

RESOLUTION NO. 2018-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE A 40-
FOOT-WIDE "AVENUE" LOCATED ALONG THE
EASTERN PROPERTY LINE OF THREE
PARCELS GENERALLY LOCATED AT THE
NORTHEAST CORNER OF CHILDS AVENUE
AND KIBBY ROAD AND THE SOUTHEAST
CORNER OF EAST HIGHWAY 140 AND KIBBY
ROAD (VACATION #17-02) SETTING TIME AND
PLACE FOR PUBLIC HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described portion of public right-of-way is unnecessary for prospective public purposes; and

WHEREAS, the City Engineer has filed maps or plans with the City Clerk of the City of Merced showing the portion of the public right-of-way to be vacated at a specific time that will be determined.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Merced declares its intention to proceed under the provisions of Part 3 of the Streets and Highways Code of the State of California, being the Public Streets, Highways, and Service Easements Vacation Law, Chapter 3, to vacate a 40-foot-wide "Avenue" generally located along the eastern property line of three parcels generally located at the northeast corner of Childs Avenue and Kibby Road and the southeast corner of East Highway 140 and Kibby Road, as described in Exhibit "A" and shown on the map at Exhibit "B," attached hereto and incorporated herein by this reference.

SECTION 2. Reference is made to the maps and plans which are filed in the office of the City Clerk of the City of Merced for further particulars as to the proposed vacation and reservation.

SECTION 3. February 20, 2018, at the hour of 6:00 p.m. of said day in the Council Chamber of the City Council, 678 West 18th Street, Merced, California, is fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation. Said hearing may be postponed or continued.

SECTION 4. The City Engineer is directed to post or cause to be posted at least two weeks before the date set for hearing not less than three (3) notices of vacation of a portion of public right-of-way, not more than three hundred (300) feet apart, conspicuously along the lines of said portion of the public street proposed to be vacated, stating adoption of this resolution and the time and place of the hearing herein called. Posting a copy of this resolution shall constitute the posting of the required notice.

SECTION 5. The City Clerk is directed to cause a copy of this Resolution to be published once each week for two successive weeks prior to the public hearing in the official newspaper.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2018, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 12-6-2017
City Attorney Date

EXHIBIT 'A'

LEGAL DESCRIPTION FOR ROAD ABANDONMENT

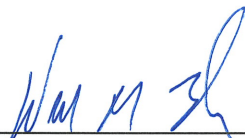
All that certain piece or parcel of land situated in the County of Merced, State of California, lying within the Southwest quarter of Section 26, Township 7 South, Range 14 East, Mount Diablo Meridian, described as follows:

All that certain 40 foot avenue which lies along the east side of Lots 1, 12 and 13 as said Lots and avenue are shown on the "Map of Grimes' Subdivision No. 1" filed for record in Volume 9 of Official Plats, at Page 19, Office of the Merced County Recorder, and extending from the north line of said Lot 1 to a line that is 47 feet north of the south line of said Section 26.

Parcel is as illustrated on the attached EXHIBIT 'B'.

END DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.



William M. Koch
Professional Land Surveyor
California No. 8092



12-27-17
Date

EXHIBIT 'B'

A.T. & S.F. RR



BOUNDARY LINES

PROPERTY LINE _____

SECTION LINE _____

40' AVENUE LINE PER VOL. 9 PG. 19

OLD LOT LINE PER VOL. 9 PG. 19

LEGEND

PM PARCEL MAP
O.P. OFFICIAL PLATS
ZZZ ABANDONMENT AREA



1165 Scenic Drive, Suite A
Modesto, CA 95350
odellengineering.com

DESCRIPTION: ROAD ABANDONMENT			
SCALE:	1"=400'	DATE:	DEC. 27, 2017
JOB NO.:	31420		
FILE:	31420-ROAD ABANDONMENT.DWG		

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