

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #15-02

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Jan. 7, 2015

PREPARED BY: Julie Nelson
Associate Planner

CITY COUNCIL
MEETING DATE: Feb. 2, 2015
(Tentatively)

SUBJECT: **Vacation #14-01**, initiated by the City of Merced to abandon approximately 1,503 square feet of right-of-way along the western side of North Highway 59, approximately 500 feet south of Cooper Avenue.

ACTION: Finding:

- 1) The proposed vacation is consistent with the General Plan.

RECOMMENDATION

The City of Merced initiated the vacation of a portion of public right-of-way located on the west side of North Highway 59, approximately 500 feet south of Cooper Avenue (Attachment A). Engineering and Planning Department staff has reviewed this request and recommend that the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan. The area to be vacated consists of approximately 1,503 square feet of right-of-way along the western side of North Highway 59 (Attachments B and C). Caltrans has varying widths of right-of-way along North Highway 59. In this particular area, sufficient roadway width would remain after the proposed vacation to allow the construction of an arterial roadway if Caltrans decides to widen North Highway 59 in the future.

BACKGROUND

The area of right-of-way proposed to be abandoned was acquired by the City of Merced in conjunction with the widening of Highway 59 and installation of a traffic signal at Highway 59 and Cooper Avenue. The property was dedicated to the City at no cost as an easement for a PG&E gas main. PG&E decided to place the gas main near Willowbrook Drive, therefore, this easement and right-of-way is not necessary. Since the project has been completed, the right-of-way is no longer necessary and should be vacated. Once the City vacates the property it would be “quit-claimed” back to the owner of the parcel adjacent to the right-of-way (Attachment A).

Attachments:

- A) Location Map
- B) Map of Vacation Area
- C) Legal Description of Vacation Area

**Vacation #14-01
Hwy 59, South of Cooper Avenue**

COOPER

WILLOWBROOK

Vacated Area to be "Quit-Claimed" to owner of this parcel

Area to be Vacated

59



City of Merced
GRANT DEED
2011-030342, M.C.R.

P.O.B.

S89°44'31"W
30.01'

Portion of
City of Merced
GRANT DEED
2011-020777, M.C.R.

85.00'



City of Merced
Gateway to Yosemite



STATE HIGHWAY 59

SCALE: 1"=40'

Parcel B
2010-003282, M.C.R.

Adjusted Parcel 1
2009-061046, M.C.R.

Joe M. Cardoso
11/13/2014

N01°16'46"E 213.32'

S01°16'46"W 313.32'

EAST LINE SECTION 23

S88°43'14"E
15.00'

30'

25'

25'

Portion of
City of Merced
GRANT DEED
2011-020777, M.C.R.

100.00'

N01°16'46"E 100.40'

15.01'

1,503 Sq. Ft.

30.01'

S89°43'37"W

LOT 17
2 O.P. 36



City of Merced
"Gateway to Yosemite"

DEVELOPMENT SERVICES
ENGINEERING PROJECTS AND STANDARDS
678 W. 18th Street (209) 385-6846

EXHIBIT B
RIGHT-OF-WAY VACATION

DR. BY: CARDOSO
DATE: 11/13/14
CH. BY:
DATE:
File No.
SCALE: 1"=40'

ATTACHMENT B

EXHIBIT A

Right-of-Way Vacation

A strip of land situated in a portion of the Northeast One Quarter (NE1/4) of Section 23, Township 7 South, Range 13 East, M.D.B. & M., City of Merced, County of Merced, State of California, said strip of land being a portion of that certain real property described in Grant Deed Right-of-Way Dedication, recorded June 08, 2011, as Document Number 2011-020777, Merced County Records, said strip of land being more particularly described as follows:

All that portion of land lying west of the following described line; BEGINNING at the northeast of said Grant Deed, also being the southeast corner of Lot 14 as shown on "MAP OF WESTERN INDUSTRIAL DEVELOPMENT", recorded in Volume 23 Official Plats at page 6, Merced County Records; thence S89°44'31"W, a distance of 30.01 feet along the north line of said Grant Deed to a line 85.00 feet west of and parallel with the east line of said Section 23; thence S01°16'46"W, a distance of 313.32 feet along said line 85.00 feet west of and parallel with the east line of said Section 23 to the south line of said Grant Deed.

The above-described strip of land is delineated on Exhibit B, attached hereto, and made a part hereof.

The above-described strip of land contains 1,503 Sq. Ft., more or less, is subject to any liens, encumbrances, covenants, restriction, and rights-of-way or easements of record or legally acquired.

