



RESOLUTION NO. 2009-11

RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,
CALIFORNIA, APPROVING THE FINAL MAP OF TRACT NO. 5856 AND
ACCEPTING DEDICATED PUBLIC USES THEREIN

WHEREAS, Dwayne C. Smith and Jeannie A. Smith, Co-Trustees of the Dwayne C. Smith and Jeannie A. Smith Living Trust, has offered for approval a Final Map designated as Tract No. 5856, ("map"), pursuant to approved Vesting Tentative Map No. 5856 ("tentative map"); and,

WHEREAS, all the certificates which appear on the map (except the approval certificate of the Council of the City of Fresno and the recording certificate of the Recorder of the County of Fresno) have been signed and acknowledged and said map has been filed for approval; and,

WHEREAS, the subdivision lies within the boundaries of the City of Fresno; and,

WHEREAS, the map conforms to all of the requirements of the Subdivision Map Act of the State of California, and City ordinances, resolutions and standards, except that Section 66492 and 66493 of the Subdivision Map Act may not be fully complied with at the time of passage of this resolution and owner having previously filed with the Clerk of the Board of Supervisors of Fresno County a Tax Compliance Certificate Request along with copies of the map considered herewith by the Council; and,

WHEREAS, the Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable general and specific plans of the City; and,

WHEREAS, the Subdivider and the Owners, whose signatures appear on the map, and others have offered for dedication certain streets, public utility easements, access rights and other public properties and uses as shown and delineated upon said map; and,

WHEREAS, the Planning Commission of the City of Fresno, by formal resolution, approved said tentative map.

Adopted _____
Approved 1/13/09
Effective _____

2009-11



NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. That the map is hereby approved and all of the streets, public utility easements, access rights and other public properties and uses offered for dedication on the map are hereby accepted, unless it is stated on the Final Map that said dedications are subject to City acceptance of Developer installed improvements, subject to complete compliance with Sections 66492 and 66493 of the Subdivision Map Act prior to release of the map for recordation.
2. The Council finds that the map is in substantial compliance with said tentative map, any deviations therefrom being deemed to be approved by the Council.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY 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 held on the 13th day of January, 2009.

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

REBECCA E. KLISCH, CMC
City Clerk, City of Fresno

By: Rebecca E. Klisch
~~Deputy~~

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By: John W. Fox
John W. Fox
Deputy City Attorney

Date: 1/6/2008