



**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. 2010-10

RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA  
ORDERING THE VACATION OF A PORTION OF THE EASTERLY 26 FEET OF AMADOR  
STREET BETWEEN FULTON STREET AND THE FULTON-BROADWAY ALLEY

WHEREAS, pursuant to Resolution of Intention No. 1081-D, on file in the Office of the City Clerk of the City of Fresno (the City Clerk), a public hearing was held on January 14, 2010, at a regular meeting of the Council of the City of Fresno, California (the City), at which evidence was heard for and against the vacation of the hereinafter described public street easement, situated within the City; and

WHEREAS, Granville Homes, Inc. is requesting the vacation of a portion of the easterly 26 feet of Amador Street between Fulton Street and the Fulton-Broadway alley, as shown on Exhibit "A", which is attached and incorporated in this Resolution; and

WHEREAS, the purpose of the proposed vacation is to allow for a mixed use development; and

WHEREAS, Environmental Assessment No. C-09-125 shows that a Finding of Conformity with Master Environmental Impact Report (MEIR) No. 10130 is the appropriate environmental finding for this project. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to

Adopted 01-14-10

Approved 01-25-10

Effective UPON RECORDATION

2010-10



assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130; and

WHEREAS, the Traffic Division, other City Departments and utility agencies have reviewed this proposal and determined that the right-of-way proposed for vacation is unnecessary for present or prospective public street purposes, subject to conditions for approval detailed in Exhibit "B", which is attached and incorporated in this Resolution ; and

WHEREAS, this action is being taken pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law (California Streets and Highways Code Sections 8300-8363).

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

1. The Council finds from all the evidence submitted that a portion of the easterly 26 feet of Amador Street between Fulton Street and the Fulton-Broadway alley is unnecessary for present and prospective public street purposes. The public street easement to be vacated is shown on Exhibit "A", which is attached and incorporated in this Resolution.
2. The public interest and convenience require, and it is hereby ordered, that, as contemplated by Resolution of Intention No. 1081-D adopted by the Council on December 10, 2009, the public street easement shown on Exhibit "A" be and is hereby vacated and abandoned.
3. All proceedings for the vacation of such right-of-ways are intended to be and shall be taken subject to the conditions listed on Exhibit "B". All work required by such conditions shall be completed in compliance with City Standard Specifications and will require engineered construction plans prepared by a registered civil engineer and approved by the Public Works Department.



4. The City Clerk shall certify to the passage of this Resolution and shall file a certified copy, attested by the City Clerk under the seal of the City, in the Office of the City Clerk.

5. The City Clerk shall file a certified copy of the Resolution for recordation in the Office of the Recorder of Fresno County, but not until the Director of Public Works of the City determines that the conditions specified in Section 3 above have been satisfied and accepted by the City. The vacation shall become effective on the date this Resolution is recorded.

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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 14th day of January, 2010.

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

Mayor Approval: January 25, 2010  
Mayor Approval/No Return: N/A, 2010  
Mayor Veto: N/A, 2010  
Council Override Vote: N/A, 2010

REBECCA E. KLISCH  
City Clerk

BY: Rebecca E. Klisch, Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
CITY ATTORNEY

By: [Signature]  
Deputy BRADLEY

Reso Ord Vac Por Amador Bet Fulton St & Fulton-Brdwy Alley 1-14-2010

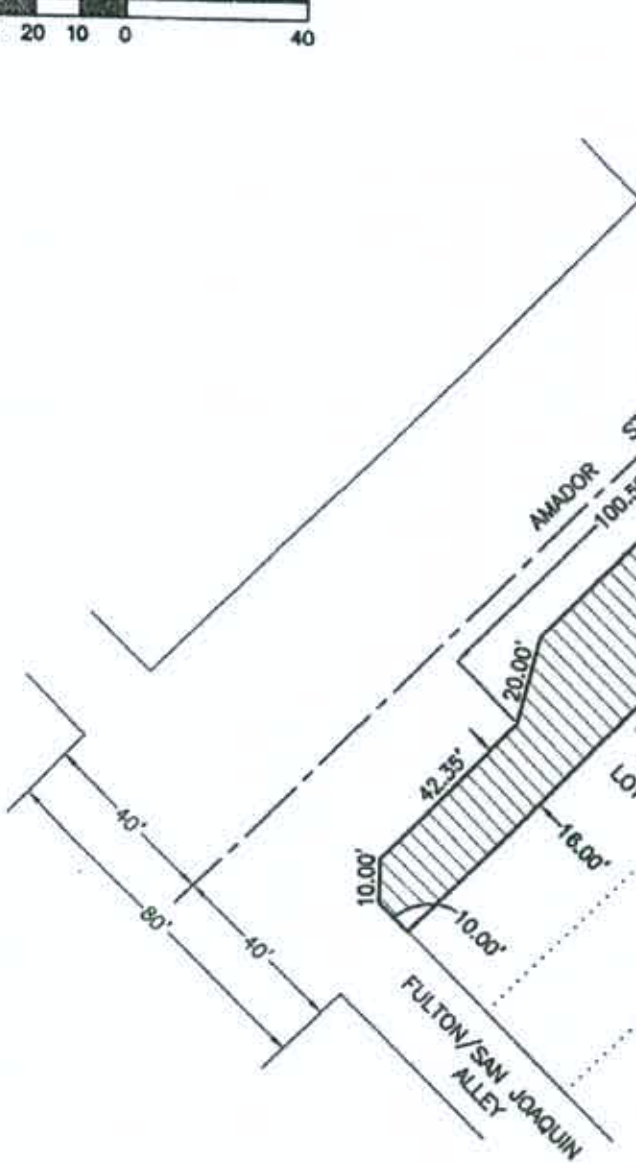
PW File No. 11403



# EXHIBIT "A"



SCALE: 1" = 40'



APN 466-192-01

BLOCK 344  
TOWN OF FRESNO  
LOT 1  
LOT 2  
LOT 3



INDICATES AREA TO BE VACATED

### PREPARED BY:

GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA. 93721  
(559) 264-3590

9/18/09

REF. & REV. ACC'T NO. FILE NO. C-09-125	CITY OF FRESNO		PROJ. ID. _____
	A PORTION OF THE TOWN (NOW CITY) OF FRESNO		FUND NO. _____
		DR. BY: B. GIANNETTA	SHEET NO. 1
		CH BY: _____	OF 1 SHEET
		DATE: _____	15-A-
		SCALE: AS NOTED	



## EXHIBIT "B"

### CONDITIONS FOR APPROVAL

1. The Fresno Metropolitan Flood Control District (FMFCD) requires that any improvement plans or modification to the existing drainage pattern be reviewed and approved by the District prior to implementation.
2. The City's Traffic Management Division requires that all off site improvements be completed per the requirements Conditional Use Permit No. C-09-125.
3. The City's Department of Public Utilities requires that a portion of the 6" water main in Amador Street between the alley and Fulton Avenue be abandoned and an 8" water main be installed. They also require that engineered improvement plans be submitted for review and approval to the Department of Public Utilities.
4. The City's Traffic Signal and Street Lighting Division require that two street lights within this area and have underground conduit be removed or modified. Modification or removal shall be coordinated with the City's Traffic Signal and Street Lighting Division prior to vacation of the right-of-way.

January 14, 2010



Council Adoption: 01/14/10  
Mayor Approval:  
Mayor Veto:  
Override Request:

TO: MAYOR ASHLEY SWEARENGIN  
FROM: REBECCA E. KLISCH, CMC *REK*  
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 1/14/10, Council adopted the attached Resolution No. 2010-10 entitled **Ordering vacation of portion of easterly 26-feet of Amador, bet Fulton and Fulton-Broadway alley**, Item No. 9:30 A.M. #2, by the following vote:

Ayes : Borgeas, Brand, Dages, Perea, Xiong, Sterling, Westerlund  
Noes : None  
Absent : None  
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before January 25, 2010. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10<sup>th</sup> day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

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**APPROVED:**

**VETOED** for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

*Ashley Swearingin*  
Ashley Swearingin, Mayor

Date: 1-25-10

**COUNCIL OVERRIDE ACTION:**

Date: \_\_\_\_\_

Ayes :  
Noes :  
Absent :  
Abstain :