

RESOLUTION NO. 2017-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF 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)**

WHEREAS, by adoption of Resolution No. 2017-05 on February 6, 2017, the City Council declared its intention to consider the vacation of a portion of public right-of-way in the City of Merced, consisting of 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 on the maps at Exhibits “B,” “D” and “E,” attached hereto and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, Resolution No. 2017-05 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Tuesday, February 21, 2017, at the hour of 7:00 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. 2017-05; and

WHEREAS, Resolution No. 2017-05 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 February 21, 2017; and

WHEREAS, On February 7, 2017, 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. 2017-05 and

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2017-05 was submitted to the Planning Commission on January 18, 2017, 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 public right-of-way in the City of Merced, as described in Exhibits "A" and "C" and shown on the maps at Exhibits "B," "D" and "E," is unnecessary for present or prospective public right-of-way purposes.

SECTION 2. It is hereby ordered that the public 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 _____, 2017, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

BY:  1-18-2017

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.

G STREET

N0° 44' 29.00"E
418.04'

55'

SOUTHWEST CORNER PARCEL 1

30'

YOSEMITE AVENUE

N00°44'29"E
440.04'

N89°55'48"E
174.00'

AREA TO BE VACATED

S00°44'29"W
440.04'

S89°55'48"W
174.00'

TRUE POINT OF BEGINNING



SCALE 1" = 100'

PARCEL 1
65 P.M. 42

EXHIBIT "B"

J.N. X130404
01-04-17

EXHIBIT B

**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;

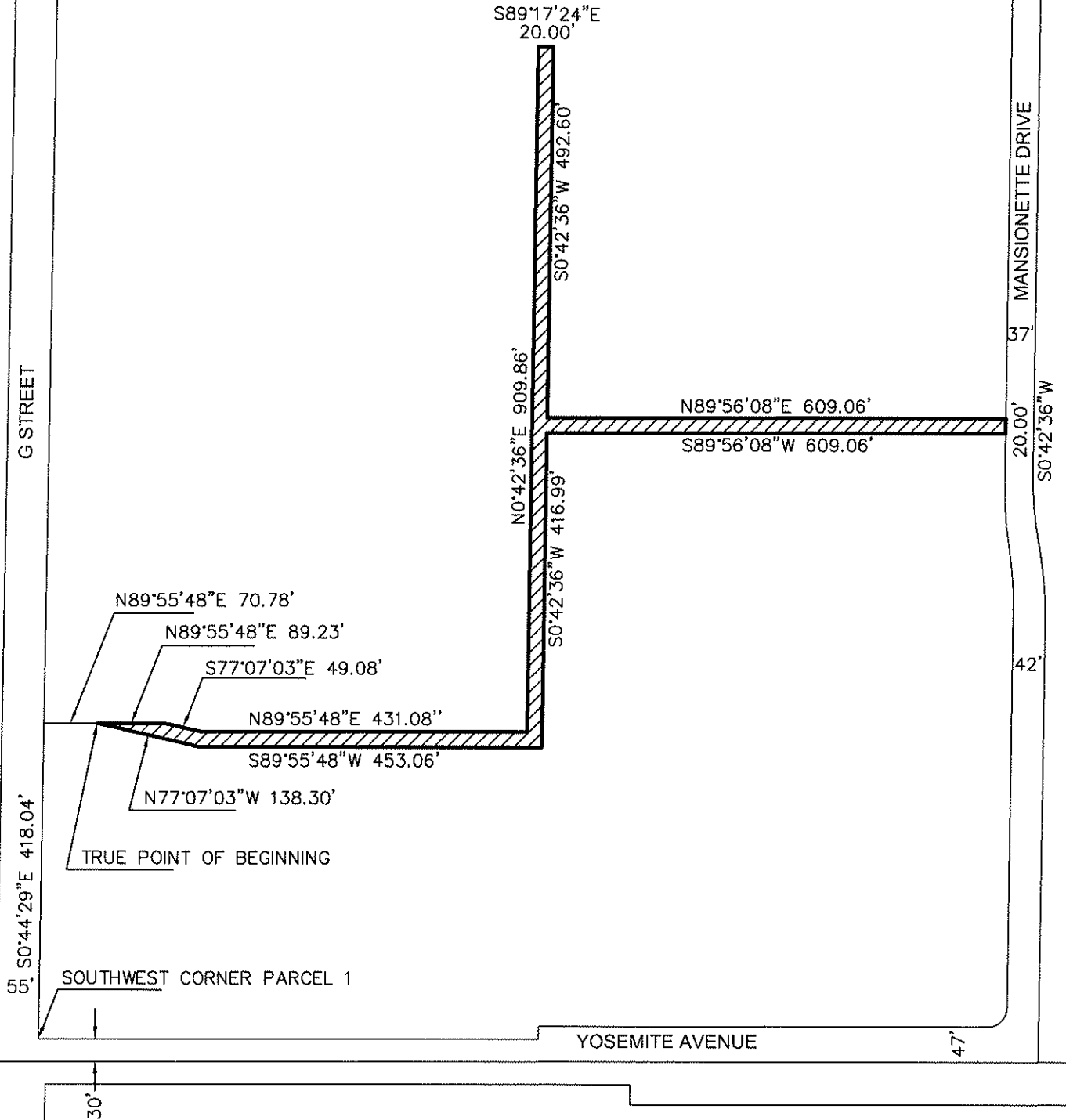
Thence North 89° 55' 48" East, 89.23 feet;
Thence South 77° 07' 03" East, 49.08 feet;
Thence North 89° 55' 48" East, 431.08 feet;
Thence North 00° 42' 36" East, 909.86 feet;
Thence South 89° 17' 24" East, 20.00 feet;
Thence South 00° 42' 36" West, 492.60 feet;
Thence North 89° 56' 08" East, 609.06 feet, 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.

PARCEL 1
65 P.M. 43



SCALE 1" = 200'



J.N. X130404
01-04-17

CURRENT FEE OWNER

SPALDING G. WATHEN AND BELLA WATHEN

ENGINEER'S STATEMENT

THIS MAP AMENDS THE MAP OF "MANSIONETTE ESTATES UNIT 1", FILED FOR RECORD IN VOLUME 52 OF OFFICIAL PLATS AT PAGES 28-30 OF THE SUBDIVISION MAP ACT, IN CONFORMANCE WITH CHAPTER 3, ARTICLE 7 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-00

Doreen C. Parson
DOREEN C. PARSON, R.C.E. 28158
EXPIRATION DATE: 3-31-02



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 66469 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-2000

Steven M. Stroud
STEVEN M. STROUD, R.C.E. 24078
CITY ENGINEER



NOTICE OF INTEREST HOLDERS

PURSUANT TO SECTION 66438 (c) OF THE SUBDIVISION MAP ACT THE SIGNATURE OF THE FOLLOWING INTEREST HOLDERS HAS BEEN OBTAINED:

NAME: _____ NATURE: _____
DOCUMENT: _____
BOOK 3488 O.R. PG. 71
1. PACIFIC GAS AND ELECTRIC CO. RIGHT-OF-WAY FOR CONDUITS, PIPES, TRENCHES AND ELECTRICAL UTILITIES, ALSO IMPROVEMENTS AND EGRESS.

RECORDER'S STATEMENT

FILED THIS 13th DAY OF July 2000 AT 8:19 AM
IN BOOK 52 OF OFFICIAL PLATS AT PAGES 31-33
AT THE REQUEST OF SPALDING G. WATHEN.
INSTRUMENT 183657
FEE: 12.00

JAMES J. BAILL
COUNTY RECORDER

James J. Bail
BAILL

CITY OF MERCED FINAL MAP NO. 5233

AMENDED MAP

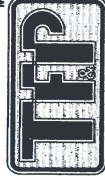
MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON PARCEL MAPS RECORDED IN VOLUME 84 OF PARCEL MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

SOILS REPORT

IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, THE SOILS REPORT HAS BEEN PREPARED BY THE SOILS ENGINEER ON FEBRUARY 22, 1990 BY KRAZAN & ASSOC. (PESNO) PROJECT #80150A 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, FREMMING & PARSON
118 PARK AVENUE
MERCED, CA 95348-3421
TEL: (209) 723-2086

VOLUME 52
PAGE 31

TFP JUN 2501.05

250105p7M.dwg 7-12-00 8:22:06 am

ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

SHEET 1 OF 3

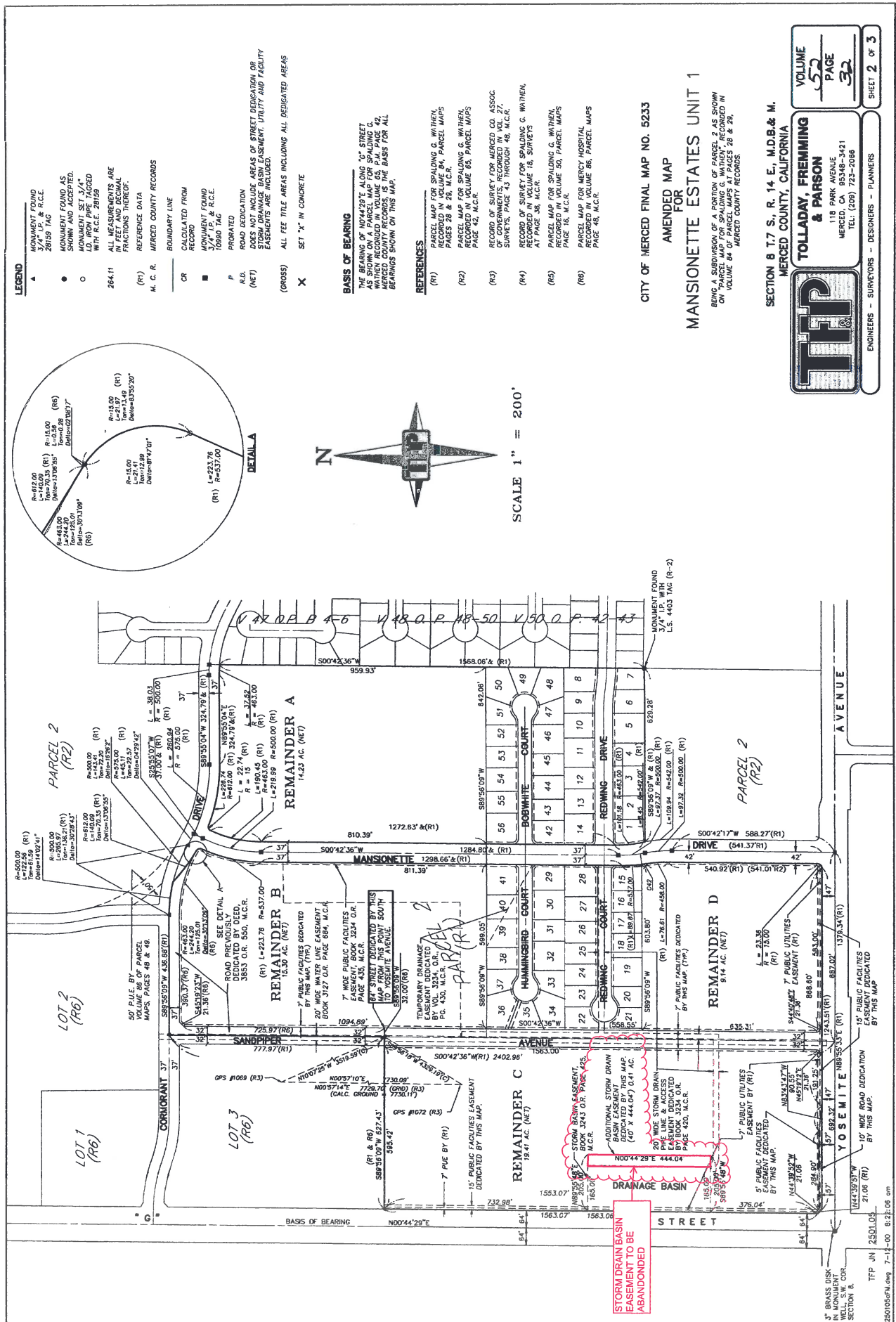
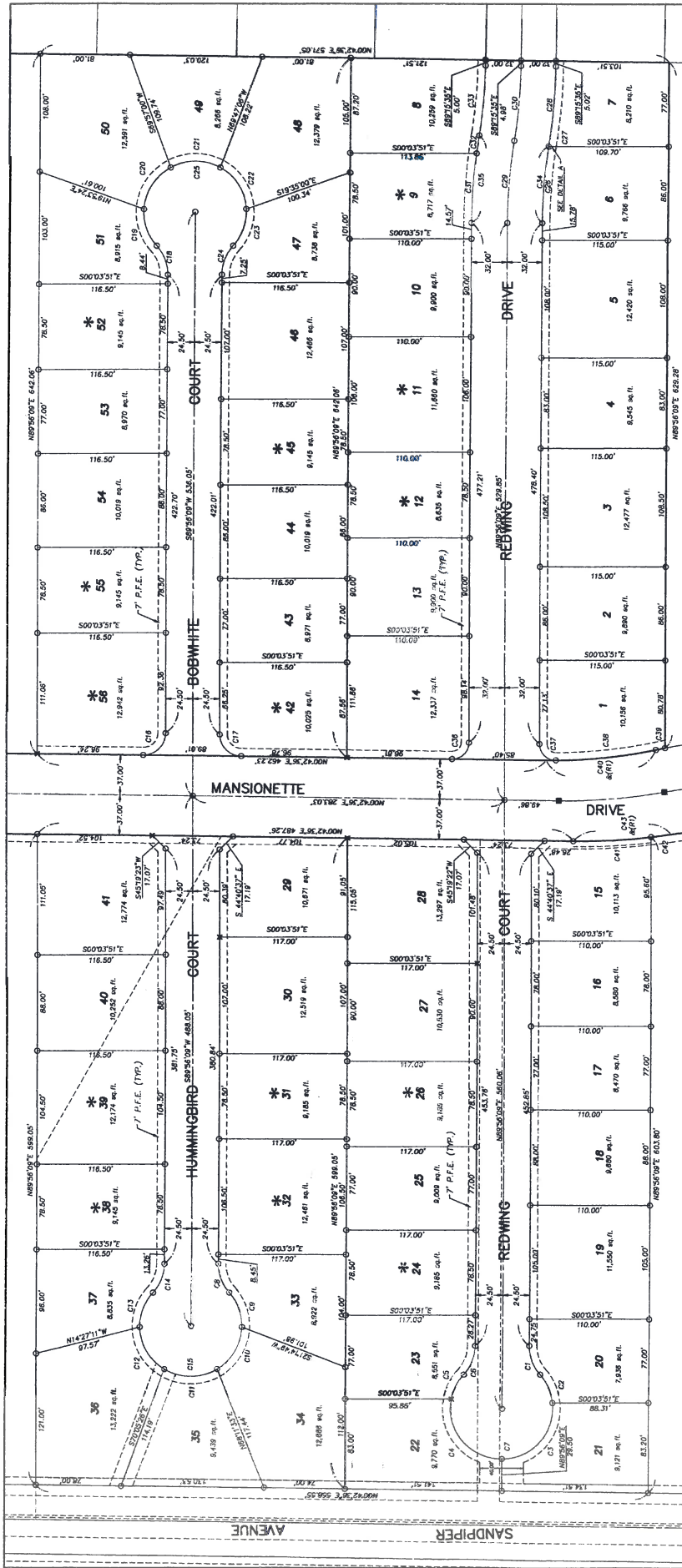


EXHIBIT E (Page 2)



CITY OF MERCED FINAL MAP NO. 5233
 AMENDED MAP
 FOR
MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON "PARCEL MAP FOR SAID MAPS AT PAGES 28 & 29, VOLUME 54 OF PARCEL MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

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

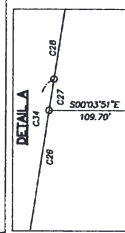
TOLLADAY, FREEMING & PARSON
 118 PARK AVENUE
 MERCED, CA 95348-3421
 TEL: (209) 733-2066



ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

VOLUME **52**
 PAGE **33**

SHEET **3** OF **3**



SCALE 1" = 60'

- *AMENDMENTS:
 1. CHANGED WIDTHS AND AREAS ON LOTS
 9, 11, 12, 24, 26, 31, 32, 38, 39, 42,
 45, 52, 55 & 56.

CURVE TABLE

CURVE	LENGTH	CHORD	DELTA	CHORD
C1	28.51	46.50	35.07	28.33
C2	28.51	46.50	35.07	28.33
C3	78.44	46.50	86.39	69.47
C4	82.01	46.50	100.95	71.79
C5	78.44	46.50	86.39	69.47
C6	28.51	46.50	35.07	28.33
C7	28.51	46.50	35.07	28.33
C8	28.51	46.50	35.07	28.33
C9	28.51	46.50	35.07	28.33
C10	28.51	46.50	35.07	28.33
C11	28.51	46.50	35.07	28.33
C12	28.51	46.50	35.07	28.33
C13	28.51	46.50	35.07	28.33
C14	28.51	46.50	35.07	28.33
C15	28.51	46.50	35.07	28.33
C16	28.51	46.50	35.07	28.33
C17	28.51	46.50	35.07	28.33
C18	28.51	46.50	35.07	28.33
C19	28.51	46.50	35.07	28.33
C20	28.51	46.50	35.07	28.33
C21	28.51	46.50	35.07	28.33
C22	28.51	46.50	35.07	28.33
C23	28.51	46.50	35.07	28.33
C24	28.51	46.50	35.07	28.33
C25	28.51	46.50	35.07	28.33
C26	28.51	46.50	35.07	28.33
C27	28.51	46.50	35.07	28.33
C28	28.51	46.50	35.07	28.33
C29	28.51	46.50	35.07	28.33
C30	28.51	46.50	35.07	28.33
C31	28.51	46.50	35.07	28.33
C32	28.51	46.50	35.07	28.33
C33	28.51	46.50	35.07	28.33
C34	28.51	46.50	35.07	28.33
C35	28.51	46.50	35.07	28.33
C36	28.51	46.50	35.07	28.33
C37	28.51	46.50	35.07	28.33
C38	28.51	46.50	35.07	28.33
C39	28.51	46.50	35.07	28.33
C40	28.51	46.50	35.07	28.33
C41	28.51	46.50	35.07	28.33
C42	28.51	46.50	35.07	28.33
C43	28.51	46.50	35.07	28.33
C44	28.51	46.50	35.07	28.33
C45	28.51	46.50	35.07	28.33
C46	28.51	46.50	35.07	28.33
C47	28.51	46.50	35.07	28.33
C48	28.51	46.50	35.07	28.33
C49	28.51	46.50	35.07	28.33
C50	28.51	46.50	35.07	28.33
C51	28.51	46.50	35.07	28.33
C52	28.51	46.50	35.07	28.33
C53	28.51	46.50	35.07	28.33
C54	28.51	46.50	35.07	28.33
C55	28.51	46.50	35.07	28.33
C56	28.51	46.50	35.07	28.33
C57	28.51	46.50	35.07	28.33
C58	28.51	46.50	35.07	28.33
C59	28.51	46.50	35.07	28.33
C60	28.51	46.50	35.07	28.33
C61	28.51	46.50	35.07	28.33
C62	28.51	46.50	35.07	28.33
C63	28.51	46.50	35.07	28.33
C64	28.51	46.50	35.07	28.33
C65	28.51	46.50	35.07	28.33
C66	28.51	46.50	35.07	28.33
C67	28.51	46.50	35.07	28.33
C68	28.51	46.50	35.07	28.33
C69	28.51	46.50	35.07	28.33
C70	28.51	46.50	35.07	28.33
C71	28.51	46.50	35.07	28.33
C72	28.51	46.50	35.07	28.33
C73	28.51	46.50	35.07	28.33
C74	28.51	46.50	35.07	28.33
C75	28.51	46.50	35.07	28.33
C76	28.51	46.50	35.07	28.33
C77	28.51	46.50	35.07	28.33
C78	28.51	46.50	35.07	28.33
C79	28.51	46.50	35.07	28.33
C80	28.51	46.50	35.07	28.33
C81	28.51	46.50	35.07	28.33
C82	28.51	46.50	35.07	28.33
C83	28.51	46.50	35.07	28.33
C84	28.51	46.50	35.07	28.33
C85	28.51	46.50	35.07	28.33
C86	28.51	46.50	35.07	28.33
C87	28.51	46.50	35.07	28.33
C88	28.51	46.50	35.07	28.33
C89	28.51	46.50	35.07	28.33
C90	28.51	46.50	35.07	28.33
C91	28.51	46.50	35.07	28.33
C92	28.51	46.50	35.07	28.33
C93	28.51	46.50	35.07	28.33
C94	28.51	46.50	35.07	28.33
C95	28.51	46.50	35.07	28.33
C96	28.51	46.50	35.07	28.33
C97	28.51	46.50	35.07	28.33
C98	28.51	46.50	35.07	28.33
C99	28.51	46.50	35.07	28.33
C100	28.51	46.50	35.07	28.33

DRIVE TABLE

DRIVE	LENGTH	CHORD	DELTA	CHORD
D1	28.51	46.50	35.07	28.33
D2	28.51	46.50	35.07	28.33
D3	78.44	46.50	86.39	69.47
D4	82.01	46.50	100.95	71.79
D5	78.44	46.50	86.39	69.47
D6	28.51	46.50	35.07	28.33
D7	28.51	46.50	35.07	28.33
D8	28.51	46.50	35.07	28.33
D9	28.51	46.50	35.07	28.33
D10	28.51	46.50	35.07	28.33
D11	28.51	46.50	35.07	28.33
D12	28.51	46.50	35.07	28.33
D13	28.51	46.50	35.07	28.33
D14	28.51	46.50	35.07	28.33
D15	28.51	46.50	35.07	28.33
D16	28.51	46.50	35.07	28.33
D17	28.51	46.50	35.07	28.33
D18	28.51	46.50	35.07	28.33
D19	28.51	46.50	35.07	28.33
D20	28.51	46.50	35.07	28.33
D21	28.51	46.50	35.07	28.33
D22	28.51	46.50	35.07	28.33
D23	28.51	46.50	35.07	28.33
D24	28.51	46.50	35.07	28.33
D25	28.51	46.50	35.07	28.33
D26	28.51	46.50	35.07	28.33
D27	28.51	46.50	35.07	28.33
D28	28.51	46.50	35.07	28.33
D29	28.51	46.50	35.07	28.33
D30	28.51	46.50	35.07	28.33
D31	28.51	46.50	35.07	28.33
D32	28.51	46.50	35.07	28.33
D33	28.51	46.50	35.07	28.33
D34	28.51	46.50	35.07	28.33
D35	28.51	46.50	35.07	28.33
D36	28.51	46.50	35.07	28.33
D37	28.51	46.50	35.07	28.33
D38	28.51	46.50	35.07	28.33
D39	28.51	46.50	35.07	28.33
D40	28.51	46.50	35.07	28.33
D41	28.51	46.50	35.07	28.33
D42	28.51	46.50	35.07	28.33
D43	28.51	46.50	35.07	28.33
D44	28.51	46.50	35.07	28.33
D45	28.51	46.50	35.07	28.33
D46	28.51	46.50	35.07	28.33
D47	28.51	46.50	35.07	28.33
D48	28.51	46.50	35.07	28.33
D49	28.51	46.50	35.07	28.33
D50	28.51	46.50	35.07	28.33
D51	28.51	46.50	35.07	28.33
D52	28.51	46.50	35.07	28.33
D53	28.51	46.50	35.07	28.33
D54	28.51	46.50	35.07	28.33
D55	28.51	46.50	35.07	28.33
D56	28.51	46.50	35.07	28.33
D57	28.51	46.50	35.07	28.33
D58	28.51	46.50	35.07	28.33
D59	28.51	46.50	35.07	28.33
D60	28.51	46.50	35.07	28.33
D61	28.51	46.50	35.07	28.33
D62	28.51	46.50	35.07	28.33
D63	28.51	46.50	35.07	28.33
D64	28.51	46.50	35.07	28.33
D65	28.51	46.50	35.07	28.33
D66	28.51	46.50	35.07	28.33
D67	28.51	46.50	35.07	28.33
D68	28.51	46.50	35.07	28.33
D69	28.51	46.50	35.07	28.33
D70	28.51	46.50	35.07	28.33
D71	28.51	46.50	35.07	28.33
D72	28.51	46.50	35.07	28.33
D73	28.51	46.50	35.07	28.33
D74	28.51	46.50	35.07	28.33
D75	28.51	46.50	35.07	28.33
D76	28.51	46.50	35.07	28.33
D77	28.51	46.50	35.07	28.33
D78	28.51	46.50	35.07	28.33
D79	28.51	46.50	35.07	28.33
D80	28.51	46.50	35.07	28.33
D81	28.51	46.50	35.07	28.33
D82	28.51	46.50	35.07	28.33
D83	28.51	46.50	35.07	28.33
D84	28.51	46.50	35.07	28.33
D85	28.51	46.50	35.07	28.33
D86	28.51	46.50	35.07	28.33
D87	28.51	46.50	35.07	28.33
D88	28.51	46.50	35.07	28.33
D89	28.51	46.50	35.07	28.33
D90	28.51	46.50	35.07	28.33
D91	28.51	46.50	35.07	28.33