman Avenue east of Glenn Avenue.

Public Works has approved the legal description of the subject easement.

The attached resolution has been approved as to form by the City Attorney's Office.

FISCAL IMPACT

There will be no impact to the City's General Fund.

PNW/SLM/DHC/AJ/eam
Adopt Reso Ded Prop Str Purp Voorman Divisadero Glenn 8-28-07

Attachment: 1. Resolution

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN 459-325-07T & 08T (portions)

RESOLUTION NO. _____

A RESOLUTION DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES ON THE SOUTH SIDE OF VOORMAN AVENUE EAST OF GLENN AVENUE AND AT THE NORTHEAST CORNER OF DIVISADERO AND GLENN AVENUES

WHEREAS, the City acquired a parcel located at the northeast corner of Divisadero and Glenn Avenue for the development of the Dickey Youth Development Center, as shown on attached Exhibit "B"; and

WHEREAS, the subject property is being developed as the Dickey Youth Development Center in accordance with Conditional Use Permit (CUP) No. C-06-206; and

WHEREAS, it is a condition of CUP No. C-06-206 to construct or reconstruct the street improvements along the frontages of Divisadero, Glenn, and Voorman Avenues; and

WHEREAS, the dedication of City-owned property as easements for public street purposes must be completed to accommodate a new curb return and handicap ramp at the northeast corner of Divisadero and Glenn Avenues, and to allow for the construction of the curb and relocation of the existing utilities along the south side of Voorman Avenue east of Glenn Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRESNO AS FOLLOWS:

1. Those certain portions of City-owned property described in attached Exhibit "A" and shown on attached Exhibit "B" are hereby dedicated as easements and rights-of-way for public street purposes.

2. Nothing contained in this resolution shall be deemed or interpreted by any party to cause any interest created in the public pursuant to this resolution to ripen into any title, interest or right of the public against or adverse to the rights of the City of Fresno nor shall this resolution limit, restrict or modify the exemption of public property to title by prescription as defined within California Civil Code Section 1007.

3. The City Clerk of the City of Fresno shall certify to the passage of this resolution and attest thereto under the seal of the City of Fresno.

4. The City Engineer shall cause a City deed number to be assigned to this resolution and shall cause this resolution to be recorded in the Office of the Recorder of the County of Fresno, California. The original resolution shall be returned to the City Clerk after recordation and a certified copy thereof shall be filed in the Public Works deed file.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the _____ day of _____, 2007.

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor Approval: _____, 2007
Mayor Approval/No Return: _____, 2007
Mayor Veto: _____, 2007
Council Override Vote: _____, 2007

REBECCA E. KLISCH
City Clerk

BY: _____, Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By:  5/20/2007
Deputy

Adopt Reso Ded Prop Str Purp Voorman Divisadero Glenn 8-28-07

2007-113
15-A-8308
C-06-206

EXHIBIT "A"

PARCEL 1

APN 459-325-08T (portion)
Street Easement

The north 4.00 feet of Lot 26 in Block 14 of Altamont Addition, according to the map thereof recorded in Book 1 of Plats at Page 77, Fresno County Records.

Contains an area of 606 square feet, more or less.

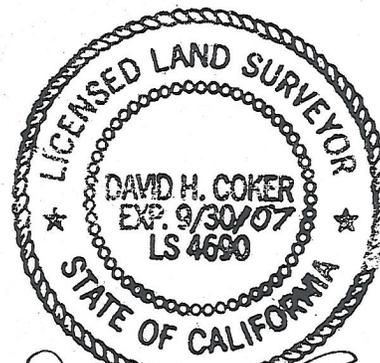
PARCEL 2

APN 459-325-07T (portion)
Street Easement

That portion of Lots 21 and 22 in Block 14 of Altamont Addition, according to the map thereof recorded in Book 1 of Plats at Page 77, Fresno County Records, also being a portion of that parcel of land acquired by the City of Fresno by a Grant Deed recorded June 30, 2006 as Document No. 2006-0137220, said portion being more particularly described as follows;

BEGINNING at the southwest corner of said parcel acquired by the City of Fresno, said southwest corner being a point on the west line of said Lot 21 that lies S 0°00'00" E, a distance of 5.93 feet from the northwest corner of said Lot 21, said southwest corner being a point on the arc of a non-tangent curve concave southerly and having a radius of 522.34 feet, a radial to said point bears N 6°37'16" E; thence easterly, along the arc of said non-tangent curve and along the south line of said parcel acquired by the City of Fresno, through a central angle of 0°42'34", an arc distance of 6.47 feet; thence N 41°04'08" W, a distance of 9.77 feet to the west line of said Lot 22; thence S 0°00'00" E, along the west line of said Lots 22 and 21, a distance of 6.58 feet to the POINT OF BEGINNING.

Contains an area of 21 square feet, more or less.



David H. Coker

