

RESOLUTION NO. 2020-_____

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MERCED, CALIFORNIA
ORDERING THE VACATION OF A 25-
FOOT-WIDE TEMPORARY ACCESS
EASEMENT IN FOOTHILL DRIVE
(EXTENDED) (VACATION #20-02)**

WHEREAS, by adoption of Resolution No. 2020-35 on July 6, 2020, the City Council declared its intention to consider the vacation of a 25-foot-wide temporary access easement in Foothill Drive (extended), as described in Exhibit "A" and shown on the map at Exhibit "B," attached hereto; and

WHEREAS, Resolution No. 2020-35 fixed a time and place for hearing all persons interested in or objecting to the proposed vacation to wit: On Monday, August 3, 2020, 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. 2020-35; and

WHEREAS, Resolution No. 2020-35 was published in the manner prescribed by Section 8320 of the Streets and Highways Code of the State of California; and

WHEREAS, on July 9, 2020, 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. 2020-35 and,

WHEREAS, the vacation of the public right-of-way as proposed by Resolution No. 2020-35 was submitted to the Planning Commission on May 6, 2020, 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 temporary access easement as described in Exhibit "A" and shown on the map at Exhibit "B," is unnecessary for vehicle access.

SECTION 2. It is hereby ordered that the temporary access easement 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 _____, 2020, 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: Phuecha A. Nith 6/30/2020
City Attorney Date

EXHIBIT "A"
Easement Abandonment From
City of Merced to
Exposition Properties, LLC &
Leeco, LLC

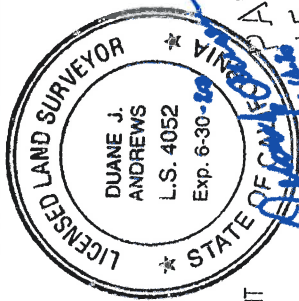
DESCRIPTION

All that certain easement, being a 25.00-foot-wide Access Easement as described in Document 2007-028180, Merced County records, in Section 5, Township 7 South, Range 4 East. M. D. B. & M., the south line of said being more particularly described as follows:

Commencing at the northwest corner of said Parcel 1; thence S.00°41'46"W., a distance of 384.01 feet to the point of BEGINNING, thence N.89°48'22"E., a distance of 1046.72 feet to the beginning of a tangent curve to the left, thence northeasterly 403.08 feet along said curve, being concave to the northwest, having a radius of 537.00 feet and a central angle of 43°00'26", thence N.46°47'56"E., along a tangent line a distance of 282.75 feet to a point on the southwesterly line of a future city park and the end of this description.

Said Easement Abandonment Containing
43,074 Square Feet more or less





POINT OF COMMENCEMENT
NORTHWEST CORNER
PARCEL 1; 97 P.M. 15, M.C.R.

PARCEL 1
97 P.M. 15

EXHIBIT 'B'

CITY OF MERCED
OWNED PARK AREA
GRANT DEED DOC.#
2007-025323, M.C.R.

VACATE THE ENTIRE
EASEMENT PER DOC.
NO. 2007-028180, M.C.R.

13 R.S. 39

PARCEL 1
118 P.M. 3

PARCEL 1

PARCEL 2
118 P.M. 3

FOOTHILL

N 89°48'22" E 1046.72'

POINT OF BEGINNING

PARCEL 4
118 P.M. 3

DRIVE

DRIVE

PALISADES

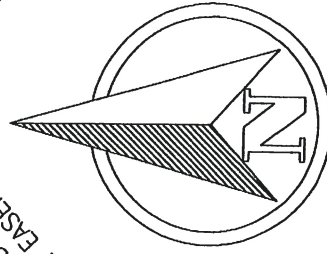
PARCEL 3
118 P.M. 3

97 P.M. 15

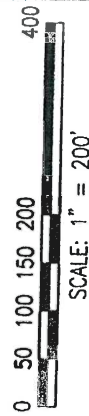
$\Delta = 43.00 \pm 25'$
 $R = 357.00'$
 $L = 403.08'$

N 46°47'56" E
282.75'

75' WIDE
POWERLINE EASEMENT



PARCEL 2
97 P.M. 15



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. 18065 Date: 3/9/2020

EXHIBIT 'B'

Relinquishment of 25 foot Access Easement as described in Document No.
2007-028180, M.C.R., lying in Section 5, T.7S., R.14E., M.D.B.&M., in the
City of Merced, County of Merced, State of California