

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING THE OFFICIAL ZONING MAP BY
PREZONING LAND GENERALLY LOCATED AT
THE NORTHWEST CORNER OF NORTH
HIGHWAY 59 AND SANTA FE DRIVE AS
THOROUGHFARE COMMERCIAL (C-T) AND
THE LAND GENERALLY LOCATED AT THE
SOUTHWEST CORNER OF NORTH HIGHWAY
59 AND SANTA FE DRIVE AS LIGHT
INDUSTRIAL (I-L)**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT TO CODE. The property described in Exhibit “A” attached hereto, and by this reference made a part hereof, is hereby prezoned as shown on said map as Thoroughfare Commercial (C-T) and Light Industrial (I-L).

SECTION 2. CHANGE OF MAP. The Director of Development Services is hereby directed to make the appropriate markings on the Official Zoning Map in conformance with this Ordinance and the provisions of Title 20 of the Merced Municipal Code.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. PUBLICATION. The City Clerk is directed to cause a copy of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____ 2018, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____ 2018, 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:

 6-15-2018

City Attorney Date

NOTICE OF POTENTIAL INTRODUCTION OF ORDINANCE

CITY OF MERCED

NOTICE IS HEREBY GIVEN that on _____, 2018, the City Council of the City of Merced is scheduled to consider the introduction of an Ordinance entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING THE OFFICIAL ZONING MAP BY
PREZONING LAND GENERALLY LOCATED AT
THE NORTHWEST CORNER OF NORTH
HIGHWAY 59 AND SANTA FE DRIVE AS
THOROUGHFARE COMMERCIAL (C-T) AND
THE LAND GENERALLY LOCATED AT THE
SOUTHWEST CORNER OF NORTH HIGHWAY
59 AND SANTA FE DRIVE AS LIGHT
INDUSTRIAL (I-L)**

at its regular meeting to be held at 6:00 pm in the City Council Chambers at 678 West 18th Street, Merced, California. The public is invited to provide any oral or written comments regarding this proposed Ordinance.

If adopted, this Ordinance would prezone the land described therein as Thoroughfare Commercial (C-T) and Light Industrial (I-L).

A copy of the full text of the proposed Ordinance is available for review in the Office of the City Clerk, City of Merced, 678 West 18th Street, Merced, California, and on the City's website at www.cityofmerced.org.

ASSISTANT CITY CLERK

PUBLISH:

PUBLIC NOTICE OF ADOPTION OF ORDINANCE

CITY OF MERCED

ORDINANCE NO. _____

NOTICE IS HEREBY GIVEN that on _____, 2018, the City Council of the City of Merced adopted Ordinance No. _____, entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING THE OFFICIAL ZONING MAP BY
PREZONING LAND GENERALLY LOCATED AT
THE NORTHWEST CORNER OF NORTH
HIGHWAY 59 AND SANTA FE DRIVE AS
THOROUGHFARE COMMERCIAL (C-T) AND
THE LAND GENERALLY LOCATED AT THE
SOUTHWEST CORNER OF NORTH HIGHWAY
59 AND SANTA FE DRIVE AS LIGHT
INDUSTRIAL (I-L)**

**Ordinance No. _____ prezones the land described therein as
Thoroughfare Commercial (C-T) and Light Industrial (I-L).**

Ordinance No. _____ was adopted by the following roll call vote of the
City Council:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

A copy of the full text of Ordinance No. _____ is available for review in the Office of the City Clerk, City of Merced, 678 West 18th Street, Merced, California, and on the City's website at www.cityofmerced.org.

ASSISTANT CITY CLERK

PUBLISH:

EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

The land referred to herein is situated in the unincorporated area of the County of Merced, State of California, and is described as follows:

PARCEL 1:

A portion of Lot 96 and a portion of the West 40 feet of the 100 foot wide Southern Pacific Railroad-Oakdale Branch right-of-way (now abandoned) as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portions being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 83.54 feet along the North line of said Lot 96 to a point on the Northeasterly line of Santa Fe Drive (a County Road) said point being **THE TRUE POINT OF BEGINNING** of this description; thence South 53° 11' 43" East, 308.33 feet along said Northeasterly line of Santa Fe Drive; thence Southeasterly along said Northeasterly line of Santa Fe Drive along a 1,464.11 foot radius curve to the left, the long chord of which bears South 69° 35' 30" East 825.20 feet, through a central angle of 32° 44' 12", an arc distance of 836.54 feet, thence North 18° 36' 31" East 17.45 feet along said Northeasterly line of Santa Fe Drive to a point on the West line of State Highway 59; thence North 01° 24' 30" East 375.88 feet along the West line of State Highway 59 to the Southeast corner of that certain real property described as Parcel II in deed from Crocker Land Company to Merced Water Company recorded in Volume 1483, Official Records, Page 111, Merced County Records; thence North 88° 35' 30" West 100.00 feet to the Southwest corner of said Parcel II; thence North 01° 24' 30" East 180.34 feet along the West line of said Parcel II to a point on the North line of the aforesaid Lot 96; thence South 83° 48' 00" West 945.08 feet along the North line of said Lot 96 to **THE TRUE POINT OF BEGINNING**, all as delineated on Map entitled, "Record of Survey for J.F. Collins Co.", recorded in Book 13 of Surveys, Page 35, Merced County Records.

EXCEPTING therefrom all that portion conveyed to the County of Merced for road widening by deed recorded January 13, 1984, in Volume 2407, Page 718, Merced County Records.

ALSO EXCEPTING therefrom the property and property rights excepted and reserved in deeds recorded August 4, 1961, in Volume 1539, Page 504, as Instrument No. 14501, Official Records, March 3, 1972, in Volume 1881, Page 555, as Instrument No. 3989, Official Records and March 3, 1972, in Volume 1881, Page 572, as Instrument No. 3991, Official Records, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

Exhibit A Parcel 1 continues:

Containing a total of 8.14 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way,
and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 057-200-067

END OF DISCRIPTION.



Kaiser I. Shahbaz
Kaiser I. Shahbaz, L. S. 8599

6/1/2018
Date

EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

Exhibit A continues:

PARCEL 2:

A portion of Lot 96 and a portion of the West 40 feet of the 100 foot wide Southern Pacific Railroad-Oakdale Branch right-of-way (now abandoned) as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portions being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 1028.62 feet along the North line of said Lot 96 to **THE POINT OF BEGINNING**; thence North 01°24'30" East 9.49 feet; thence South 51°57'00" East 74.78 feet to the Westerly line of a 100.00 feet wide abandoned railroad right of way; thence leaving last said line South 40°05'55" East 60.36 feet to the Westerly line of State Highway 59 and the City/County limit line; thence along last said line South 01°24'30" West 100.00 feet; thence leaving last said line North 88°35'30" West 100.00 feet; thence North 01°24'30" East 189.83 feet to **THE POINT OF BEGINNING**, all as delineated on Map entitled, "Record of Survey for J.F. Collins Co.", recorded in Book 13 of Surveys, Page 35, Merced County Records.

Containing a total of 0.34 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 057-200-029

END OF DISCRIPTION.




Kaiser I. Shahbaz, L. S. 8599



Date

EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

Exhibit A continues:

PARCEL 3:

A portion of Lot 96, MAP OF CROCKER COLONY, in the County of Merced, State of California, as per plat recorded in Book 5 of Maps, Page 6, records of said County and a portion of the Yosemite Valley Railroad right of way (now abandoned), described as follows:

BEGINNING at the southeast corner of the aforesaid Lot 96 and running thence northwesterly along the northerly line of the A.T. & S.F. Railroad right of way along an 11,409.16 foot radius curve to the right, through a central angle of 03° 07' 59" an arc distance of 623.88 feet to a point on the southerly line of Santa Fe Drive (a County Road); thence easterly along the southerly line of Santa Fe Drive along a 1,260.00 foot radius curve to the left through a central angle of 26° 32' 37" an arc distance of 583.72 feet; thence South 22° 47' 55" East 22.73 feet along the southerly line of said Santa Fe Drive to a point on the west line of State Highway 59; thence South 01° 24' 30" West 153.60 feet; thence North 88° 35' 30" West 40.00 feet to **THE POINT OF BEGINNING** all as delineated on map entitled, "RECORD OF SURVEY FOR J. F. COLLINS CO.", recorded in Book 13 of Surveys at Page 35, Merced County Records.

EXCEPTING therefrom the property and property rights excepted and reserved in deeds recorded August 4, 1961 in Vol. 1539 of Official Records, Page 594, as Instrument NO. 14501, March 3, 1972 in Vol. 1881 of Official Records, Page. 555, as Instrument No. 3989, and March 3, 1972 in Vol. 1881 of Official Records, page 572, as Instrument No. 3991, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

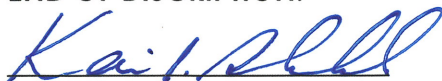
Containing a total of 1.01 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B attached hereto and made a part hereof.

APN: 57-200-42

END OF DISCRIPTION.


Kaiser I. Shahbaz, L. S. 8599

6/1/2018
Date



EXHIBIT A
PROPOSED ANNEXATION AREA LEGAL DESCRIPTION

PORTION OF RASCAL CREEK:

A portion of Canal Reserve property as shown on the Map entitled, Map of the Crocker Colony, recorded in Volume 5 of Official Plats, Page 6, Merced County Records, said portion being described as a whole as follows:

COMMENCING at the Northwest corner of said Lot 96 and running thence North 83° 48' 00" East 83.54 feet along the North line of said Lot 96 to a point on the Northeasterly line of Santa Fe Drive (a County Road) said point being **THE POINT OF BEGINNING** of this description; thence North 53°11'12" West 260.35 feet along said Northeasterly line of Santa Fe Drive; thence leaving last said line and along the Northerly line of said Canal Reserve property the following five (5) courses: (1) South 70°04'35" East 176.18 feet; (2) North 83°48'00" East 825.98 feet; (3) North 80°52'54" East 178.90 feet; (4) North 51°57'00" East 61.30 feet to the Westerly line of a 100.00 feet wide abandoned railroad right of way; thence leaving last said line; (5) North 83°48'00" East 40.36 feet to the Westerly line of State Highway 59 and the City/County limit line; thence along last said line South 01°24'30" West 236.41 feet to the Southerly line of said Canal Reservation property; thence along said last line the following four (4) courses: (1) North 40°05'55" West 60.36 feet; (2) North 51°57'00" West 74.78 feet; (3) South 01°24'30" West 9.49 feet; (4) South 83°48'00" West 945.08 feet to **THE POINT OF BEGINNING**.

in Volume 1881, Page 572, as Instrument No. 3991, Official Records, being all oil, gas and other hydrocarbons and all other mines and minerals found in solid, gaseous or viscid state lying below a depth of 500 feet.

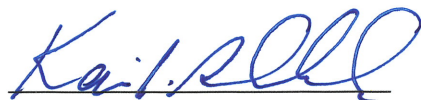
Containing a total of 2.78 acres, more or less.

Subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

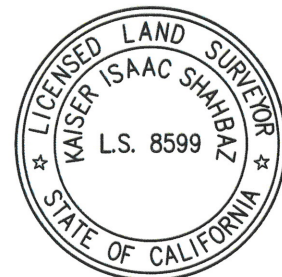
See Exhibit B attached hereto and made a part hereof.

END OF DISCRIPTION.

Note: Proposed total area to be annexed to the City of Merced is 12.27 acres, more or less


Kaiser I. Shahbaz, L. S. 8599

6/1/2018
Date





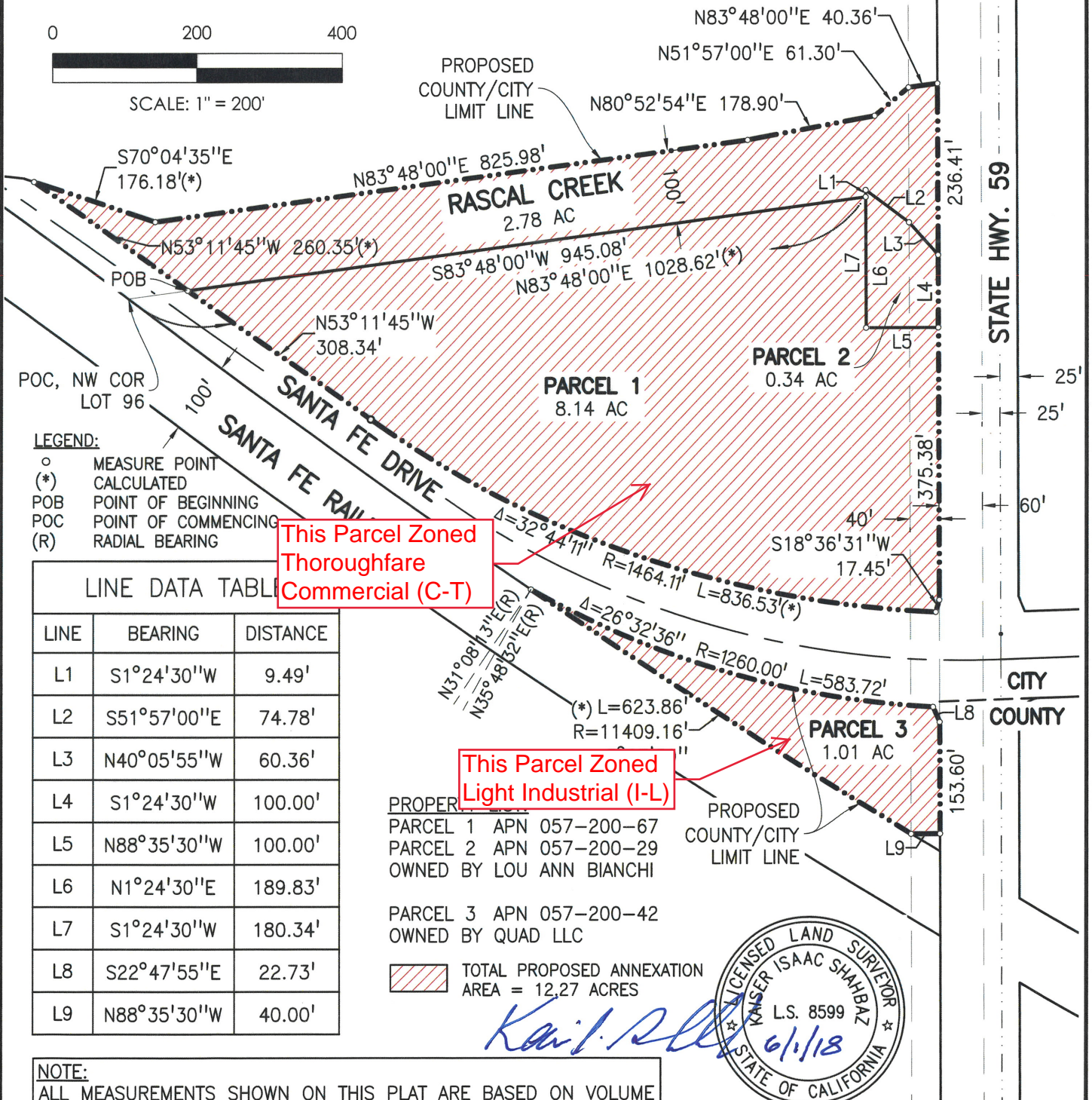
0 200 400



SCALE: 1" = 200'

REFERENCE:

- (R1) VOLUME 13 OF SURVEYS, PAGE 35, MCR
- (R2) VOL 3473 OR, P 725, NO.996-17324, MCR
- (R3) VOL 1483 OR, P 111, PARCEL II, MCR
- (R4) D.N. 2017000068, MCR



NOTE:

ALL MEASUREMENTS SHOWN ON THIS PLAT ARE BASED ON VOLUME 13 OF SURVEYS, PAGE 35, MCR, UNLESS OTHERWISE NOTED

SHEET 1 OF 1



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KS

6/01/2018

PREPARED FOR
ELITE BUSINESS ENTERPRISES, INC
2190 MERIDIAN PARK BLVD., SUITE G
CONCORD, CA 94520

ANNEXATION AREA TO THE CITY
APN 057-200-029, 067, 042
& PORTION OF RASCAL CREEK

EXHIBIT

B