

**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 ALONG THE EAST SIDE OF G  
STREET AT 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 along the east side of G Street at 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 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. 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: Prudence A. Miller 6/30/2020  
City Attorney Date

## EXHIBIT 'A'

### ACCESS EASEMENT RELINQUISHMENT

#### LEGAL DESCRIPTION

All that certain real property being a portion of a 25.00 foot wide temporary access easement, situate in a portion of Section 5, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, as described in Document No. 2004-082784, M.C.R., and affecting Parcel 4 as shown on that certain "Parcel Map for Exposition Properties, LLC & LEECO, LLC" filed for record in Volume 118, of Parcel Maps at Page 3, Merced County Records, in the County of Merced, State of California, described as follows:

Commencing at the Northwest corner of Parcel 1 as filed in Book 97 of Parcel Maps, at Page 17, Merced County Records, thence S.00°41'46" W., along the west line of said Parcel 1, a distance of 337.27 feet to the TRUE POINT OF BEGINNING; thence leaving said west line S.89°18'14" E., a distance of 25.00 feet; thence S.00°41'46" W. parallel with said West line a distance of 448.94 feet to a point on the South line of said Parcel 1, said point also being on the south line of said Parcel 4, thence N.89°52'37" E., along said South line a distance of 25.00 feet, to the Southeast corner of said Parcel 1, thence N.00°41'46" E., along said West line of said Parcel 1 a distance of 449.30 feet to the point of beginning.

Containing: 11,229 sq. ft., more or less.



PARCEL 1  
45 P.M. 16

PARCEL 1

PARCEL 1  
118 P.M. 3

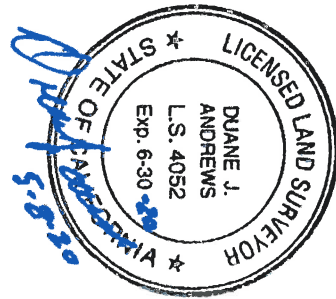
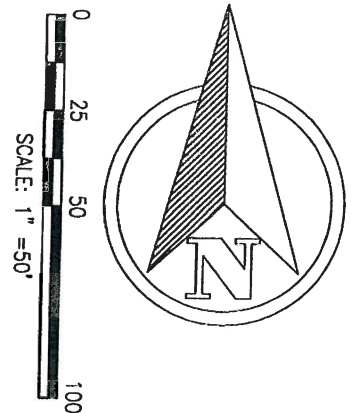


EXHIBIT 'B'



PARCEL 2  
97 P.M. 15

ATTACHMENT 8 - Page 5

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

337.27'

POINT OF BEGINNING

S 00°41'46" W 786.59'

449.30'

S 00°41'46" W 448.94'

S 89°52'37" W  
25.00'

FOOTHILL DRIVE

PARCEL 4  
118 P.M. 3

97 P.M. 15

STREET

**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.  
2004-082784, 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