

RESOLUTION NO. 2017-05

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE A
2.18-ACRE STORM DRAIN BASIN AND A 0.95-
ACRE STORM DRAIN EASEMENT GENERALLY
LOCATED EAST OF G STREET AND
APPROXIMATELY 390 FEET NORTH OF
YOSEMITE AVENUE (VACATION
#16-01) SETTING TIME AND PLACE FOR
PUBLIC HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described portion of public right-of-way is unnecessary for prospective public purposes; and

WHEREAS, the City Engineer has filed maps or plans with the City Clerk of the City of Merced showing the portion of the public right-of-way to be vacated at a specific time that will be determined.

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

SECTION 1. The City Council of the City of Merced declares its intention to proceed under the provisions of Part 3 of the Streets and Highways Code of the State of California, being the Public Streets, Highways, and Service Easements Vacation Law, Chapter 3, to vacate a 2.18-acre storm drain basin and a 0.95-acre storm drain easement generally located east of G Street and approximately 390 feet north of Yosemite Avenue, as described in Exhibits "A" and "C" and shown in Exhibits "B," "D" and "E," attached hereto and incorporated herein by this reference.

SECTION 2. Reference is made to the maps and plans which are filed in the office of the City Clerk of the City of Merced for further particulars as to the proposed vacation and reservation.

SECTION 3. February 21, 2017, at the hour of 7:00 p.m. of said day in the Council Chamber of the City Council, 678 West 18th Street, Merced, California, is

SECTION 4. The City Engineer is directed to post or cause to be posted at least two weeks before the date set for hearing not less than three (3) notices of vacation of a portion of public right-of-way, not more than three hundred (300) feet apart, conspicuously along the lines of said portion of the public street proposed to be vacated, stating adoption of this resolution and the time and place of the hearing herein called. Posting a copy of this resolution shall constitute the posting of the required notice.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 6 day of February 2017, by the following vote:

ABSTAIN: 0 Council Members: NONE


Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: [Signature]
Assistant/Deputy City Clerk



(SEAL)

APPROVED AS TO FORM:

Kelly Fincher 1/11/17
City Attorney Date

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN BASIN

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in instrument Number 18377, Volume 3234, Official Records, Page 425. Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65 of Parcel Maps at Page 42, Merced County Records, being more particularly described as follows:

COMMENCING at the southwest corner of said Parcel 1; Thence along the westerly line of said Parcel 1 North 00° 44' 29" East, 418.04 feet to the **TRUE POINT OF BEGINNING**;

Thence North 00° 44' 29" East, 444.04 feet, along the west line of said Parcel 1;

Thence North 89° 55' 48" East, 174.00 feet;

Thence South 00° 44' 29" West, 444.04 feet;

Thence South 89° 55' 48" West, 174.00 feet to the **TRUE POINT OF BEGINNING**;

Containing 1.77± Acres.

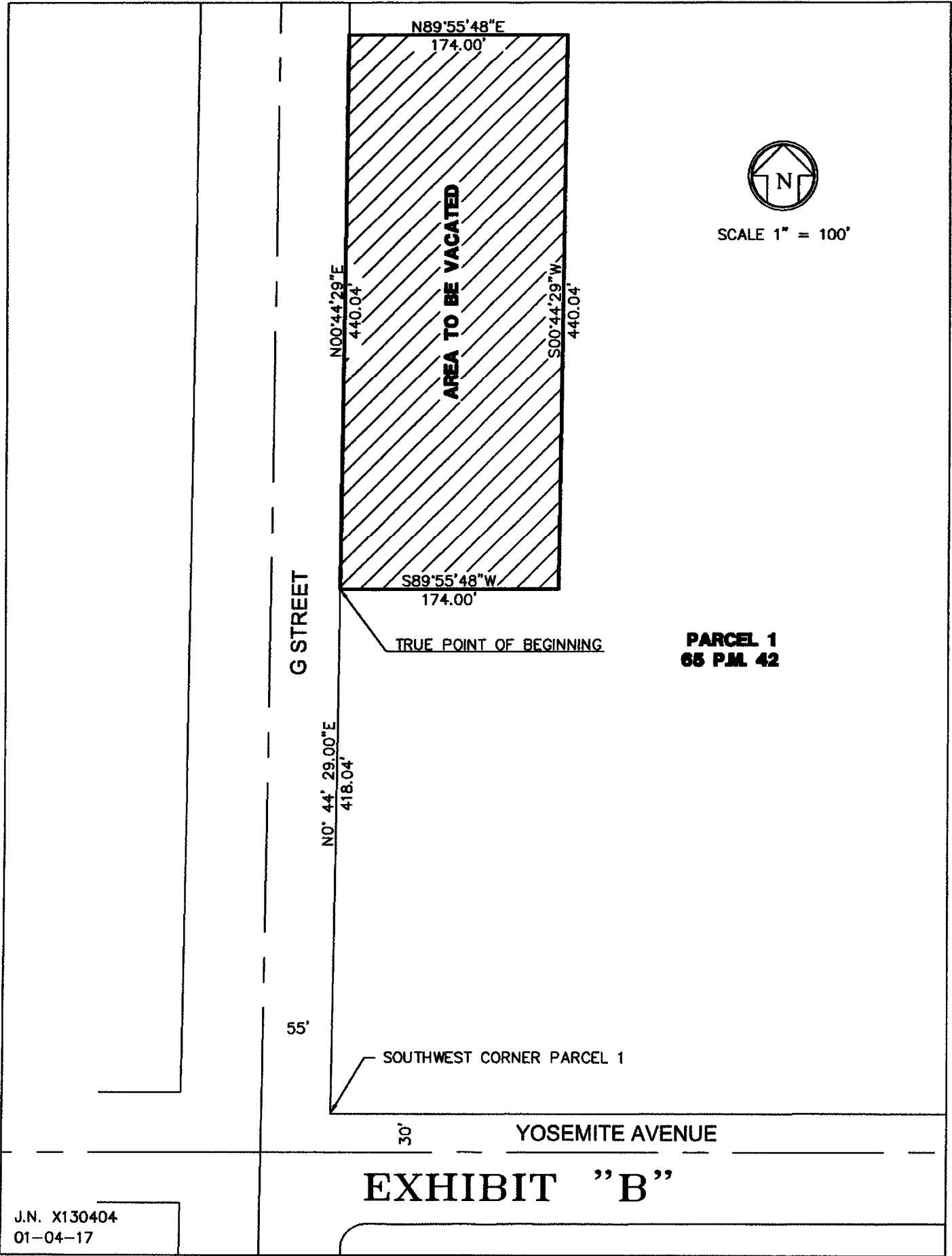


EXHIBIT B

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN EASEMENT

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in Instrument Number 18376, Volume 3234, Official Records, Page 420, Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65, Parcel Maps, page 42, Merced County Records being more particularly described as follow;

COMMENCING at the southwest corner of said Parcel 1;
Thence North 00° 44' 29" East, 418.04 feet along the westerly line of said Parcel 1;
Thence North 89° 55' 48" East, 70.78 feet to the TRUE POINT OF BEGINNING;

Thence North 89° 55' 48" East, 89.23 feet;
Thence South 77° 07' 03" East, 49.08 feet;
Thence North 89° 55' 48" East, 431.08 feet;
Thence North 00° 42' 36" East, 909.86 feet;
Thence South 89° 17' 24" East, 20.00 feet;
Thence South 00° 42' 36" West, 492.60 feet;
Thence North 89° 56' 08" East, 609.06 feet, to a point on the westerly line of Mansionette Drive as shown on said "Parcel Map for Spalding G. Wathen";
Thence South 00° 42' 36" West, 20.00 feet along said westerly line of Mansionette Drive;
Thence South 89° 56' 08" West, 609.06 feet;
Thence South 00° 42' 36" West, 416.99 feet;
Thence South 89° 55' 48" West, 453.06 feet;
Thence North 77° 07' 03" West, 138.30 feet, to the TRUE POINT OF BEGINNING.

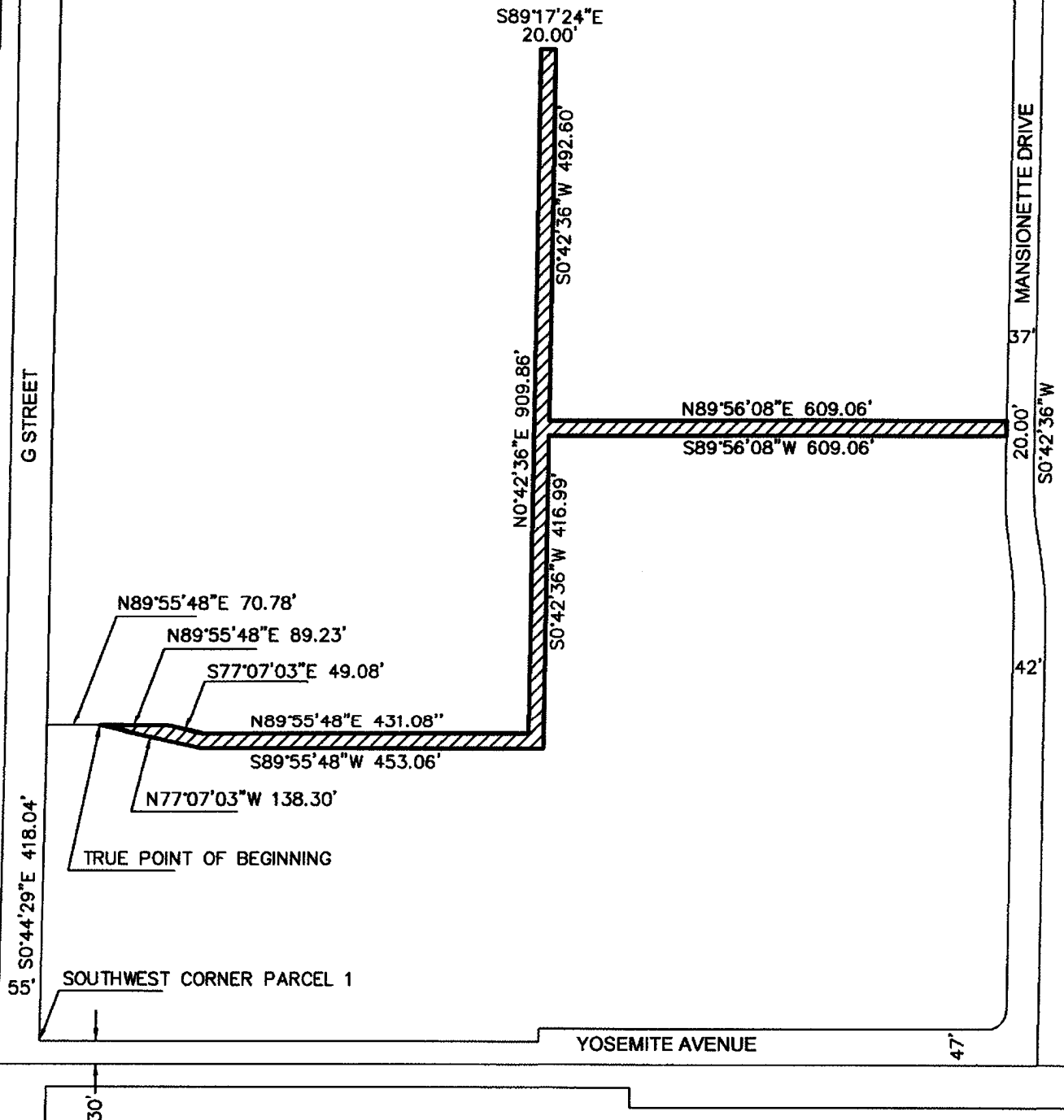
Containing 0.95± Square acres.

EXHIBIT "B"

PARCEL 1
65 P.M. 43



SCALE 1" = 200'



J.N. X130404
01-04-17

EXHIBIT D

CURRENT FEE OWNER

SPALDING G. WATNEY AND DELLA WATNEY

NOTICE OF INTEREST HOLDERS

PURSUANT TO SECTION 66401 (a) OF THE SUBDIVISION MAP ACT THE SIGNATURE OF THE FOLLOWING INTEREST HOLDERS HAVE BEEN OBTAINED:

NAME: _____ DOCKMENT: _____
1. PACIFIC GAS AND ELECTRIC CO. BOOK 3406 O.R. PG. 71
NATURE: _____
REMARKS: ANY OTHER COMMENTS
& NOTES FOR GAS AND ELECTRICAL UTILITIES, ALSO ADDRESS AND EGRESS

ENGINEER'S STATEMENT

THIS MAP AMENDS THE MAP OF "MANSIONETTE ESTATES UNIT 1", FILED FOR RECORD IN VOLUME 52 OF OFFICIAL PLATS AT PAGE 31-30. THE ENGINEER HAS EXAMINED THE MAP AND FINDS IT TO BE IN CONFORMANCE WITH CHAPTER 1, ARTICLE 7 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-02

James L. Bell
JAMES L. BELL
CITY ENGINEER
EXPIRATION DATE: 3-31-03



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS "AMENDED MAP OF MANSIONETTE ESTATES UNIT 1" AND FIND IT TO BE IN CONFORMANCE WITH SECTION 66401 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-2000

Steven M. Stood
STEVEN M. STOOD
CITY ENGINEER
EXPIRATION DATE: 7-31-2001



RECORDER'S STATEMENT

FILED THIS 13th DAY OF July 2002 AT 2:15 PM
IN BOOK 3406 OF OFFICIAL PLATS AT PAGE 31-33
AT THE REQUEST OF SPALDING G. WATNEY
INSTRUMENT 1 250102
FILED: *James L. Bell*

JAMES L. BELL
COUNTY RECORDER

James L. Bell
JAMES L. BELL
COUNTY RECORDER

CITY OF MERCED FINAL MAP NO. 5233

AMENDED MAP
FOR

MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCELS 3 AS SHOWN ON "PARCEL MAP FOR SPALDING G. WATNEY", RECORDED IN VOLUME 84 OF OFFICIAL MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

SOILS REPORT

IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE 17.01, THE ENGINEER HAS OBTAINED THE SOILS REPORT FROM THE SOILS ENGINEER, TOLLADAY, FREEMING & PARSON, INC., DATED FEBRUARY 22, 1999 BY GILLIAM & JESSE (PENDING) HAS BEEN PREPARED ON AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF MERCED.

SECTION 8, T.7 S., R.14 E., M.D.B. & M.
MERCED COUNTY, CALIFORNIA



TOLLADAY, FREEMING
& PARSON

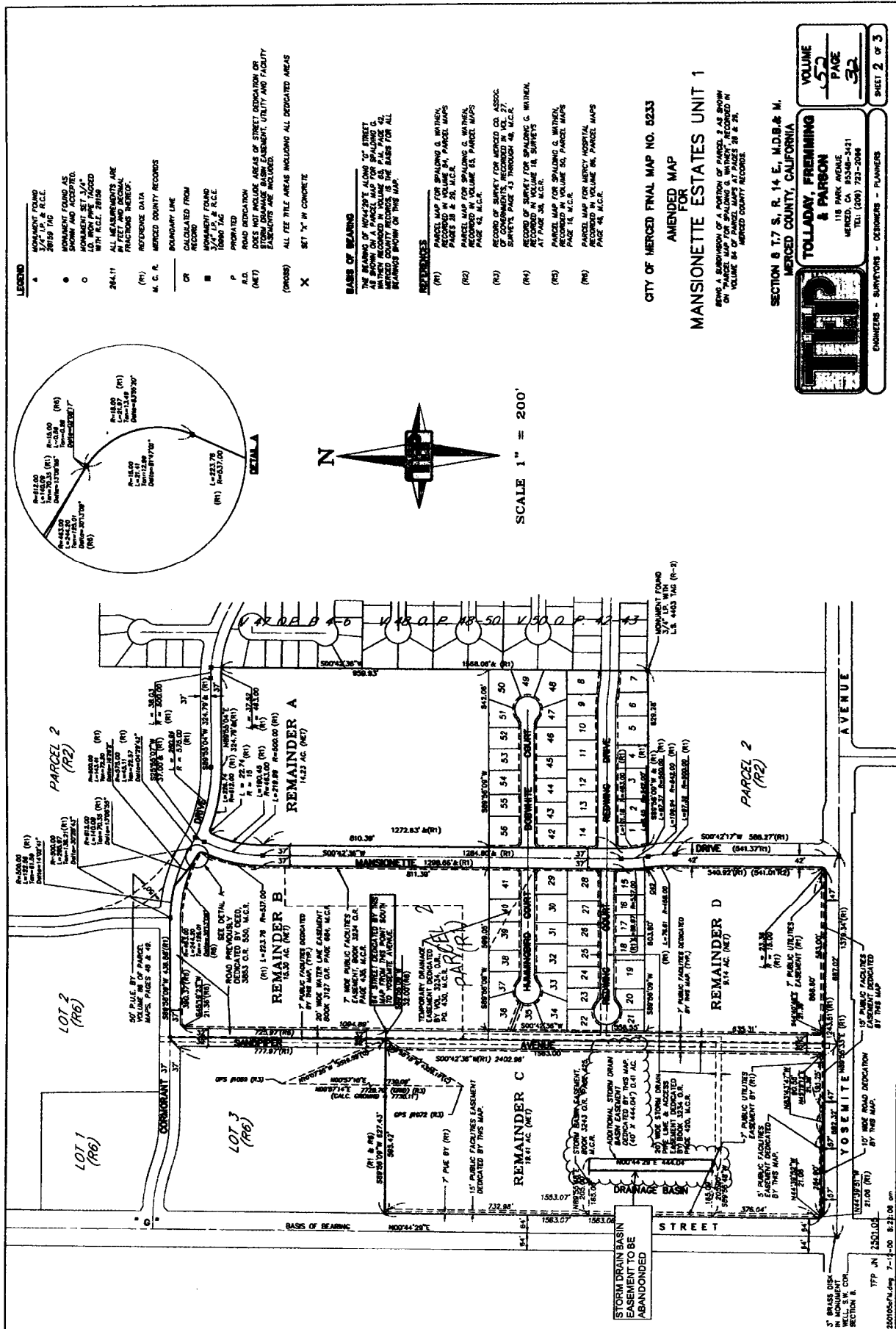
118 PARK AVENUE
MERCED, CA 95348-3421
TEL: (209) 732-2068

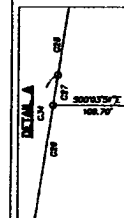
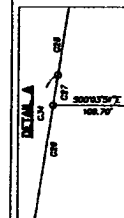
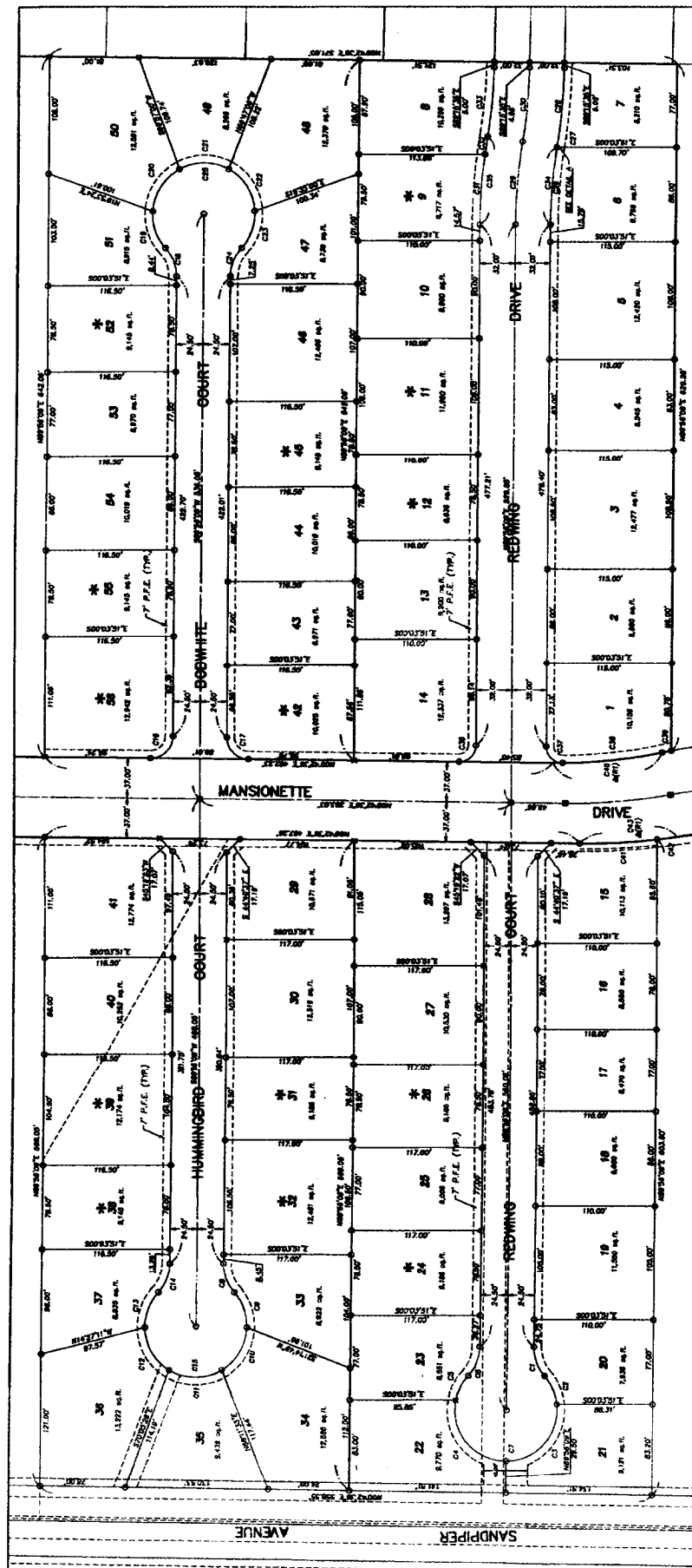
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CITY OF MERCED FINAL MAP NO. 9233

AMENDED MAP FOR MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON PARCEL MAP FOR SPLITTING & PARTITION, RECORDED IN VOLUME 18 OF MERCEDES COUNTY RECORDS

SCALE 1" = 60'

- *AMENDMENTS:
1. CHANGED WIDTHS AND AREAS ON LOTS 9, 11, 12, 24, 26, 31, 32, 36, 39, 42, 46, 52, 55 & 56.

CURVE	LENGTH	AREA	AREA	AREA
C1	11.17	0.00	0.00	0.00
C2	11.17	0.00	0.00	0.00
C3	11.17	0.00	0.00	0.00
C4	11.17	0.00	0.00	0.00
C5	11.17	0.00	0.00	0.00
C6	11.17	0.00	0.00	0.00
C7	11.17	0.00	0.00	0.00
C8	11.17	0.00	0.00	0.00
C9	11.17	0.00	0.00	0.00
C10	11.17	0.00	0.00	0.00
C11	11.17	0.00	0.00	0.00
C12	11.17	0.00	0.00	0.00
C13	11.17	0.00	0.00	0.00
C14	11.17	0.00	0.00	0.00
C15	11.17	0.00	0.00	0.00
C16	11.17	0.00	0.00	0.00
C17	11.17	0.00	0.00	0.00
C18	11.17	0.00	0.00	0.00
C19	11.17	0.00	0.00	0.00
C20	11.17	0.00	0.00	0.00
C21	11.17	0.00	0.00	0.00
C22	11.17	0.00	0.00	0.00
C23	11.17	0.00	0.00	0.00
C24	11.17	0.00	0.00	0.00
C25	11.17	0.00	0.00	0.00

CURVE	LENGTH	AREA	AREA	AREA
C1	11.17	0.00	0.00	0.00
C2	11.17	0.00	0.00	0.00
C3	11.17	0.00	0.00	0.00
C4	11.17	0.00	0.00	0.00
C5	11.17	0.00	0.00	0.00
C6	11.17	0.00	0.00	0.00
C7	11.17	0.00	0.00	0.00
C8	11.17	0.00	0.00	0.00
C9	11.17	0.00	0.00	0.00
C10	11.17	0.00	0.00	0.00
C11	11.17	0.00	0.00	0.00
C12	11.17	0.00	0.00	0.00
C13	11.17	0.00	0.00	0.00
C14	11.17	0.00	0.00	0.00
C15	11.17	0.00	0.00	0.00
C16	11.17	0.00	0.00	0.00
C17	11.17	0.00	0.00	0.00
C18	11.17	0.00	0.00	0.00
C19	11.17	0.00	0.00	0.00
C20	11.17	0.00	0.00	0.00
C21	11.17	0.00	0.00	0.00
C22	11.17	0.00	0.00	0.00
C23	11.17	0.00	0.00	0.00
C24	11.17	0.00	0.00	0.00
C25	11.17	0.00	0.00	0.00

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