

RESOLUTION NO. 2020-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A 15-
FOOT-WIDE ROAD RIGHT-OF-WAY
CONSISTING OF 1,432 SQUARE FEET
LOCATED APPROXIMATELY 1,100 FEET
EAST OF G STREET, NORTH OF MERRILL
PLACE (EXTENDED) (VACATION #20-02)**

WHEREAS, by adoption of Resolution No. 2020-35 on July 6, 2020, the City Council declared its intention to consider the vacation of a 15-foot-wide road right-of-way consisting of 1,432 square feet located approximately 1,100 feet east of G Street, north of Merrill Place (extended), as described in Exhibit "A" and shown on the map at Exhibit "B," attached hereto; and

WHEREAS, Resolution No. 2020-35 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, August 3, 2020, 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. 2020-35; and

WHEREAS, Resolution No. 2020-35 was published in the manner prescribed by Section 8320 of the Streets and Highways Code of the State of California; and

WHEREAS, on July 9, 2020, 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. 2020-35 and,

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2020-35 was submitted to the Planning Commission on May 6, 2020, 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 road right-of-way as described in Exhibit "A" and shown on the map at Exhibit "B," is unnecessary for roadway purposes.

SECTION 2. It is hereby ordered that the road 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 _____, 2020, 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: *Priscilla A. Miller* *6/30/2020*
City Attorney Date

EXHIBIT 'A'
Right of way Relinquishment

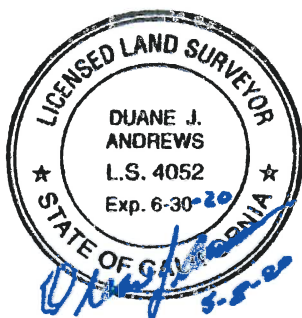
LEGAL DESCRIPTION

A relinquishment of road right of way being a portion of Parcel 4 as shown on "Parcel Map for Benber Property" recorded in Book 97 of Parcel Maps at Pages 15, Merced County Records, and a portion of that real property as described in Grant Deed Document No. 2017-021033, Merced County Records, lying in Section 5, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, County of Merced, State of California, being more particularly described as follows:

Commencing at the southwest corner of Parcel 4 as shown on said map; thence N. 55°33'30" E., along the northwesterly line to said Parcel 4, a distance of 65.63 feet to the TRUE POINT OF BEGINNING, said point being on the prolongation of the northerly line of 37 foot right of way per said Grant Deed; thence N. 55°33'30" E., along northwesterly line of said Parcel 4, a distance of 26.61 feet; thence leaving said northwesterly line parallel with the south line of said Parcel N. 89°52'37" E., a distance of 77.46 feet; thence S. 43°19'55" E., a distance of 20.58 feet to a point on the northerly line of the 37 foot right of way dedicated in said Grant Deed; thence S. 89°52'37" W., parallel with and 37 feet distant northerly from said south west line of said Parcel, a distance of 113.52 feet to the point of beginning.

Road Right of way relinquishment containing 1,432 Square Feet, more or less.

March 2020



J.N. 17067

EXHIBIT 'B'

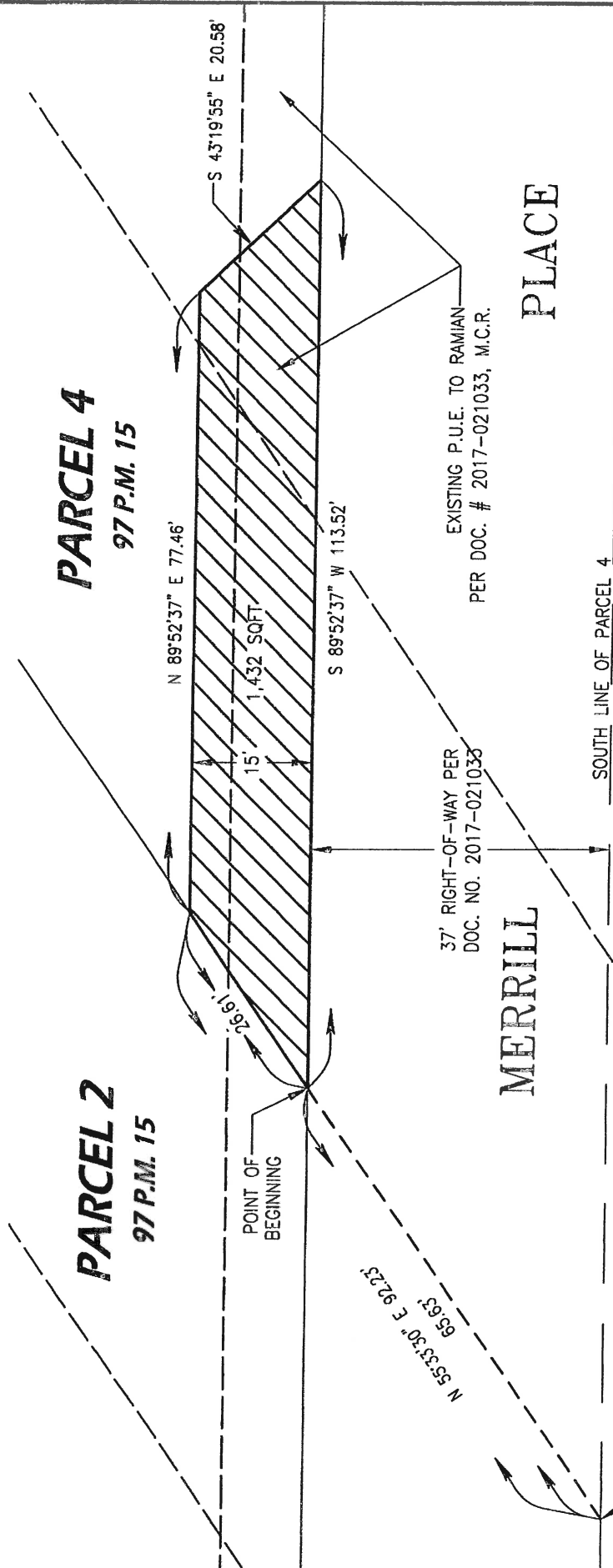



EXHIBIT 'B'

A road right of way relinquishment being a portion of all that real property as described in Grant Deed Document No. 2017-021033, M.C.R., lying in Section 5, Township 7 South, Range 14 East, Mount Diablo Base & Meridian, in the City of Merced, State of California


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 Job No. 17067 Date: 3/12/2020