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CLERK. BOARD OF SUPERVISORS

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

RESOLUTION OF INTENTION AND NOTICE OF HEARING

APPLICATION NO. V16-06

DATE AND TIME OF PUBLIC HEARING:
AUGUST 4, 2020 AT 9:00 am

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:

JULY 13, 2020

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

JULY 13, 2020

ON

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 PUBLIC ROAD RIGHT-OF-WAY EAST COLE AVENUE VACATION APPLICATION NO. V16-06

WHEREAS, the Director of the Department of Public Works and Planning informs this Board that the Department initiated the process to vacate the public road right-of-way of East Cole Avenue as dedicated with Tract No. 3057 Book 38, Pages 38-39 of Plats of Fresno County Records, approximately 1.309 Acres (Vacation Application No. V16-06); and

WHEREAS, the Department of Public Works and Planning reviewed the Fresno County General Plan and the proposed vacation, including the location, purpose, and extent of such proposed vacation, and reported in the Agenda Item for June 23, 2020, that the proposed vacation is consistent and in conformity with the General Plan; and

WHEREAS, the Department of Public Works and Planning recommends the following:

- (1) That the Board of Supervisors declares its intent to hold a hearing pursuant to Chapter 3 of Part 3 of Division 9 of the Streets and Highways Code (collectively, the "Vacation Laws") for the proposed 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 the Vacation Laws.
- (3) That a public hearing be set to consider the vacation of said right-of-way.
- (4) That the Board of Supervisors consider the report of the Director of the Department of Public Works and Planning and make a finding that the

proposed vacation is consistent and in conformity with the General Plan, pursuant to Government Code section 65402, subdivision (a).

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, pursuant to the Vacation Laws.
- (3) Set the public hearing to consider vacation of said right-of-way for the hour of 9:00 a.m. on August 4, 2020 in the Chambers of the Board of Supervisors, Room 301, Hall of Records, Tulare and "M" Streets, Fresno, California.
- (4) Consider the report of the Director of the Department of Public Works and Planning on the proposed vacation in order to make a determination whether it is consistent and in conformity with the General Plan, pursuant to Government Code section 65402, subdivision (a).

THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 23 day of June, 2020.

Exhibit A
All that 60-foot wide public right-of-way of East Cole Avenue as dedicated with Tract No. 3057 Bk. 38, Pgs. 38-39 of Plats of Fresno County Records. Located in the Northeast quarter of Section 28, Township 12 South, Range 19 East, Mount Diablo Base and Meridian.

Containing 1.309 Acres of land, more or less.
RESERVING THEREFROM:
RESERVING therefrom pursuant to the provisions of Section 8340 of the Streets and Highway Code and for the benefit of Pacific Gas and Electric Company, the permanent easement and the right at any time, and from time to time, to excavate for, construct,

reconstruct, replace (of initial or any other size), maintain, remove, inspect and use public utility facilities, including, but not limited to electric, gas and communication facilities, including ingress to and egress from the public utility facilities, and also the right to trim and cut down trees and other vegetation that may be a hazard to the public utility facilities and the area shall be kept open and free of buildings, structures, wells, or other obstructions.
07/13/2020