

RESOLUTION NO. 2024-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
ORDERING THE VACATION OF THE 10-FOOT-
WIDE EASEMENT ALONG THE EASTERN EDGE
OF 1965 WEST OLIVE AVENUE
(APPROXIMATELY 13,850 SQUARE FEET),
WHICH WOULD REVERT DEVELOPMENT
RIGHT TO THE PROPERTY OWNER OF 1965
WEST OLIVE AVENUE (VACATION #24-02)**

WHEREAS, by adoption of Resolution No. 2024-97 on October 21, 2024, the City Council declared its intention to consider the vacation of the 10-foot-wide easement along the eastern edge of 1965 West Olive Avenue, (approximately 13,850 square feet), located at 1965 West Olive Avenue, generally located on the north side of West Olive Avenue approximately 815 feet east of North Highway 59 and more particularly described in Exhibit A and shown at Exhibit B for vacation #24-02, attached hereto and incorporated herein by this reference, and set a public hearing thereon; and,

WHEREAS, Resolution No. 2024-97 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, November 18, 2024, at the hour of 6:00 p.m. of said day, in the Council Chambers of the City Council, 678 West 18th Street, Merced, California, which said time was not less than fifteen (15) days from the above-mentioned date and passage of Resolution No. 2024-97; and,

WHEREAS, Resolution No. 2024-97 was published in the manner prescribed by Section 8320 of the Streets and Highways Code of the State of California; and,

WHEREAS, the public hearing occurred on October 21, 2024; and,

WHEREAS, at least 14 days prior to the public hearing date, notices were conspicuously posted along the lines of the property proposed to be vacated, which notices consisted of copies of Resolution No. 2024-97; and,

WHEREAS, the vacation of the dedication as proposed by Resolution No. 2024-97 was submitted to the Planning Commission on October 9, 2024, which found the proposed vacation to be in conformity with the general plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council finds from all of the evidence submitted that the approximately 13,850 square foot easement, located at 1965 West Olive Avenue, generally located in the north side of West Olive Avenue approximately 815 feet east of North Highway 59, as described in Exhibit A and shown at Exhibit B for vacation #24-02, are unnecessary for present or prospective public use.

SECTION 2. It is hereby ordered that the irrevocable offer of dedication for public use and any and all interests held by the City concerning the above-described property be and the same is hereby 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 8300 *et seq.*

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 18th day of November 2024, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:
MATTHEW SERRATTO, MAYOR

Mayor

ATTEST:
D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
CRAIG J. CORNWELL, CITY ATTORNEY

 10/28/2024
City Attorney Date

EXHIBIT "A"

LAND DESCRIPTION


The land referred to herein below is situated in an unincorporated area in the City of Merced, County of Merced, State of California and is described as follows:

The Easement for Storm Drain purposes described as Parcel 2 in the grant deed recorded August 01, 1974, in Volume 1967 at Page 366 Official Records, Merced County, lying in Section 13, Township 7 South, Range 13 East, Mount Diablo Base & Meridian.

A PLAT OF THE ABOVE DESCRIBED AREA IS ATTACHED HERETO AS EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors' Act.



Stephen J. Pyle
Professional Land Surveyor
California No. 8385



July 26, 2024

Date

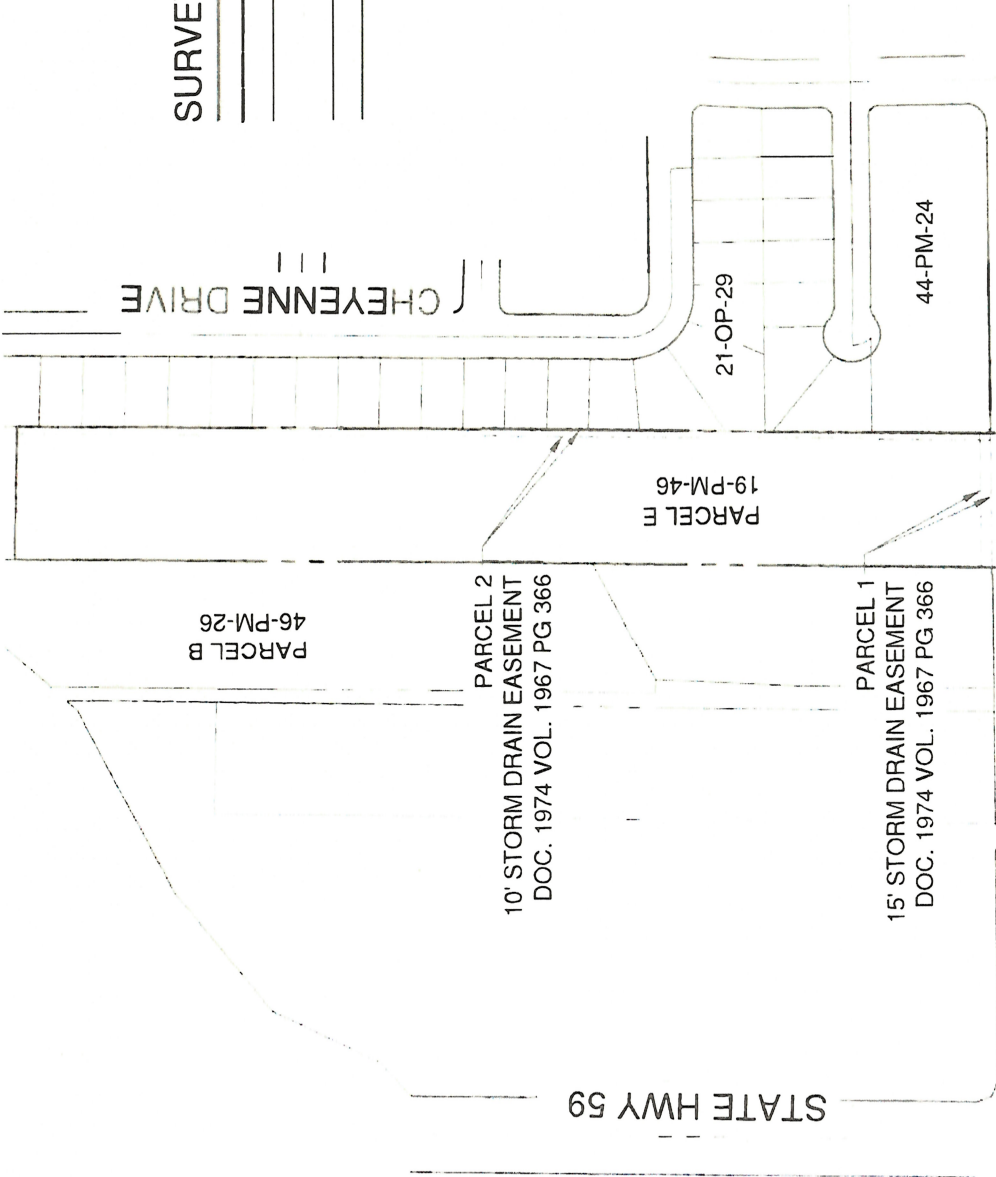
EXHIBIT "B"

ABBREVIATIONS

- AC ACRES
- OP OFFICIAL PLAT
- PM PARCEL MAP
- SD STORM DRAIN

SURVEY LEGEND

- BOUNDARY
- CENTERLINE
- EXISTING EASEMENT
- ADJACENT LINE
- RIGHT OF WAY LINE



0 125 250
SCALE: 1" = 250'



07/26/2024

SEC 13, T.7S., R.13E.

OLIVE AVE

<p>DESCRIPTION: STORM DRAIN EASEMENT ABANDONMENT</p>		1
<p>SCALE: 1" = 250'</p>	<p>DATE: 2024-07-26</p>	of
<p>JOB NO.: 41700</p>	<p>FILE: 41700-EXH-10-SD-EASEMENT.DWG</p>	1

1165 Scenic Drive, Suite A
Modesto, CA 95350
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Exhibit B