

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

IN THE MATTER OF THE VACATION OF) RESOLUTION OF INTENTION
'H' STREET PUBLIC ROAD RIGHT-OF-) AND NOTICE OF HEARING
WAY IN THE COMMUNITY OF BIOLA)
VACATION APPLICATION NO. V17-02)

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 'H' Street from Howard Avenue easterly approximately 525-feet to 2nd Street, in the Community of Biola. Vacation Application No. V17-02; 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.

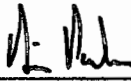
(2) Direct the Clerk of the Board to publish for at least two successive weeks prior to the hearing, a notice of intent to vacate, and direct the Department of Public Works and Planning to post notice of the same.

(3) Set the public hearing to consider vacation of said right-of-way for the hour of 9:00 a.m. on , October 17, 2017 in the Chambers of the Board of Supervisors, Room 301, Hall of Records, Tulare and "M" Streets, Fresno, California.

///

1 THE FOREGOING was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 12th day of September 2017, to wit:
3 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero
4 NOES: None
5 ABSENT: None

6 COUNTY OF FRESNO

7
8 BY 
9 BRIAN PACHECO, CHAIRMAN
BOARD OF SUPERVISORS

10 ATTEST:
11 BERNICE E. SEIDEL, CLERK
12 BOARD OF SUPERVISORS

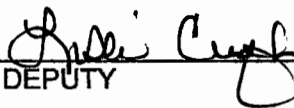
13 BY 
14 DEPUTY

Exhibit "A"

LEGAL DESCRIPTION

All of that public road right-of-way of 'H' Street, from the east right-of-way line of Howard Avenue, continue easterly approximately 525-feet to the west right-of-way line of 2nd Street, in the Community of Biola. Located in Section 16, Township 13 South, Range 18 East, Mount Diablo Base and Meridian.

Containing 0.72 acres, more or less.

RESERVING THEREFROM:

For the benefit of **Biola Community Service District** a 20-feet wide easement, centered on the waterline along the south side of the 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.