



## Legislation Text

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File #: 20-182, Version: 1

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*Report Prepared by: Julie Nelson, Associate Planner, Development Services Department*

**SUBJECT:** Adoption of Resolution Setting a Public Hearing for Monday, May 18, 2020, to Vacate an Easement for a Sewer Lift Station (Including a Temporary Construction Easement for the Sewer Lift Station) and a Public Utilities Easement Located on the West End of the Property at 1610 West 16<sup>th</sup> Street, Generally Located on the South Side of West 16<sup>th</sup> Street, Approximately 480 Feet East of North Highway 59 (Vacation #20-01)

### REPORT IN BRIEF

Set a public hearing for May 18, 2020, to vacate a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement for the sewer lift station, and a 2,791-square-foot public utilities easement, generally located on the west end of the property located at 1610 West 16<sup>th</sup> Street.

### RECOMMENDATION

**City Council** - Adopt a motion adopting **Resolution 2020-17**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement, and a 2,791-square-foot public utilities easement, generally located on the west end of the property located at 1610 West 16<sup>th</sup> Street, and setting time and place for Public Hearing.

### ALTERNATIVES

1. Approve as recommended by staff; or,
2. Approve, subject to modifications by the City Council; or,
3. Deny; or,
4. Refer back to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in motion).

### AUTHORITY

Government Code Section 66477.5 (c) specifies the procedures for vacating land previously dedicated for public use, such as for parks and other public facilities. The City of Merced Administrative Policies and Procedures No. A-6 provides direction to staff for processing vacation requests, and City Council Resolution No. 86-90 establishes a policy concerning costs associated with the vacation.

### CITY COUNCIL PRIORITIES

Not applicable.

## **DISCUSSION**

The owners of the property at 1610 West 16<sup>th</sup> Street (Attachment 1) has requested the City abandon a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement, and a 2,791-square-foot public utilities easement generally located on the west end of their property (Attachment 2). The abandonment of this area would allow the owners to use the land for other uses and not be limited to the restrictions placed on it by the easements.

City staff has reviewed the request and determined the easements as they currently exist are not needed. However, easements are still needed for a possible future sewer lift station and for a sewer line that runs through the property. Therefore, the owners have agreed to a revised easement area (Attachment 3).

The City Council's action would be to adopt the resolution at Attachment 4 setting the public hearing for Vacation #20-01 for Monday, May 18, 2020.

## **IMPACT ON CITY RESOURCES**

There would be no impact on City resources as a result of this action.

## **ATTACHMENTS**

1. Location Map
2. Abandonment Area
3. Proposed New Easement Area
4. Draft City Council Resolution