

RESOLUTION NO. 2022-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF AN 8,179
SQUARE FOOT EXCESS PORTION OF A
BICYCLE PATH AT 897 LEHIGH DRIVE,
GENERALLY LOCATED ON THE NORTH
SIDE OF LEHIGH DRIVE,
APPROXIMATELY 500 FEET WEST OF
SAN JOSE AVENUE (VACATION #21-04)**

WHEREAS, by adoption of Resolution No. 2022-18 on May 2, 2022, the City Council declared its intention to consider the vacation of an 8,179 square foot excess portion of a bicycle path at 897 Lehigh Drive, generally located on the north side of Lehigh Drive, approximately 500 feet west of San Jose Avenue (Vacation #21-04), and more particularly described in Exhibit A and shown on Exhibit B, attached hereto and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, Resolution No. 2022-18 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, June 6, 2022, 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. 2022-18; and

WHEREAS, Resolution No. 2022-18 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 June 6, 2022; and

WHEREAS, On May 10, 2022, notices were conspicuously posted along the lines of the property proposed to be vacated, which notices consisted of copies of Resolution No. 2022-18; and

WHEREAS, the vacation of the dedication as proposed by Resolution No. 2022-18 was submitted to the Planning Commission on April 6, 2022,

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 portion of bicycle path in the City of Merced, as described on Exhibit A and shown on Exhibit B, is unnecessary for present or prospective public use.

SECTION 2. It is hereby ordered that the irrevocable offer of dedication for public use and any and all interests held by the city concerning the above described property be and the same is hereby 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 8300 *et seq.*

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 _____, 2022, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:


BY:  5/11/2022
City Attorney Date

EXHIBIT "A"

PARCEL ABANDONMENT BY THE CITY OF MERCED

DESCRIPTION

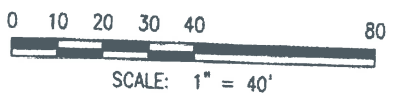
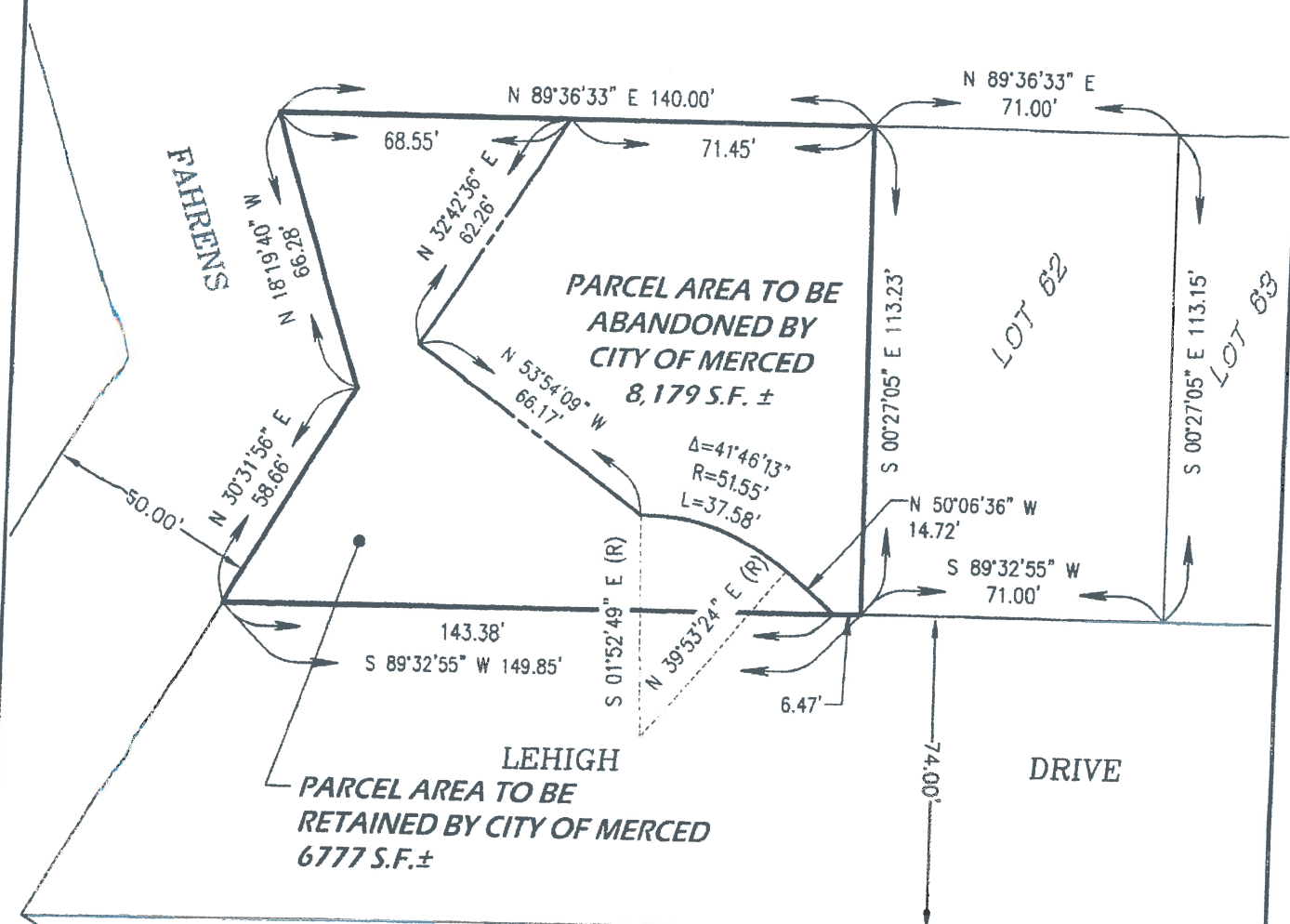
A portion of that certain parcel as shown on "Map of Village Landing Unit 2", recorded in Volume 34 of Official Plats at Page 9, Merced County Records, more particularly described as follows:

BEGINNING at the northwest corner of Lot 62 as shown on said map, said northwest corner also being a point on the north line of said "Village Landing Unit 2"; thence S. 00°27'05" E. along the west line of said Lot 62 a distance of 113.23 feet to the southwest corner of said lot, said southwest corner being a point on the north line of a 74.00 foot wide street now known as LEHIGH DRIVE; thence S. 89°32'55" W. along said north line a distance of 6.47 feet; thence N. 50°06'36" W. 14.72 feet to the beginning of a tangent curve to the left from which a radial line bears S. 39°53'24" W.; thence northwesterly 37.58 feet along said curve being concave to the southwest having a radius of 51.55 feet and a central angle of 41°46'13" to the end of said curve; thence N. 53°54'09" W. 66.17 feet; thence N. 32°42'36" E. 62.26 feet to a point on the north line of said "Map of Village Landing Unit 2"; thence N. 89°36'33" E. along said north line a distance of 71.45 feet to the point of beginning.

Containing: 8,179 s.f., more or less



EXHIBIT 'B'
PARCEL ABANDONMENT
BY CITY OF MERCED



GOLDEN VALLEY
 ENGINEERING & SURVEYING
 405 W. 19th Street • P.O. Box 349 • Merced, CA 95340
 Phone (209) 722-3200 • Fax (209) 722-3254

Job No. 21054 Date 4/14/2021

Exhibit Map of parcel to be abandoned by City of Merced,
 Parcel as shown on "Map of Village Landing Unit No. 2",
 R.M. Vol. 34, Pg. 9, Section 7, T.7S., R.14E. M.D.B.&M.,
 City of Merced, County of Merced, State of California

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