

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: AUTHORIZE AND DIRECT THE CITY ENGINEER TO EXECUTE QUITCLAIM DEEDS ON BEHALF OF THE CITY OF FRESNO FOR PROPERTY THAT WAS ACQUIRED BY THE COUNTY OF FRESNO IN 1966 FOR PUBLIC STREET RIGHT OF WAY AT THE INTERSECTION OF HERNDON AND DOOLITTLE AVENUES AND WHICH WILL BE VACATED WITH THE RECORDATION OF PARCEL MAPS TO PROVIDE FOR COMMERCIAL DEVELOPMENT OF THE ADJOINING PROPERTY

KEY RESULT AREA

Customer Satisfaction

RECOMMENDATION

Staff recommends that the Council authorize and direct the City Engineer to execute two quitclaim deeds, approved as to form by the City Attorney's Office, on behalf of the City in favor of the adjacent owners.

EXECUTIVE SUMMARY

It is necessary that the City execute two quitclaim deeds in favor of the adjacent owners in order that fee title to the areas will pass to the adjacent owners to accommodate proposed commercial development.

KEY OBJECTIVE BALANCE

The proposal balances the key objective of Customer Satisfaction by removing the encumbrance of the City's fee title from the affected property, which will better accommodate the proposed commercial development by the adjacent owners.

BACKGROUND

In 1966, the County of Fresno acquired additional property in the intersection of Herndon and Doolittle Avenues in conjunction with the County's plans for future widening of Herndon. That acquisition also envisioned the narrowing of Doolittle, which was then a 150-foot wide street. As

development has proceeded over the last few decades and the area has been annexed to the City, circulation plans have changed in the area and Doolittle is to be vacated now that the new Blythe connector to Herndon has been constructed. Both Doolittle and the Blythe connection to Herndon west of the new connector will both be vacated because of their proximity to the new connector. Most of Doolittle that will be vacated by the recordation of vesting parcel maps over the areas adjacent to the intersection was obtained as an easement with the map of Sierra Sky Park. It is in the City's best interest that we not retain the underlying fee title to that portion of the County's original fee title acquisition that lies north of our ultimate right-of-way needs. Quitclaiming the excess area will also benefit the adjacent properties as they proceed with their planned commercial development. The quitclaim deeds will not be recorded until the parcel maps that vacate Doolittle record at the County Recorders Office.

FISCAL IMPACT

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

PNW/SLM/DHC/eam
Execute Quitclaim Deeds Herndon-Doolittle 8-28-07

Attachment: Quitclaim Deeds

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

When Recorded, Mail To:
Public Works Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3623
ATTN: Bruce Abbott

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN 501-043-x

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the City of Fresno, a municipal corporation, hereby quitclaims to Sky Park LLC, a California Limited Liability Company, all right, title and interest to that real property situated in the City of Fresno, County of Fresno, State of California, more particularly described and shown as follows:

See Exhibits "A" and "B", which are attached and incorporated herein

CITY OF FRESNO

By: _____
Scott Mozier, Interim City Engineer

Date: _____

CITY ATTORNEY'S OFFICE
APPROVED AS TO FORM

By: _____
Deputy

QC Deeds Herndon-Doolittle 8-28-07

2007-
15-A-
PWF 11011

EXHIBIT "A"

Page 1 of 1

All that real property situated in the City of Fresno, County of Fresno, State of California and being a portion of the Southwest Quarter of Section 35, Township 12 South, Range 19 East, Mount Diablo Baseline and Meridian, according to the Official United States Government Township Plats thereof, more particularly described as follows:

Commencing at the Southwest Corner of said Section 35, thence South 88°33'00" East, along the South Line of said Southwest Quarter, a distance of 1,512.83 feet to the intersection with the southerly prolongation of the Center Line of Doolittle Drive, calculated from the Map of Sierra Sky-Park, filed in Book 13 of Plats at Page 27, Fresno County Records; thence North 01°27'00" East, along said prolongation, a distance of 49.82 feet to the **True Point of Beginning** of herein described real property; thence continuing North 01°27'00" East, along the Center Line of Doolittle Drive per said map of Sierra Sky-Park, a distance of 20.18 feet to a point on the Northerly Line of that parcel described in Document No. 48955, recorded on June 29, 1966 in Book 5331, Pages 11 through 16, Official Records of Fresno County; thence North 88°33'00" West, along said Northerly Line, a distance of 40.23 feet to the beginning of a non-tangent curve, concave Westerly, having a radius of 30.00 feet, and a radial which bears South 88°33'00" East; thence Southerly along the arc of said curve and continuing on the Westerly Line of said Document No. 48955, through a central angle of 42°32'35" and an arc distance of 22.28 feet; thence leaving said Westerly Line, South 88°41'28" East a distance of 47.68 feet to the **True Point of Beginning**.

Containing an area of approximately 855 Square Feet.

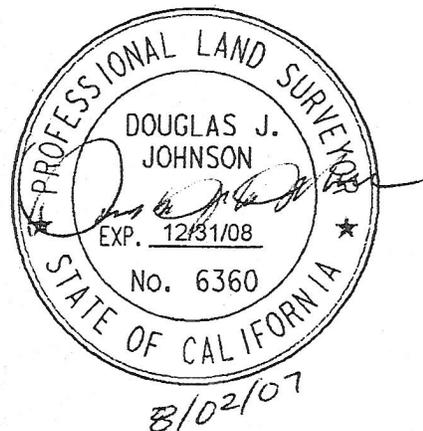
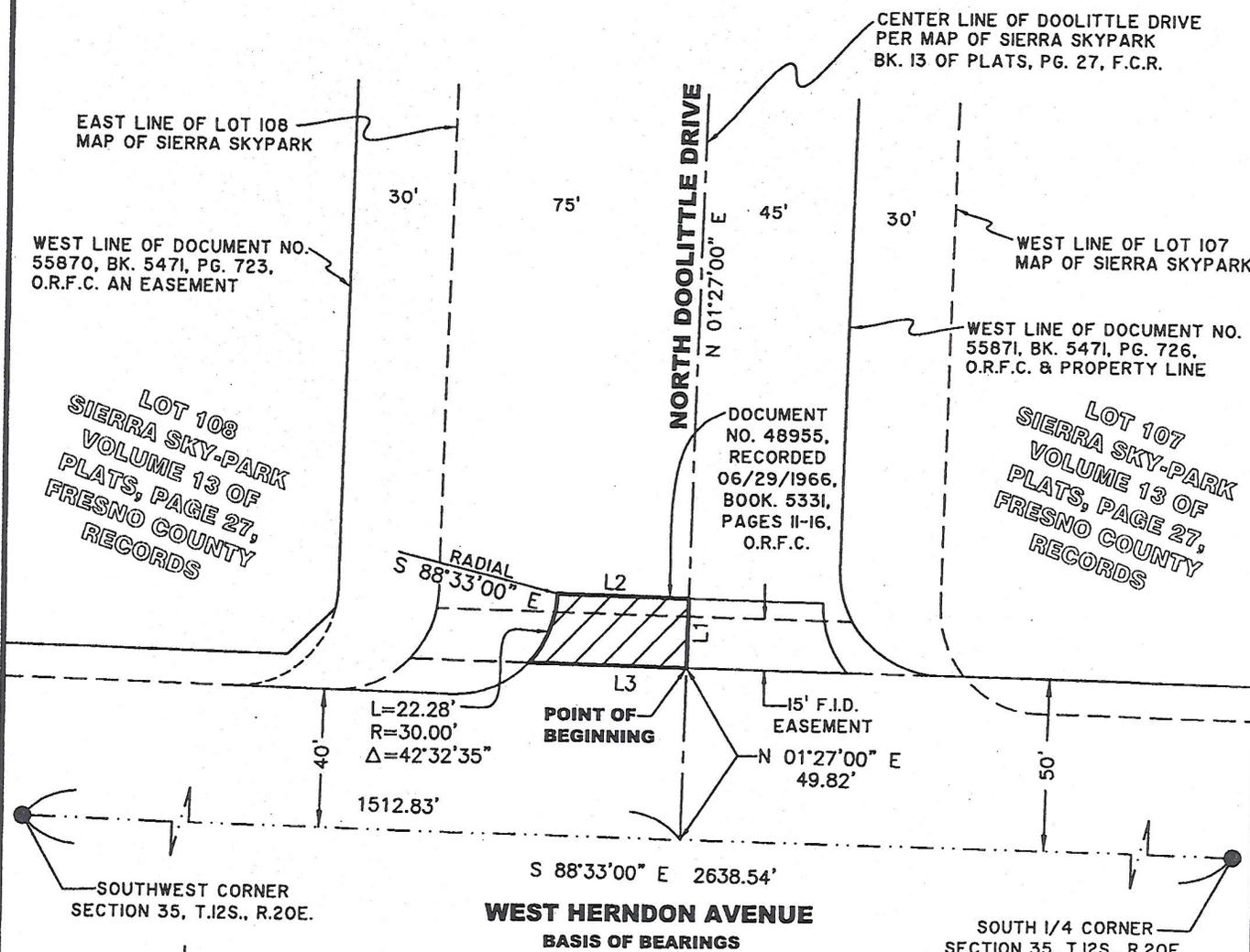


EXHIBIT "B"



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 01°27'00" E	20.18'
L2	N 88°33'00" W	39.77'
L3	S 88°41'28" E	47.68'

LEGEND:

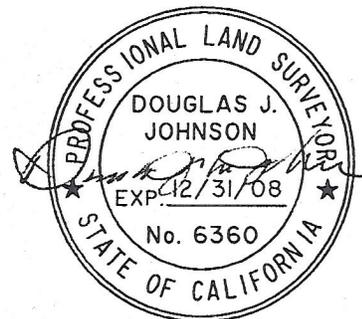


AREA TO BE GRANTED

O.R.F.C.

OFFICIAL RECORDS
FRESNO COUNTY

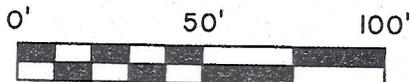
NORTH



DATE: 8/02/07

AREA TO BE GRANTED:
855.01 SQ. FT.

SCALE: 1" = 50'



PREPARED BY:
DOUGLAS "JOHN" JOHNSON LAND SURVEYING
4444 N. DICKENSON AVE. FRESNO, CA 93723
(559) 275-4900 FAX:(559) 275-4901

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

When Recorded, Mail To:
Public Works Department
City of Fresno
2600 Fresno Street
Fresno, CA 93721-3623
ATTN: Bruce Abbott

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN 501-044-x

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the City of Fresno, a municipal corporation, hereby quitclaims to James E. Shekoyan and John O. Jamison, as to an undivided one-half interest; James E. Shekoyan, a married man as to an undivided one-twelfth interest and John O. Jamison, a married man as to an undivided one-twelfth interest, as tenants in common; and Sierra Sky Park Airport, a California General Partnership, as to an undivided one-third interest, all right, title and interest to that real property situated in the City of Fresno, County of Fresno, State of California, more particularly described and shown as follows:

See Exhibits "A" and "B", which are attached and incorporated herein

CITY OF FRESNO

By: _____
Scott Mozier, Interim City Engineer

Date: _____

**CITY ATTORNEY'S OFFICE
APPROVED AS TO FORM**

By: _____
Deputy

QC Deeds Herndon-Doolittle 8-28-07

2007-
15-A-
PWF 11011

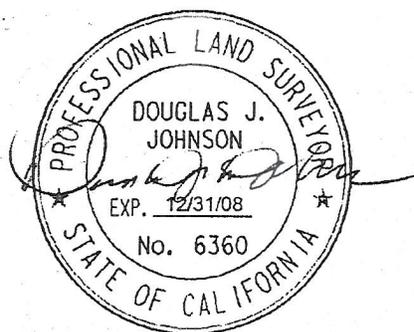
EXHIBIT "A"

Page 1 of 1

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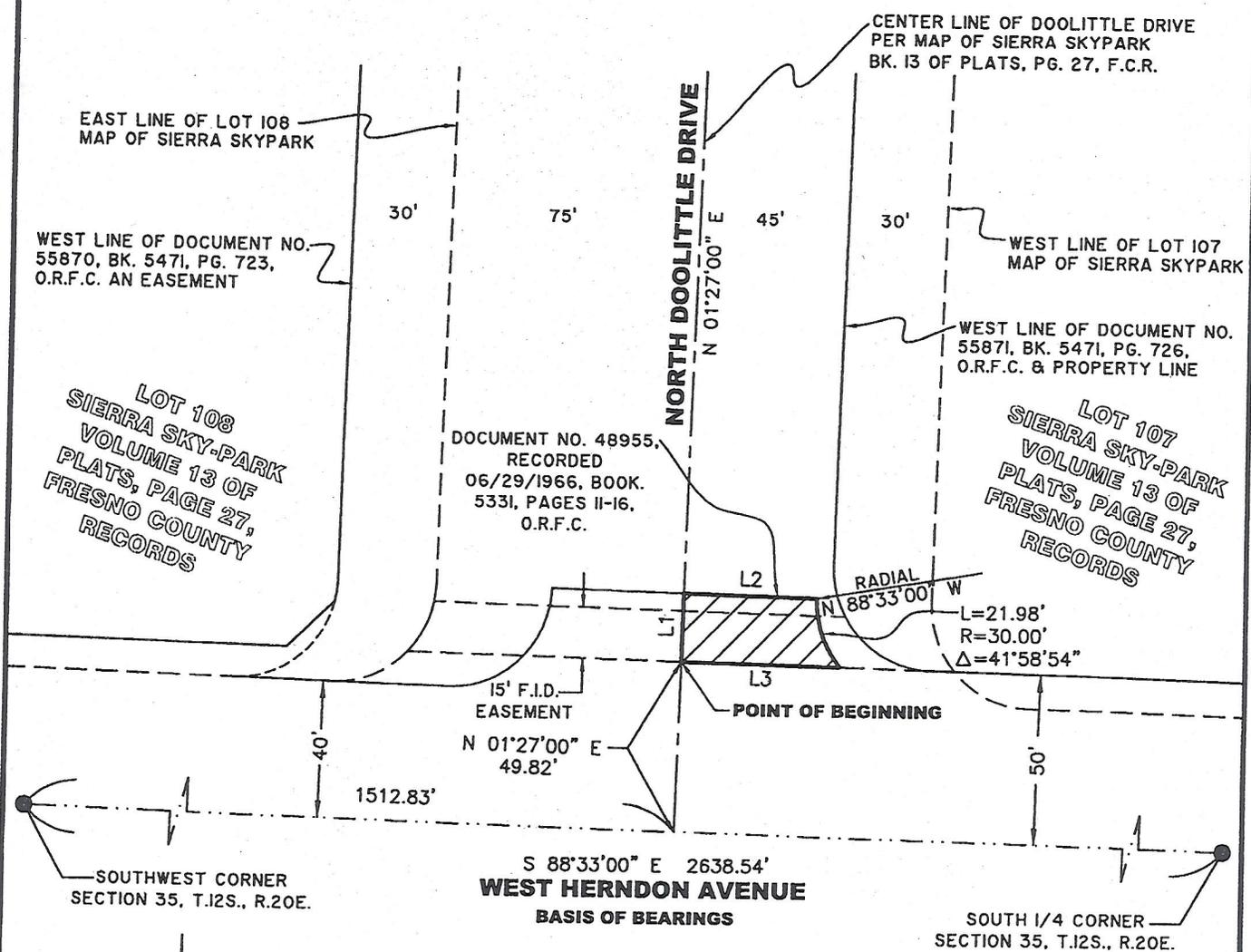
Commencing at the Southwest Corner of said Section 35, thence South $88^{\circ}33'00''$ East, along the South Line of said Southwest Quarter, a distance of 1,512.83 feet to the intersection with the southerly prolongation of the Center Line of Doolittle Drive, calculated from the Map of Sierra Sky-Park, filed in Book 13 of Plats at Page 27, Fresno County Records; thence North $01^{\circ}27'00''$ East, along said prolongation, a distance of 49.82 feet to the **True Point of Beginning** of herein described real property; thence continuing North $01^{\circ}27'00''$ East, along the Center Line of Doolittle Drive per said map of Sierra Sky-Park, a distance of 20.18 feet to a point on the Northerly Line of that parcel described in Document No. 48955, recorded on June 29, 1966 in Book 5331, Pages 11 through 16, Official Records of Fresno County; thence South $88^{\circ}33'00''$ East, along said Northerly Line, a distance of 40.23 feet to the beginning of a non-tangent curve, concave Easterly, having a radius of 30.00 feet, and a radial which bears North $88^{\circ}33'00''$ West; thence Southerly along the arc of said curve and continuing on the Easterly Line of said Document No. 48955, through a central angle of $41^{\circ}58'54''$ and an arc distance of 21.98 feet; thence leaving said Easterly Line, North $88^{\circ}41'28''$ West a distance of 47.93 feet to the **True Point of Beginning**.

Containing an area of approximately 859 Square Feet.



8102107

EXHIBIT "B"



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 01°27'00" E	20.18'
L2	S 88°33'00" E	40.23'
L3	N 88°41'28" W	47.93'

AREA TO BE GRANTED:
858.63 SQ. FT.

LEGEND:



AREA TO BE GRANTED

O.R.F.C.

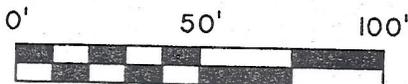
OFFICIAL RECORDS
FRESNO COUNTY



DATE: 8/02/07



SCALE: 1" = 50'



PREPARED BY:
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