

**RESOLUTION NO. 2024-113**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE AGENCY LOCATED AS SHOWN ON THE ATTACHED LEGAL DESCRIPTION IS EXEMPT SURPLUS LAND FOR PURPOSES STATED HEREIN, AND FINDING THAT SUCH DECLARATION AND AUTHORIZATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**WHEREAS**, the City of Fontana (the “Agency” or the “City”) is the owner of that certain real property described in Exhibit “A 1” and Exhibit “A 2,” attached hereto and incorporated herein, which is approximately 252 square feet and approximately 111 square feet respectively, for a total of 363 square feet in size, located in the City of Fontana (“Property”); and

**WHEREAS**, the Property is less than one half acre in area, or 21,780 square feet, and it is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

**WHEREAS**, the City no longer has any use for the Property; and

**WHEREAS**, the Surplus Land Act, Government Code, section 54220 *et seq.* (as amended, the “Act”), applies when a local agency disposes of “surplus land,” as that term is defined in Government Code, section 54221; and

**WHEREAS**, the Property is “surplus land” under the Act, because it is land owned in fee simple by the Agency for which the City Council will take formal action (in the form of adoption of this resolution) in a regular public meeting declaring that the land is surplus and is not necessary for the Agency’s use; and

**WHEREAS**, the Property may be declared exempt surplus land if it is less than one-half acre in area and it is not contiguous to state or local agency property used for open-space or low- or moderate-income housing (Government Code, section 54221(f)(1)(B)); and

**WHEREAS**, the Property does not meet any of the criteria listed in Government Code section 54221(f)(2).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, California, as follows:

**Section 1.** The above recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The City Council hereby finds that (i) the Property is no longer necessary for the Agency’s use, and (ii) the Property is smaller than one-half acre in area because it is a total of 363 square feet, and it is not contiguous to state or local agency property used for open-space or low- or moderate-income housing.

**Section 3.** The City Council therefore declares that the Property is exempt surplus land pursuant to section 54221(f)(1)(B) of the Act.

**Section 4.** This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code, Section 21000 *et seq.*) (“CEQA”). Agency staff has determined that the designation of this property as exempt surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3), because it is not a project as defined by the CEQA Guidelines, Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

**Section 5.** If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

**Section 6.** The City Clerk shall certify to the adoption of this Resolution.

**APPROVED AND ADOPTED** this 8<sup>th</sup> of October, 2024.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the action resolution duly and regularly adopted by the City Council at a regular meeting held on the 8<sup>th</sup> day of October, 2024, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST:**

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City Clerk

Exhibit A 1

Legal Description

APN: 1118-031-05

**EXHIBIT "A"**

SHEET 1 OF 1

STREET VACATION  
LEGAL DESCRIPTION

THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTERLINE INTERSECTION OF DUNCAN CANYON ROAD (34.00 FEET HALF-WIDTH) AND CONDOR AVENUE (32.00 FEET HALF-WIDTH) AS SHOWN ON TRACT NO. 18820-1, IN SAID CITY, COUNTY AND STATE, AS PER MAP FILED IN BOOK 338 PAGES 58 THROUGH 65, INCLUSIVE, OF TRACT MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE EASTERLY ALONG THE EASTERLY PROLONGATION OF SAID CENTERLINE OF DUNCAN CANYON ROAD, NORTH 89°32'16" EAST 32.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING EASTERLY, NORTH 89°32'16" EAST 0.08 FEET;

THENCE SOUTH 00°33'38" EAST 34.00 FEET TO A LINE PARALLEL WITH AND DISTANT SOUTHERLY 34.00 FEET, MEASURED AT RIGHT ANGLES FROM SAID EASTERLY PROLONGATION OF THE CENTERLINE OF DUNCAN CANYON ROAD;

THENCE WESTERLY ALONG SAID PARALLEL LINE, SOUTH 89°32'16" WEST 34.14 FEET TO A POINT OF CUSP WITH A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 34.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 0°27'44" WEST;

THENCE NORTHEASTERLY ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 89°32'16", AN ARC LENGTH OF 53.13 FEET;

THENCE NORTH 0°00'00" EAST 0.27 FEET TO THE **POINT OF BEGINNING**.

**CONTAINING** : 252 SQUARE FEET OR 0.006 ACRES, MORE OR LESS.

**EXHIBIT "B"** ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

**SUBJECT TO:** COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY, IF ANY.

Last Update: 12/5/23  
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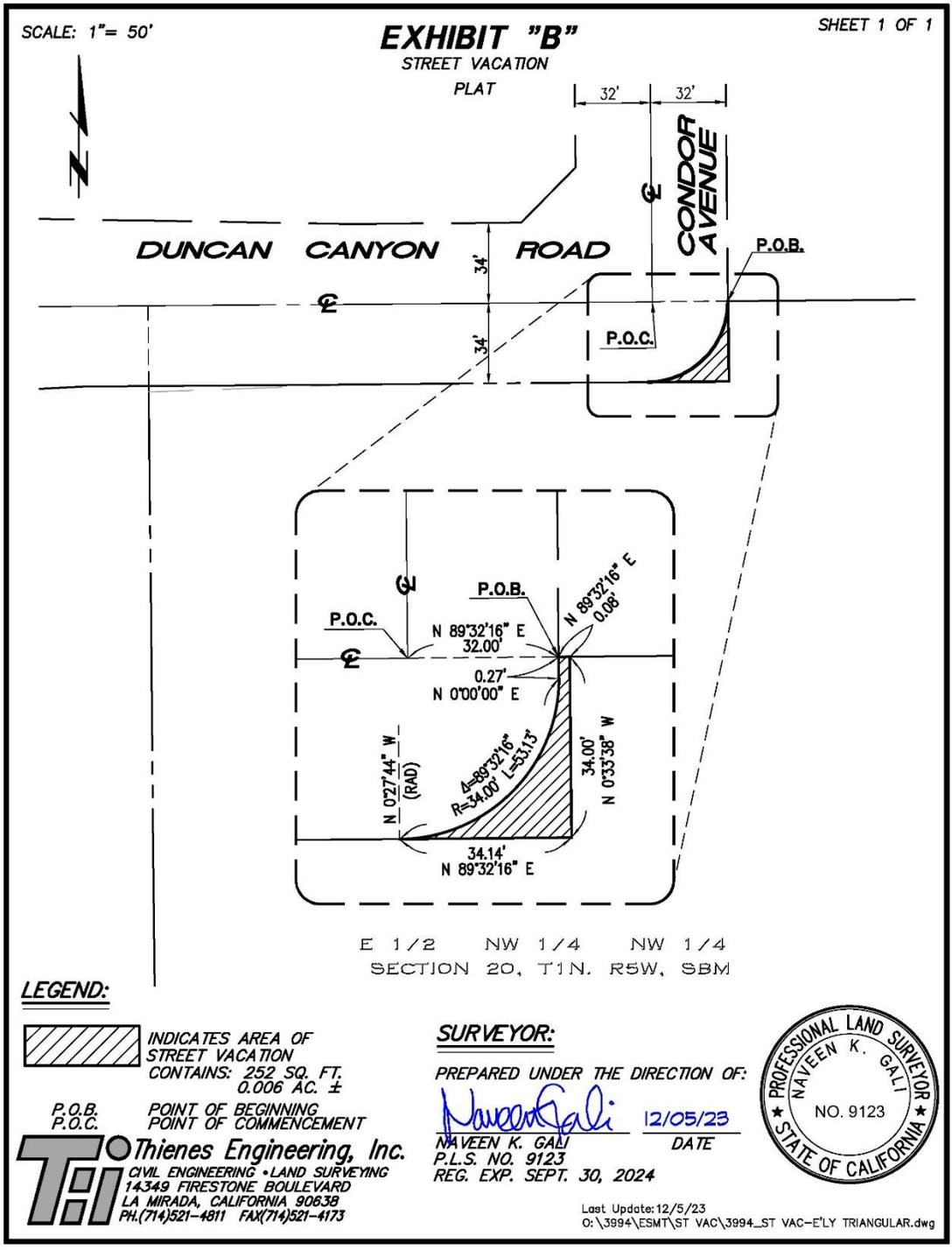


SURVEYOR:

PREPARED UNDER THE DIRECTION OF:

*Navveen K. Gali* 12/05/23  
NAVEEN K. GALI DATE  
P.L.S. NO. 9123  
REG. EXP. SEPT. 30, 2024





**Exhibit A 2**

**Legal Description**

APN: 1118-031-05

**EXHIBIT "A"**

SHEET 1 OF 1

**STREET VACATION  
LEGAL DESCRIPTION**

*THAT PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT SURVEY, DESCRIBED AS FOLLOWS:*

***BEGINNING** AT THE INTERSECTION OF THE WESTERLY LINE OF SAID EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20 AND A LINE PARALLEL WITH AND DISTANT SOUTHERLY 34.00 FEET, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF DUNCAN CANYON ROAD, 34.00 FEET HALF-WIDTH, AS SHOWN ON TRACT NO. 18820-1, IN SAID CITY, COUNTY AND STATE, AS PER MAP FILED IN BOOK 338 PAGES 58 THROUGH 65, INCLUSIVE, OF TRACT MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;*

*THENCE EASTERLY ALONG SAID PARALLEL LINE, NORTH 89°32'16" EAST 87.64 FEET;*

*THENCE SOUTH 87°53'07" WEST 87.67 FEET TO A POINT ON SAID WESTERLY LINE;*

*THENCE NORTHERLY ALONG SAID WESTERLY LINE, NORTH 00°32'53" WEST 2.53 FEET TO THE POINT OF BEGINNING.*

***CONTAINING** : 111 SQUARE FEET OR 0.003 ACRES, MORE OR LESS.*

***EXHIBIT "B"** ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.*

***SUBJECT TO:** COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY, IF ANY.*

Last Update: 12/5/23  
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**Thienes Engineering, Inc.**  
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PH.(714)521-4811 FAX(714)521-4173

**SURVEYOR:**

PREPARED UNDER THE DIRECTION OF:

*Naveen K. Gali* 12/05/23  
NAVEEN K. GALI DATE  
P.L.S. NO. 9123  
REG. EXP. SEPT. 30, 2024



