

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE A 20-
FOOT WIDE TEMPORARY ACCESS EASEMENT
ON LOT 137 WITHIN THE SUMMER CREEK
PHASE TWO SUBDIVISION (VACATION #19-02)
AND SETTING TIME AND PLACE FOR PUBLIC
HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described portion of public right-of-way is 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 portion of the public right-of-way 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 a 20-foot wide temporary access easement along the northwestern property line of Lot 137 within the Summer Creek Phase Two Subdivision, as described in Exhibit "A" and shown on the map at Exhibit "B" 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. November 18, 2019, 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 three (3) notices of vacation of a portion of public right-of-way, 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 _____ 2019, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Prueha A. Hinn 6-7-19
City Attorney Date

EXHIBIT 'A'
Legal Description for
Abandonment of 20' Wide Temporary Access Easement
Summer Creek Phase 2 (A.P.N. 008-450-005)

Being that certain 20-foot wide Temporary Access Easement lying within the boundaries of Lot 137 as shown on the map of Summer Creek Phase 2 filed in Book 75 of Official Plats, at Pages 1 through 4, inclusive, Merced County Records, lying in Section 16, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, County of Merced, State of California, more particularly described as follows:

Beginning at the southwesterly corner of said Temporary Access Easement, also being the southeasterly corner of Lot 130 as shown on the map of Summer Creek Phase 1 filed in Book 62 of Official Plats, at Pages 43 through 47, inclusive, Merced County Records; thence along the southeasterly line of said easement, North 57°48'42" East, 102.68 feet to the northeasterly line of said Lot 137; thence along said northeasterly line, North 31°15'26" West, 20.00 feet; thence along the northwesterly line of said easement, South 57°48'42" West, 102.68 feet; thence along the southwesterly line of said Lot 137, South 32°11'18" East, 20.00 feet to the point of beginning.

This real property description was prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.




Sean Harp, P.L.S. 7823 5/3/2019
Date

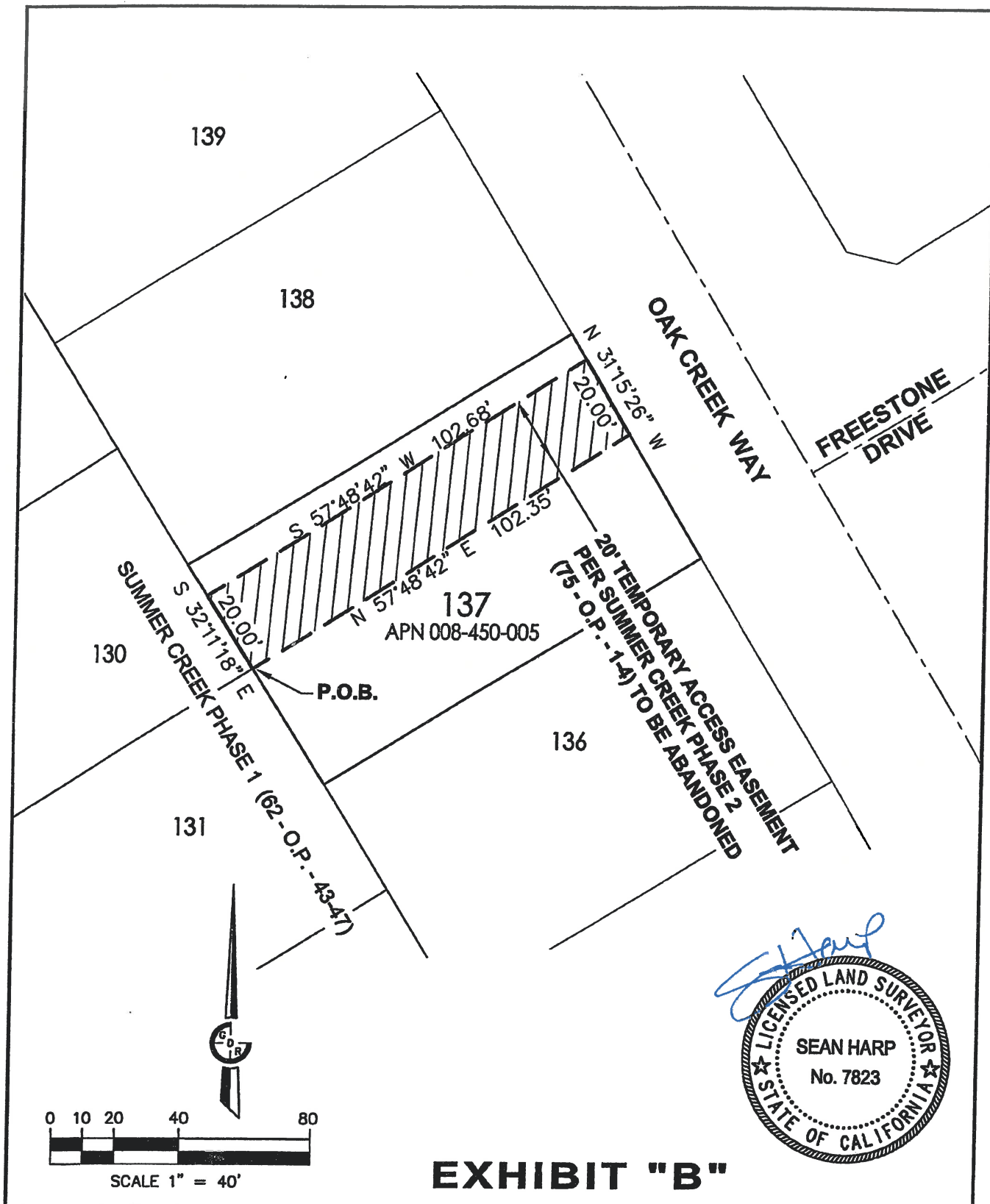


EXHIBIT "B"



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**ABANDONMENT OF TEMPORARY ACCESS
EASEMENT FOR SUMMER CREEK PHASE 2**
CITY OF MERCED, COUNTY OF MERCED, CALIFORNIA

JOB NO.: 18022

5/3/2019

SHEET 1 OF 1