

RESOLUTION NO. 2024- 97

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE THE
10 FOOT WIDE EASMENT ALONG THE
EASTERN EDGE OF 1965 WEST OLIVE AVENUE
(APPROXIMATELY 13,850 SQUARE FEET)
WHICH WOULD REVERT DEVELOPMENT
RIGHTS BACK TO THE PROPERTY OWNER OF
1965 WEST OLIVE AVENUE (VACATION #24-02)
AND SETTING TIME AND PLACE FOR PUBLIC
HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described area 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 area 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. That 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 the 10 foot wide easement at the eastern edge of 1965 West Olive Avenue (approximately 13,850 square feet) which would revert development rights back to the property owner of 1965 West Olive Avenue, generally located at the north side of West Olive Avenue, approximately 815 feet east of North Highway 59 (Vacation #24-02), as described in Exhibit A and shown at Exhibit B, 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.

Attachment 4

SECTION 3. November 18, 2024, at the hour of 6:00 p.m. of said day in the Council Chamber of the City Council, 678 West 18th Street, Merced, California, is fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation. Said hearing may be postponed or continued.

SECTION 4. That 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 the area, 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.

SECTION 5. That the City Clerk is directed to cause a copy of this Resolution to be published once each week for two successive weeks prior to the public hearing in the official newspaper.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 21st day of October 2024, by the following vote:


AYES: 7 Council Members: BOYLE, DEANDA, ORNELAS, PEREZ,
SERRATTO, SMITH, XIONG

NOES: 0 Council Members: NONE

ABSENT: 0 Council Members: NONE

ABSTAIN: 0 Council Members: NONE

APPROVED:
MATTHEW SERRATTO, MAYOR



Mayor

ATTEST:
D. SCOTT MCBRIDE, CITY CLERK

BY: *Dejioncha Uuelra*
Assistant/Deputy City Clerk



(SEAL)

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

Craig Cornwell *9-24-2024*
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 Pyle

Stephen J. Pyle
Professional Land Surveyor
California No. 8385

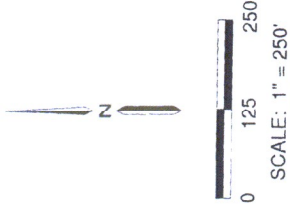
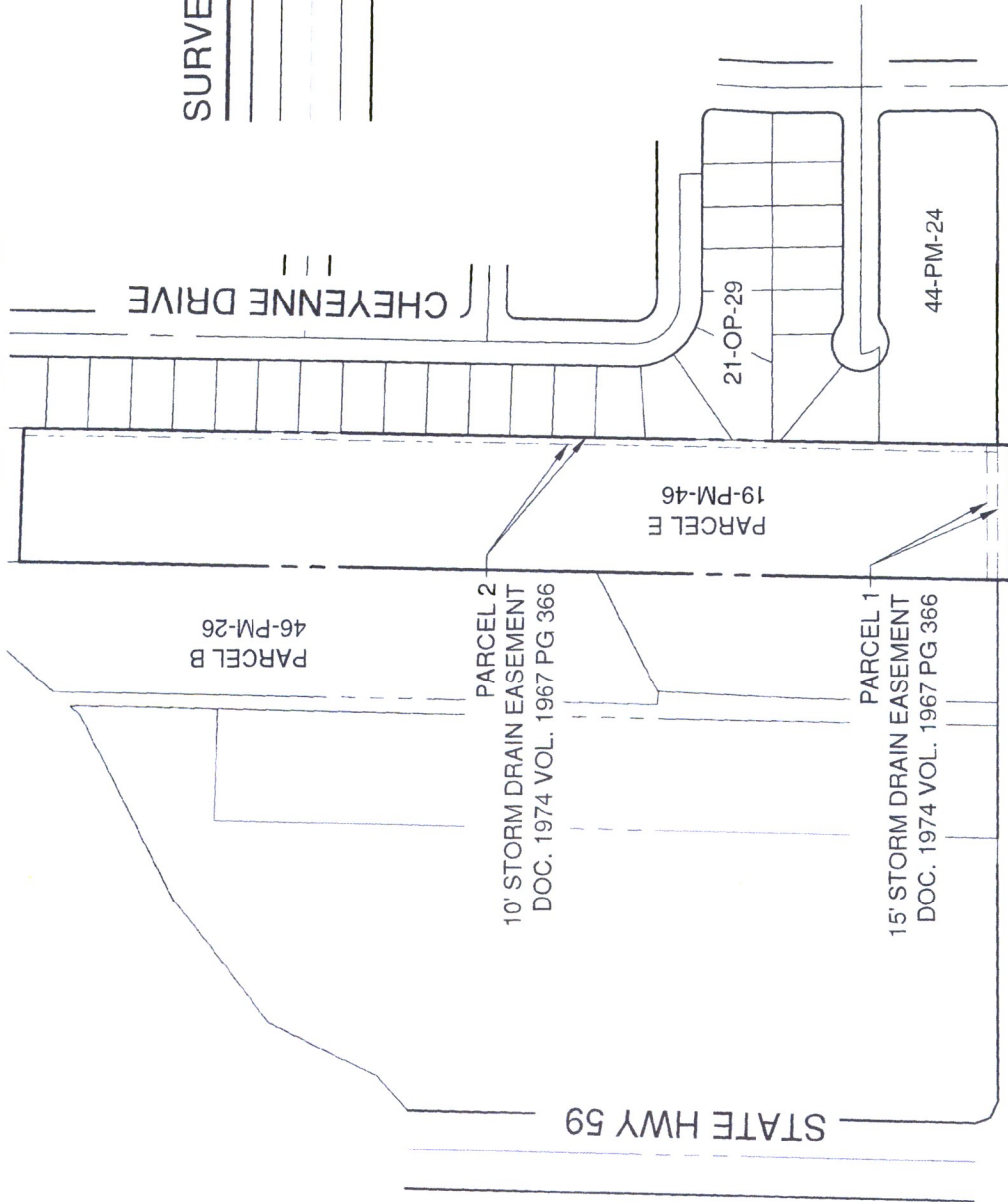


July 26, 2024

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



07/26/2024

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

1 of 1

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

1165 Scenic Drive, Suite A
Modesto, CA 95350
odellengineering.com



Exhibit B