

THE BUSINESS JOURNAL

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CLERK. BOARD OF SUPERVISORS

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION OF INTENTION AND NOTICE OF HEARING

IN THE MATTER OF THE VACATION OF McKENZIE AVENUE
PUBLIC ROAD RIGHT-OF-WAY
VACATION APPLICATION NO. V16-01

DATE AND TIME OF PUBLIC
HEARING:
APRIL 25, 2017 AT 9:00 A.M.

DECLARATION OF PUBLICATION (2015.5 C.C.P.)

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

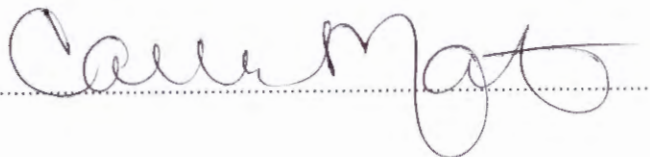
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No. 14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

APRIL 12, 19, 2017

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

APRIL 19, 2017

ON



Resolution No. 17-176
BEFORE THE BOARD OF
SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA
RESOLUTION OF INTENTION
AND NOTICE OF HEARING
IN THE MATTER OF THE VACATION
OF
McKENZIE AVENUE PUBLIC ROAD
RIGHT-OF-WAY
VACATION APPLICATION NO. V16-01

WHEREAS, the Director of the Department of Public Works and Planning informs this Board that an application has been received to vacate the public road right-of-way of McKenzie Avenue from Cornelia Avenue, westerly approximately 2460-feet. Vacation Application No. V16-01; and

WHEREAS, the Department of Public Works and Planning reports that this vacation request has been studied and recommends the following:

(1) That the Board of Supervisors declares its intent to hold a hearing for the vacation of the right-of-way more particularly described in Exhibit "A". A map showing the proposed vacation is on file with the Clerk of the Board.

(2) That the vacation procedure be conducted under Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code.

(3) That a public hearing be set to consider vacation of said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors to:

(1) Adopt the foregoing recitals as true and correct.

(2) Direct the Clerk of the Board to publish for at least two successive weeks prior to the hearing, a notice of intent to vacate, and direct the Department of Public Works and Planning to post notice of the same.

(3) Set the public hearing to consider vacation of said right-of-way for the hour of 9:00 a.m. on April 25, 2017 in the Chambers of the Board of Supervisors, Room 301, Hall of Records, Tulare and "M" Streets, Fresno, California.

THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 28th day of March, 2017 to wit:

AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero
NOES: None
ABSENT: None
Brian Pacheco, CHAIRMAN
Board of Supervisors
BERNICE E. SEIDEL
Clerk, Board of Supervisors
Exhibit "A"

LEGAL DESCRIPTION
All of that 50-foot wide public road right-of-way of McKenzie Avenue, from the west right-of-way line of Cornelia Avenue, continue westerly approximately 2460-feet to the west limit line of Record of Survey Bk. 45, Pgs. 97-98. Located in Section 3, Township 14 South, Range 19 East, Mount Diablo Base and Meridian.
Containing 2.83 acres, more or less.

RESERVING THEREFROM:

For the benefit of **Pacific Gas & Electric Company, Fresno Metropolitan Flood Control District and Fresno Irrigation District** an easement along all of that 50-foot wide vacated right-of-way, and the right at any time or from time to time, as necessary, pursuant to the provisions of California Streets and Highways Code Section 8340, to construct, maintain, operate, replace, and remove pipelines, transmission lines, valves, manholes, cables, wires, conductors, poles, and other convenient structures, equipment and fixtures for the transportation or distribution of electric energy, gas, natural gas, and communications facilities, including access and the right to keep the property free from inflammable materials and wood growth, and to prevent any building or structure near the facilities and otherwise to protect the same from all hazards in, upon, over and across above described parcel.

04/12/2017, 04/19/2017