

17-0771

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

IN THE MATTER OF SUMMARY VACATION)
OF PUBLIC RIGHT-OF-WAY OF DEWOLF,) ORDER OF SUMMARY VACATION
BEHYMER AND LEONARD AVENUES)
VACATION APPLICATION NO. V17-04)

WHEREAS, the matter of Summary Vacation of public right-of-way of DeWolf Avenue, Behymer Avenue and Leonard Avenue, came regularly before the Fresno County Board of Supervisors this 11th day of July, 2016; and

WHEREAS, the Department of Public Works and Planning reports that this vacation application has been reviewed and recommends the Board of Supervisors take the following actions:

(1) Find that the vacation application is determined to meet the criteria for Summary Vacation pursuant to Section 8331 of Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code.

(2) Direct that a map showing the area to be vacated has been placed on file with the Clerk to the Board of Supervisors, said area to be summarily vacated being more particularly described in Exhibit "A" attached hereto and made part thereof.

(3) Find that the right-of-way is unnecessary for the development of non-motorized transportation pursuant to Section 892 of the Streets and Highways Code.

(4) Find that the proposed vacation is consistent with the General Plan adopted by the County of Fresno.

(5) Order that the right-of-way described in Exhibit "A" is vacated such that it no longer constitutes public right-of-way.

(6) Direct that the Clerk to the Board record this Resolution in accordance with Section 8336 of Chapter 4 Part 3 Division 9 of the Streets and Highways Code.

NOW, THEREFORE, adopting and approving the above said recommended action of the Department of Public Works and Planning and upon motion duly made, seconded and carried, IT IS ORDERED that the above described right-of-way be SUMMARILY VACATED.

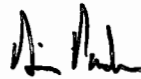
1 THE FOREGOING was passed and adopted by the following vote of the
2 Board of Supervisors of the County of Fresno this 17th day of October, 2017, to-
3 wit:

4 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

7 ABSTAINED: None

8
9 

10 Brian Pacheco, CHAIRMAN, of the Board
11 of Supervisors of the County of Fresno

12 ATTEST:

13 BERNICE E. SEIDEL

14 Clerk to the Board of Supervisors

15 County of Fresno, State of California

16 By 

17 Deputy

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On October 25, 2017 before me, Lisa K. Craft Notary Public
(insert name and title of the officer)

personally appeared Brian Pacheco
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lisa K. Craft (Seal)

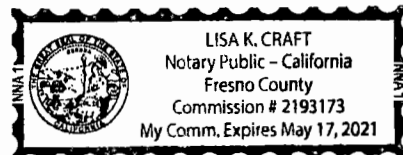


Exhibit "A"

LEGAL DESCRIPTION

All of that 40-feet wide public right-of-way of DeWolf Avenue from the north right-of-way line of Shepherd Avenue, continue northerly approximately 5792-feet (1.10 miles) to the south right-of-way line of Behymer Avenue. Located in Section 23, Township 12 South, Range 21 East, Mount Diablo Base and Meridian. **Containing 5.32 acres, more or less.**

All of that 40-feet wide public right-of-way of Behymer Avenue from the west right-of-way line of DeWolf Avenue, continue easterly approximately 2650-feet to the west right-of-way line of Leonard Avenue. Located in Sections 23 and 14, Township 12 South, Range 21 East, Mount Diablo Base and Meridian. **Containing 2.43 acres, more or less.**

All of that 40-feet wide public right-of-way of Leonard Avenue from the south right-of-way line of Behymer Avenue, continue northerly approximately 1340-feet where the County road dead ends. Located in Sections 13, 14, 23 and 24, Township 12 South, Range 21 East, Mount Diablo Base and Meridian. **Containing 1.23 acres, more or less.**

Containing 8.98 total combined acres, more or less