

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

RESOLUTION NO. 2009-37



APPROVE AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN A QUITCLAIM DEED RELATED TO RESOLUTION NO. 2009-14 ON BEHALF OF THE CITY OF FRESNO

WHEREAS, on January 13, 2009 the City Council approved Resolution No. 2009-14 which ordered the vacation of a portion of the east side of North State Street north of West Fairmont Avenue as shown on Exhibit "A", which is attached and incorporated in this Resolution; and

WHEREAS, the State acquired the area ordered to be vacated in fee title and then relinquished the area, in fee, to the County of Fresno, and the City then inherited the area by annexation; and

WHEREAS, as shown on Item 3 of Attachment "A" of Resolution No. 2009-14, it is required that the Applicant has a Quitclaim Deed prepared and said Quitclaim Deed will need to include all the area ordered to be vacated and should be a quitclaim from the City of Fresno, a municipal corporation, to the owner of the adjacent property; and

WHEREAS, the authorization for the Public Works Director to execute this Quitclaim Deed was inadvertently left out of Resolution No. 2009-14; and

WHEREAS, in keeping with the City's policy on fee title vacations, the Applicant has paid the City the sum of \$100, which represents the amount of public funds originally expended for the area ordered to be vacated that is held in fee title.

Adopted _____
Approved 2/10/09
Effective _____

2009-37



NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY AS

FOLLOWS:

1. The Public Works Director of the City is hereby authorized and directed to execute a Quitclaim Deed on behalf of the City for the area ordered to be vacated and held in fee title, as shown on Exhibit "A", which is attached and incorporated in this Resolution, in favor of the adjacent owner.

2. The City Clerk of the City of Fresno shall certify to the passage of this Resolution and shall cause a certified copy, attested by the Clerk under the seal of the City of Fresno, to be recorded in the Office of the County Recorder of the County of Fresno, State of California.

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P.W. File 11353



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 10th day of February, 2009.

AYES: Borgeas, Brand, Dages, Perea, Caprioglio
NOES: None
ABSTAIN: None
ABSENT: Sterling, Xiong

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

REBECCA E. KLISCH
City Clerk

BY: Rebecca Klisch
Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By: Samuel A. Anderson
Deputy

Apprv & Auth PW Dir to Sign QC Deed Reso 2-10-09

PW File No. 11353

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

When Recorded, Mail To:

Edward L. Fanucchi
2639 W. Sierra Avenue
Fresno, CA 93711

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN 510-220-31

QUITCLAIM DEED



For a valuable consideration, receipt of which is hereby acknowledged, the City of Fresno, a municipal corporation, hereby quitclaims to Edward L. Fanucchi, a single man, 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 "C", which are attached and incorporated herein

RESERVING THEREFROM unto the City of Fresno, a municipal corporation, an easement and right-of-way for public utility purposes over, under, through, and across that Real Property situated in the City of Fresno, County of Fresno, State of California, more particularly described and shown as follows:

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

TOGETHER WITH the right to enter upon said Real Property and to use equipment and material thereon by agents and employees of said City and agents and employees of any public utility corporation as defined in Section 216 of the California Public Utilities Code whenever necessary for the purpose of constructing, reconstructing, enlarging, operating or repairing of public utilities and appurtenances thereto. Said public utility easement shall be maintained by GRANTOR(S) free of any surface obstructions so that GRANTEE may have vehicular access at all times.

CITY OF FRESNO

By: _____
Patrick Wiemiller, Public Works Director

Date: _____

APPROVED AS TO FORM:

JAMES C. SANCHEZ
CITY ATTORNEY

By: *James C. Sanchez*
, Deputy



EXHIBIT "A"

APN 510-220-31
Quitclaim

That portion of State Avenue and Lot 33 as shown on the map of Ellendale Terrace No. 2 recorded in Volume 12 of Plats at Page 77, Fresno County Records, also being a portion of Parcel 7 of that relinquishment from the State of California to the County of Fresno recorded November 15, 1961 in Book 4636 at Page 658, Official Records of Fresno County, said portion being more particularly described as follows:

COMMENCING at the southeast corner of said Parcel 7, said southeast corner being the southwest corner of Lot 34 of said Ellendale Terrace No. 2; thence North $0^{\circ}06'26''$ East, along the east line of said Parcel 7 and along the west line of said Lot 34, a distance of 7.00 feet to the TRUE POINT OF BEGINNING of this description; thence North $45^{\circ}04'01''$ West, a distance of 8.49 feet; thence North $0^{\circ}06'26''$ East, parallel with and 6.00 feet west of the west line of said Lots 34 and 33 of said Ellendale Terrace No. 2, a distance of 203.42 feet to the northeasterly line of said Parcel 7; thence South $28^{\circ}28'00''$ East, along said northeasterly line, a distance of 94.08 feet to the most easterly corner of said Parcel 7; thence South $61^{\circ}32'00''$ West, along the southeasterly line of said Parcel 7, a distance of 44.38 feet to the east line of said Parcel 7 and the west line of said Lot 33; thence South $0^{\circ}06'26''$ West, along the east line of said Parcel 7 and along the west line of said Lots 33 and 34, a distance of 105.57 feet to the TRUE POINT OF BEGINNING.

Contains an area of 3,018 square feet, more or less.

2009-003
15-A-8545
PW FILE 11353





EXHIBIT "B"

APN 510-220-31

Public utility reservation

That portion of State Avenue as shown on the map of Ellendale Terrace No. 2 recorded in Volume 12 of Plats at Page 77, Fresno County Records, also being a portion of Parcel 7 of that relinquishment from the State of California to the County of Fresno recorded November 15, 1961 in Book 4636 at Page 658, Official Records of Fresno County, said portion being more particularly described as follows:

COMMENCING at the southeast corner of said Parcel 7, said southeast corner being the southwest corner of Lot 34 of said Ellendale Terrace No. 2; thence North $0^{\circ}06'26''$ East, along the east line of said Parcel 7 and along the west line of said Lot 34, a distance of 7.00 feet to the TRUE POINT OF BEGINNING of this description; thence North $45^{\circ}04'01''$ West, a distance of 8.49 feet; thence North $0^{\circ}06'26''$ East, parallel with and 6.00 feet west of the west line of Lots 34 and 33 of said Ellendale Terrace No. 2, a distance of 203.42 feet to the northeasterly line of said Parcel 7; thence South $28^{\circ}28'00''$ East, along said northeasterly line, a distance of 12.60 feet to the west line of said Lot 33; thence South $0^{\circ}06'26''$ West, along the west line of said Lots 33 and 34, a distance of 198.35 feet to the TRUE POINT OF BEGINNING.

Contains an area of 1,210 square feet, more or less.



Fred N. Rabe
1-26-09

2009-003
15-A-8545
PW FILE 11353

EXHIBIT "C"



PARCEL TO BE
QUITCLAIMED BY THE
CITY OF FRESNO



AREA 1 TO BE QUITCLAIMED
TO APN: 510-220-31 AND
RESERVED AS A PUBLIC
UTILITY EASEMENT



AREA 2 TO BE
QUITCLAIMED TO
APN: 510-220-31

LAND DESCRIPTION
PORTION OF LOTS 33 & 34
OF ELLENDALE TERRACE
NO. 2, RECORDED IN BOOK
12 OF PLATS AT PAGE 77,
F.C.R.

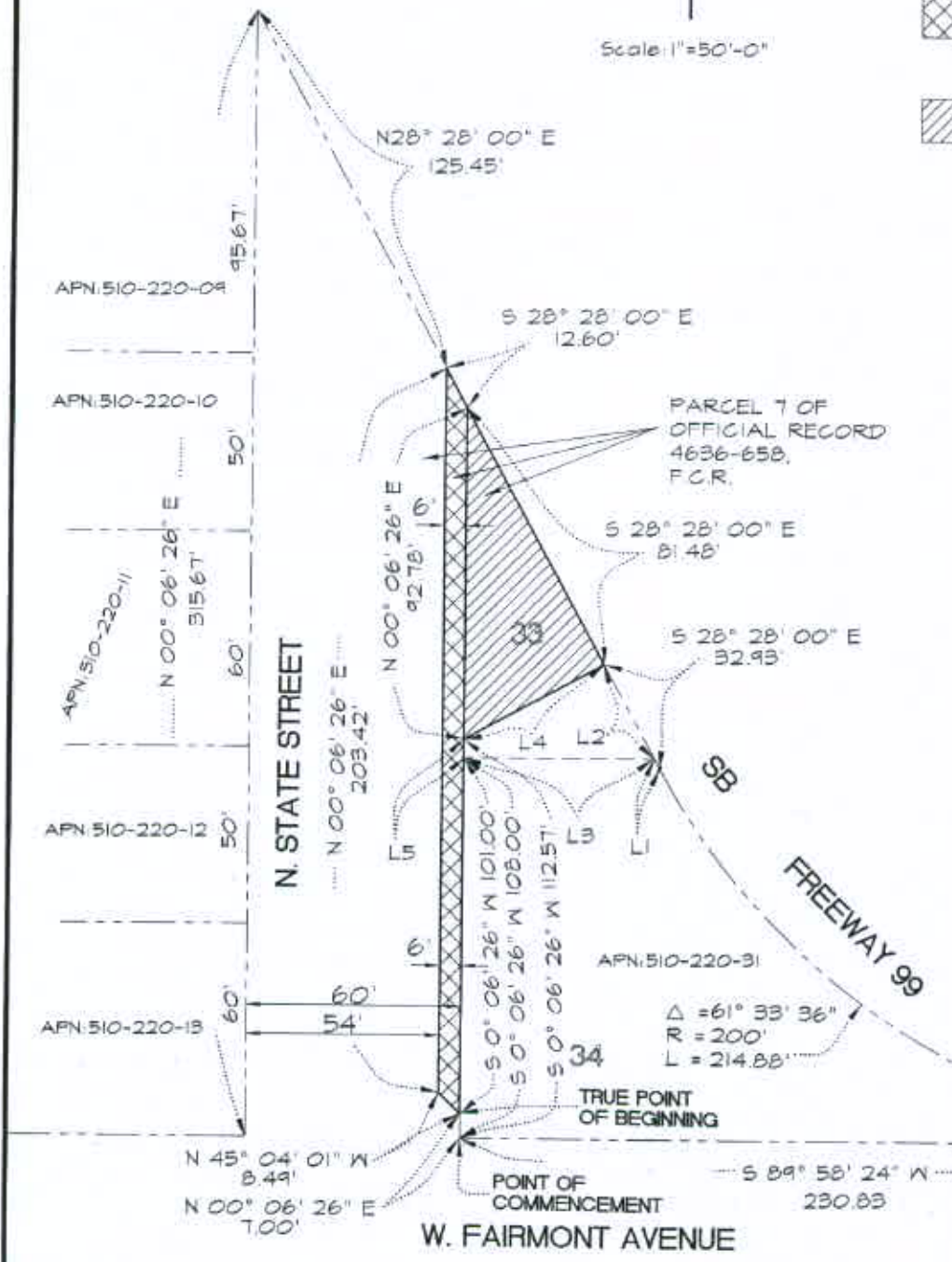
LINE INFORMATION

- L1 N 28° 28' 00" E, 3.69'
- L2 N 28° 28' 00" E, 29.24'
- L3 S 89° 58' 24" W, 52.96'
- L4 S 61° 32' 00" W, 44.38'
- L5 S 0° 06' 26" W, 4.51'



Fred N. Rabe
1-26-09

OFF/ON RAMP



REF. & REV. 2009-003 PLAT 1745 PW FILE 11353	CITY OF FRESNO DEPARTMENT OF PUBLIC WORKS	PROJ. ID. _____ KRA _____ FUND NO. _____ RES TYPE _____ ORG. NO. _____
	PARCELS TO BE QUITCLAIMED BY THE CITY OF FRESNO	DR. BY. RAM _____ CH. BY. _____ DATE 01/21/09 SCALE " AS NOTED"