

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A STORM
DRAINAGE EASEMENT AND STREET
LIGHT EASEMENT AT 1368 GRIFFIN
STREET, GENERALLY LOCATED ON THE
EAST SIDE OF GRIFFIN STREET,
APPROXIMATELY 525 FEET NORTH OF
MCSWAIN ROAD (VACATION #19-03)**

WHEREAS, by adoption of Resolution No. 2019-39 on July 15, 2019, the City Council declared its intention to consider the vacation of a portion of easements in the City of Merced, consisting of a storm drainage easement and street light easement at 1368 Griffin Street, generally located on the east side of Griffin Street, approximately 525 feet north of McSwain Road (Vacation #19-03), 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. 2019-39 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, August 19, 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. 2019-39; and

WHEREAS, Resolution No. 2019-39 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, 2019; and

WHEREAS, On August 6, 2019, notices were conspicuously posted along the lines of the property proposed to be vacated, which notices consisted of copies of Resolution No. 2019-39; and

WHEREAS, the vacation of the dedication as proposed by Resolution No. 2019-39 was submitted to the Planning Commission on June 5, 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 easement 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:   _____
City Attorney Date

EXHIBIT "A"

STORM DRAINAGE EASEMENT ABANDONMENT AND
STREET LIGHTING EASEMENT ABANDONMENT

DESCRIPTION

STORM DRAINAGE EASEMENT

A storm drain easement to be abandoned, situate in Section 23, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, State of California; said storm drain easement shown as Parcel "A" on that certain map entitled Parcel Map for Marion C. East, recorded in Book 37 of Parcel Maps, at Page 30, Merced County Records.

10.00 FOOT WIDE STREET LIGHTING EASEMENT

A 10.00 foot wide street lighting easement, being the south 5.00 feet of Lot 21 and the north 5.00 feet of Lot 20 as shown on the "Map of Griffin Subdivision", recorded in Volume 14 of Official Plats at Page 37, Merced County Records; said easement lines terminates on the west line of the 20 foot Public Utility Easement.

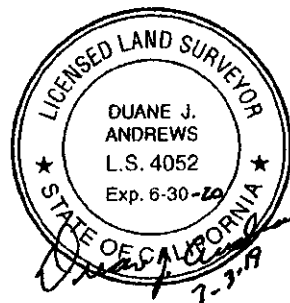
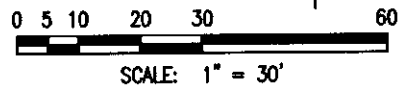
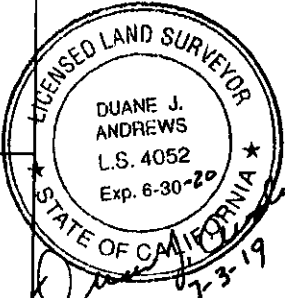
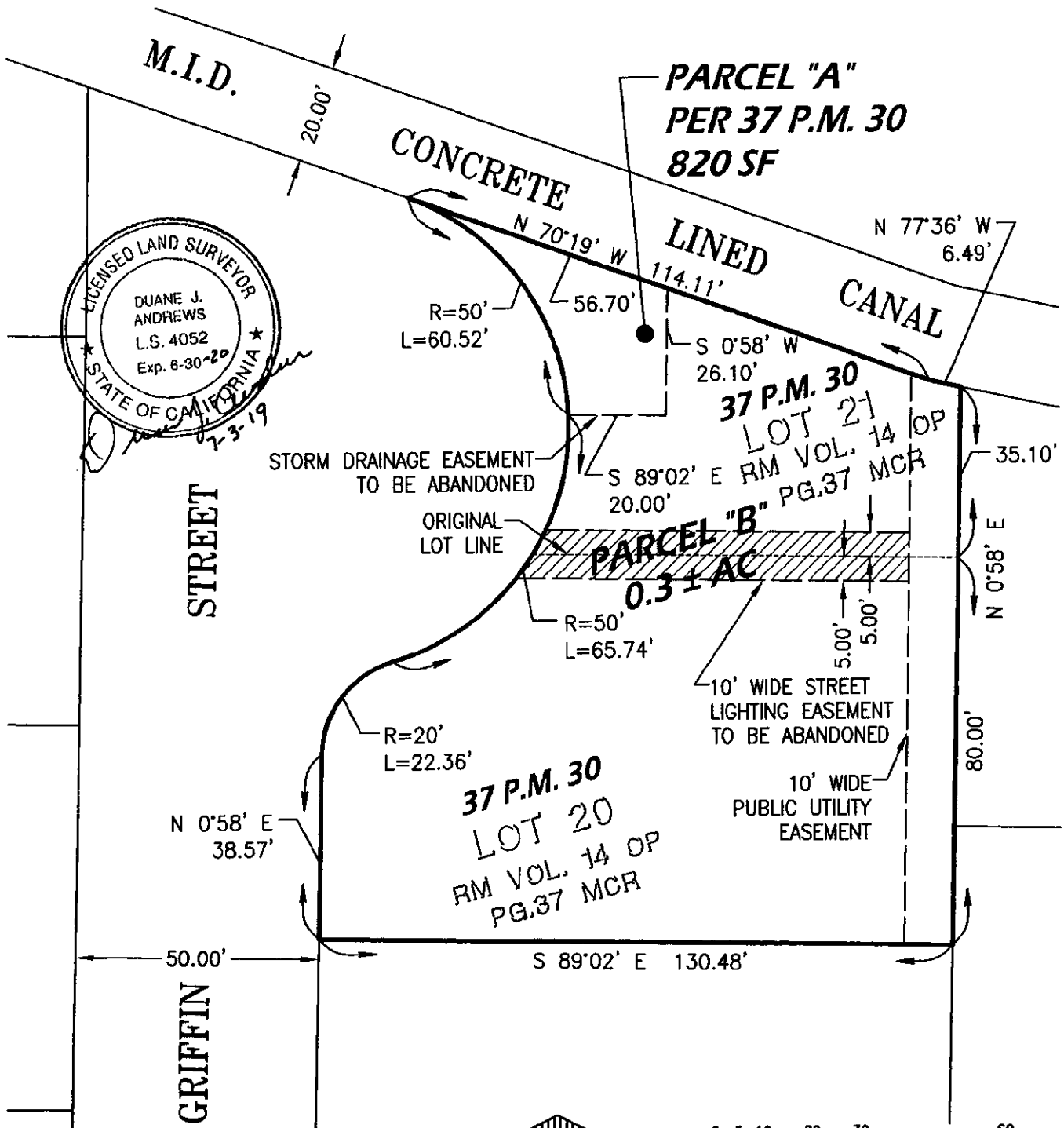


EXHIBIT 'B'



GOLDEN VALLEY
ENGINEERING & SURVEYING

405 W. 19th Street • P.O. Box 349 • Merced, CA 95340
Phone (209) 722-3200 • Fax (209) 722-3254

Job No. 19072

Date: 7/3/2019

EXHIBIT 'B'

Exhibit Map for "Abandonment of Storm Drainage Easement" and "Street Light Easement", situated in Section 23, T.7S., R.14E., M.D.B.&M., in the City of Merced, State of California