

AGENDA ITEM NO. 1 A

COUNCIL MEETING

APPROVED BY


 DEPARTMENT DIRECTOR

CITY MANAGER

March 24, 2009

 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 PUMP STATION NO. 132 LOCATED
 AT THE SOUTHWEST CORNER OF SERENA AND HAYSTON AVENUES
 (COUNCIL DISTRICT NO. 6)

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 Pump Station No. 132 located at the southwest corner of East Serena and North Hayston Avenues, as shown on Exhibit "B" of the attached resolution. The pump station is now being improved in accordance with Conditional Use Permit No. C-09-002. In order to meet a requirement of Conditional Use Permit No. C-09-002 it is necessary to dedicate a public street easement 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 Pump Station No. 132.

BACKGROUND

The City acquired the property for Pump Station No. 132 on May 24, 1990. It is located at the southwest corner of East Serena and North Hayston Avenues, as shown on Exhibit "B" of the attached resolution. Sidewalk along the street was never constructed. The pump station is now being improved in accordance with Conditional Use Permit No. C-09-002. One of the

Report to the City Council
Adopt Resolution Dedicating City-Owned Property for
Public Street Purposes at Pump Station No. 132
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requirements of Conditional Use Permit No. C-09-002 is to dedicate a public street easement to accommodate the future construction of a curb ramp and sidewalk landing at the existing curb return at the southwest corner of East Serena and North Hayston Avenues. In order to meet the requirement it is necessary to dedicate a public street easement 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 City Prop PS 132 Serena-Hayston 3-24-09

Attachments: 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 403-030-12T (portion)

PW-2009-14890

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, DEDICATING CERTAIN CITY-OWNED PROPERTY FOR PUBLIC STREET
PURPOSES AT PUMP STATION NO. 132 LOCATED AT THE SOUTHWEST CORNER OF
SERENA AND HAYSTON AVENUES

WHEREAS, the City owns Pump Station No. 132 located at the southwest corner of
East Serena and North Hayston Avenues, as shown on attached Exhibit "B"; and

WHEREAS, Pump Station No. 132 is being improved in accordance with Conditional
Use Permit No. C-09-002; and

WHEREAS, one of the requirements of Conditional Use Permit No. C-09-002 is to
dedicate a public street easement to accommodate the future construction of a curb ramp
and sidewalk landing at the existing curb return at the southwest corner of East Serena and
North Hayston Avenues; and

WHEREAS, in order to meet the requirement it is necessary to dedicate an
easement for public street purposes as shown on attached Exhibit "B".

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

1. That 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 _____, 2009.

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor Approval: _____, 2009
Mayor Approval/No Return: _____, 2009
Mayor Veto: _____, 2009
Council Override Vote: _____, 2009

REBECCA E. KLISCH
City Clerk

BY: _____, Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By: *rl* *3-10-09*
 Deputy *Loyle*

Adopt Reso Dedic Prop PS 132 Esmnts

2009-009
15-A-8414
C-09-002

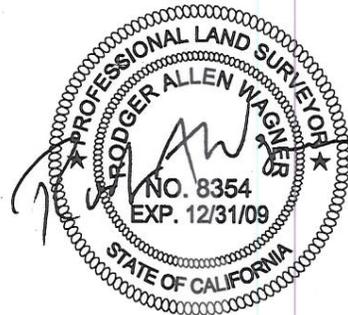
EXHIBIT "A"

APN 403-030-12T
Street easement

A portion of the south half of Lot 1 of Perrin Colony No. 2, according to the map thereof recorded in Volume 4 of Plats at Page 68, Fresno County Records, situated in the City of Fresno, County of Fresno, State of California, and more particularly described as follows:

COMMENCING at the northwest corner of the south half of said Lot 1; thence S 0°01'32" E, along the west line of said Lot 1, a distance of 26.37 feet to the northwest corner of that parcel of land granted to the City of Fresno by that Grant Deed recorded May 24, 1990 as Document No. 90060363, Official Records of Fresno County; thence S 66°33'32" E, along the northerly boundary of said parcel of land granted to the City of Fresno, a distance of 13.43 feet to the beginning of a tangent curve concave northerly and having a radius of 175.00 feet; thence easterly, along the arc of said curve and continuing along said northerly boundary, through a central angle of 24°01'53", an arc distance of 73.40 feet; thence N 89°24'35" E, tangent to said curve and continuing along said northerly boundary, a distance of 8.90 feet to the TRUE POINT OF BEGINNING of this description; thence N 89°24'35" E, continuing along said northerly boundary, a distance of 12.37 feet to the northeast corner of said parcel of land granted to the City of Fresno; thence S 0°01'32" E, along the east line of said parcel of land granted to the City of Fresno, a distance of 12.37 feet; thence N 45°18'28" W, a distance of 17.41 feet to the TRUE POINT OF BEGINNING.

Contains an area of 77 square feet, more or less.



2009-009
15-A-8414
C-09-002

POINT OF COMMENCEMENT
NORTHWEST CORNER OF
THE SOUTH HALF OF LOT 1
OF PERRIN COLONY NO. 2

EXHIBIT "B"

N 89°24'35" E

NORTH LINE OF THE SOUTH HALF OF LOT 1 OF PERRIN COLONY NO. 2

EAST SERENA AVENUE

N 89°24'35" E

S 0°01'32" E 26.37'

S 66°33'32" E, 13.43'

25.00'

25.00'

N 89°24'35" E
8.90' 12.37'

R=175.00'
D=24°01'53"
L=73.40'

POINT OF BEGINNING

N 45°18'28" W, 17.41'

S 0°01'32" E, 12.37'

NORTH HAYSTON DRIVE

S 0°01'32" E

CITY OF FRESNO
PUMP STATION NO. 132
DOC. NO. 90060363, O.R.F.C.

APN 403-030-12T

S 0°01'32" E 139.60'
WEST LINE OF LOT 1

S 0°01'32" E 107.62'

PERRIN COLONY NO. 2
PLAT VOL. 4, PG. 68, F.C.R.
LOT 1

25.00'

N 89°58'28" E 105.00'



 INDICATES AREA TO BE DEDICATED
77 S.F. ±

REF. & REV. 2009-009 PLAT 960 CUP-09-002	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. WC00053 KRA 0103012000 FUND NO. 40101 RES TYPE P132 ORG. NO. 411501
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY AJ CH. BY DATE FEB. 26, 2009 SCALE NO SCALE