

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MERCED, CALIFORNIA  
ORDERING THE VACATION OF 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)**

WHEREAS, by adoption of Resolution No. 2017-05 on February 6, 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 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 on the maps at Exhibits “B,” “D” and “E,” attached hereto and incorporated herein by this reference, and set a public hearing thereon; and

WHEREAS, Resolution No. 2017-05 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Tuesday, February 21, 2017, at the hour of 7:00 p.m. of said day, in the Council Chambers of the City Council, 678 West 18<sup>th</sup> Street, Merced, California, which said time was not less than fifteen (15) days from the above-mentioned date and passage of Resolution No. 2017-05; and

WHEREAS, Resolution No. 2017-05 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 February 21, 2017; and

WHEREAS, On February 7, 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. 2017-05 and

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2017-05 was submitted to the Planning Commission on January 18, 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 in Exhibits "A" and "C" and shown on the maps at Exhibits "B," "D" and "E," 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:  \_\_\_\_\_  
City Attorney Date 1-18-2017

**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;

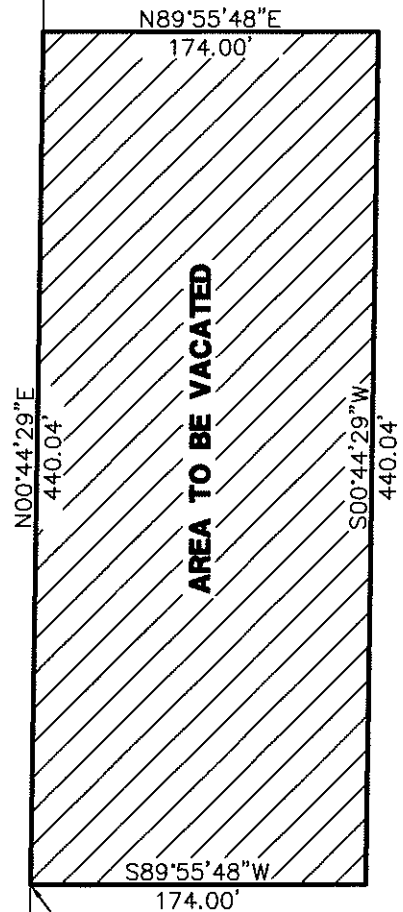
Thence North 89° 55' 48" East, 174.00 feet;

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



TRUE POINT OF BEGINNING

**PARCEL 1  
65 P.M. 42**

55'

SOUTHWEST CORNER PARCEL 1

30'

YOSEMITE AVENUE

**EXHIBIT "B"**

J.N. X130404  
01-04-17

**EXHIBIT B**



SCALE 1" = 100'

**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;

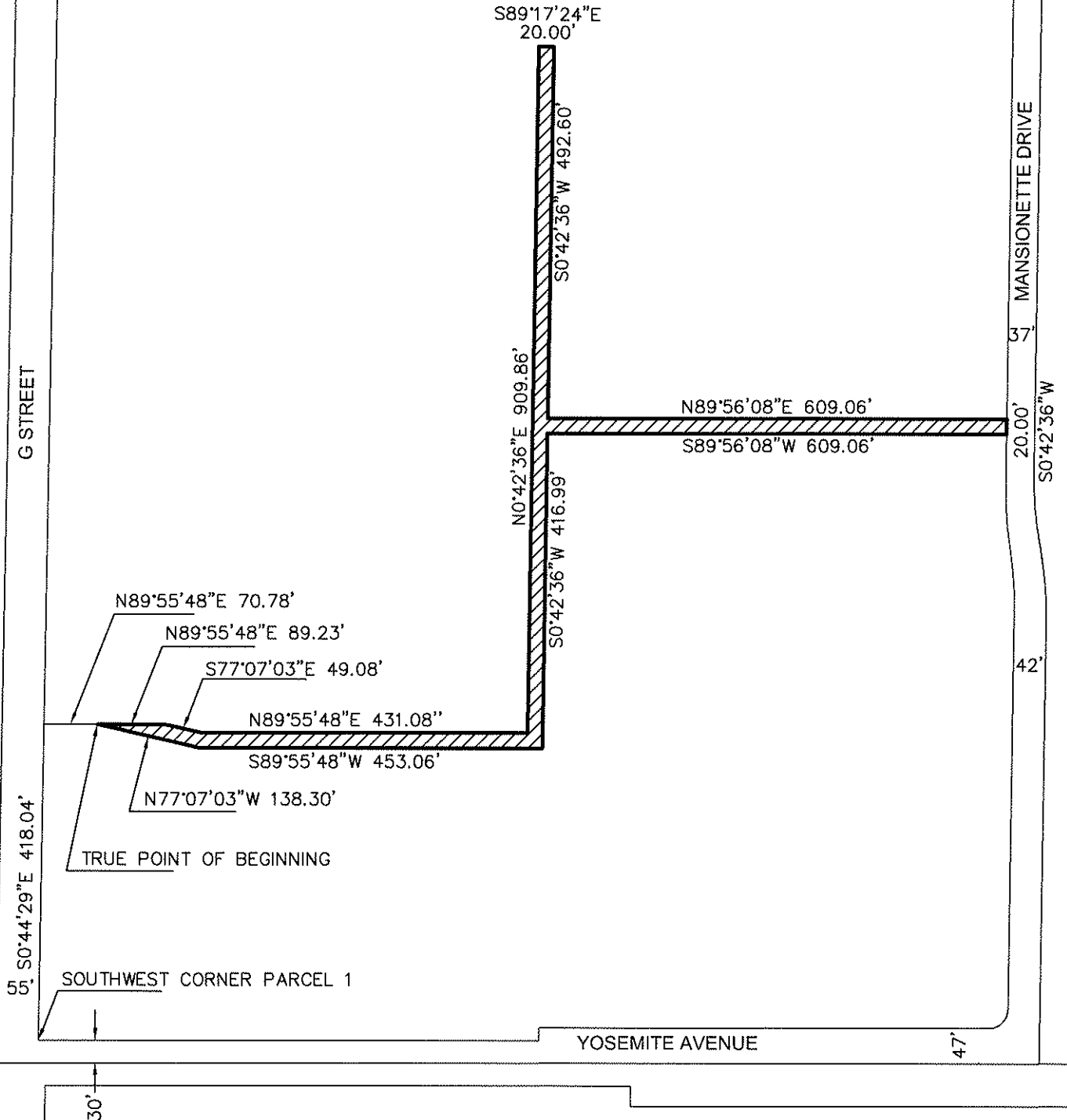
Thence North 89° 55' 48" East, 89.23 feet;  
Thence South 77° 07' 03" East, 49.08 feet;  
Thence North 89° 55' 48" East, 431.08 feet;  
Thence North 00° 42' 36" East, 909.86 feet;  
Thence South 89° 17' 24" East, 20.00 feet;  
Thence South 00° 42' 36" West, 492.60 feet;  
Thence North 89° 56' 08" East, 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 THE SUBDIVISION MAP ACT, 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. BAILL  
COUNTY RECORDER

*James J. Bail*  
JAMES J. BAIL

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. (FRESNO) 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

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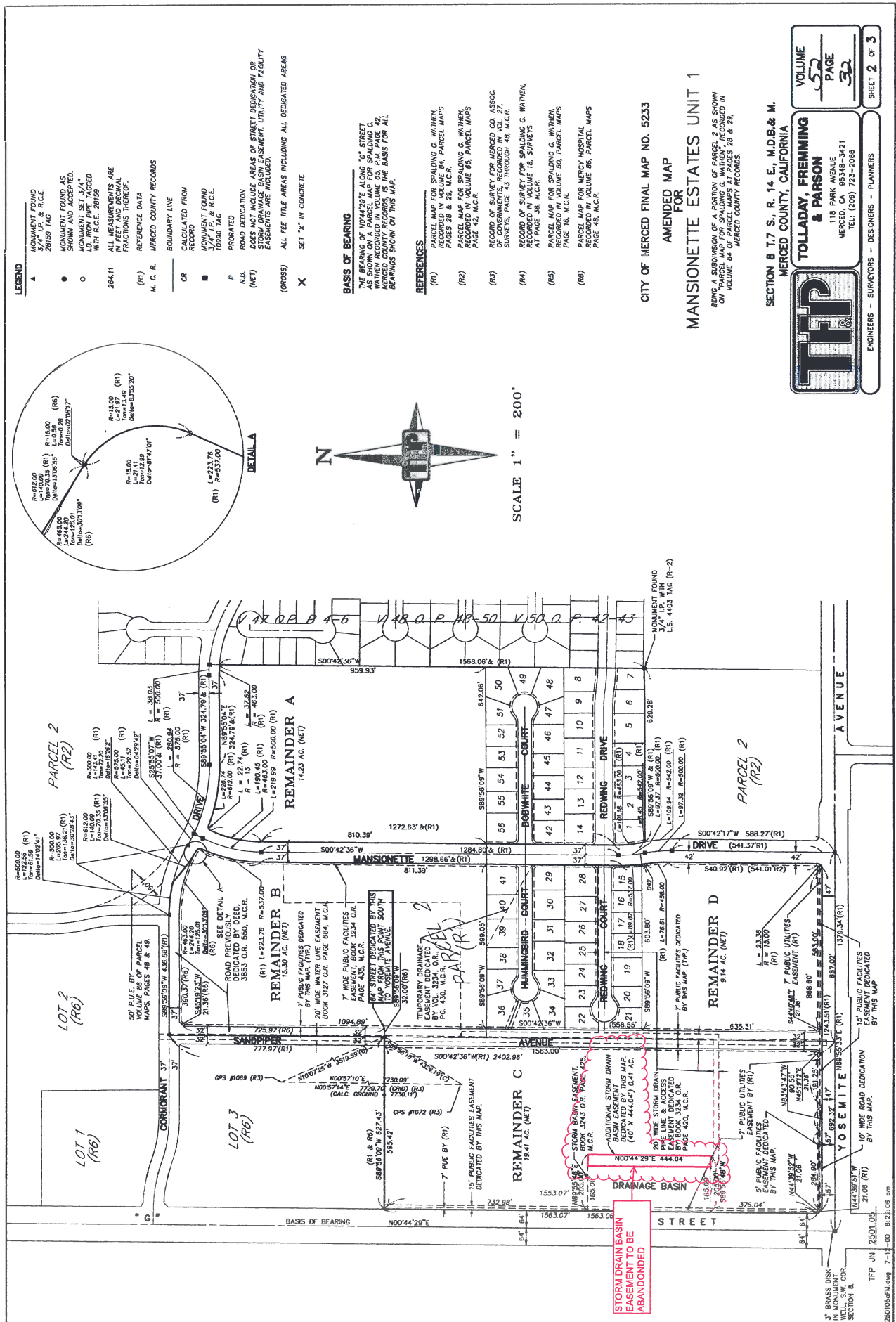


EXHIBIT E (Page 2)

CITY OF MERCED FINAL MAP NO. 5233

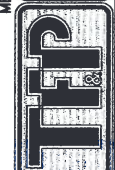
AMENDED MAP FOR MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON "PARCEL MAP FOR SPALDING G. WATKIN", RECORDED IN VOLUME 64 MERCED COUNTY RECORDS.

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

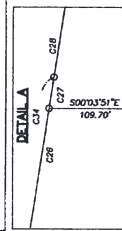
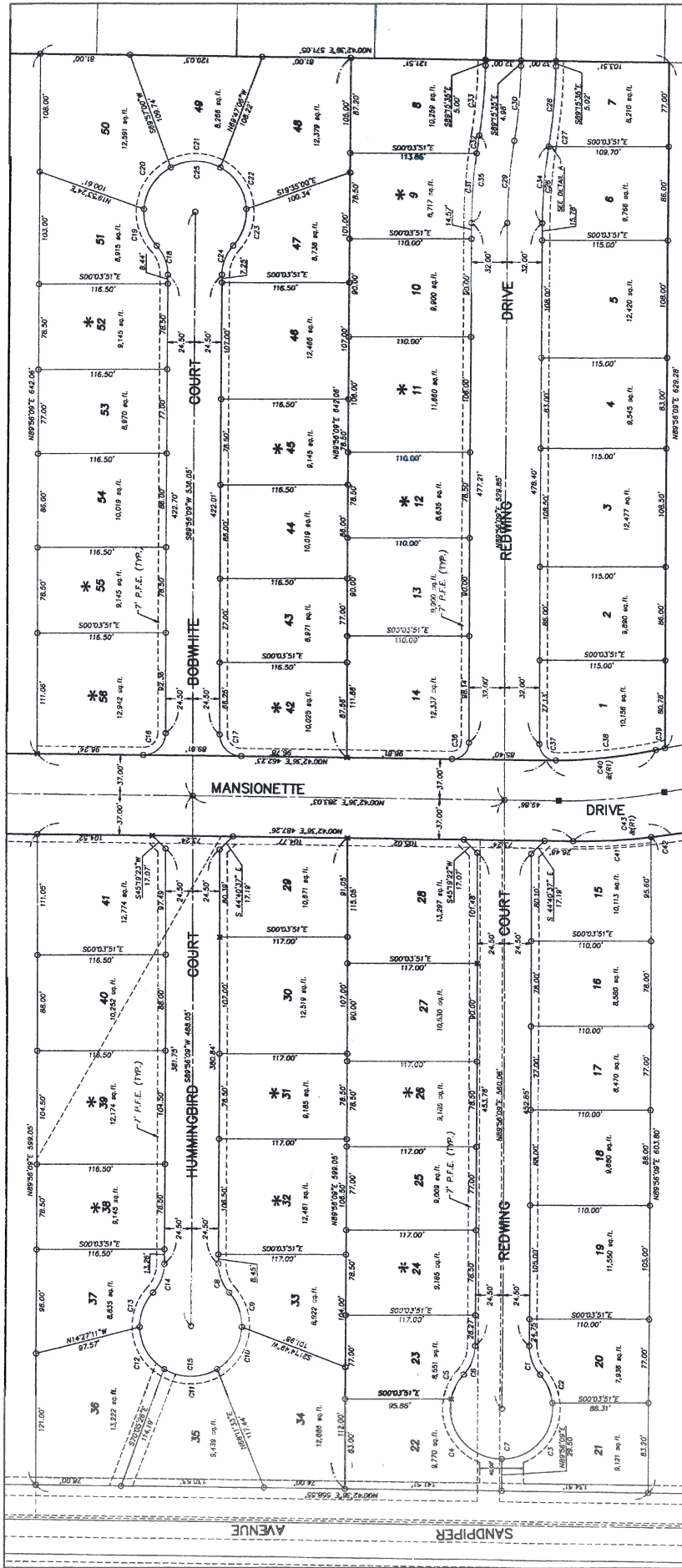
TOLLADY, FREEMING & PARSON

118 PARK AVENUE, SUITE 1421  
MERCED, CALIFORNIA 95341  
TEL: (209) 723-2088



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SCALE 1" = 60'

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 "PARCELS MAP FOR SANDPIPER AVENUE, 1997, IN VOLUME 54 OF PARCELS MAPS AT PAGES 28 & 29, MERCED COUNTY RECORDS.

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

CURVE	LENGTH	DELTA	CHORD
C1	28.51	46.50	35.07
C2	28.51	46.50	35.07
C3	28.51	46.50	35.07
C4	28.51	46.50	35.07
C5	28.51	46.50	35.07
C6	28.51	46.50	35.07
C7	28.51	46.50	35.07
C8	28.51	46.50	35.07
C9	28.51	46.50	35.07
C10	28.51	46.50	35.07
C11	28.51	46.50	35.07
C12	28.51	46.50	35.07
C13	28.51	46.50	35.07
C14	28.51	46.50	35.07
C15	28.51	46.50	35.07
C16	28.51	46.50	35.07
C17	28.51	46.50	35.07
C18	28.51	46.50	35.07
C19	28.51	46.50	35.07
C20	28.51	46.50	35.07
C21	28.51	46.50	35.07
C22	28.51	46.50	35.07
C23	28.51	46.50	35.07
C24	28.51	46.50	35.07
C25	28.51	46.50	35.07
C26	28.51	46.50	35.07
C27	28.51	46.50	35.07
C28	28.51	46.50	35.07
C29	28.51	46.50	35.07
C30	28.51	46.50	35.07
C31	28.51	46.50	35.07
C32	28.51	46.50	35.07
C33	28.51	46.50	35.07
C34	28.51	46.50	35.07
C35	28.51	46.50	35.07
C36	28.51	46.50	35.07
C37	28.51	46.50	35.07
C38	28.51	46.50	35.07
C39	28.51	46.50	35.07
C40	28.51	46.50	35.07
C41	28.51	46.50	35.07
C42	28.51	46.50	35.07
C43	28.51	46.50	35.07
C44	28.51	46.50	35.07
C45	28.51	46.50	35.07
C46	28.51	46.50	35.07
C47	28.51	46.50	35.07
C48	28.51	46.50	35.07
C49	28.51	46.50	35.07
C50	28.51	46.50	35.07
C51	28.51	46.50	35.07
C52	28.51	46.50	35.07
C53	28.51	46.50	35.07
C54	28.51	46.50	35.07
C55	28.51	46.50	35.07
C56	28.51	46.50	35.07
C57	28.51	46.50	35.07
C58	28.51	46.50	35.07
C59	28.51	46.50	35.07
C60	28.51	46.50	35.07

CURVE	LENGTH	DELTA	CHORD
C1	28.51	46.50	35.07
C2	28.51	46.50	35.07
C3	28.51	46.50	35.07
C4	28.51	46.50	35.07
C5	28.51	46.50	35.07
C6	28.51	46.50	35.07
C7	28.51	46.50	35.07
C8	28.51	46.50	35.07
C9	28.51	46.50	35.07
C10	28.51	46.50	35.07
C11	28.51	46.50	35.07
C12	28.51	46.50	35.07
C13	28.51	46.50	35.07
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C23	28.51	46.50	35.07
C24	28.51	46.50	35.07
C25	28.51	46.50	35.07
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C34	28.51	46.50	35.07
C35	28.51	46.50	35.07
C36	28.51	46.50	35.07
C37	28.51	46.50	35.07
C38	28.51	46.50	35.07
C39	28.51	46.50	35.07
C40	28.51	46.50	35.07
C41	28.51	46.50	35.07
C42	28.51	46.50	35.07
C43	28.51	46.50	35.07
C44	28.51	46.50	35.07
C45	28.51	46.50	35.07
C46	28.51	46.50	35.07
C47	28.51	46.50	35.07
C48	28.51	46.50	35.07
C49	28.51	46.50	35.07
C50	28.51	46.50	35.07
C51	28.51	46.50	35.07
C52	28.51	46.50	35.07
C53	28.51	46.50	35.07
C54	28.51	46.50	35.07
C55	28.51	46.50	35.07
C56	28.51	46.50	35.07
C57	28.51	46.50	35.07
C58	28.51	46.50	35.07
C59	28.51	46.50	35.07
C60	28.51	46.50	35.07

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