

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY PREZONING LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF NORTH HIGHWAY 59 AND SANTA FE DRIVE AS THOROUGHFARE COMMERCIAL (C-T) AND THE LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF NORTH HIGHWAY 59 AND SANTA FE DRIVE AS LIGHT INDUSTRIAL (I-L)

THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT TO CODE. The property described in Exhibit “A” attached hereto, and by this reference made a part hereof, is hereby prezoned as shown on said map as Thoroughfare Commercial (C-T) and Light Industrial (I-L).

SECTION 2. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Zoning Map in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

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

PARCEL 1:

A portion of Lot 96 and a portion of the West 40 feet of the 100 foot wide Southern Pacific Railroad-Oakdale Branch right-of-way (now abandoned) as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portions being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 83.54 feet along the North line of said Lot 96 to a point on the Northeasterly line of Santa Fe Drive (a County Road) said point being **THE TRUE POINT OF BEGINNING** of this description; thence South 53° 11' 43" East, 308.33 feet along said Northeasterly line of Santa Fe Drive; thence Southeasterly along said Northeasterly line of Santa Fe Drive along a 1,464.11 foot radius curve to the left, the long chord of which bears South 69° 35' 30" East 825.20 feet, through a central angle of 32° 44' 12", an arc distance of 836.54 feet, thence North 18° 36' 31" East 17.45 feet along said Northeasterly line of Santa Fe Drive to a point on the West line of State Highway 59; thence North 01° 24' 30" East 375.88 feet along the West line of State Highway 59 to the Southeast corner of that certain real property described as Parcel II in deed from Crocker Land Company to Merced Water Company recorded in Volume 1483, Official Records, Page 111, Merced County Records; thence North 88° 35' 30" West 100.00 feet to the Southwest corner of said Parcel II; thence North 01° 24' 30" East 180.34 feet along the West line of said Parcel II to a point on the North line of the aforesaid Lot 96; thence South 83° 48' 00" West 945.08 feet along the North line of said Lot 96 to **THE TRUE POINT OF BEGINNING**, all as delineated on Map entitled, "Record of Survey for J.F. Collins Co.", recorded in Book 13 of Surveys, Page 35, Merced County Records.

EXCEPTING therefrom all that portion conveyed to the County of Merced for road widening by deed recorded January 13, 1984, in Volume 2407, Page 718, Merced County Records.

ALSO EXCEPTING therefrom the property and property rights excepted and reserved in deeds recorded August 4, 1961, in Volume 1539, Page 504, as Instrument No. 14501, Official Records, March 3, 1972, in Volume 1881, Page 555, as Instrument No. 3989, Official Records and March 3, 1972, in Volume 1881, Page 572, as Instrument No. 3991, Official Records, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

**EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION**

Exhibit A Parcel 1 continues:

Containing a total of 7.39 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 057-200-067

END OF DISCRPTION.




Kaiser I. Shahbaz, L. S. 8599

9/17/2018
Date

**EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION**

PARCEL 2:

A portion of Lot 96 and a portion of the West 40 feet of the 100 foot wide Southern Pacific Railroad-Oakdale Branch right-of-way (now abandoned) as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portions being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 1028.62 feet along the North line of said Lot 96 to **THE POINT OF BEGINNING**; thence North 01°24'30" East 9.49 feet; thence South 51°57'00" East 74.78 feet to the Westerly line of a 100.00 feet wide abandoned railroad right of way; thence leaving last said line South 40°05'55" East 60.36 feet to the Westerly line of State Highway 59 and the City/County limit line; thence along last said line South 01°24'30" West 100.00 feet; thence leaving last said line North 88°35'30" West 100.00 feet; thence North 01°24'30" East 189.83 feet to **THE POINT OF BEGINNING**, all as delineated on Map entitled, "Record of Survey for J.F. Collins Co.", recorded in Book 13 of Surveys, Page 35, Merced County Records.

Containing a total of 0.34 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 057-200-029

END OF DISCRIPTION.


Kaiser I. Shahbaz, L. S. 8599

9/17/2018
Date



EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

PARCEL 3:

A portion of Lot 96, MAP OF CROCKER COLONY, in the County of Merced, State of California, as per plat recorded in Book 5 of Maps, Page 6, records of said County and a portion of the Yosemite Valley Railroad right of way (now abandoned), described as follows:

BEGINNING at the southeast corner of the aforesaid Lot 96 and running thence northwesterly along the northerly line of the A.T. & S.F. Railroad right of way along an 11,409.16 foot radius curve to the right, through a central angle of 03° 07' 59" an arc distance of 623.88 feet to a point on the southerly line of Santa Fe Drive (a County Road); thence easterly along the southerly line of Santa Fe Drive along a 1,260.00 foot radius curve to the left through a central angle of 26° 32' 37" an arc distance of 583.72 feet; thence South 22° 47' 55" East 22.73 feet along the southerly line of said Santa Fe Drive to a point on the west line of State Highway 59; thence South 01° 24' 30" West 153.60 feet; thence North 88° 35' 30" West 40.00 feet to **THE POINT OF BEGINNING** all as delineated on map entitled, "RECORD OF SURVEY FOR J. F. COLLINS CO.", recorded in Book 13 of Surveys at Page 35, Merced County Records.

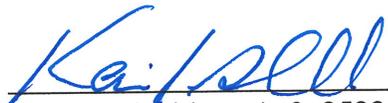
EXCEPTING therefrom the property and property rights excepted and reserved in deeds recorded August 4, 1961 in Vol. 1539 of Official Records, Page 594, as Instrument NO. 14501, March 3, 1972 in Vol. 1881 of Official Records, Page. 555, as Instrument No. 3989, and March 3, 1972 in Vol. 1881 of Official Records, page 572, as Instrument No. 3991, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

Containing a total of 1.01 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 57-200-42


Kaiser I. Shahbaz, L. S. 8599

9/17/2018
Date



**EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION**

PORTION OF RASCAL CREEK:

A portion of Canal Reserve property as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portion being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 83.54 feet along the North line of said Lot 96 to a point on the Northeasterly line of Santa Fe Drive (a County Road) said point being **THE POINT OF BEGINNING** of this description; thence North 53°11'12" West 260.35 feet along said Northeasterly line of Santa Fe Drive; thence leaving last said line and along the Northerly line of said Canal Reserve property the following five (5) courses: (1) South 70°04'35" East 176.18 feet; (2) North 83°48'00" East 825.98 feet; (3) North 80°52'54" East 178.90 feet; (4) North 51°57'00" East 61.30 feet to the Westerly line of a 100.00 feet wide abandoned railroad right of way; thence leaving last said line; (5) North 83°48'00" East 40.36 feet to the Westerly line of State Highway 59 and the City/County limit line; thence along last said line South 01°24'30" West 236.41 feet to the Southerly line of said Canal Reservation property; thence along said last line the following four (4) courses: (1) North 40°05'55" West 60.36 feet; (2) North 51°57'00" West 74.78 feet; (3) South 01°24'30" West 9.49 feet; (4) South 83°48'00" West 945.08 feet to **THE POINT OF BEGINNING**.

n Volume 1881, Page 572, as Instrument No. 3991, Official Records, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

Containing a total of 2.78 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.


Kaiser I. Shahbaz, L. S. 8599

9/17/2018
Date



**EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION**

PORTION OF SANTA FE DRIVE:

A portion of Canal Reserve property as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portion being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 51°48'45" West along the Southwesterly line of Santa Fe Drive and the Northeasterly line of Santa Fe Railroad, a distance of 200.57 feet; thence leaving last said line North 38°11'15" East 52.15 feet to the Northeasterly line of said Santa Fe Drive; thence along the Northeasterly line of said Santa Fe Drive the following five (5) courses: (1) South 53°11'45" East 260.35 to the Northerly line of Lot 96 as shown on said Official Map; (2) along the Northerly line of said Lot 96, North 83°48'00" East 81.00 feet; (3) leaving the Northerly line of said Lot 96, South 52°42'37" East 416.32 feet to beginning of a curve concave to the Northeast having a radius of 1139.23 feet; (4) along said curve through a central angle of 33°09'44" an arc distance of 659.37 feet; (5) North 18°36'31" East 17.45 feet to the Westerly line of State Highway No. 59; thence leaving the Northeasterly line of said Santa Fe Drive South 01°24'30" West along the Westerly line of said State Highway No. 59, a distance of 168.02 feet to the Southwesterly line of said Santa Fe Drive; thence along the Southwesterly line of said Santa Fe Drive the following four (4) courses: (1) North 22°47'55" West 22.73 feet to beginning of a curve having a radius of 1260.00 feet and a radial bearing of South 04°35'37" West; (2) along said curve through a central angle of 26°32'36" an arc distance of 583.72 feet to a non-tangent curve concave to the Northeast having a radius of 11409.16 feet and a radial bearing of South 35°48'32" West; (3) along said curve through a central angle of 02°22'43" an arc distance of 473.66 feet; (4) North 51°48'45" West 212.60 feet to **THE POINT OF BEGINNING.**

Containing a total of 3.60 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

END OF DISCRIPTIONS.

Area Note: Proposed total area to be annexed to the City of Merced is 15.12 acres, more or less.


Kaiser I. Shahbaz, L. S. 8599

9/17/2018
Date





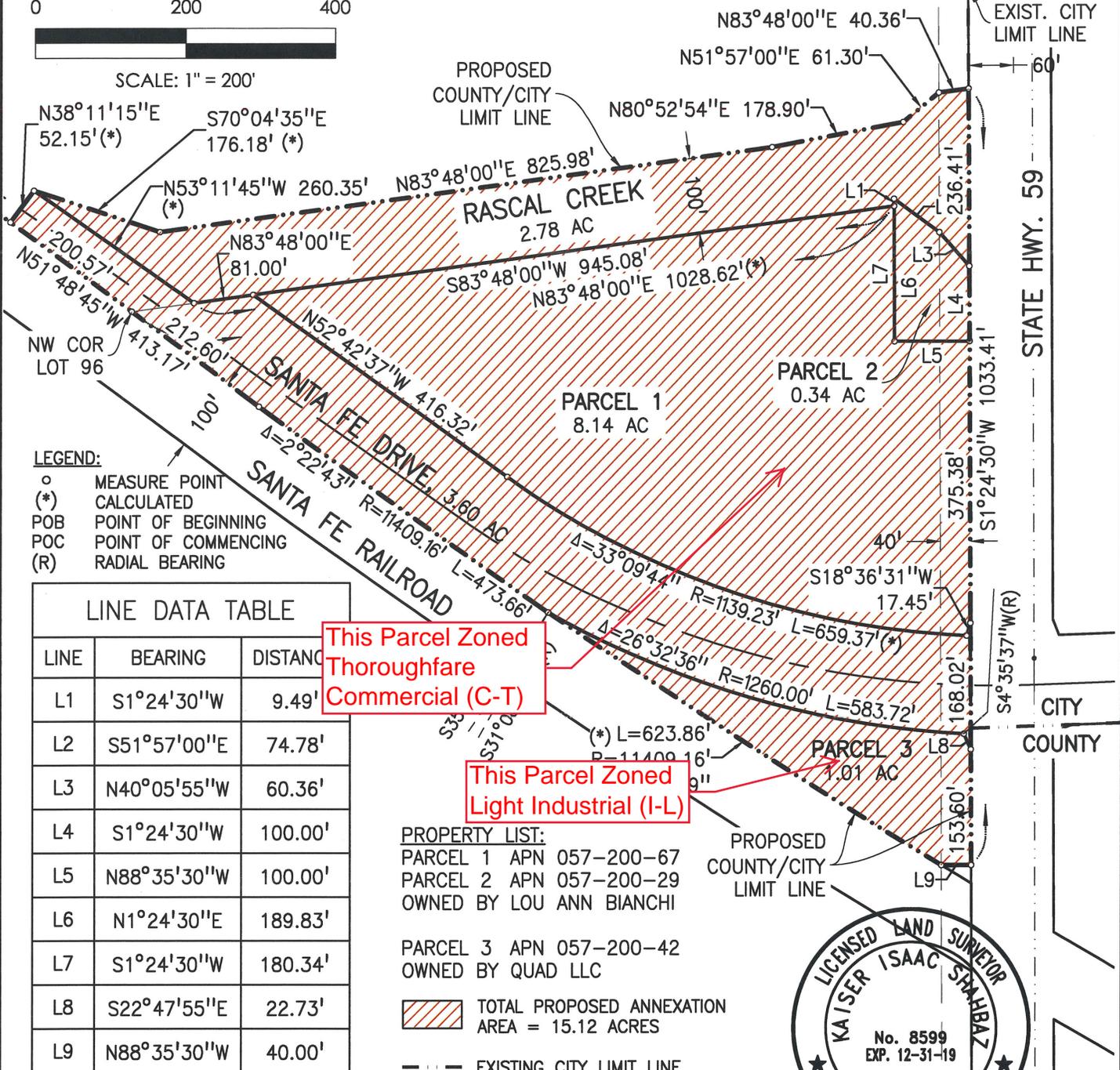
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SCALE: 1" = 200'

REFERENCE:

- (R1) VOLUME 13 OF SURVEYS, PAGE 35, MCR
- (R2) VOL 3473 OR, P 725, NO.996-17324, MCR
- (R3) VOL 1483 OR, P 111, PARCEL II, MCR
- (R4) D.N. 2017000068, MCR



LEGEND:

- o MEASURE POINT
- (*) CALCULATED
- POB POINT OF BEGINNING
- POC POINT OF COMMENCING
- (R) RADIAL BEARING

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	S1°24'30"W	9.49'
L2	S51°57'00"E	74.78'
L3	N40°05'55"W	60.36'
L4	S1°24'30"W	100.00'
L5	N88°35'30"W	100.00'
L6	N1°24'30"E	189.83'
L7	S1°24'30"W	180.34'
L8	S22°47'55"E	22.73'
L9	N88°35'30"W	40.00'

This Parcel Zoned Thoroughfare Commercial (C-T)

This Parcel Zoned Light Industrial (I-L)

PROPERTY LIST:

- PARCEL 1 APN 057-200-67 OWNED BY LOU ANN BIANCHI
- PARCEL 2 APN 057-200-29 OWNED BY LOU ANN BIANCHI
- PARCEL 3 APN 057-200-42 OWNED BY QUAD LLC

TOTAL PROPOSED ANNEXATION AREA = 15.12 ACRES

EXISTING CITY LIMIT LINE



Kaiser Isaac Strahbaz
9/17/2018

SHEET 1 OF 1

NOTE:

ALL MEASUREMENTS SHOWN ON THIS PLAT ARE BASED ON VOLUME 13 OF SURVEYS, PAGE 35, MCR, UNLESS OTHERWISE NOTED



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KS

6/01/2018

PREPARED FOR
ELITE BUSINESS ENTERPRISES, INC
2190 MERIDIAN PARK BLVD., SUITE G
CONCORD, CA 94520

ANNEXATION AREA TO THE CITY
APN 057-200-029, 067, 042
& PORTION OF RASCAL CREEK

EXHIBIT

B