

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
ORDERING THE VACATION OF THE ARBOR  
WALKWAY SOUTH EASEMENT  
(APPROXIMATELY 2,346 SQUARE FEET),  
LOCATED AT 534 W. MAIN STREET,  
APPROXIMATELY 155 FEET EAST OF  
M STREET (VACATION #24-01)**

WHEREAS, by adoption of Resolution No. 2024-85 on August 19, 2024, the City Council declared its intention to consider the vacation of the Arbor Walkway South easement, (approximately 2,346 square feet), located at 534 W. Main Street, generally located on the south side of Main Street approximately 155 feet east of M Street and more particularly described in Exhibit A and shown at Exhibit B for vacation #24-01, attached hereto and incorporated herein by this reference, and set a public hearing thereon; and,

WHEREAS, Resolution No. 2024-85 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, August 19, 2024, at the hour of 6:00 p.m. of said day, in the Council Chambers of the City Council, 678 West 18<sup>th</sup> Street, Merced, California, which said time was not less than fifteen (15) days from the above-mentioned date and passage of Resolution No. 2024-85; and,

WHEREAS, Resolution No. 2024-85 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 August 19, 2024; and,

WHEREAS, On August 22, 2024, notices were conspicuously posted along the lines of the property proposed to be vacated, which notices consisted of copies of Resolution No. 2024-85; and,

WHEREAS, the vacation of the dedication as proposed by Resolution No. 2024-\_\_ was submitted to the Planning Commission on August 7, 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. The City Council finds from all of the evidence submitted that the approximately 2,346 square feet, located at 534 W. Main Street, generally located in the south side of Main Street approximately 155 feet east of M Street, as described in Exhibit A and shown at Exhibit B for vacation #24-01, are unnecessary for preset 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 \_\_\_\_ day of \_\_\_\_\_ 2024, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:  
MATTHEW SERRATTO, MAYOR

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Mayor

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

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

 9/16/2024  
City Attorney      Date

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## **Exhibit A**

### **LEGAL DESCRIPTION**

A portion of Lot 5 in Block 185 according to map entitled, SUPPLEMENTAL MAP TO TOWN OF MERCED, originally recorded March 4, 1889, in Volume 1 of Official Plats, Page 12, Merced County Records, and now appearing in Volume 2 of Official Plats, Page 12.

BEGINNING at the southwesterly corner of said Lot 5; thence N24°40'E for 150.00 feet to the northwest corner of said Lot 5; thence S65°20'E for 25.00 feet along the north line of said Lot 5; thence S70°37'40"W for 13.91 feet; thence S24°40'W for 69.68 feet; thence N65°20'W for 4.00 feet, S24°40'W for 7.00 feet, S65°20'E for 4.00 feet, S24°40'W for 4.50 feet, S65°20'E for 2.00 feet; thence S24°40'W for 28.85 feet; thence N65°20'W for 2.00 feet; thence S24°40'W for 22.30 feet; thence S65°20'E for 2.00 feet; thence S24°40'W for 6.83 feet to a point on the southwesterly line of said Lot 5; thence N65°20'W, for 17.00 feet to the point of beginning.

Exhibit A

MAIN STREET (17TH STREET)

Course	Bearing	Distance
L1	N65°20'00"W	4.00'
L2	S24°40'00"W	7.00'
L3	S65°20'00"E	4.00'
L4	S24°40'00"W	4.50'
L5	S65°20'00"E	2.00'

LOT 7

LOT 6

LOT 5

LOT 4



SCALE: 1"=20'



BLOCK 185  
2 O.P. 59



**City of Merced**  
"Gateway to Yosemite"  
**DEVELOPMENT SERVICES**  
ENGINEERING PROJECTS AND STANDARDS  
878 W. 18th Street (209) 385-6940

Exhibit B

DATE	6/20/20
BY	JP
CHECKED	
DATE	
SCALE	1"=20'