

RESOLUTION NO. 2017-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A
14-FOOT WIDE SIDEWALK EASEMENT
ALONG THE WESTERN PROPERTY LINE
OF 3172 M STREET, GENERALLY
LOCATED ON THE EAST SIDE OF M
STREET, APPROXIMATELY 200 FEET
NORTH OF FAIRFIELD DRIVE (VACATION
#16-02)**

WHEREAS, by adoption of Resolution No. 2017-08 on February 21, 2017, the City Council declared its intention to consider the vacation of a portion of public right-of-way in the City of Merced, consisting of a 14-foot wide sidewalk easement along the western property line of 3172 M Street, generally located on the east side of M Street, approximately 200 feet north of Fairfield Drive (Vacation #16-02) described in Exhibits “A” and “B” and shown in Exhibits “A” and “B” attached hereto and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, Resolution No. 2017-08 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, March 20, 2017, at the hour of 7:00 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. 2017-08; and

WHEREAS, Resolution No. 2017-08 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 March 20, 2017; and

WHEREAS, On February 23, 2017, 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. 2017-08; and

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2017-08 was submitted to the Planning Commission on February 22, 2017, 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 public right-of-way in the City of Merced, as described on Exhibits "A" and "B" and shown in Exhibits "A" and "B," is unnecessary for present or prospective public right-of-way purposes.

SECTION 2. It is hereby ordered that the public 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 _____, 2017, 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: Kelly C. Fincher 3/2/17
City Attorney Date

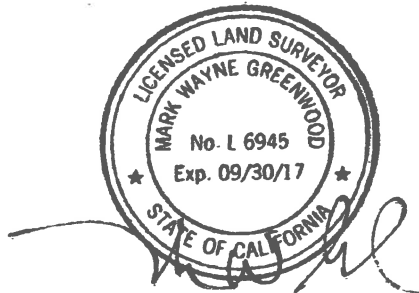
EXHIBIT "A"
EASEMENT ABANDONMENT

THE LAND REFERENCED TO HEREIN BELOW IS SITUATED IN A PORTION OF SECTION 18, T.7S., R.14E., M.D.B.& M., CITY OF MERCED, COUNTY OF MERCED, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

A STRIP OF LAND LYING WITHIN A PORTION OF PARCEL 1, AS PARCEL 1 IS DELINEATED ON THAT CERTAIN MAP ENTITLED "PARCEL MAP FOR HERBERT H. LOCKYER, ET AL", FILED FOR RECORD DECEMBER 30, 1975, IN BOOK 28 OF PARCEL MAPS, PAGE 45, MERCED COUNTY OF RECORDS, SAID STRIP OF LAND IS DESCRIBED IN GRANT DEED TO THE CITY OF MERCED RECORD APRIL 17, 1970 AS DOCUMENT NUMBER 6782, VOLUME 1823, AT PAGE 722, OFFICIAL RECORDS OF MERCED COUNTY.

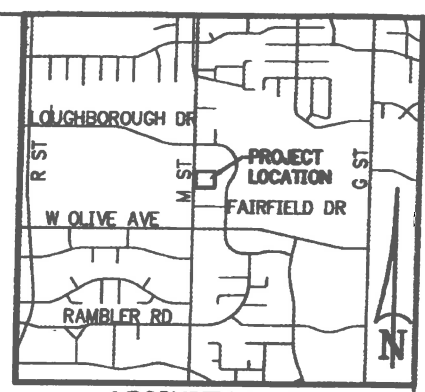
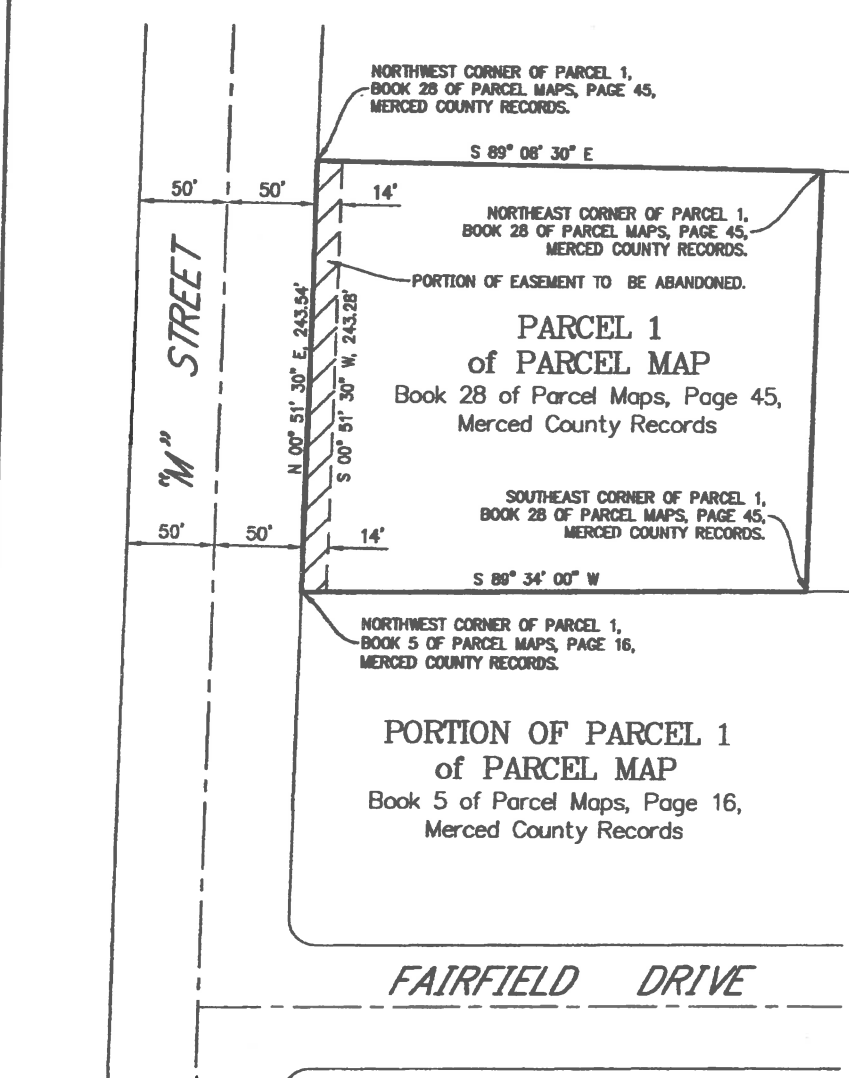
A STRIP OF LAND SITUATED IN LOTS 55 AND 72 ACCORDING TO MAP ENTITLED "MAP OF THE CROCKER COLONY", FILED FOR RECORD JUNE 7, 1911, IN VOLUME 5 OF OFFICIAL RECORDS, BEING ALSO A PORTION OF PARCEL 2 ACCORDING TO MAP ENTITLED "PARCEL MAP FOR J.F. COLLINS, ET AL", FILED FOR RECORD JANUARY 17, 1968, IN BOOK 5 OF PARCEL MAPS, AT PAGE 16, MERCED COUNTY RECORDS, SAID PORTION BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF "M" STREET FROM WHENCE THE NORTHWEST CORNER OF PARCEL 2 OF THE AFORESAID "PARCEL MAP FOR J.F. COLLINS, ET AL" BEARS NORTH 00°52'34" EAST 89.48 FEET AND RUNNING THENCE SOUTH 77°50'00" EAST 14.28 FEET; THENCE SOUTH 00°51'30" WEST 1476.79 FEET TO A POINT ON THE NORTH LINE OF PARCEL 1 ACCORDING TO THE AFORESAID "PARCEL MAP FOR J.F. COLLINS, ET AL"; THENCE SOUTH 89°34'00" WEST 14.00 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF "M" STREET; THENCE NORTH 00° 51'30" EAST 1479.90 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.



EPI/MG
15051 SIDEWALK LEGAL.DOC

EXHIBIT A



VICINITY MAP
NOT TO SCALE



SCALE: 1" = 100'

100 50 0 100

SCALE IN FEET

SITE ADDRESS:
3172 M STREET
MERCED, CA. 95348
APN: 236-230-010



LEGEND



AREA PROPOSED FOR ABANDONMENT
EXISTING 14' SIDEWALK EASEMENT GRANTED TO THE CITY OF
MERCED, AS DOCUMENT No. 6783 RECORDED ON APRIL 17,
1970, IN BOOK 1823, PAGE 722, OF OFFICIAL RECORDS.

AREA CONTAINS 3,408.0 SQUARE FEET

BUILDING PERMIT NUMBER: 15-1982

REV. 07/13/16 MGG
Fb. 270/35 MC
PLOT VIEW: EXHIBIT
AUTOCAD ID: 15051.DWG

EXHIBIT "B"

BEING A PORTION OF PARCEL 1 OF PARCEL MAP
RECORDED IN BOOK 28 OF PARCEL MAPS
AT PAGE 45, MERCED COUNTY RECORDS.

PREPARED FOR
CVRC NORTH, LLC

R.W.GREENWOOD ASSOCIATES, INC.
CIVIL ENGINEERING — LAND SURVEYING
2558 E. OLIVE AVE. — FRESNO, CALIFORNIA 93701 — Tel. (559) 268-7831

W.O. No. 15051 APRIL 20, 2016

Notes by MC
F.B. No. 270 Pg. 35
Dr. by PWL
Checked by _____

Sheet 1 of 1

Drawing No. _____

EXHIBIT B