City of FRESNO **REPORT TO THE CITY COUNCIL**

AGENDA ITEM NO.	1A
COUNCIL MEETING	12/2/08
APPROVED BY	
DEPARTMENT DIRECTOR	
CITY MANAGER	

December 2, 2008

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

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

SUBJECT: ADOPT RESOLUTION DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES AT THE FRESNO POLICE DEPARTMENT'S REGIONAL TRAINING FACILITY LOCATED ON THE SOUTHEAST CORNER OF WEST CENTRAL AVENUE AND THE SOUTH BRYAN AVENUE ALIGNMENT (COUNCIL DISTRICT NO. 3)

Presented to City Council
Date 12/2/08
Disposition Res. 08-323 adopted

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 owns property located on the southeast corner of West Central Avenue and the South Bryan Avenue Alignment, as shown on Exhibit "B" of the attached resolution. The property is being developed by the Fresno Police Department as a Regional Training Facility in accordance with Conditional Use Permit No. C-07-58. In order to satisfy one of the requirements of Conditional Use Permit No. C-07-58, it is necessary to dedicate an easement for public street purposes across the frontage of the Regional Training Facility as shown on Exhibit "B" of the attached resolution.

KEY OBJECTIVE BALANCE

The proposed dedication balances the three key objectives of Customer and Employee Satisfaction, and Financial Management. The proposed dedication provides for Customer Satisfaction by satisfying a condition of approval for the Customer's development of the Fresno Police Department's Regional Training Facility.

BACKGROUND

The City owns property located on the southeast corner of West Central Avenue and the South Bryan Avenue Alignment, as shown on Exhibit "B" of the attached resolution. The subject property was acquired by the City in November 1997 and February 1998. The property is being developed by the Fresno Police Department as a Regional Training Facility in accordance with Conditional Use Permit No. C-07-58. One of the requirements of the Conditional Use Permit is to dedicate an easement for public street purposes for the ultimate right-of-way for West Central Avenue. In order to satisfy this requirement it is necessary to dedicate an easement for public street purposes across the frontage of the Regional Training Facility as shown on Exhibit "B" of the attached resolution.

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/AJ/eam
Adopt Reso Dedic Prop SE Cor W Central & S Bryan 12-2-08

Attachments: 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 327-040-24T, 31T & 32T (portions)

PW-2008-14840

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET PURPOSES AT THE FRESNO POLICE DEPARTMENT'S REGIONAL TRAINING FACILITY LOCATED ON THE SOUTHEAST CORNER OF WEST CENTRAL AVENUE AND THE SOUTH BRYAN AVENUE ALIGNMENT

WHEREAS, the City owns property located on the southeast corner of West Central Avenue and the South Bryan Avenue alignment, as shown on attached Exhibit "B"; and

WHEREAS, the City owned property is being developed by the Fresno Police Department as a Regional Training Facility in accordance with Conditional Use Permit No. C-07-58; and

WHEREAS, one of the requirements of the Conditional Use Permit is to dedicate an easement for public street purposes for the ultimate right-of-way for West Central Avenue; and

WHEREAS, in order to satisfy this requirement it is necessary to dedicate an easement for public street purposes across the frontage of the Regional Training Facility as shown on attached Exhibit "B".

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

1. That a certain portion of City-owned property described in attached Exhibit "A" and shown on attached Exhibit "B" is hereby dedicated as an easement and right-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 _____, 2008.

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor Approval:_____, 2008
Mayor Approval/No Return:_____, 2008
Mayor Veto:_____, 2008
Council Override Vote:_____, 2008

REBECCA E. KLISCH
City Clerk

BY: _____
, Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By: _____
Deputy K. BRADLEY

Reso Dedic Prop Pub Str Purpos Central-Bryan 11-18-08

2008-138
15-A-8510
C-07-58

EXHIBIT "A"

APNs 327-040-24T, 31T, & 32T (portion)
Street easement

The north 55.00 feet of the west half of the Northeast Quarter of Section 33, Township 14 South, Range 19 East, Mount Diablo Base and Meridian, according to the Official United States Government Township Plat thereof, situated in the City of Fresno, County of Fresno, State of California.

EXCEPTING THEREFROM the north 30.00 feet thereof as previously dedicated for public road purposes by a deed recorded April 10, 1916 in Book 596 of Deeds at Page 72, Official Records of Fresno County.

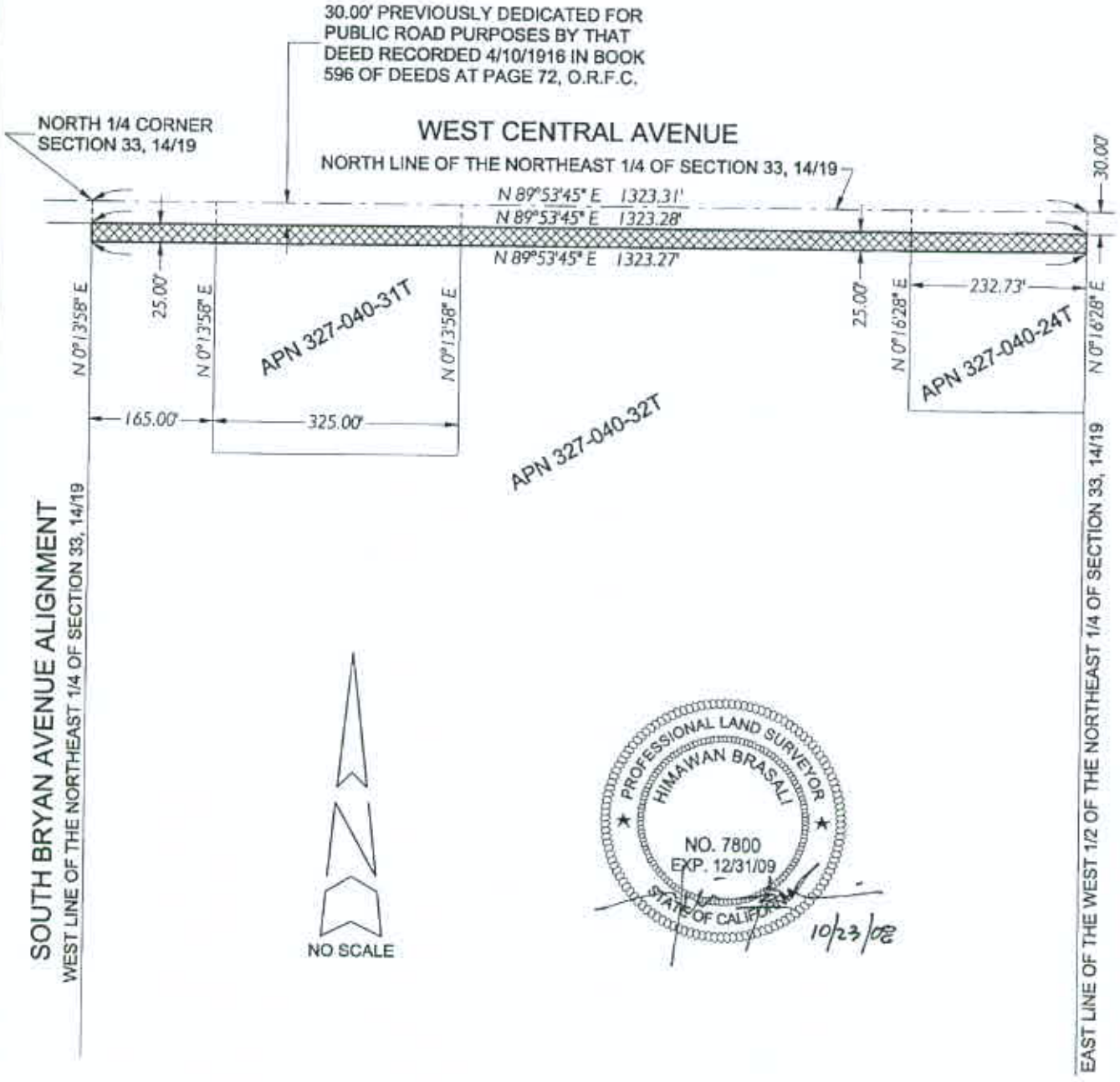
Contains an area of 33,082 square feet, more or less.

PROFESSIONAL LAND SURVEYOR
HIMAWAN BRASALI
NO. 7800
EXP. 12/31/09
STATE OF CALIFORNIA

10/23/08

2008-138
15-A-8510
C-07-58
PW FILE 11315
D:\DATA\PD\Regional Training Facility (S of WWTP)\Exhibit A.doc

EXHIBIT "B"



D:\DATA\PD\Regional Training Facility (S of WWTP)\Exhibit B.dcd

REF. & REV.	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. DC00002	KRA 0201005000
2008-138 C-07-58 PWF 11315 PLAT 3543	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	FUND NO. 30140 ORIG. NO. 159901 DR. BY A.J. CH. BY DATE OCT. 20, 2008 SCALE NO SCALE	RES TYPE SHEET NO. 1 OF 1 SHEETS 15-A-8510