

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE THE
ARBOR WALKWAY NORTH EASEMENT
(APPROXIMATELY 2,800 SQUARE FEET)
WHICH WOULD REVERT DEVELOPMENT
RIGHTS BACK TO ADJACENT PROPERTY
OWNER OF 531 W. MAIN STREET (VACATION
#21-03) AND SETTING TIME AND PLACE FOR
PUBLIC HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described area 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 area 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 Arbor Walkway North easement (approximately 2,800 square feet) which would revert development rights back to the adjacent property owner of 531 W. Main Street, generally located at the north side of Main Street, approximately 145 feet east of M Street (Vacation #21-03), as described in Exhibit A and shown 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.

SECTION 3. June 21, 2021, 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 the area, 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 _____ 2021, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Merced, County of Merced, State of California, described as follows:

That portion of Lot 11 and Lot 12 in Block 163 according to that certain map entitled, "SUPPLEMENATL MAP TO TOWN OF MERCED, " recorded March 4, 1889, in Book 1 of Maps, Page 12, and now appears in Book 2 of Maps, Page 12, Merced County Records, described as follows:

Beginning at the most westerly corner of said Lot 12; thence N65°20'W, along the southwesterly line of said Lot 11, a distance of five and one-quarter inches; thence N25°02'30"E, for 150.00 feet to a point on the northeasterly line of said Lot 12 that is S65°20'E, for 6.53 inches from the most northerly corner of said Lot 12; thence S65°20'E, for 24.83 feet along the northeasterly line of said Lot 12; thence S69°29'55"W, for 16.97 feet; thence S24°29'55"W, for 38.00 feet; thence S65°30'05"E, for 6.00 feet; thence S24°29'55"W, for 6.00 feet; thence S65°30'05"E, for 6.00 feet; thence S24°29'55"W, for 38.00 feet; thence N 65°30'05"W, for 6.00 feet; thence S24°29'55"W, for 6.00 feet; thence N65°30'05"W, for 6.00 feet; thence S24°29'55"W, for 38.00 feet; thence S20°30'05"E, for 16.97 feet to a point on the southwesterly line of said Lot 12; thence N65°20'W, for 25.81 feet to the place of beginning.

