

**RESOLUTION NO. 2021-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MERCED, CALIFORNIA  
ORDERING THE VACATION OF A 32-  
FOOT-WIDE STRIP OF RIGHT-OF-WAY,  
CONTAINING APPROXIMATELY 19,628.69  
SQUARE FEET, GENERALLY LOCATED  
APPROXIMATELY 362 FEET NORTH OF  
YOSEMITE AVENUE BETWEEN  
MANSIONETTE DRIVE AND SANDPIPER  
AVENUE (EXTENDED) (VACATION #21-02)**

WHEREAS, by adoption of Resolution No. 2021-34 on May 17, 2021, the City Council declared its intention to consider the vacation of a 32-foot-wide strip of right-of-way, containing approximately 19,628.69 square feet, generally located approximately 362 feet north of Yosemite Avenue between Mansionette Drive and Sandpiper Avenue (extended), as described in Exhibit "A" and shown on the map at Exhibit "B," attached hereto; and

WHEREAS, Resolution No. 2021-34 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, June 21, 2021, at the hour of 6:00 p.m. of said day, in the Council Chambers of the City Council, 678 West 18<sup>th</sup> Street, Merced, California, which said time was not less than fifteen (15) days from the above-mentioned date and passage of Resolution No. 2021-34; and

WHEREAS, Resolution No. 2021-34 was published in the manner prescribed by Section 8320 of the Streets and Highways Code of the State of California; and

WHEREAS, on May 19, 2021, notices were conspicuously posted along the lines of the property proposed to be vacated, not more than three hundred (300) feet apart, which notices consisted of copies of Resolution No. 2021-34 and,

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2021-34 was submitted to the Planning Commission on

April 7, 2021, which found the proposed vacation to be in conformity with the general plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council finds from all of the evidence submitted that the right-of-way as described in Exhibit "A" and shown on the map at Exhibit "B," is unnecessary for roadway purposes.

SECTION 2. It is hereby ordered that the right-of-way lying within the above described territory be and the same is hereby abandoned and vacated, pursuant to the provisions of Part 3, Division 9, of the Streets and Highways Code of the State of California, being the Public Streets, Highways, and Services Easements Vacation Law.

SECTION 3. The City Clerk is directed to cause a certified copy of this resolution, attested under seal of the City of Merced, to be recorded in the Office of the County Recorder of Merced County.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ of \_\_\_\_\_, 2021, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:  
STEPHANIE R. DIETZ, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

BY: Frederic A. Miller 5/25/21  
City Attorney Date

January 28, 2010  
W00209A

**EXHIBIT "A"**

**DESCRIPTION OF ROAD DEDICATION FROM WATHEN**

All that portion of Remainder D as shown on "Final Map for Mansionette Estates Unit 2", recorded in Volume 55 of Official Plats at pages 12, 13 and 14, Merced County Records, being more particularly described as follows:

**COMMENCING** at the northwest corner of said Remainder D;  
thence South 00°42'36" West, 283.54 feet along the west line of said Remainder D to **TRUE POINT OF BEGINNING**;

- (1) thence North 89° 56' 09" East, 612.97 feet parallel with the north line of said Remainder D to the east line of said Remainder D;
- (2) thence North 00° 42' 17" East, 32.92 feet along the said east line of Remainder D;
- (3) thence South 45° 19' 13" West, 1.30 feet;
- (4) thence South 89° 56' 09" West, 606.92 feet parallel with and 32.00 feet north of course (1);
- (5) thence North 44° 40' 38" West, 7.21 feet to the said west line of Remainder D;
- (6) thence South 00° 42' 36" West, 37.14 feet along the said west line of Remainder D to the **TRUE POINT OF BEGINNING**;

Containing 19628.69 square feet



*David D. Heinrichs*

1-28-2010

AVENUE

NIGHTINGALE COURT

21 20 18 18 17 16 16

N89°56'09"E

NORTH LINE OF REMAINDER D

POINT OF COMMENCING  
N.W. CORNER OF REMAINDER D

REMAINDER D  
55 O.P. 12  
M.C.R.

ROAD DEDICATION AREA  
19,628± SQUARE FEET

N44°40'38"W 7.21'

N45°19'13"E 1.30'

S00°42'36"W 37.14'

N89°56'09"E 606.92'

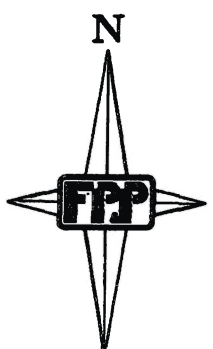
N00°42'17"E 32.92'

N89°56'09"E 612.97'

TRUE POINT OF BEGINNING

SANDPIPER

MANSIONETTE DRIVE



SCALE 1" = 100'



*David D. Heinrichs*  
1-28-2010

Y O S E M I T E A V E N U E

EXHIBIT "B"