



AGENDA ITEM NO.

11

COUNCIL MEETING

04/25/13

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER

April 25, 2013

FROM: PATRICK N. WIEMILLER, Director
Public Works Department

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

SUBJECT: ADOPT RESOLUTION DEDICATING CERTAIN CITY-OWNED PROPERTY AS AN EASEMENT FOR PUBLIC STREET PURPOSES AT PUMP STATION NO. 15B LOCATED ON THE SOUTHEAST CORNER OF EAST CLAY AVENUE AND NORTH BOND STREET (IN COUNCIL DISTRICT NO. 7)

RECOMMENDATION

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

EXECUTIVE SUMMARY

The City of Fresno owns property at 3420 E. Clay Avenue which is located on the southeast corner of East Clay Avenue and North Bond Street. The property is being developed by the City of Fresno's Water Division as Pump Station No. 15B in accordance with Conditional Use Permit No. C-10-230. In order to satisfy one of the requirements of Conditional Use Permit No. C-10-230, it is necessary to dedicate an easement for public street purposes as shown on Exhibit "B" of the attached resolution.

BACKGROUND

The City of Fresno owns property at 3420 E. Clay Avenue which is located on the southeast corner of East Clay Avenue and North Bond Street. The property was acquired by that Grant Deed recorded September 3, 2010 as Document No. 2010-0114259, Official Records of Fresno County. The property is being developed by the City of Fresno's Water Division as Pump Station No. 15B in accordance with Conditional Use Permit No. C-10-230. In order to satisfy one of the requirements of Conditional Use Permit No. C-10-230, it is necessary to dedicate an easement for public street purposes behind the sidewalk landing at the southeast corner of East Clay Avenue and North Bond Street 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.

REPORT TO THE CITY COUNCIL

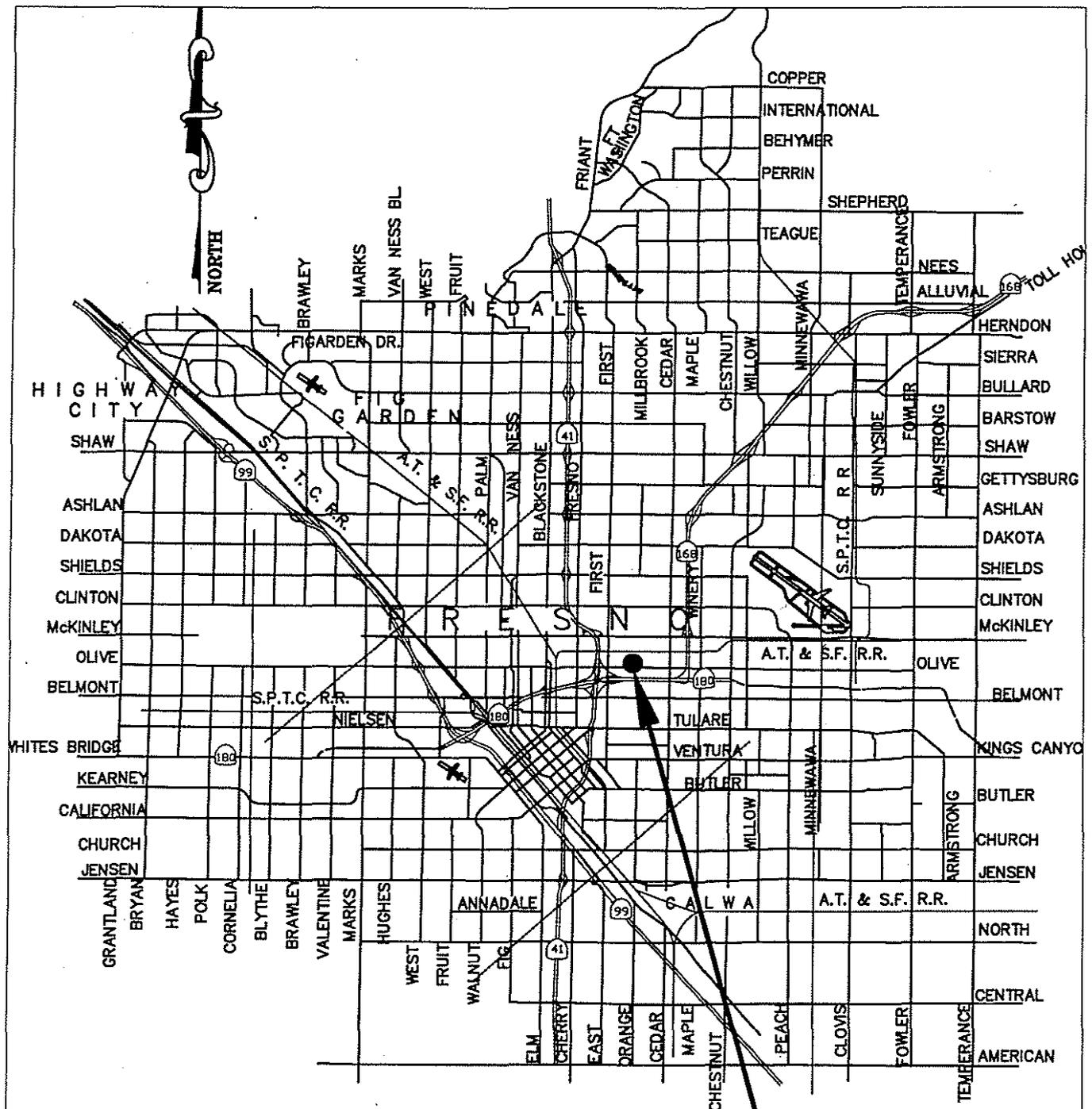
Adopt a Resolution to dedicate an easement
at Pump Station No. 15B
April 25, 2013
Page 2

ENVIRONMENTAL FINDING

On August 26, 2010 the City Council adopted a finding of Mitigated Negative Declaration that the proposed project will not result in any adverse affects, which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the California Environmental Quality Act (CEQA) guidelines, for constructing a new water well at 3420 E. Clay Avenue. A Notice of Determination was filed on August 27, 2010.

FISCAL IMPACT

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



VICINITY MAP

NOT TO SCALE

PUMP STATION 15B

CITY OF FRESNO		DEPT. OF PUBLIC UTILITIES	
PUMP STATION 15B		DR. BY: LGB	SHT 1 OF 1
		DATE 02-10-12	

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RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, DEDICATING CERTAIN CITY-
OWNED PROPERTY AS AN EASEMENT FOR PUBLIC
STREET PURPOSES AT PUMP STATION NO. 15B LOCATED
ON THE SOUTHEAST CORNER OF EAST CLAY AVENUE
AND NORTH BOND STREET

WHEREAS, the City owns property at 3420 E. Clay Avenue which is located on the southeast corner of East Clay Avenue and North Bond Street; and

WHEREAS, the City owned property is being developed by the City of Fresno's Water Division as Pump Station No. 15B in accordance with Conditional Use Permit No. C-10-230; and

WHEREAS, the property was acquired by that Grant Deed recorded September 3, 2010 as Document No. 2010-0114259, Official Records of Fresno County; and

WHEREAS, in order to satisfy one of the requirements of Conditional Use Permit No. C-10-230, it is necessary to dedicate an easement for public street purposes behind the sidewalk landing at the southeast corner of East Clay Avenue and North Bond Street as shown on the 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

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

1 of 3

Resolution to dedicate City owned
property for public street purposes at
Pump Station 15B

Resolution No.

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.

* * * * *

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 _____ day of _____, 2013.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2013
Mayor Approval/No Return: _____, 2013
Mayor Veto: _____, 2013
Council Override Vote: _____, 2013

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Raj Singh Badhesha, Deputy

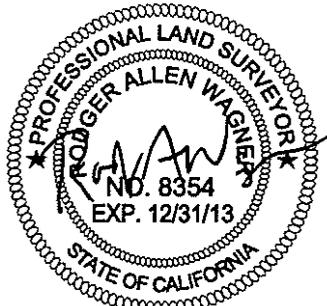
EXHIBIT "A"

APN 454-033-01T
Street Easement

A portion of Lot 48 in Block 7 of Martin Heights, according to the map thereof recorded in Volume 9 of Plats at Page 66, Fresno County Records, more particularly described as follows:

BEGINNING at the northwest corner of said Lot 48; thence N 89°54'00" E, along the north line of said Lot 48, a distance of 6.70 feet; thence, leaving said north line, S 44°55'45" W, a distance of 9.48 feet to the west line of said Lot 48; thence N 0°02'30" W, along said west line, a distance of 6.70 feet to the POINT OF BEGINNING.

Contains an area of 22 square feet, more or less.

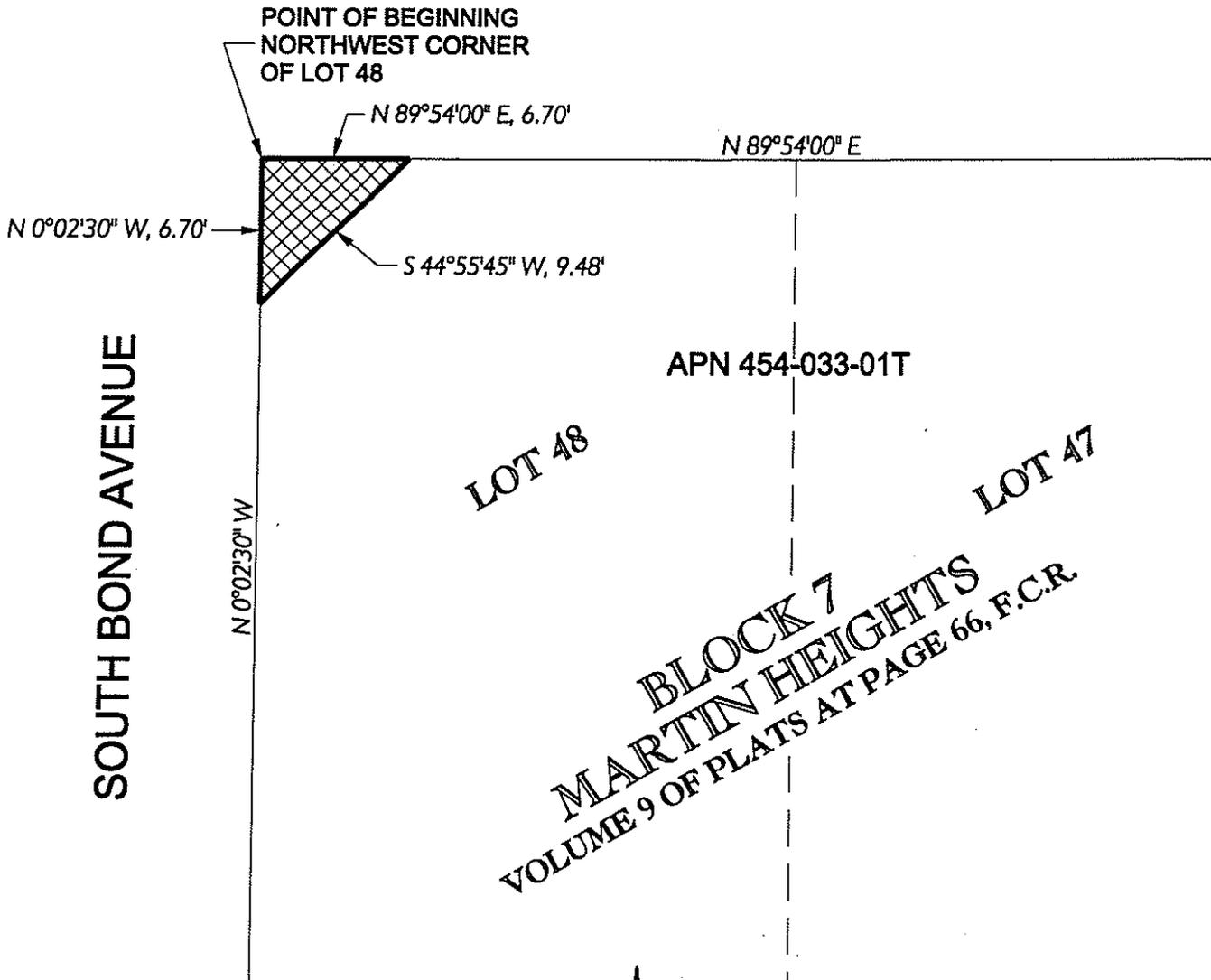


3/14/13

2013-022
C-10-230
15-A-8928

EXHIBIT "B"

EAST CLAY AVENUE



SOUTH BOND AVENUE

N 0°02'30" W

APN 454-033-01T

LOT 48

LOT 47

BLOCK 7
MARTIN HEIGHTS
VOLUME 9 OF PLATS AT PAGE 66, F.C.R.



INDICATES AREA TO BE DEDICATED
22 S.F. ±

REF. & REV. 2013-022 C-10-230 PLAT 2458	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. <u>WC00016</u> RES TYPE <u>P015B</u> FUND NO. <u>40119</u> ORG. NO. <u>411501</u>
	PARCEL TO BE DEDICATED TO THE CITY OF FRESNO AS AN EASEMENT AND RIGHT-OF-WAY FOR PUBLIC STREET PURPOSES	DR. BY <u>A.J.</u> SHEET NO. <u>1</u> CH. BY <u>R.A.W.</u> OF <u>1</u> SHEETS DATE <u>MAR. 8, 2013</u> SCALE <u>NO SCALE</u>

15-A-8928

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