

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF)	RESOLUTION APPROVING
COUNTY SERVICE AREA NO. 35)	DISSOLUTION OF ZONE CA OF
ZONE CA DISSOLUTION)	COUNTY SERVICE AREA NO. 35 AND
)	TERMINATING ASSESSMENTS
)	ON REAL PROPERTY FOR ROAD
)	MAINTENANCE

WHEREAS, as a Condition of Approval of Parcel Map No. 7873 (PM 7873), the Fresno County Board of Supervisors (Board) required the formation of a zone within County Service Area (CSA) 35 to fund the maintenance of roads serving properties within PM 7873; and

WHEREAS, Zone CA of CSA 35 (CSA 35-CA), more particularly described in Exhibit A to this resolution, was formed on November 25, 2003, to provide for the maintenance of a road benefiting parcels within PM 7873; and

WHEREAS, the road constructed to serve properties within CSA 35-CA, bearing the name West Melrose Avenue, is dedicated for public use, and accessible to the public, but not accepted into the County-maintained road system; and

WHEREAS, road maintenance for West Melrose Avenue is currently funded by benefit assessments levied by the Board by resolution #03-547 on November 25, 2003, on real property in CSA 35-CA; and

WHEREAS, the owners of the property in CSA 35-CA applied to the County for dissolution of CSA 35-CA and vacation of West Melrose Avenue by the County because they wish to install a security gate to close West Melrose Avenue to public traffic to improve safety and security of their property, and to prevent illegal activity along West Melrose Avenue; and

WHEREAS, the Melrose Lane Homeowners Association has been established by the owners of property in CSA 35-CA to provide road maintenance for West Melrose

1 Avenue, by recording "Declaration of Covenants, Conditions and Restrictions for Melrose
2 Lane" on February 26, 2016 (Document No. 2016-0024395), and the Director of
3 Public Works and Planning has determined that is an acceptable method of providing
4 road maintenance, as required by Fresno County Ordinance Code section 17.48.460; and

5 WHEREAS, the Board, by resolution 16-038 on February 2, 2016, determined
6 that it is in the public interest and declared its intent to dissolve CSA 35-CA under Title 3,
7 Division 2, Part 2, Chapter 2.5, Article 8 of the California Government Code, and set a
8 public protest hearing at 11:00 a.m., or as soon after as circumstances permit, on March 1,
9 2016, in the meeting chambers of the County of Fresno Board of Supervisors, Hall of
10 Records, 2281 Tulare Street, Third Floor, Fresno, California 93721; and

11 WHEREAS, the Clerk to the Board gave notice of the public protest hearing as
12 follows pursuant to section 25217, subdivision (d), of the California Government Code:

- 13 1. Published the notice of the protest hearing pursuant to California
14 Government Code Section 6061 in a newspaper of general circulation,
15 published in the County, which notice included the information required by
16 Section 25217, subdivision (b), of the California Government Code;
- 17 2. Mailed the notice to all owners of property within CSA 35-CA;
- 18 3. Mailed the notice to each city and special district that contains, or whose
19 Sphere of Influence contains CSA 35-CA, which includes only the City of
20 Fresno; and
- 21 4. Posted the notice in at least three public places within CSA 35-CA.

22 WHEREAS, the Board conducted a public protest hearing at 11:00 A.M., or as
23 soon after as circumstances permitted, on March 1, 2016, in the meeting chambers of the
24 County of Fresno Board of Supervisors, Hall of Records, 2281 Tulare Street, Third Floor,
25 Fresno, California 93721, concerning the proposed dissolution of CSA 35-CA.

26 WHEREAS, the Board has received certification from the County Clerk/Registrar of
27 Voters that zero registered voters reside within CSA 35-CA;

28 WHEREAS, written protests to the proposed dissolution were not filed by more

1 than 50 percent of property owners who own more than 50 percent of the assessed value
2 of all taxable property within CSA 35-CA; and

3 WHEREAS, under California Government Code section 25217.1, subdivision
4 (b)(2), a majority protest does not exist concerning the dissolution of CSA 35-CA; and

5 WHEREAS, the County has vacated West Melrose Lane.

6 NOW THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
7 FRESNO DOES HEREBY FIND, DETERMINE, AND RESOLVE:

- 8 1. Each of the recitals above is true and correct.
9 2. CSA 35-CA is hereby dissolved.
10 3. Benefit assessments for road maintenance of West Melrose Avenue within
11 CSA 35-CA, which the Board levied by resolution #03-547 on November 25, 2003, are
12 hereby terminated beginning in the Fiscal Year 2016-17, and resolution #03-547 is
13 superseded and rescinded as of the date of this resolution.

14 PASSED AND ADOPTED this 1st day of March, 2016 by the
15 following vote of the Board of Supervisors of the County of Fresno, to wit:

16
17 AYES: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

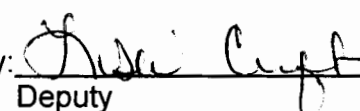
18 NOES: None

19 ABSENT: None

20 COUNTY OF FRESNO

21
22 
23 ERNEST BUDDY MENDES, Chairman
Board of Supervisors

24 ATTEST:
25 Bernice E. Seidel
26 Clerk to the Board of Supervisors

27 By: 
28 Deputy

A PORTION OF THE SECTION 34, T. 13 S., R. 19 E., M.D.B. & M. APN 312-370-12

Exhibit "A"

WEST OLIVE AVENUE

EAST 1/4 CORNER OF SECTION 34, T. 13 S., R. 19 E.

LEGEND

INDICATES ZONE "CA" BOUNDARY

NORTH CORNELIA AVENUE

SOUTHEAST CORNER OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SECTION 34, T. 13 S., R. 19 E.

POINT OF BEGINNING

PARCEL 1

WEST MELROSE AVENUE

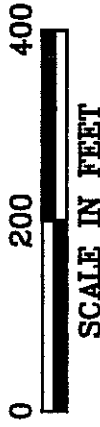
PARCEL 3

PARCEL 2

PARCEL 4

SOUTHWEST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 34, T. 13 S., R. 19 E.

SOUTHEAST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 34, T. 13 S., R. 19 E.



658.87' 47' N 00°46'38"E 1317.74' 47' 658.87'

N 89°26'41"W 1313.68'

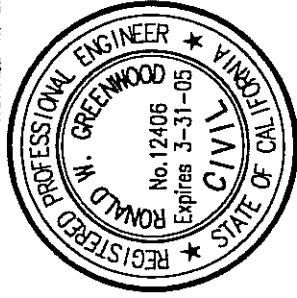
1266.68'

S 89°26'59"E 1313.35'

1266.35'

S 00°44'54"W 658.98'

RONALD W. GREENWOOD RCE 12



REV. 12-04-2003 RNM
REV. 09/02/03 SF
REV. 07-23-2003 RNM
REV. 03-18-2003 RNM
REVISED JULY 17, 2003, GP
PLOT VIEW: CSA
ACAD File: \MAPS\02054PM.DWG
XREF: 02054MAP.DWG
GREENWOOD'S I.D. B-02054

County of **FRESNO** DEPARTMENT OF PUBLIC WORKS AND PLANNING

COUNTY SERVICE AREA NO. 35
ZONE CA

Sheet No. 1
of 1 Sheets

DESIGNED _____ DATE _____ DRAWN G.M.P. 2/07/03 CHECKED _____ DATE _____ SCALE 1"=200' DRAWING No. _____

Exhibit "A"

**COUNTY SERVICE AREA No. 35
ZONE "CA"
PARCEL MAP No. 7873**

July 17, 2003
BOUNDARY DESCRIPTION
Containing 19.15 Acres

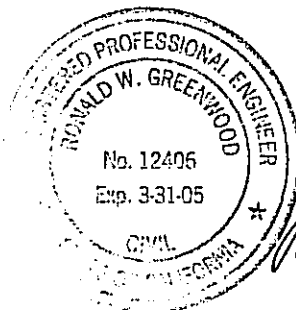
That portion of the South half of the Northeast quarter of the Southeast quarter of Section 34, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, being more particularly described as follows:

BEGINNING at a point on the North line of the South half of the Northeast quarter of the Southeast quarter of said Section 34, said point being the intersection of the West line of the East 47.00 feet of the South half of the Northeast quarter of the Southeast quarter of said Section 34 with said North line; thence,

- (1) North $89^{\circ}26'41''$ West, along the North line of the South half of the Northeast quarter of the Southeast quarter of said Section 34, a distance of 1266.68 feet to the Northwest corner of the South half of the Northeast quarter of the Southeast quarter of said Section 34; thence,
- (2) South $00^{\circ}44'54''$ West, along the West line of the South half of the Northeast quarter of the Southeast quarter of said Section 34, a distance of 658.98 feet to the Southwest corner of the Northeast quarter of the Southeast quarter of said Section 34; thence,
- (3) South $89^{\circ}26'59''$ East, along the South line of the Northeast quarter of the Southeast quarter of said Section 34, a distance of 1266.35 feet to its intersection with the West line of the East 47.00 feet of the South half of the Northeast quarter of the Southeast quarter of said Section 34; thence,
- (4) North $00^{\circ}46'38''$ East, along the West line of the East 47.00 feet of the South half of the Northeast quarter of the Southeast quarter of said Section 34, a distance of 658.87 feet to the POINT OF BEGINNING.

A.P.N. 312-370-12

B-02054
Word Perfect
07/17/03, gp
IDOC5102054CSA.DES



A handwritten signature in black ink, appearing to read "Ronald W. Greenwood", written over the right side of the professional seal.