

RESOLUTION NO. 2018-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A 5-FOOT
WIDE PUBLIC UTILITIES EASEMENT
NEAR THE EASTERN PROPERTY LINE OF
1297 AHWAHNEE DRIVE,
APPROXIMATELY 850 FEET EAST OF
JORGE AVENUE (VACATION #17-01)**

WHEREAS, by adoption of Resolution No. 2017-68 on December 18, 2017, the City Council declared its intention to consider the vacation of a portion of an easement in the City of Merced, consisting of a 5-foot wide public utilities easement near the eastern property line of 1297 Ahwahnee Drive, approximately 850 feet east of Jorge Avenue (Vacation #17-01), and more particularly described in Exhibit A and shown in Exhibit B, attached hereto and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, Resolution No. 2017-68 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Tuesday, January 16, 2018, at the hour of 6:00 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. 2017-68; and

WHEREAS, Resolution No. 2017-68 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 January 16, 2018; and

WHEREAS, On December 21, 2017, notices were conspicuously posted along the lines of the easement proposed to be vacated, not more than three hundred (300) feet apart, which notices consisted of copies of Resolution No. 2017-68; and

WHEREAS, the vacation of the public utilities easement as proposed by Resolution No. 2017-68 was submitted to the Planning Commission on December 6, 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 easement in the City of Merced, as described on Exhibit A and shown on Exhibit B, is unnecessary for present or prospective public utilities easement 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 _____, 2018, 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:  12-20-2017

City Attorney Date

142.73
11/27/2017

EXHIBIT "A"

P.U.E. ABANDONMENT

Being a portion of Lot 5 as shown on "Oakmont Village Unit No. 8" recorded in Volume 65 of Official Plats, pages 22,23 and 24, Merced County Records, in the northeast quarter of section 17 Township 7 South, Range 14 East, M.D.B. & M, City of Merced, County of Merced, State of California, being more particularly described as follows:

All that portion of the 5' P.U.E. contained within Lot 5 of said map (previously dedicated by Parcel Map for "Wainwright Trusts" recorded in Volume 87 of Official Plats, Pages 45 and 46, M.C.R.).

Containing 538 square feet.



EXHIBIT B

ABANDONMENT CONSISTS
OF THE 5' WIDE P.U.E
WITHIN LOT 5.
(CROSS-HATCHED AREA)

LEGEND

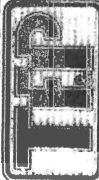
- MONUMENT FOUND AS DESCRIBED AND ACCEPTED
- MONUMENT SET 3/4" IN PLACE AND RECORDED WITH R.C.E. 20130
- ALL MEASUREMENTS ARE IN FEET AND DECIMAL FRACTIONS THEREOF
- 2014.11
- REFERENCE DATA
- (R-1)
- M.C.R.
- PUBLIC FACILITIES RECORDS
- P.U.E.
- PUBLIC UTILITIES EASEMENT
- MONUMENT FOUND 1/4" IN PLACE AND RECORDED WITH R.C.E. 10100 AND 10101
- BOUNDARY LINE
- MONUMENT FOUND 1/4" IN PLACE AND RECORDED WITH R.C.E. 20130 AND 20131
- WITNESS CORNER, 5' ON LINE
- UNLESS OTHERWISE SHOWN

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	10.00	10.00	90.00	17.36
C2	10.00	10.00	90.00	17.36
C3	10.00	10.00	90.00	17.36
C4	10.00	10.00	90.00	17.36
C5	10.00	10.00	90.00	17.36
C6	10.00	10.00	90.00	17.36
C7	10.00	10.00	90.00	17.36
C8	10.00	10.00	90.00	17.36
C9	10.00	10.00	90.00	17.36
C10	10.00	10.00	90.00	17.36
C11	10.00	10.00	90.00	17.36
C12	10.00	10.00	90.00	17.36
C13	10.00	10.00	90.00	17.36
C14	10.00	10.00	90.00	17.36
C15	10.00	10.00	90.00	17.36
C16	10.00	10.00	90.00	17.36
C17	10.00	10.00	90.00	17.36
C18	10.00	10.00	90.00	17.36
C19	10.00	10.00	90.00	17.36
C20	10.00	10.00	90.00	17.36
C21	10.00	10.00	90.00	17.36
C22	10.00	10.00	90.00	17.36
C23	10.00	10.00	90.00	17.36
C24	10.00	10.00	90.00	17.36
C25	10.00	10.00	90.00	17.36
C26	10.00	10.00	90.00	17.36
C27	10.00	10.00	90.00	17.36
C28	10.00	10.00	90.00	17.36
C29	10.00	10.00	90.00	17.36
C30	10.00	10.00	90.00	17.36
C31	10.00	10.00	90.00	17.36
C32	10.00	10.00	90.00	17.36
C33	10.00	10.00	90.00	17.36
C34	10.00	10.00	90.00	17.36
C35	10.00	10.00	90.00	17.36
C36	10.00	10.00	90.00	17.36
C37	10.00	10.00	90.00	17.36
C38	10.00	10.00	90.00	17.36
C39	10.00	10.00	90.00	17.36
C40	10.00	10.00	90.00	17.36
C41	10.00	10.00	90.00	17.36
C42	10.00	10.00	90.00	17.36
C43	10.00	10.00	90.00	17.36
C44	10.00	10.00	90.00	17.36
C45	10.00	10.00	90.00	17.36
C46	10.00	10.00	90.00	17.36
C47	10.00	10.00	90.00	17.36
C48	10.00	10.00	90.00	17.36
C49	10.00	10.00	90.00	17.36
C50	10.00	10.00	90.00	17.36
C51	10.00	10.00	90.00	17.36
C52	10.00	10.00	90.00	17.36
C53	10.00	10.00	90.00	17.36
C54	10.00	10.00	90.00	17.36
C55	10.00	10.00	90.00	17.36
C56	10.00	10.00	90.00	17.36
C57	10.00	10.00	90.00	17.36
C58	10.00	10.00	90.00	17.36
C59	10.00	10.00	90.00	17.36
C60	10.00	10.00	90.00	17.36
C61	10.00	10.00	90.00	17.36
C62	10.00	10.00	90.00	17.36
C63	10.00	10.00	90.00	17.36
C64	10.00	10.00	90.00	17.36
C65	10.00	10.00	90.00	17.36
C66	10.00	10.00	90.00	17.36
C67	10.00	10.00	90.00	17.36
C68	10.00	10.00	90.00	17.36
C69	10.00	10.00	90.00	17.36
C70	10.00	10.00	90.00	17.36
C71	10.00	10.00	90.00	17.36
C72	10.00	10.00	90.00	17.36
C73	10.00	10.00	90.00	17.36
C74	10.00	10.00	90.00	17.36
C75	10.00	10.00	90.00	17.36
C76	10.00	10.00	90.00	17.36
C77	10.00	10.00	90.00	17.36
C78	10.00	10.00	90.00	17.36
C79	10.00	10.00	90.00	17.36
C80	10.00	10.00	90.00	17.36
C81	10.00	10.00	90.00	17.36
C82	10.00	10.00	90.00	17.36
C83	10.00	10.00	90.00	17.36
C84	10.00	10.00	90.00	17.36
C85	10.00	10.00	90.00	17.36
C86	10.00	10.00	90.00	17.36
C87	10.00	10.00	90.00	17.36
C88	10.00	10.00	90.00	17.36
C89	10.00	10.00	90.00	17.36
C90	10.00	10.00	90.00	17.36
C91	10.00	10.00	90.00	17.36
C92	10.00	10.00	90.00	17.36
C93	10.00	10.00	90.00	17.36
C94	10.00	10.00	90.00	17.36
C95	10.00	10.00	90.00	17.36
C96	10.00	10.00	90.00	17.36
C97	10.00	10.00	90.00	17.36
C98	10.00	10.00	90.00	17.36
C99	10.00	10.00	90.00	17.36
C100	10.00	10.00	90.00	17.36

SUBDIVISION APPLICATION NO. 5283
OAKMONT VILLAGE UNIT NO. 8

BEING A SUBDIVISION OF REMAINDER J
AS SHOWN ON "OAKMONT VILLAGE UNIT NO. 7" RECORDED IN
VOLUME 54 OF OFFICIAL PLATS, PAGES 44, 45, & 46, M.C.R.

SECTION 17, T. 7 S., R. 14 E., M.D.B. & M.
CITY OF MERCED, MERCED COUNTY, CALIFORNIA



TOLLADAY, FREMMING
& PARSON
118 PARK AVENUE
MERCED, CA 95354-1811
TEL (209) 723-2006

ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

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