

RESOLUTION NO. 2022-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE 15
EASEMENTS WITHIN THE PARKING LOT FOR
THE MERCED MALL AT 851 W. OLIVE AVENUE,
GENERALLY LOCATED ON THE NORTH SIDE
OF OLIVE AVENUE, APPROXIMATELY 450
EAST OF R STREET (VACATION #21-05) AND
SETTING TIME AND PLACE FOR PUBLIC
HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described easements are 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 easements 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 15 easements at 851 W. Olive Avenue, generally located on the north side of Olive Avenue, approximately 450 feet east of R Street (Vacation #21-05), as described in Exhibits A, C, E, G, I, K, M, O, Q, S, U, W, Y, AA, and CC, and shown on the maps at Exhibits B, D, F, H, J, L, N, P, R, T, V, X, Z, BB, and DD, 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. June 6, 2022, 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 two (2) 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 _____ 2022, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Kimberly Chade 3/22/22
City Attorney Date

**EXHIBIT 'A'****Grant of Easement****Merced Mall LTD to
Pacific Gas and Electric Company**

Being a portion of the lands of Merced Mall LTD, a Limited Partnership, as described in that Corporation Grant Deed, filed for record December 3, 1976 in Book 2054 of Official Records, at Page 234, Merced County Records; and being more particularly described as follows:

Commencing at the northwest corner of that Parcel 1 of that Easement Deed by Connecticut Mutual Life Insurance Company and Company, to Pacific Gas and Electric Company, as described in that Easement Deed filed for record August 21, 1970, in Book 1832 of Official Records, at Page 982, Merced County Records; thence along the westerly limits of said Parcel 1, South 00°26'00" East, for a distance of 18.38 feet to the Point of Beginning of the parcel to be herein described; thence, from said **POINT OF BEGINNING**, continuing Southerly, along said line, South 00°26'00" East, for a distance of 67.88 feet; thence, South 45°26'00" East, for a distance of 15.67 feet; thence, North 89°34'00" East, for a distance of 836.99 feet; thence, North 44°34'00" East, for a distance of 81.10 feet to the southerly limits of said Parcel 1; thence, along said southerly limits of said Parcel 1, South 89°34'00" West, for a distance of 67.88 feet; thence, leaving said southerly limits, South 44°34'00" West, for a distance of 13.23 feet; thence, South 89°34'00" West, for a distance of 797.21 feet; thence, North 45°26'00" West, for a distance of 43.80 feet to the Point of Beginning of the hereinabove described parcel.

Containing 42,907 square feet (0.99 acres), more or less.

Basis of Bearings: Parcel 1 of that Easement Deed by Connecticut Mutual Life Insurance Company and Company, to Pacific Gas and Electric Company, as described in that Easement Deed filed for record August 21, 1970, in Book 1832 of Official Records, at Page 982, Merced County Records.

Prepared by:

BKF ENGINEERS

Ralph H. Thomas
Ralph H. Thomas, P.L.S. No. 4760

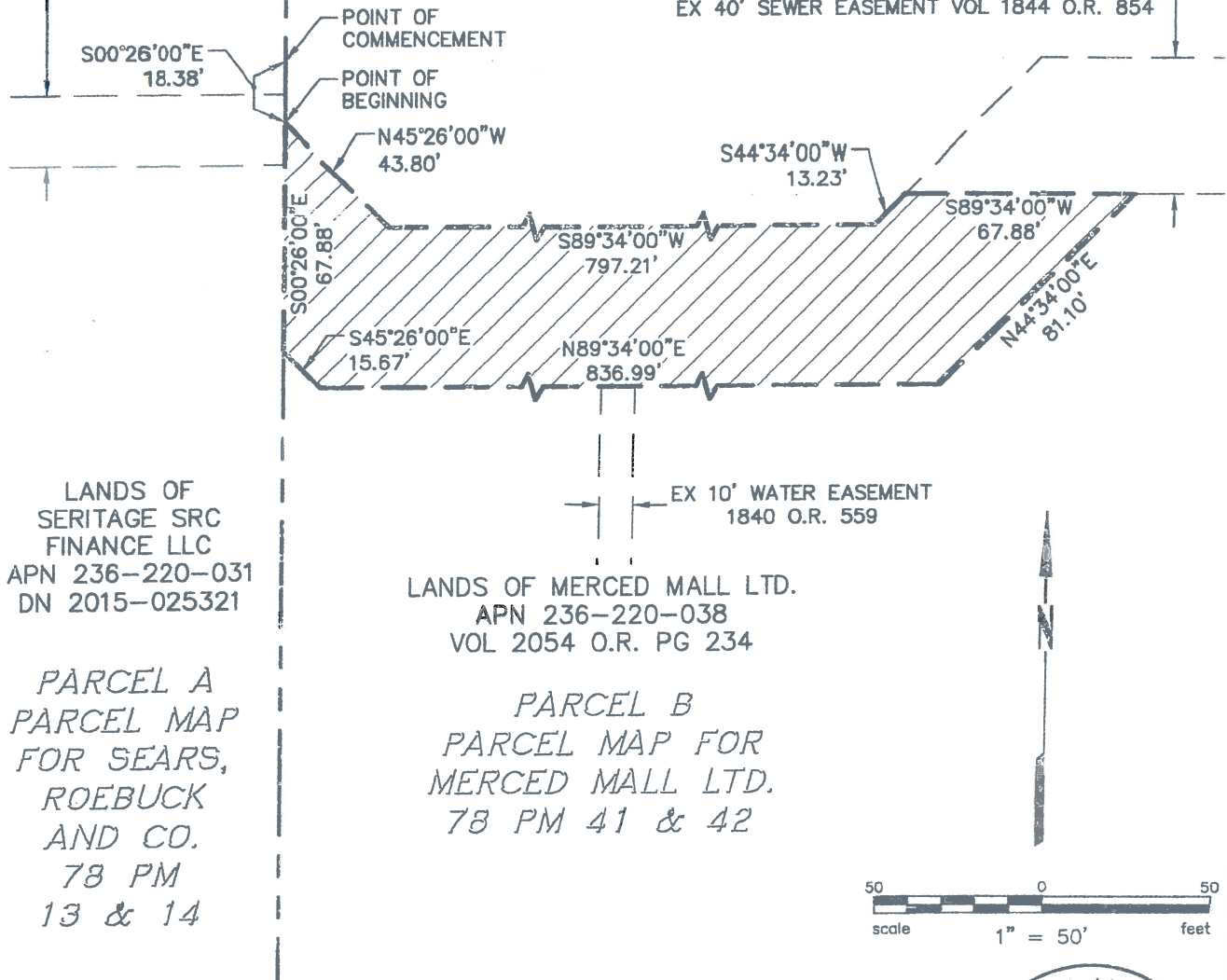


Dated: 10/14/2021

EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854

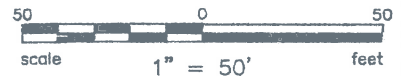


LANDS OF
SERITAGE SRC
FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP
FOR SEARS,
ROEBUCK
AND CO.
78 PM
13 & 14

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
SUITE 300
SANTA ROSA, CA 95401
(707) 583-8500
www.bkf.com

Subject NEW PG&E EASEMENT
OVER THE LANDS OF MERCED MALL LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1



EXHIBIT 'A'

QUITCLAIM DEED

Pacific Gas and Electric Company

Being a portion of that Easement Deed by Connecticut Mutual Life Insurance Company and Company, to Pacific Gas and Electric Company, as described in that Easement Deed filed for record August 21, 1970, in Book 1832 of Official Records , at Page 982, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the northwest corner of that Parcel 1 as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, South 00°26'00" East, along the westerly limits of said Parcel 1 for a distance of 40.00 feet; thence, along the southerly limits of said Parcel 1, North 89°34'00" East, for a distance of 837.54 feet; thence, leaving said southerly limits, North 44°34'00" East, for a distance of 56.57 feet to the northerly limits of said Parcel 1; thence, along said northerly limits, South 89°34'00" West, for a distance of 877.54 feet to the Point of Beginning of the hereinabove described parcel.

Containing 34,302 square feet (0.79 acres), more or less.

Basis of Bearings: Parcel 1 of that Easement Deed by Connecticut Mutual Life Insurance Company and Company, to Pacific Gas and Electric Company, as described in that Easement Deed filed for record August 21, 1970, in Book 1832 of Official Records , at Page 982, Merced County Records.

Prepared by:

BKF ENGINEERS


Ralph H. Thomas

Dated: 10/14/2021

EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854

POINT OF BEGINNING

S00°26'00"E
40.00'

S89°34'00"W
877.54'

N89°34'00"E
837.54'

N44°34'00"E
56.57'

EX 10' WATER EASEMENT
1840 O.R. 559

LANDS OF
SERITAGE SRC
FINANCE LLC
APN 236-220-031
DN 2015-025321

PARCEL A
PARCEL MAP
FOR SEARS,
ROEBUCK
AND CO.
78 PM
13 & 14

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



Subject QUITCLAIM OF PG&E EASEMENT
OVER THE LANDS OF MERCED MALL LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1



200 4th STREET
SUITE 300
SANTA ROSA, CA 95401
(707) 583-8500
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**EXHIBIT 'A'****QUITCLAIM DEED****City of Merced**

Being a portion of that Easement for Public Utility Purposes from Merced Mall LTD, to the City of Merced, as described in that Grant Deed filed for record January 11, 1977, in Book 2058 of Official Records, at Page 607, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the southerly terminus of the course recited as "S. 00°26'00" E. 301.17" in said Grant of Easement thence from said **POINT OF BEGINNING**, along the southerly limits of said Grant Deed, North 89°34'00" East, for a distance of 5.00 feet; thence, along the easterly limits of said Grant Deed, North 00°26'00" West, for a distance of 59.25 feet; thence, South 89°34'00" West, for a distance of 10.00 feet to the westerly limits of said Grant Deed; thence, along said westerly limits, South 00°26'00" East, for a distance of 59.25 feet to the southerly limits of said Grant Deed; thence, along the southerly limits of said Grant Deed, North 89°34'00" East, for a distance of 5.00 feet to the Point of Beginning of the hereinabove described parcel of land.

Containing 592 square feet (0.01 acres), more or less.

Basis of Bearings:

Prepared by:

BKF ENGINEERS

Ralph H. Thomas

Ralph H. Thomas

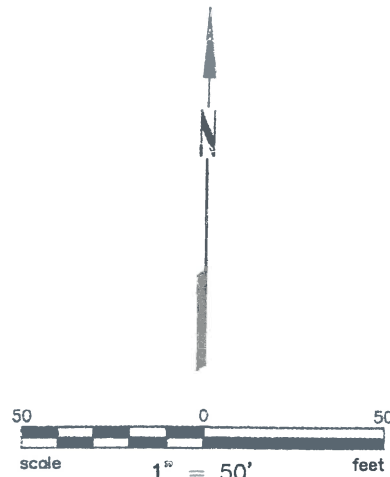
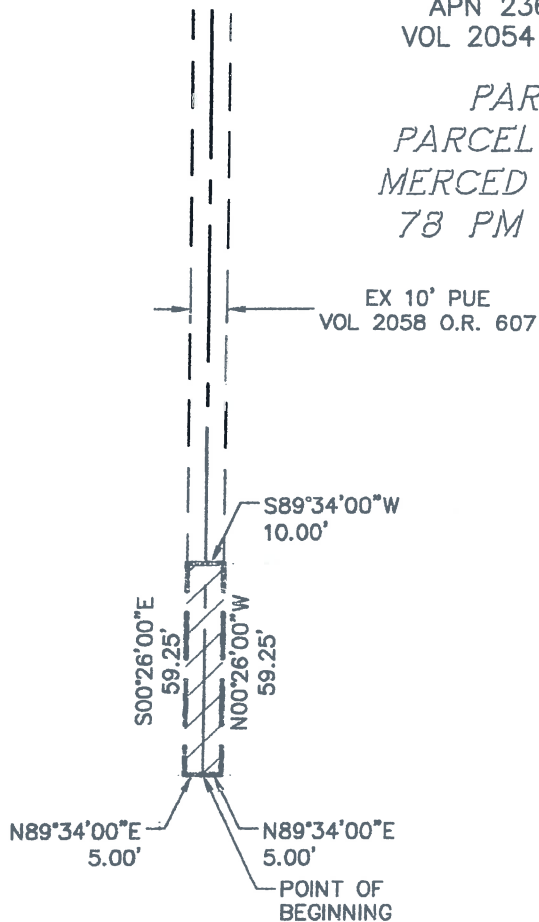


Dated: 10/14/2021

EXHIBIT B

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



EX 51.50' WATER EASEMENT VOL 1840 O.R. 559
51.50' PUE VOL 1851.5 O.R. 982

Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



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Subject QUITCLAIM OF PUBLIC UTILITY EASEMENT
OVER THE LANDS OF MERCED MALL, LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT

SHEET 1 OF 1



EXHIBIT 'A'

QUITCLAIM DEED

City of Merced
Portion of Public Utility Easement

Being a portion of the Grant of Easement by Connecticut Mutual Life Insurance Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 1971, in Book 1851 of Official Records, at Page 982, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the southwest corner of Parcel 8 as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, along the southerly limits of said Parcel 8, North 89°34'00" East, for a distance of 182.56 feet; thence, leaving said southerly limits of Parcel 8, North 00°26'00" West, for a distance of 51.50 feet to the northerly limits of said Parcel 8; thence, along said northerly limits, South 89°34'00" West, for a distance of 182.56 feet to the northwest corner of said Parcel 8; thence, along the westerly limits of said Parcel 8, South 00°26'00" East, for a distance of 51.50 feet to the Point of Beginning of the hereinabove described parcel of land.

Containing 9,402 square feet (0.22 acres), more or less.

Basis of Bearings: Parcel 8 of that Grant of Easement by Connecticut Mutual Life Insurance Company and Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 197, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS

Ralph H. Thomas
Ralph H. Thomas



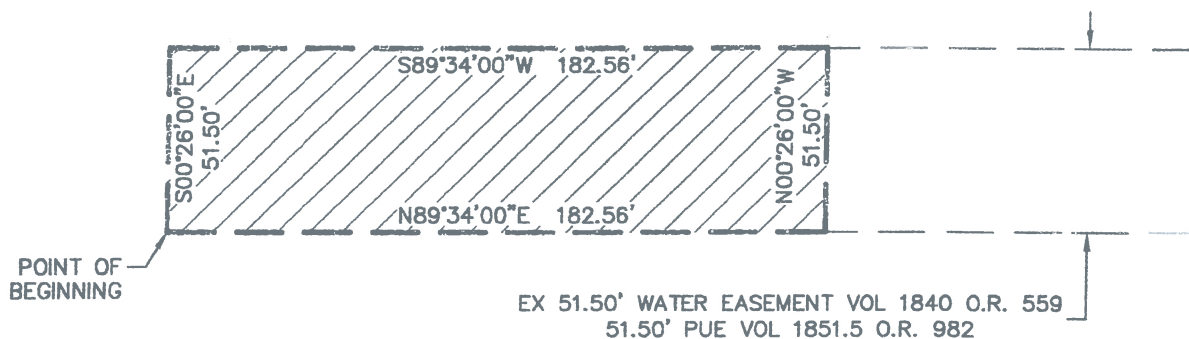
Dated: 10/14/2021

EXHIBIT B

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42

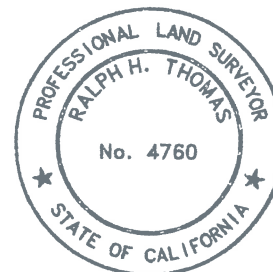
EX 10' PUE
VOL 2058 O.R. 607



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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Subject QUITCLAIM OF PUBLIC UTILITY EASEMENT
OVER THE LANDS OF MERCED MALL, LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1

**EXHIBIT 'A'****Grant of Public Utility Easement****Merced Mall LTD to
City of Merced**

Being a portion of the lands of Merced Mall LTD, a Limited Partnership, as described in that Corporation Grant Deed, filed for record December 3, 1976 in Book 2054 of Official Records, at Page 234, Merced County Records; and being more particularly described as follows:

Commencing at the northwest corner of Parcel 8 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the Merced Water Company, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records; thence along the northerly limits of said Parcel 8, North 89°34'00" East, for a distance of 182.56 feet to the Point of Beginning of the parcel to be herein described; thence, from said **POINT OF BEGINNING**, thence, continuing Easterly, North 89°34'00" East along said line for a distance of 50.00 feet; thence, leaving said northerly limits of said Parcel 8, North 00°26'00" West, for a distance of 109.25 feet; thence, South 89°34'00" West, for a distance of 215.84 feet; thence, South 00°26'00" East, for a distance of 50.00 feet; thence, North 89°34'00" East, for a distance of 165.84 feet; thence, South 00°26'00" East, for a distance of 59.25 feet to the Point of Beginning of the hereinabove described parcel of land.

Containing 13,754 square feet (0.32 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS

Ralph H. Thomas
Ralph H. Thomas



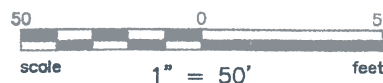
Dated: 10/14/2021

EXHIBIT B

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42

EX 10' PUE
VOL 2058 O.R. 607



POINT OF
COMMENCEMENT

POINT OF
BEGINNING

N89°34'00"E 182.56'

M89°34'00"E 50.00'

EX 51.50' WATER EASEMENT VOL 1840 O.R. 559
51.50' PUE VOL 1851.5 O.R. 982

Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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(707) 583-8500
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Subject PUBLIC UTILITY EASEMENT
OVER THE LANDS OF MERCED MALL, LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1



EXHIBIT 'A'

Grant of Easement

Merced Mall LTD to
City of Merced

Being a portion of the lands of Merced Mall LTD, a Limited Partnership, as described in that Corporation Grant Deed, filed for record December 3, 1976 in Book 2054 of Official Records, at Page 234, Merced County Records; and being more particularly described as follows:

Commencing at the northwest corner of Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record January 14, 1971, in Book 1844 of Official Records, at Page 854, Merced County Records; thence along the westerly limits of said Parcel 1, South 00°26'00" East, for a distance of 18.38 feet to the Point of Beginning of the parcel to be herein described; thence, from said **POINT OF BEGINNING**, continuing Southerly, along said line, South 00°26'00" East, for a distance of 67.88 feet; thence, South 45°26'00" East, for a distance of 15.67 feet; thence, North 89°34'00" East, for a distance of 836.99 feet; thence, North 44°34'00" East, for a distance of 81.10 feet to the southerly limits of said Parcel 1; thence, along said southerly limits of said Parcel 1, South 89°34'00" West, for a distance of 67.88 feet; thence, leaving said southerly limits, South 44°34'00" West, for a distance of 13.23 feet; thence, South 89°34'00" West, for a distance of 797.21 feet; thence, North 45°26'00" West, for a distance of 43.80 feet to the Point of Beginning of the hereinabove described parcel.

Containing 42,907 square feet (0.99 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record January 14, 1971, in Book 1844 of Official Records, at Page 854, Merced County Records.

Prepared by:

BKF ENGINEERS

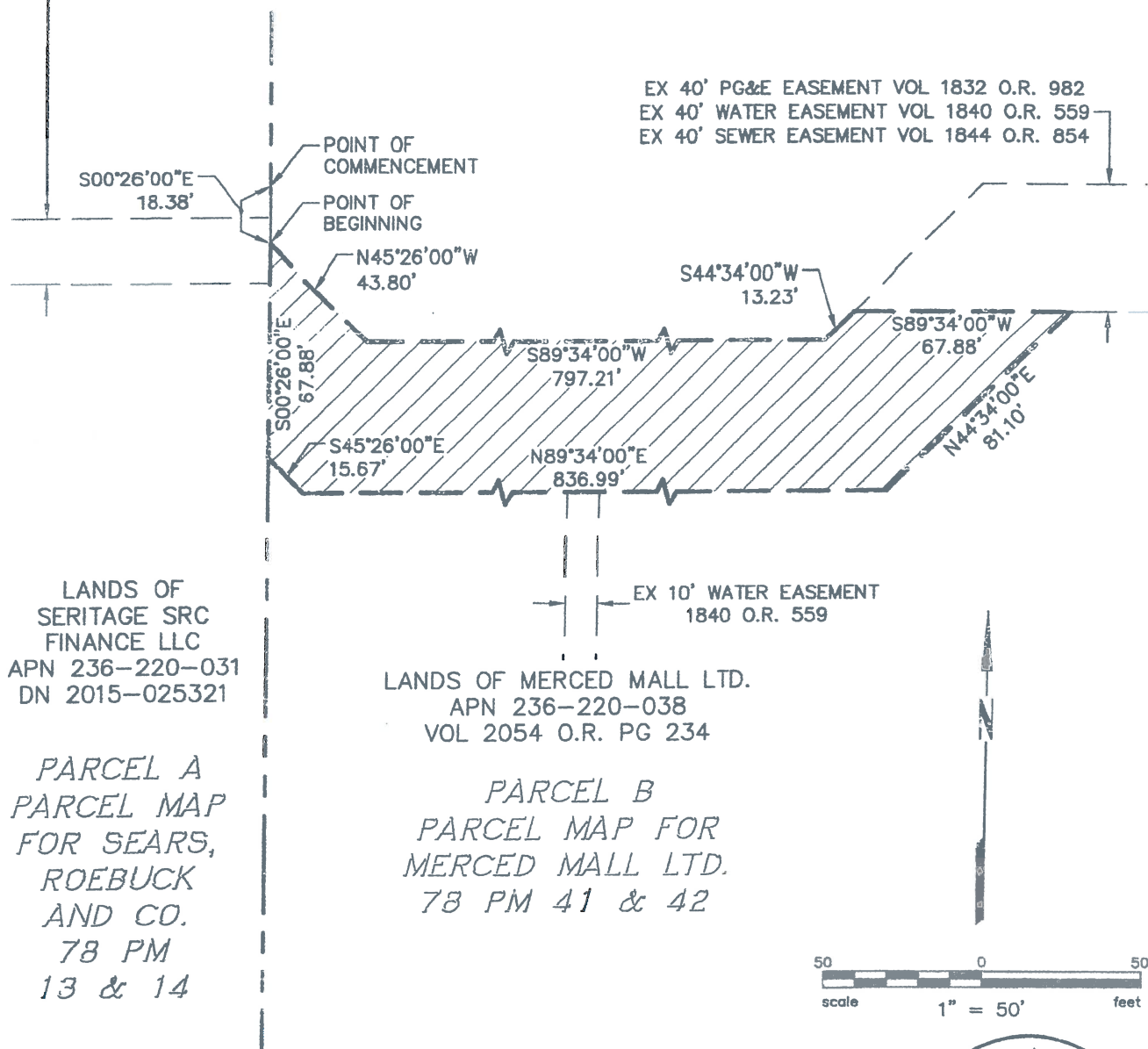
Ralph H. Thomas
Ralph H. Thomas
Professional Land Surveyor
No. 4760
State of California

Dated: 10/14/2021

EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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(707) 583-8500
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Subject NEW SEWER EASEMENT
OVER THE LANDS OF MERCED MALL LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1



EXHIBIT 'A'

QUITCLAIM DEED

City of Merced

Being a portion of the Grant of Easement by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant of Easement filed for record January 14, 1971, in Book 1844 of Official Records , at Page 854, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the northwest corner of that Parcel 1 as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, South 00°26'00" East, along the westerly limits of said Parcel 1 for a distance of 40.00 feet; thence, along the southerly limits of said Parcel 1, North 89°34'00" East, for a distance of 837.54 feet; thence, leaving said southerly limits, North 44°34'00" East, for a distance of 56.57 feet to the northerly limits of said Parcel 1; thence, along said northerly limits, South 89°34'00" West, for a distance of 877.54 feet to the Point of Beginning of the hereinabove described parcel.

Containing 34,302 square feet (0.79 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant of Easement by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant of Easement filed for record January 14, 1971, in Book 1844 of Official Records, at Page 854, Merced County Records.

Prepared by:

BKF ENGINEERS

Ralph H. Thomas

Ralph H. Thomas



Dated: 10/14/2021

EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854

POINT OF BEGINNING

S00°26'00"E
40.00'

S89°34'00"W
877.54'

N89°34'00"E
837.54'

N44°34'00"E
56.57'

EX 10' WATER EASEMENT
1840 O.R. 559

LANDS OF
SERITAGE SRC
FINANCE LLC
APN 236-220-031
DN 2015-025321

PARCEL A
PARCEL MAP
FOR SEARS,
ROEBUCK
AND CO.
78 PM
13 & 14

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

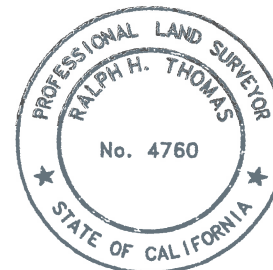
PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



Subject QUITCLAIM OF SEWER EASEMENT
OVER THE LANDS OF MERCED MALL LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT

SHEET 1 OF 1



200 4th STREET
SUITE 300
SANTA ROSA, CA 95401
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**EXHIBIT 'A'****Grant of Easement****Merced Mall LTD to
Merced Water Company**

Being a portion of the lands of Merced Mall LTD, a Limited Partnership, as described in that Corporation Grant Deed, filed for record December 3, 1976 in Book 2054 of Official Records, at Page 234, Merced County Records; and being more particularly described as follows:

Commencing at the northwest corner of Parcel 8 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the Merced Water Company, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records; thence along the northerly limits of said Parcel 8, North 89°34'00" East, for a distance of 182.56 feet to the Point of Beginning of the parcel to be herein described; thence, from said **POINT OF BEGINNING**, thence, continuing Easterly, North 89°34'00" East along said line for a distance of 50.00 feet; thence, leaving said northerly limits of said Parcel 8, North 00°26'00" West, for a distance of 109.25 feet; thence, South 89°34'00" West, for a distance of 215.84 feet; thence, South 00°26'00" East, for a distance of 50.00 feet; thence, North 89°34'00" East, for a distance of 165.84 feet; thence, South 00°26'00" East, for a distance of 59.25 feet to the Point of Beginning of the hereinabove described parcel of land.

Containing 13,754 square feet (0.32 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS

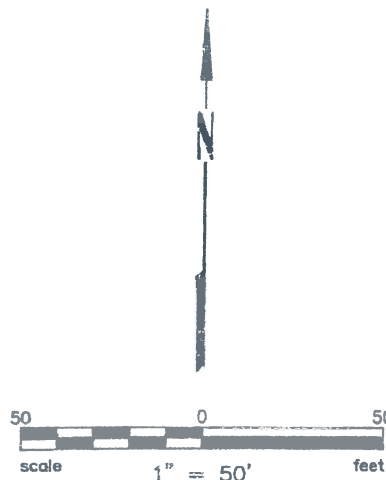
Ralph H. Thomas
Ralph H. Thomas
Professional Land Surveyor
No. 4760
State of California

Dated: 10/14/2021

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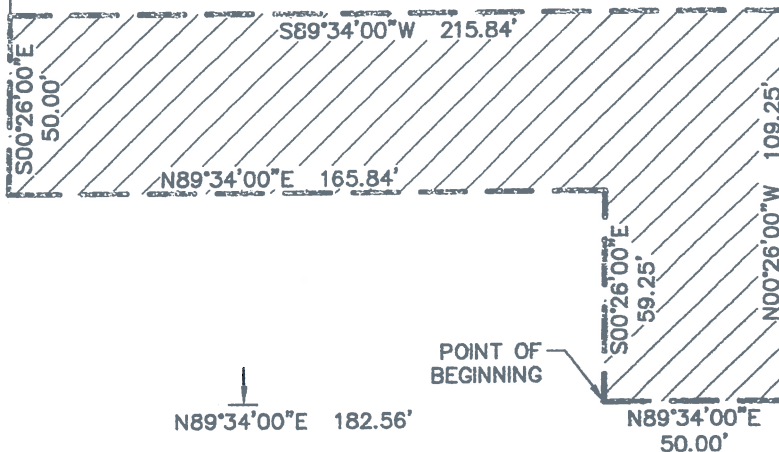
LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



EX 10' PUE
VOL 2058 O.R. 607

POINT OF
COMMENCEMENT



POINT OF
BEGINNING

N89°34'00"E 182.56'

N89°34'00"E 50.00'

EX 51.50' WATER EASEMENT VOL 1840 O.R. 559
51.50' PUE VOL 1851.5 O.R. 982

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10/14/2021

PLS 4760



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SUITE 300
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Subject NEW WATER EASEMENT
OVER THE LANDS OF MERCED MALL, LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1

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Merced Water Company**

Being a portion of the lands of Merced Mall LTD, a Limited Partnership, as described in that Corporation Grant Deed, filed for record December 3, 1976 in Book 2054 of Official Records, at Page 234, Merced County Records; and being more particularly described as follows:

Commencing at the northwest corner of Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records; thence along the westerly limits of said Parcel 1, South 00°26'00" East, for a distance of 18.38 feet to the Point of Beginning of the parcel to be herein described; thence, from said **POINT OF BEGINNING**, continuing Southerly, along said line, South 00°26'00" East, for a distance of 67.88 feet; thence, South 45°26'00" East, for a distance of 15.67 feet; thence, North 89°34'00" East, for a distance of 836.99 feet; thence, North 44°34'00" East, for a distance of 81.10 feet to the southerly limits of said Parcel 1; thence, along said southerly limits of said Parcel 1, South 89°34'00" West, for a distance of 67.88 feet; thence, leaving said southerly limits, South 44°34'00" West, for a distance of 13.23 feet; thence, South 89°34'00" West, for a distance of 797.21 feet; thence, North 45°26'00" West, for a distance of 43.80 feet to the Point of Beginning of the hereinabove described parcel.

Containing 42,907 square feet (0.99 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant Deed by Connecticut Mutual Life Insurance Company and Company, to the City of Merced, as described in that Grant Deed filed for record November 13, 1970, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS

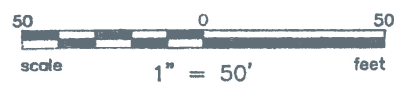
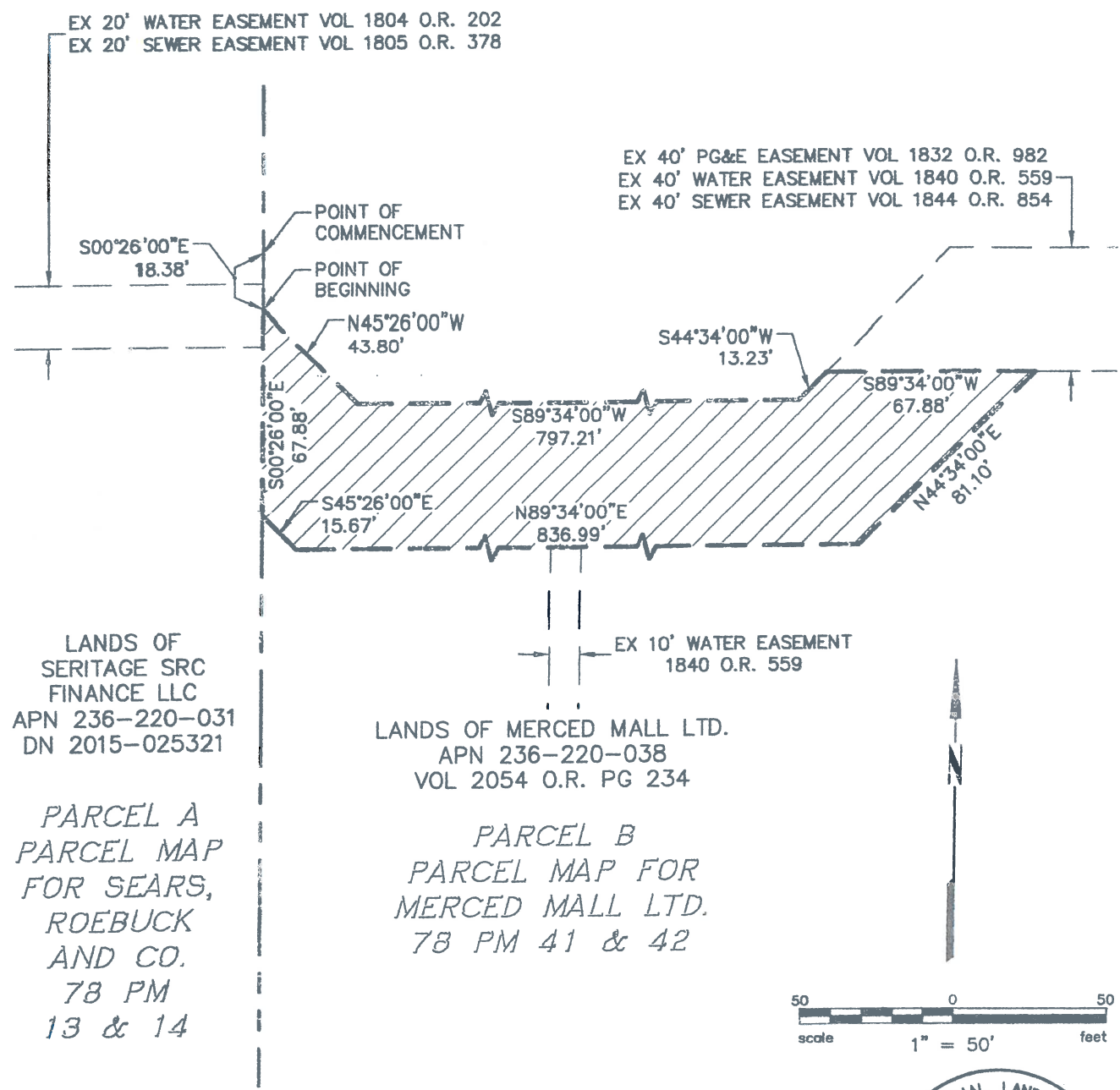
Ralph H. Thomas

Ralph H. Thomas



Dated: 10/14/2021

EXHIBIT B



Ralph H. Thomas
RALPH H. THOMAS 10/14/2021 **PLS 4760**



200 4th STREET
SUITE 300
SANTA ROSA, CA 95401
(707) 583-8500
www.bkf.com

Subject NEW WATER EASEMENT
OVER THE LANDS OF MERCED MALL LTD.
Job No. 20181385
By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1

**EXHIBIT 'A'****QUITCLAIM DEED****Merced Water Company**

Being a portion of the Grant of Easement by Connecticut Mutual Life Insurance Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 1971, in Book 1840 of Official Records, at Page 559, Merced County Records; said Quitclaim area being more particularly described as follows:

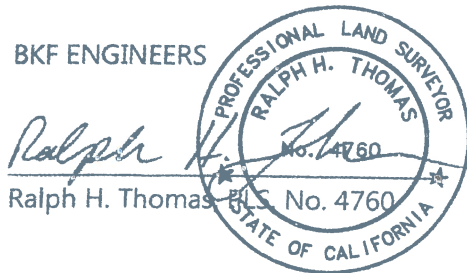
Beginning at the southwest corner of that Parcel 8 as described in said Grant of Easement; thence from said POINT OF BEGINNING, along the southerly limits of said Parcel 8, North 89°34'00" East, for a distance of 182.56 feet; thence, leaving said southerly limits of Parcel 8, North 00°26'00" West, for a distance of 51.50 feet to the northerly limits of said Parcel 8; thence, along said northerly limits, South 89°34'00" West, for a distance of 182.56 feet to the northwest corner of said Parcel 8; thence, along the westerly limits of said Parcel 8, South 00°26'00" East, for a distance of 51.50 feet to the Point of Beginning of the hereinabove described parcel of land.

Containing 9,402 square feet (0.22 acres), more or less.

Basis of Bearings: Parcel 8 of that Grant of Easement by Connecticut Mutual Life Insurance Company and Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 197, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS



Dated: 10/14/2021

Ralph H. Thomas, P.L.S. No. 4760

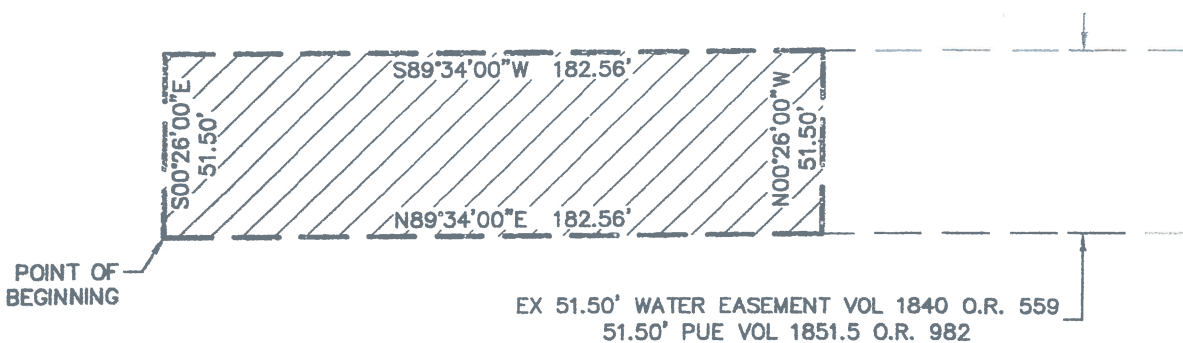
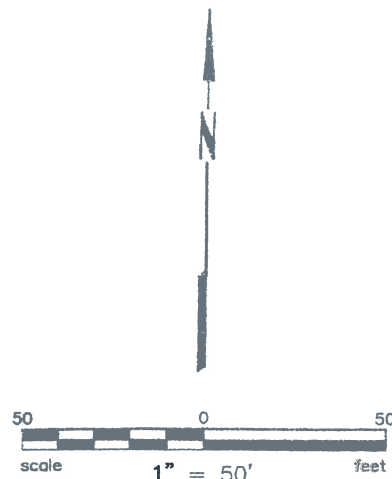
EXHIBIT B

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



EX 10' PUE
VOL 2058 O.R. 607



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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Subject QUITCLAIM OF WATER EASEMENT
OVER THE LANDS OF MERCED MALL, LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT

SHEET 1 OF 1



EXHIBIT 'A'

QUITCLAIM DEED

Merced Water Company

Being a portion of the Grant of Easement by Connecticut Mutual Life Insurance Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 1971, in Book 1840 of Official Records, at Page 559, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the northwest corner of that Parcel 1 as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, South 00°26'00" East, along the westerly limits of said Parcel 1 for a distance of 40.00 feet; thence, along the southerly limits of said Parcel 1, North 89°34'00" East, for a distance of 556.06 feet to the westerly limits of Parcel 5, as described in Grant of Easement deed; thence, along said westerly limits, South 00°12'00" West, for a distance of 57.35 feet; thence, North 89°34'00" East, for a distance of 10.00 feet to the easterly limits of said Parcel 5; thence, along said easterly limits, North 00°12'00" East, for a distance of 57.35 feet to the southerly limits of said Parcel 1; thence, along said southerly limits of Parcel 1, North 89°34'00" East, for a distance of 271.48 feet; thence leaving said southerly limits, North 44°34'00" East, for a distance of 56.57 feet to the northerly limits of said Parcel 1; thence, along said northerly limits, South 89°34'00" West, for a distance of 877.54 feet to the Point of Beginning of the hereinabove described parcel.

Containing 34,875 square feet (0.80 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant of Easement by Connecticut Mutual Life Insurance Company and Company, to the Merced Water Company, as described in that Grant of Easement filed for record November 13, 197, in Book 1840 of Official Records, at Page 559, Merced County Records.

Prepared by:

BKF ENGINEERS

Ralph H. Thomas

Ralph H. Thomas



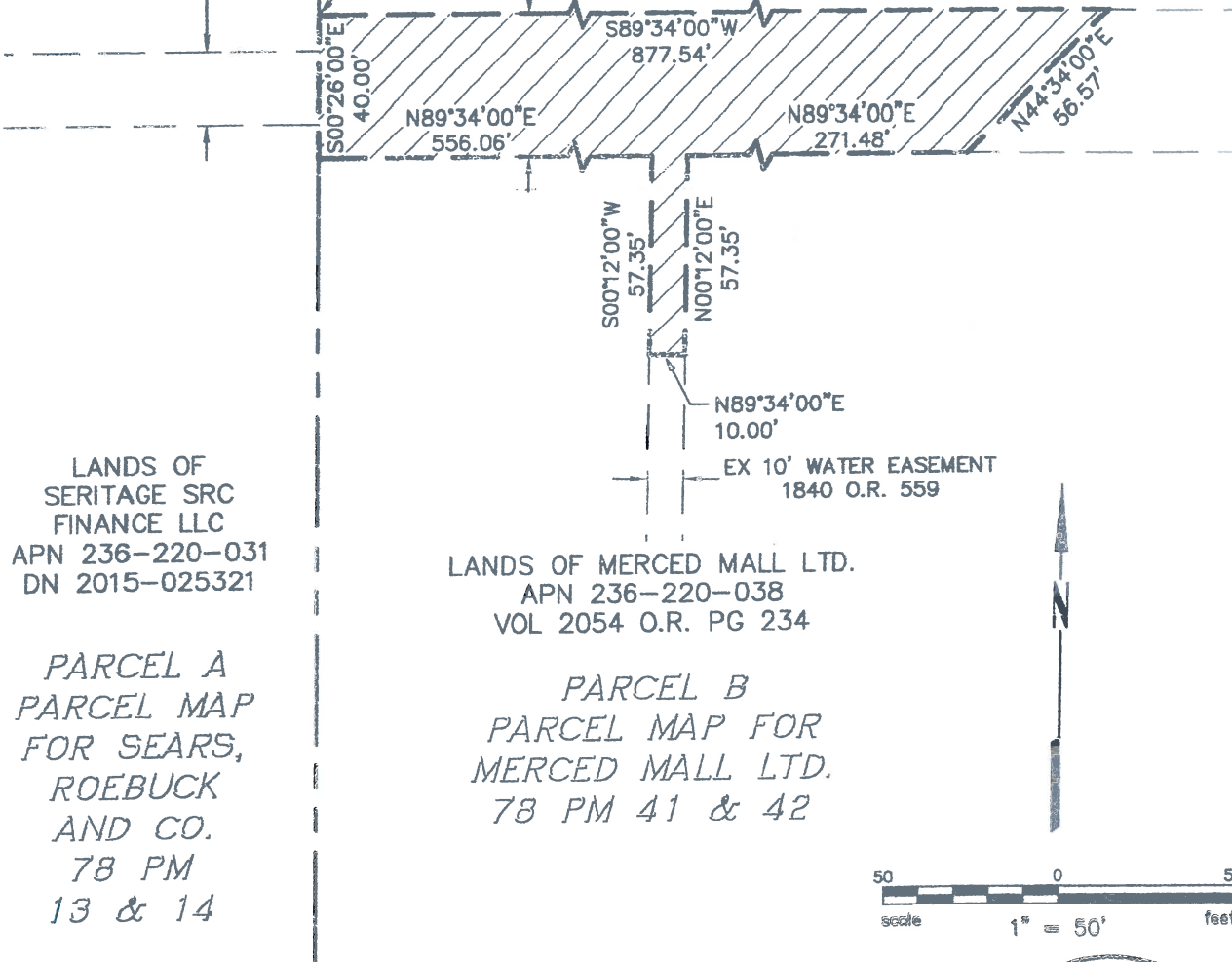
Dated: 10/14/2021

EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854

POINT OF BEGINNING



LANDS OF
SERITAGE SRC
FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP
FOR SEARS,
ROEBUCK
AND CO.
78 PM
13 & 14

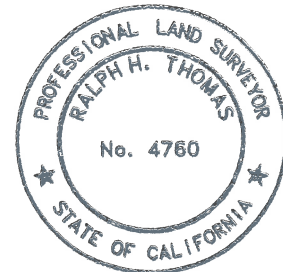
PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42

50 0 50
scale 1" = 50' feet

Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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Subject QUITCLAIM OF WATER EASEMENT
OVER THE LANDS OF MERCED MALL LTD.

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT

SHEET 1 OF 1

**EXHIBIT 'A'****GRANT OF EASEMENT****Seritage SRC Finance LLC
City of Merced**

Being a portion of the lands if Seritage SRC Finance LLC, a Delaware limited liability company, as described in that Grant Deed filed for record July 22, 2015, under Document No. 2015-025321, Official Records of the County of Merced, and being more particularly described as follows:

Commencing at the northeast corner of Parcel 1 as described in that Grant of Easement by Sears Roebuck and Company, to the City of Merced, as described in that Grant of Easement filed for record August 14, 1969, in Book 1805 of Official Records, at Page 378, Merced County Records; thence, along the northerly limits of said Parcel 1, South 89°34'00" West, for a distance of 8.38 feet to the Point of Beginning of the parcel to be herein described; thence from said **POINT OF BEGINNING**, continuing Westerly, South 89°34'00" West along said line for a distance of 67.88 feet; thence, leaving said northerly limits of Parcel 1, South 45°26'00" East, for a distance of 107.86 feet to the easterly boundary of said lands of Seritage SRC Finance LLC; thence, along said easterly boundary, North 00°26'00" West, for a distance of 67.88 feet; thence, leaving said easterly boundary, North 45°26'00" West, for a distance of 11.86 feet to the Point of Beginning of the hereinabove described parcel of land..

Containing 2,873 square feet (0.07 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant of Easement by Sears Roebuck and Company, to the City of Merced, as described in that Grant of Easement filed for record August 14, 1969, in Book 1805 of Official Records, at Page 378, Merced County Records.

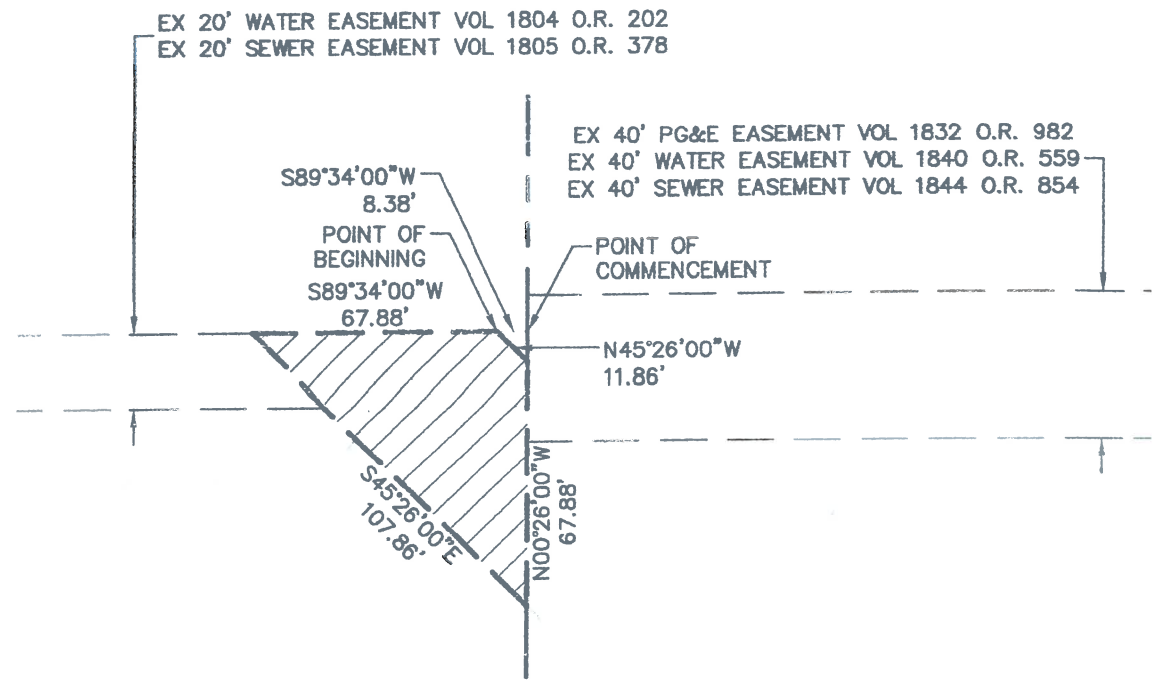
Prepared by:

BKF ENGINEERS



Dated: 10/14/2021

EXHIBIT B

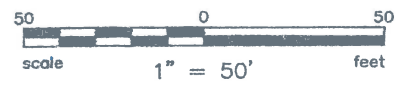


LANDS OF
SERITAGE SRC FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP FOR
SEARS, ROEBUCK & CO.
78 PM 13 & 14

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS 10/14/2021
PLS 4760



200 4th STREET
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www.bkf.com

Subject NEW SEWER EASEMENT
OVER THE LANDS OF SERITAGE SRC FINANCE LLC
Job No. 20181385
By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1

**EXHIBIT 'A'****QUITCLAIM DEED****City of Merced**

Being a portion of the Grant of Easement by Sears Roebuck and Company, to the City of Merced, as described in that Grant of Easement filed for record August 14, 1969, in Book 1805 of Official Records, at Page 378, Merced County Records; said Quitclaim area being more particularly described as follows:

Beginning at the northeast corner of that 20.00 foot strip as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, South 00°26'00" East, along the easterly limits of said 20.00 foot strip, for a distance of 20.00 feet; thence, continuing along the southerly limits of said 20.00 foot strip, South 89°34'00" West, for a distance of 56.27 feet; thence, leaving said southerly limits, North 45°26'00" West, for a distance of 28.28 feet to the northerly limits of said 20.00 foot strip; thence, along said northerly limits of said 20.00 foot strip, North 89°34'00" East, for a distance of 76.26 feet to the Point of Beginning of the hereinabove described parcel.

Containing 1,325 square feet (0.03 acres), more or less.

Basis of Bearings: Grant of Easement by Sears Roebuck and Company, to the City of Merced, as described in that Grant of Easement filed for record July 30, 1969, in Book 1804 of Official Records, at Page 202, Merced County Records.

Prepared by:

BKF ENGINEERS

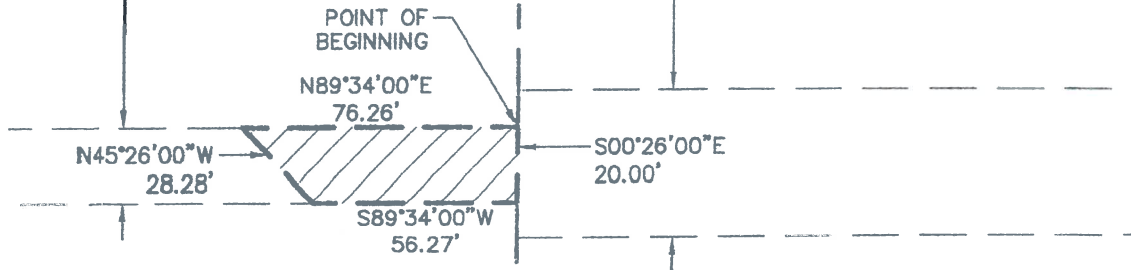
Ralph H. Thomas
Ralph H. Thomas, P.L.S. No. 4760
Dated: 10/14/2021



EXHIBIT B

EX 20' WATER EASEMENT VOL 1804 O.R. 202
EX 20' SEWER EASEMENT VOL 1805 O.R. 378

EX 40' PG&E EASEMENT VOL 1832 O.R. 982
EX 40' WATER EASEMENT VOL 1840 O.R. 559
EX 40' SEWER EASEMENT VOL 1844 O.R. 854

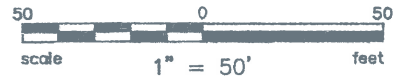


LANDS OF
SERITAGE SRC FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP FOR
SEARS, ROEBUCK & CO.
78 PM 13 & 14

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



Subject QUITCLAIM OF SEWER EASEMENT
OVER THE LANDS OF SERITAGE SRC FINANCE LLC

Job No. 20181385

By CAG Date JAN 2021 Chkd. RHT

SHEET 1 OF 1



200 4th STREET
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EXHIBIT 'A'

GRANT OF EASEMENT

Seritage SRC Finance LLC
Merced Water Company

Being a portion of the lands if Seritage SRC Finance LLC, a Delaware limited liability company, as described in that Grant Deed filed for record July 22, 2015, under Document No. 2015-025321, Official Records of the County of Merced, and being more particularly described as follows:


Commencing at the northeast corner of Parcel 1 as described in that Grant of Easement by Sears Roebuck and Company, to the Merced Water Company, as described in that Grant of Easement filed for record July 30, 1969, in Book 1804 of Official Records , at Page 202, Merced County Records; thence, along the northerly limits of said Parcel 1, South 89°34'00" West, for a distance of 8.38 feet to the Point of Beginning of the parcel to be herein described; thence from said **POINT OF BEGINNING**, continuing Westerly, South 89°34'00" West along said line for a distance of 67.88 feet; thence, leaving said northerly limits of Parcel 1, South 45°26'00" East, for a distance of 107.86 feet to the easterly boundary of said lands of Seritage SRC Finance LLC; thence, along said easterly boundary, North 00°26'00" West, for a distance of 67.88 feet; thence, leaving said easterly boundary, North 45°26'00" West, for a distance of 11.86 feet to the Point of Beginning of the hereinabove described parcel of land..

Containing 2,873 square feet (0.07 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant of Easement by Sears Roebuck and Company, to the Merced Water Company, as described in that Grant of Easement filed for record July 30, 1969, in Book 1804 of Official Records , at Page 202, Merced County Records.

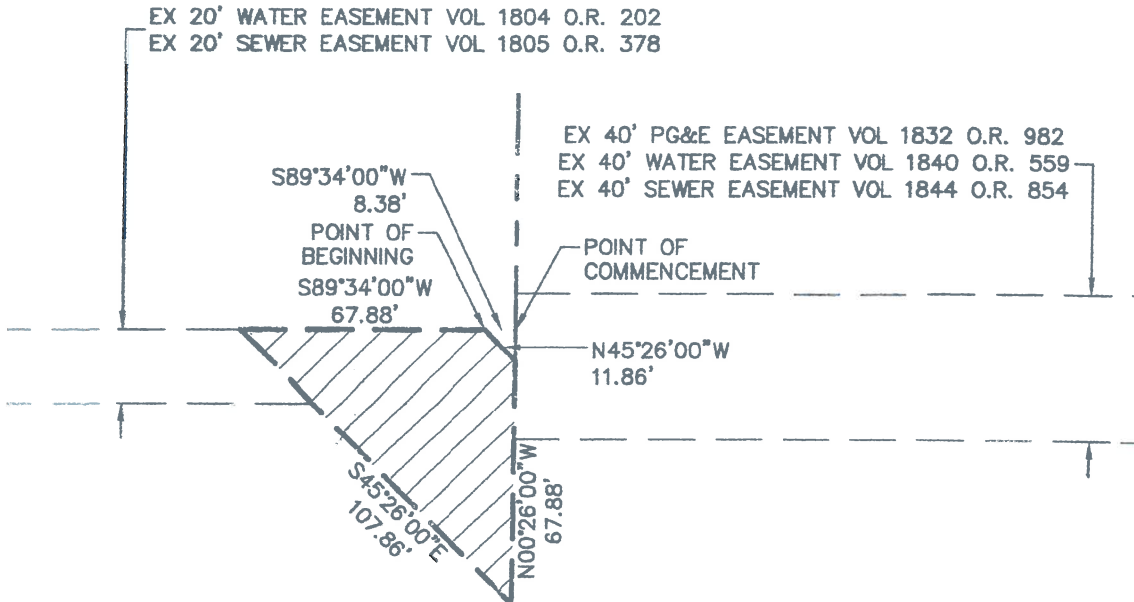
Prepared by:

BKF ENGINEERS


Ralph H. Thomas

Dated: 10/14/2021

EXHIBIT B

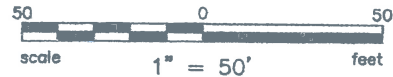


LANDS OF
SERITAGE SRC FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP FOR
SEARS, ROEBUCK & CO.
78 PM 13 & 14

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



Subject NEW WATER EASEMENT
OVER THE LANDS OF SERITAGE SRC FINANCE LLC
Job No. 20181385
By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1



200 4th STREET
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EXHIBIT 'A'

QUITCLAIM DEED

Merced Water Company

Being a portion of the Grant of Easement by Sears Roebuck and Company, to the Merced Water Company, as described in that Grant of Easement filed for record July 30, 1969, in Book 1804 of Official Records, at Page 202, Merced County Records; said Quitclaim area being more particularly described as follows:

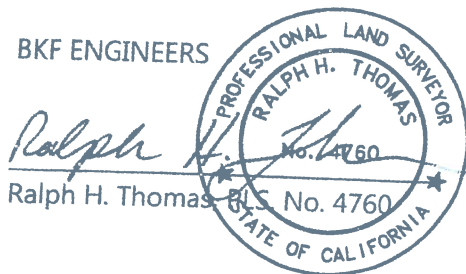
Beginning at the northeast corner of that Parcel 1 as described in said Grant of Easement; thence from said **POINT OF BEGINNING**, South 00°26'00" East, along the easterly limits of said Parcel 1, for a distance of 20.00 feet; thence, continuing along the southerly limits of said Parcel 1, South 89°34'00" West, for a distance of 56.27 feet; thence, leaving said southerly limits, North 45°26'00" West, for a distance of 28.28 feet to the northerly limits of said Parcel 1; thence, along said northerly limits of said Parcel 1, North 89°34'00" East, for a distance of 76.26 feet to the Point of Beginning of the hereinabove described parcel.

Containing 1,325 square feet (0.03 acres), more or less.

Basis of Bearings: Parcel 1 of that Grant of Easement by Sears Roebuck and Company, to the Merced Water Company, as described in that Grant of Easement filed for record July 30, 1969, in Book 1804 of Official Records, at Page 202, Merced County Records.

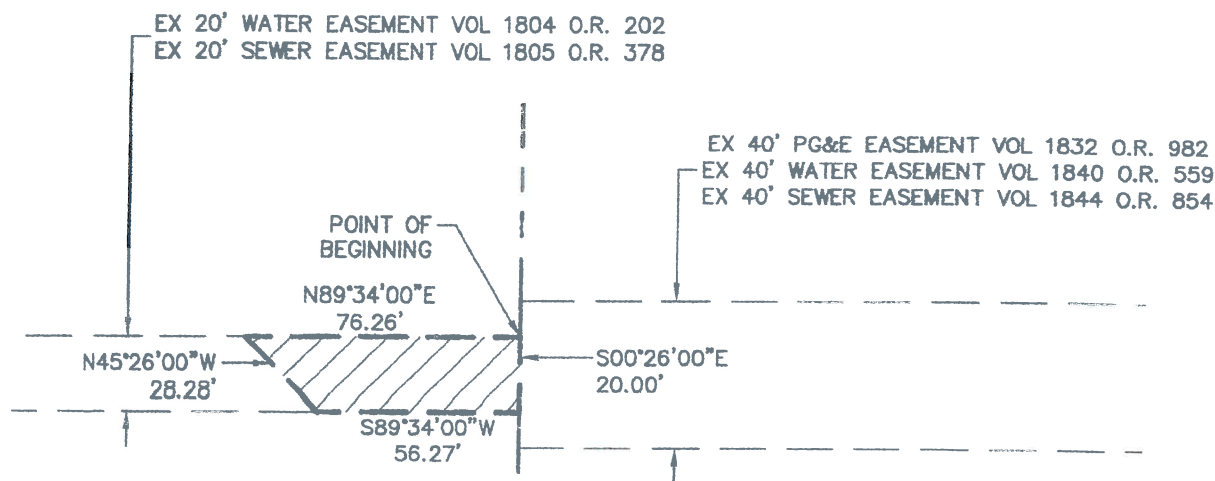
Prepared by:

BKF ENGINEERS



Dated: 10/14/2021

EXHIBIT B

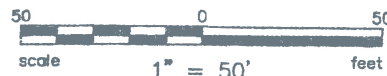


LANDS OF
SERITAGE SRC FINANCE LLC
APN 236-220-031
DN 2015-025321

LANDS OF MERCED MALL LTD.
APN 236-220-038
VOL 2054 O.R. PG 234

PARCEL A
PARCEL MAP FOR
SEARS, ROEBUCK & CO.
78 PM 13 & 14

PARCEL B
PARCEL MAP FOR
MERCED MALL LTD.
78 PM 41 & 42



Ralph H. Thomas
RALPH H. THOMAS

10/14/2021

PLS 4760



200 4th STREET
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Subject QUITCLAIM OF WATER EASEMENT
OVER THE LANDS OF SERITAGE SRC FINANCE LLC
Job No. 20181385
By CAG Date JAN 2021 Chkd. RHT
SHEET 1 OF 1