

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A SEWER
EASEMENT AND WORKING EASEMENT
AT THE NORTHEAST CORNER OF G
STREET AND YOSEMITE AVENUE
(VACATION #19-04)**

WHEREAS, by adoption of Resolution No. 2019-55 on September 3, 2019, the City Council declared its intention to consider the vacation of a portion of easements in the City of Merced, consisting of a sewer easement and working easement at 3600 G Street, generally located at the northeast corner of G Street and Yosemite Avenue (Vacation #19-04), 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. 2019-55 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, October 7, 2019, 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. 2019-55; and

WHEREAS, Resolution No. 2019-55 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 October 7, 2019; and

WHEREAS, On September 17, 2019, notices were conspicuously posted along the lines of the property proposed to be vacated, which notices consisted of copies of Resolution No. 2019-55; and

WHEREAS, the vacation of the dedication as proposed by Resolution No. 2019-55 was submitted to the Planning Commission on July 17, 2019, 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 easements in the City of Merced, as described on Exhibit A and shown on Exhibit B, is unnecessary for present or prospective easements 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 ____ of _____, 2019, 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: Phuena A. Miller 9-3-19
City Attorney Date

Exhibit A

Order No.
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:

CITY OF MERCED-
P.O. BOX 2068
MERCED, CA 95344-0068

19900

RECORDED BY
City of Merced
M. 29 1987 10:40am
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OFF. RECORDS OF
MERCED COUNTY
CALIFORNIA
LARRY S. GILSDORN

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

EASEMENT DEED

For a Valuable consideration, receipt of which is hereby acknowledged,
Spalding G. Mathen and Della Mathen,

hereby grants to the City of Merced, a Municipal Corporation, an easement
for sewer purposes, over and across the southwest portion of Lot 57,
according to that certain map entitled "TOWNE SUB-DIVISION,
YOSEMITE COLONY," filed for record October 13, 1891 in Book 1 of
Official Plats at Page 22, now appearing in Volume 2 of Official
Plats at Page 22, Merced County Records, and being in the
southwest quarter of Section 8, T. 7 S. R. 14 E., M.D.B. & M.,
Merced County California, being more particularly described as
follows:

The south 15.00 feet of the west 50.00 feet of said Lot 57,
the south line of said 15.00 foot strip of land being the north
line of Yosemite Avenue.

Also a working easement over the south 35.00 feet of the
west 70.00 feet of said Lot 57, the south line of said 70.00 foot
strip of land being the north line of Yosemite Avenue.

Subject to rights of way of record, if any.

Said working easement shall terminate upon filing of a Notice of Completion.
A.P.M. 60-040-73



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Dated July 10, 1987

Spalding G. Wathen
Spalding G. Wathen

Dated July 10, 1987

Della Wathen
Della Wathen

CITY OF MERCED

Approved Description:

By: Thomas M. Jones 7-24-87
(Engineering Dept.) Date

Approved Form:

By: S.M.J. 7/27/87
City Attorney Date

Reference: North Merced River

STATE OF CALIFORNIA }
COUNTY OF FRESNO } SS.
On July 10, 1987 before me, the under-
signed, a Notary Public in and for said County and State, personally
appeared Spalding G. Wathen and
Della Wathen

_____ knows to me
to be the person and whose names are subscribed to the within
instrument and acknowledged that they executed the same.

Emma Kataoka
Signature of Notary
Emma Kataoka

FOR NOTARY SEAL OR STAMP



Assessor's Parcel No. _____

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name _____ Street Address _____ City & State _____
L-1 (G.S.) (Rev. 4-75) 8 ps. VOL 2623 PAGE 362

