

RESOLUTION NO. 2017-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE A
2.18-ACRE STORM DRAIN BASIN AND A 0.95-
ACRE STORM DRAIN EASEMENT GENERALLY
LOCATED EAST OF G STREET AND
APPROXIMATELY 390 FEET NORTH OF
YOSEMITE AVENUE (VACATION
#16-01) 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 2.18-acre storm drain basin and a 0.95-acre storm drain easement generally located east of G Street and approximately 390 feet north of Yosemite Avenue, as described in Exhibits "A" and "C" and shown in Exhibits "B," "D" and "E," 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 21, 2017, at the hour of 7:00 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 _____ 2017, 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:

Kelly Fincher 1/11/17
City Attorney Date

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN BASIN

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in instrument Number 18377, Volume 3234, Official Records, Page 425. Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65 of Parcel Maps at Page 42, Merced County Records, being more particularly described as follows:

COMMENCING at the southwest corner of said Parcel 1; Thence along the westerly line of said Parcel 1 North 00° 44' 29" East, 418.04 feet to the **TRUE POINT OF BEGINNING**;

Thence North 00° 44' 29" East, 444.04 feet, along the west line of said Parcel 1;

Thence North 89° 55' 48" East, 174.00 feet;

Thence South 00° 44' 29" West, 444.04 feet;

Thence South 89° 55' 48" West, 174.00 feet to the **TRUE POINT OF BEGINNING**;

Containing 1.77± Acres.

G STREET

N0° 44' 29.00"E
418.04'

55'

SOUTHWEST CORNER PARCEL 1

30'

YOSEMITE AVENUE

N00°44'29"E
440.04'

N89°55'48"E
174.00'

AREA TO BE VACATED

S00°44'29"W
440.04'

S89°55'48"W
174.00'

TRUE POINT OF BEGINNING



SCALE 1" = 100'

PARCEL 1
65 P.M. 42

EXHIBIT "B"

J.N. X130404
01-04-17

EXHIBIT B

**LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN EASEMENT**

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in Instrument Number 18376, Volume 3234, Official Records, Page 420, Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65, Parcel Maps, page 42, Merced County Records being more particularly described as follow;

COMMENCING at the southwest corner of said Parcel 1;
Thence North 00° 44' 29" East, 418.04 feet along the westerly line of said Parcel 1;
Thence North 89° 55' 48" East, 70.78 feet to the TRUE POINT OF BEGINNING;

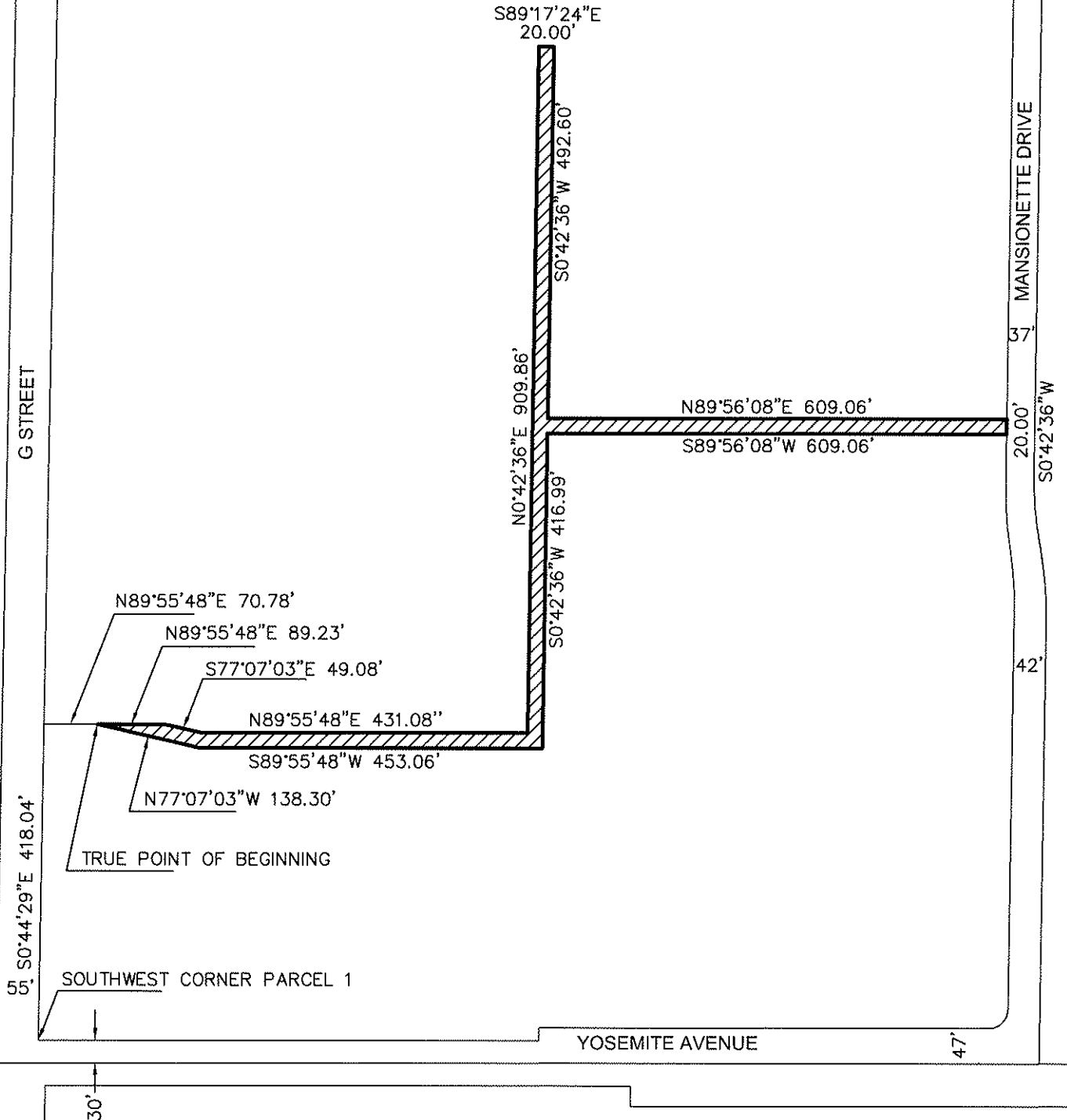
Thence North 89° 55' 48" East, 89.23 feet;
Thence South 77° 07' 03" East, 49.08 feet;
Thence North 89° 55' 48" East, 431.08 feet;
Thence North 00° 42' 36" East, 909.86 feet;
Thence South 89° 17' 24" East, 20.00 feet;
Thence South 00° 42' 36" West, 492.60 feet;
Thence North 89° 56' 08" East, 609.06 feet, to a point on the westerly line of Mansionette Drive as shown on said "Parcel Map for Spalding G. Wathen";
Thence South 00° 42' 36" West, 20.00 feet along said westerly line of Mansionette Drive;
Thence South 89° 56' 08" West, 609.06 feet;
Thence South 00° 42' 36" West, 416.99 feet;
Thence South 89° 55' 48" West, 453.06 feet;
Thence North 77° 07' 03" West, 138.30 feet, to the TRUE POINT OF BEGINNING.

Containing 0.95± Square acres.

PARCEL 1
65 P.M. 43



SCALE 1" = 200'



J.N. X130404
01-04-17

CURRENT FEE OWNER

SPALDING G. WATHEN AND BELLA WATHEN

ENGINEER'S STATEMENT

THIS MAP AMENDS THE MAP OF "MANSIONETTE ESTATES UNIT 1", FILED FOR RECORD IN VOLUME 52 OF OFFICIAL PLATS AT PAGES 28-30 OF MERCED COUNTY RECORDS IN CONFORMANCE WITH CHAPTER 3, ARTICLE 7 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-00

Doreen C. Parson
DOREEN C. PARSON, R.C.E. 28158
EXPIRATION DATE: 3-31-02



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS "AMENDED MAP OF MANSIONETTE ESTATES UNIT 1" AND FIND IT TO BE IN CONFORMANCE WITH SECTION 66469 OF THE SUBDIVISION MAP ACT.

DATED: 7-12-2000

Steven M. Stroud
STEVEN M. STROUD, R.C.E. 24078
CITY ENGINEER



NOTICE OF INTEREST HOLDERS

PURSUANT TO SECTION 66438 (c) OF THE SUBDIVISION MAP ACT THE SIGNATURE OF THE FOLLOWING INTEREST HOLDERS HAS BEEN OBTAINED:

NAME: _____ NATURE: _____
DOCUMENT: _____
BOOK 3488 O.R. PG. 71
1. PACIFIC GAS AND ELECTRIC CO. RIGHT-OF-WAY FOR CONDUITS, PIPES, TRENCHES AND ELECTRICAL UTILITIES, ALSO IMPROVEMENTS AND EGRESS.

RECORDER'S STATEMENT

FILED THIS 13th DAY OF July 2000 AT 8:19 AM
IN BOOK 52 OF OFFICIAL PLATS AT PAGES 31-33
AT THE REQUEST OF SPALDING G. WATHEN.
INSTRUMENT 183657
FEE: 12.00

JAMES J. BALL
COUNTY RECORDER

James J. Ball
BY: _____

CITY OF MERCED FINAL MAP NO. 5233

AMENDED MAP

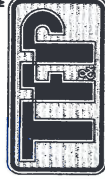
MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON PARCEL MAPS RECORDED IN VOLUME 84 OF PARCEL MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

SOILS REPORT

IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE, THE SOILS REPORT HAS BEEN PREPARED BY THE SOILS ENGINEER ON FEBRUARY 22, 1990 BY KHAZAN & ASSOC. (PESNO) PROJECT #BX 50A AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF MERCED.

SECTION 8, T.7 S., R.14 E., M.D.B. & M.
MERCED COUNTY, CALIFORNIA



TOLLADAY, FREMMING & PARSON
118 PARK AVENUE
MERCED, CA 95348-3421
TEL: (209) 723-2086

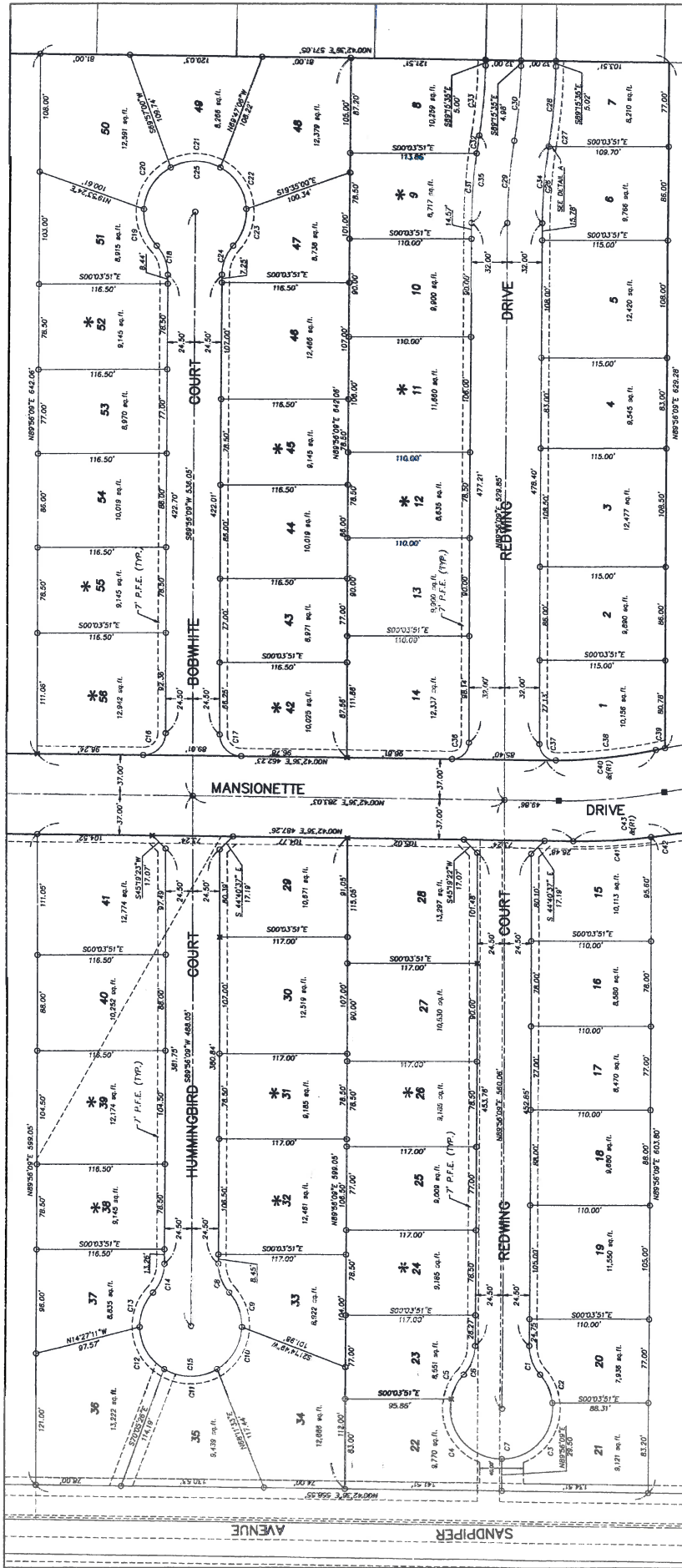
VOLUME 52
PAGE 31

TFP JUN 2501.05

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ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

SHEET 1 OF 3



CITY OF MERCED FINAL MAP NO. 5233
 AMENDED MAP
 FOR
MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON "PARCEL MAP FOR SUBDIVISION MAP NO. 5233" IN VOLUME 54 OF PARCEL MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

SECTION 8, T.7 S., R.14 E., M.D.B. & M.
 MERCED COUNTY, CALIFORNIA

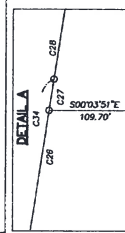
TOLLADAY, FREEMING & PARSON
 118 PARK AVENUE
 MERCED, CA 95348-3421
 TEL: (209) 733-2066



ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS

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 PAGE 33

SHEET 3 OF 3



SCALE 1" = 60'

- *AMENDMENTS:
 1. CHANGED WIDTHS AND AREAS ON LOTS
 9, 11, 12, 24, 26, 31, 32, 38, 39, 42,
 45, 52, 55 & 56.

CURVE TABLE

CURVE	LENGTH	CHORD	DELTA	CHORD
C1	28.51	46.50	41°27'02"	28.33
C2	28.51	46.50	35°07'56"	28.07
C3	78.44	46.50	86°39'05"	69.47
C4	82.01	46.50	100°39'56"	71.79
C5	78.44	46.50	86°39'05"	69.47
C6	28.51	46.50	41°27'02"	28.33
C7	28.51	46.50	35°07'56"	28.07
C8	28.51	46.50	41°27'02"	28.33
C9	28.51	46.50	35°07'56"	28.07
C10	28.51	46.50	41°27'02"	28.33
C11	28.51	46.50	35°07'56"	28.07
C12	28.51	46.50	41°27'02"	28.33
C13	28.51	46.50	35°07'56"	28.07
C14	28.51	46.50	41°27'02"	28.33
C15	28.51	46.50	35°07'56"	28.07
C16	28.51	46.50	41°27'02"	28.33
C17	28.51	46.50	35°07'56"	28.07
C18	28.51	46.50	41°27'02"	28.33
C19	28.51	46.50	35°07'56"	28.07
C20	28.51	46.50	41°27'02"	28.33
C21	28.51	46.50	35°07'56"	28.07
C22	28.51	46.50	41°27'02"	28.33
C23	28.51	46.50	35°07'56"	28.07
C24	28.51	46.50	41°27'02"	28.33
C25	28.51	46.50	35°07'56"	28.07
C26	28.51	46.50	41°27'02"	28.33
C27	28.51	46.50	35°07'56"	28.07
C28	28.51	46.50	41°27'02"	28.33
C29	28.51	46.50	35°07'56"	28.07
C30	28.51	46.50	41°27'02"	28.33
C31	28.51	46.50	35°07'56"	28.07
C32	28.51	46.50	41°27'02"	28.33
C33	28.51	46.50	35°07'56"	28.07
C34	28.51	46.50	41°27'02"	28.33
C35	28.51	46.50	35°07'56"	28.07
C36	28.51	46.50	41°27'02"	28.33
C37	28.51	46.50	35°07'56"	28.07
C38	28.51	46.50	41°27'02"	28.33
C39	28.51	46.50	35°07'56"	28.07
C40	28.51	46.50	41°27'02"	28.33
C41	28.51	46.50	35°07'56"	28.07
C42	28.51	46.50	41°27'02"	28.33
C43	28.51	46.50	35°07'56"	28.07
C44	28.51	46.50	41°27'02"	28.33
C45	28.51	46.50	35°07'56"	28.07
C46	28.51	46.50	41°27'02"	28.33
C47	28.51	46.50	35°07'56"	28.07
C48	28.51	46.50	41°27'02"	28.33
C49	28.51	46.50	35°07'56"	28.07
C50	28.51	46.50	41°27'02"	28.33

DATA TABLE

CURVE	LENGTH	CHORD	DELTA	CHORD
C1	28.51	46.50	41°27'02"	28.33
C2	28.51	46.50	35°07'56"	28.07
C3	78.44	46.50	86°39'05"	69.47
C4	82.01	46.50	100°39'56"	71.79
C5	78.44	46.50	86°39'05"	69.47
C6	28.51	46.50	41°27'02"	28.33
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C11	28.51	46.50	35°07'56"	28.07
C12	28.51	46.50	41°27'02"	28.33
C13	28.51	46.50	35°07'56"	28.07
C14	28.51	46.50	41°27'02"	28.33
C15	28.51	46.50	35°07'56"	28.07
C16	28.51	46.50	41°27'02"	28.33
C17	28.51	46.50	35°07'56"	28.07
C18	28.51	46.50	41°27'02"	28.33
C19	28.51	46.50	35°07'56"	28.07
C20	28.51	46.50	41°27'02"	28.33
C21	28.51	46.50	35°07'56"	28.07
C22	28.51	46.50	41°27'02"	28.33
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C24	28.51	46.50	41°27'02"	28.33
C25	28.51	46.50	35°07'56"	28.07
C26	28.51	46.50	41°27'02"	28.33
C27	28.51	46.50	35°07'56"	28.07
C28	28.51	46.50	41°27'02"	28.33
C29	28.51	46.50	35°07'56"	28.07
C30	28.51	46.50	41°27'02"	28.33
C31	28.51	46.50	35°07'56"	28.07
C32	28.51	46.50	41°27'02"	28.33
C33	28.51	46.50	35°07'56"	28.07
C34	28.51	46.50	41°27'02"	28.33
C35	28.51	46.50	35°07'56"	28.07
C36	28.51	46.50	41°27'02"	28.33
C37	28.51	46.50	35°07'56"	28.07
C38	28.51	46.50	41°27'02"	28.33
C39	28.51	46.50	35°07'56"	28.07
C40	28.51	46.50	41°27'02"	28.33
C41	28.51	46.50	35°07'56"	28.07
C42	28.51	46.50	41°27'02"	28.33
C43	28.51	46.50	35°07'56"	28.07
C44	28.51	46.50	41°27'02"	28.33
C45	28.51	46.50	35°07'56"	28.07
C46	28.51	46.50	41°27'02"	28.33
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C48	28.51	46.50	41°27'02"	28.33
C49	28.51	46.50	35°07'56"	28.07
C50	28.51	46.50	41°27'02"	28.33

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