

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #17-02

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Jan. 18, 2017

PREPARED BY: Julie Nelson,
Associate Planner

CITY COUNCIL
MEETING DATE: Feb. 21, 2017
(Tentative)

SUBJECT: **Vacation #16-01**, initiated by Shelley Cox on behalf of Yosemite and G, LLC, to abandon a 2.18-acre storm drain basin and a 0.95-acre storm drain easement, generally located east of G Street and approximately 390 feet north of Yosemite Avenue.

ACTION: Finding:

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

RECOMMENDATION

The property owner is requesting the vacation of a 2.18-acre storm drain basin and a 0.95-acre storm drain easement generally located east of G Street and approximately 390 feet north of Yosemite Avenue (Attachment A). Engineering and Planning Department staff have reviewed this request. The existing basin and easements are no longer needed due to the basin being relocated to the east (Attachment A). A pump will remain near the old basin site and easements will be retained to allow the necessary storm drain lines to run from the basin to the pump. Planning staff recommends the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan. The area to be vacated consists of approximately 2.18 acres of land east of G Street and an approximately 0.95-acre easement area as described and shown in the documents found at Attachments B, C, and D.

BACKGROUND

The proposed Vacation of the storm drain basin and associated easements is being requested due to the relocation of the basin from the site along G Street, north of Yosemite Avenue (Attachment A), to a site south of Redwing Court, west of Mansionette Drive (Attachment A). The basin was relocated in order to make way for a future commercial development at the northeast corner of G Street and Yosemite Avenue. The basin serves a large area north of Yosemite Avenue between G Street and Paulson Road. The new basin was sized and constructed to serve the same area.

The existing pump along G Street would remain and necessary easements would be granted for lines running from the pump to the basin. The new basin and easements will be dedicated to the City in a separate administrative action.

The General Plan generally does not address such routine items as easements and drainage basins, so there is little guidance provided for such a vacation. Because such matters are not addressed, the proposed Vacation is not inconsistent with any of the General Plan's goals or policies. Therefore, the proposed Abandonment is consistent with the General Plan and a Finding of Consistency is recommended.

Attachments:

- A) Location Map & Vacation Area
- B) Legal Description & Map of Vacated Storm Drain Basin
- C) Final Map for Mansionette Estates Unit 1
- D) Legal Description & Map of Vacated Storm Drain Easement

DRAINAGE BASINS
MANSIONETTE ESTATES
NORTH EAST YOSEMITE SPECIFIC PLAN AREA

UNIVERSITY

COMMUNITY COLLEGE EAST

KINGFISHER

NIGHTINGALE

MOCKINGBIRD

HUMMINGBIRD

BOBWHITE

SANDPIPER

MANSIONETTE

REDWING

Basin to be Abandoned

G

Pump to Remain

RELOCATED
BASIN

YOSEMITE

SILVERHORN

Legend

Basin Locations

SUN

-  New
-  Old

BODEGA 

ATTACHMENT A

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN BASIN

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in instrument Number 18377, Volume 3234, Official Records, Page 425. Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65 of Parcel Maps at Page 42, Merced County Records, being more particularly described as follows:

COMMENCING at the southwest corner of said Parcel 1; Thence along the westerly line of said Parcel 1 North 00° 44' 29" East, 418.04 feet to the **TRUE POINT OF BEGINNING**;

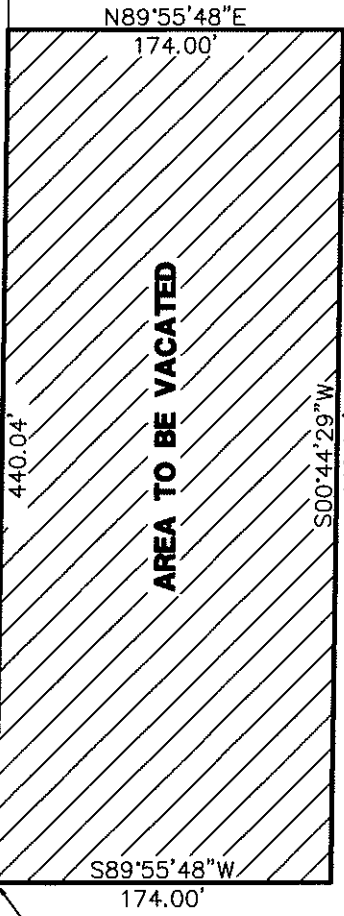
Thence North 00° 44' 29" East, 444.04 feet, along the west line of said Parcel 1;

Thence North 89° 55' 48" East, 174.00 feet;

Thence South 00° 44' 29" West, 444.04 feet;

Thence South 89° 55' 48" West, 174.00 feet to the **TRUE POINT OF BEGINNING**;

Containing 1.77± Acres.



SCALE 1" = 100'

G STREET

TRUE POINT OF BEGINNING

**PARCEL 1
65 P.M. 42**

N0° 44' 29.00"E
418.04'

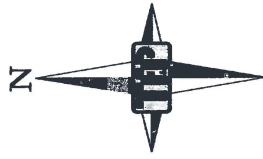
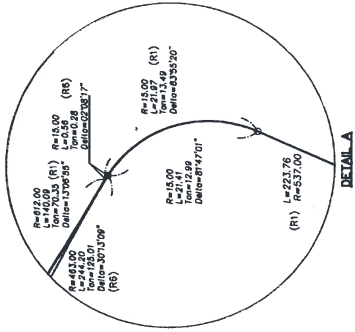
55'

SOUTHWEST CORNER PARCEL 1

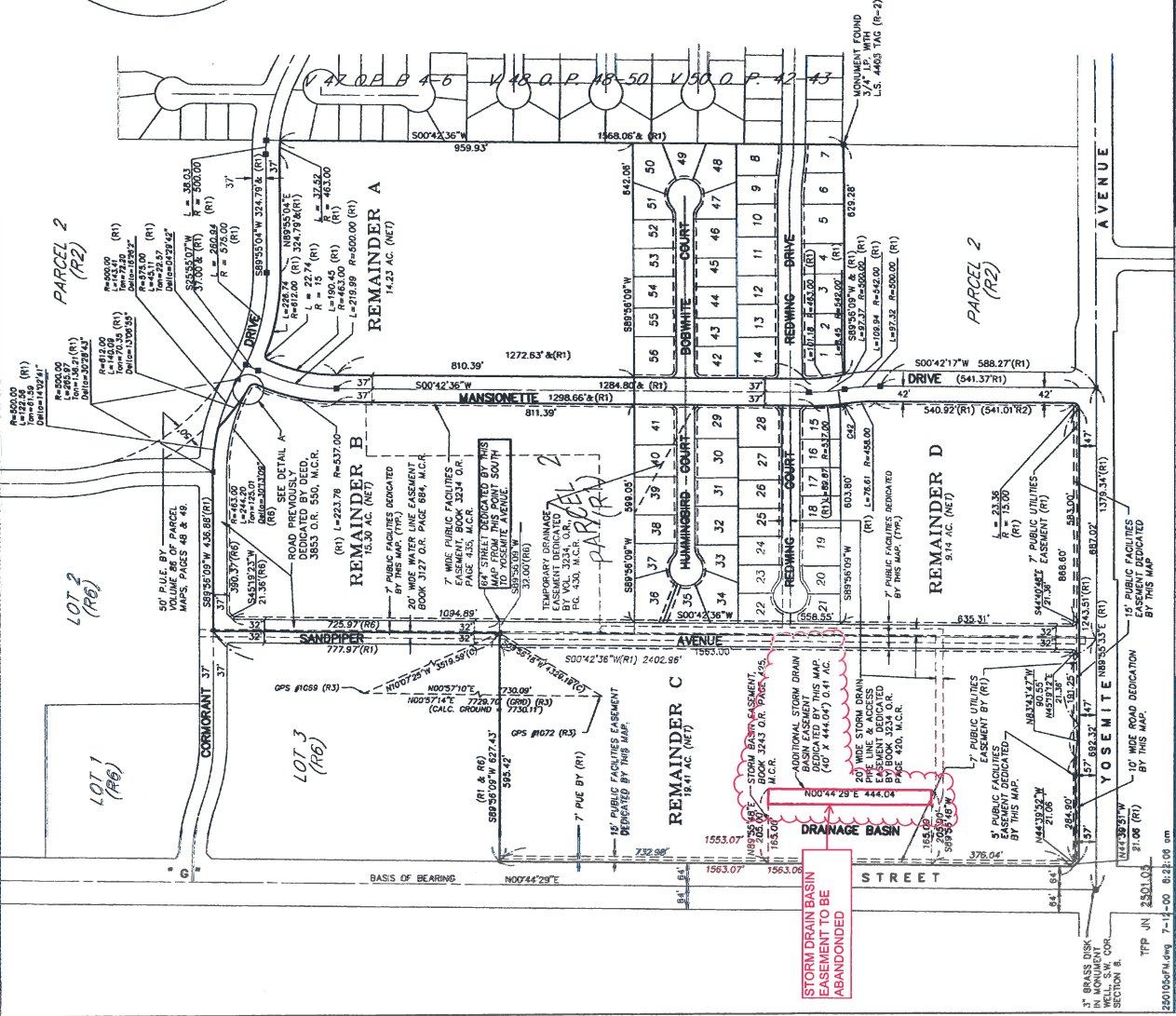
30'

YOSEMITE AVENUE

EXHIBIT "B"



SCALE 1" = 200'



- LEGEND**
- ▲ MONUMENT FOUND 3/4" I.P. & R.C.C. 2819 TAG
 - MONUMENT FOUND AS SHOWN AND ACCEPTED.
 - MONUMENT SET 3/4" WITH R.C.E. 2819
 - 284.11 ALL MEASUREMENTS ARE IN FEET AND DECIMAL FRACTIONS THEREOF.
 - REFERENCE DATA MERCED COUNTY RECORDS
 - M. C. R. (R1) MERCED COUNTY RECORDS
 - BOUNDARY LINE
 - CR CALCULATED FROM RECORD
 - MONUMENT FOUND R.C.C. 10680 TAG
 - P ROAD DEDICATION
 - R.O.D. DOES NOT INCLUDE AREAS OF STREET DEDICATION OR STORM DRAINAGE BASIN EASEMENT, UTILITY AND FACILITY EASEMENTS ARE INCLUDED.
 - (GROSS) ALL FEE TITLE AREAS INCLUDING ALL DEDICATED AREAS
 - X SET "X" IN CONCRETE

BASIS OF BEARING

THE BEARING OF N04°44'29" E ALONG 10' STREET SPALDING G. WATHEN RECORDED IN VOLUME 65, P.14, PAGE 42, MERCED COUNTY RECORDS, IS THE BASIS FOR ALL BEARINGS SHOWN ON THIS MAP.

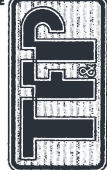
REFERENCES

- (R1) PARCEL MAP FOR SPALDING G. WATHEN, RECORDED IN VOLUME 84, PARCEL MAPS PAGES 28 & 29, M.C.R.
- (R2) PARCEL MAP FOR SPALDING G. WATHEN, RECORDED IN VOLUME 45, PARCEL MAPS PAGE 42, M.C.R.
- (R3) RECORD OF SURVEY FOR MERCED CO. ASSOC. OF GOVERNMENTS, RECORDED IN VOL. 27, SURVEYS, PAGE 43 THROUGH 48, M.C.R.
- (R4) RECORD OF SURVEY FOR SPALDING G. WATHEN, RECORDED IN VOLUME 18, SURVEYS AT PAGE 58, M.C.R.
- (R5) PARCEL MAP FOR SPALDING G. WATHEN, RECORDED IN VOLUME 50, PARCEL MAPS PAGE 16, M.C.R.
- (R6) PARCEL MAP FOR MERCY HOSPITAL, RECORDED IN VOLUME 66, PARCEL MAPS PAGE 48, M.C.R.

CITY OF MERCED FINAL MAP NO. 5233
 AMENDED MAP
 FOR
 MANSIONETTE ESTATES UNIT 1

BEING A SUBDIVISION OF A PORTION OF PARCEL 2 AS SHOWN ON "PARCEL MAP FOR SPALDING G. WATHEN", RECORDED IN VOLUME 84, PARCEL MAPS PAGES 28 & 29, MERCED COUNTY RECORDS.

SECTION 8 T.7 S. R. 14 E. M.D.B. & M.
 MERCED COUNTY, CALIFORNIA



TOLLADAY, FREMMING & PARSON
 118 PARK AVENUE
 MERCED, CA 95348-3421
 TEL: (209) 723-2096

ENGINEERS - SURVEYORS - DESIGNERS - PLANNERS
 VOLUME 52
 PAGE 32
 SHEET 2 OF 3

EXHIBIT "A"
LEGAL DESCRIPTION
FOR
VACATED STORM DRAIN EASEMENT

All that portion of the land described in Easement Grant Deed recorded on May 11, 1994 in Instrument Number 18376, Volume 3234, Official Records, Page 420, Merced County Records, also being a portion of Parcel 1 as shown on "Parcel Map for Spalding G. Wathen", recorded in Volume 65, Parcel Maps, page 42, Merced County Records being more particularly described as follow;

COMMENCING at the southwest corner of said Parcel 1;
Thence North 00° 44' 29" East, 418.04 feet along the westerly line of said Parcel 1;
Thence North 89° 55' 48" East, 70.78 feet to the TRUE POINT OF BEGINNING;

Thence North 89° 55' 48" East, 89.23 feet;
Thence South 77° 07' 03" East, 49.08 feet;
Thence North 89° 55' 48" East, 431.08 feet;
Thence North 00° 42' 36" East, 909.86 feet;
Thence South 89° 17' 24" East, 20.00 feet;
Thence South 00° 42' 36" West, 492.60 feet;
Thence North 89° 56' 08" East, 609.06 feet, to a point on the westerly line of Mansionette Drive as shown on said "Parcel Map for Spalding G. Wathen";
Thence South 00° 42' 36" West, 20.00 feet along said westerly line of Mansionette Drive;
Thence South 89° 56' 08" West, 609.06 feet;
Thence South 00° 42' 36" West, 416.99 feet;
Thence South 89° 55' 48" West, 453.06 feet;
Thence North 77° 07' 03" West, 138.30 feet, to the TRUE POINT OF BEGINNING.

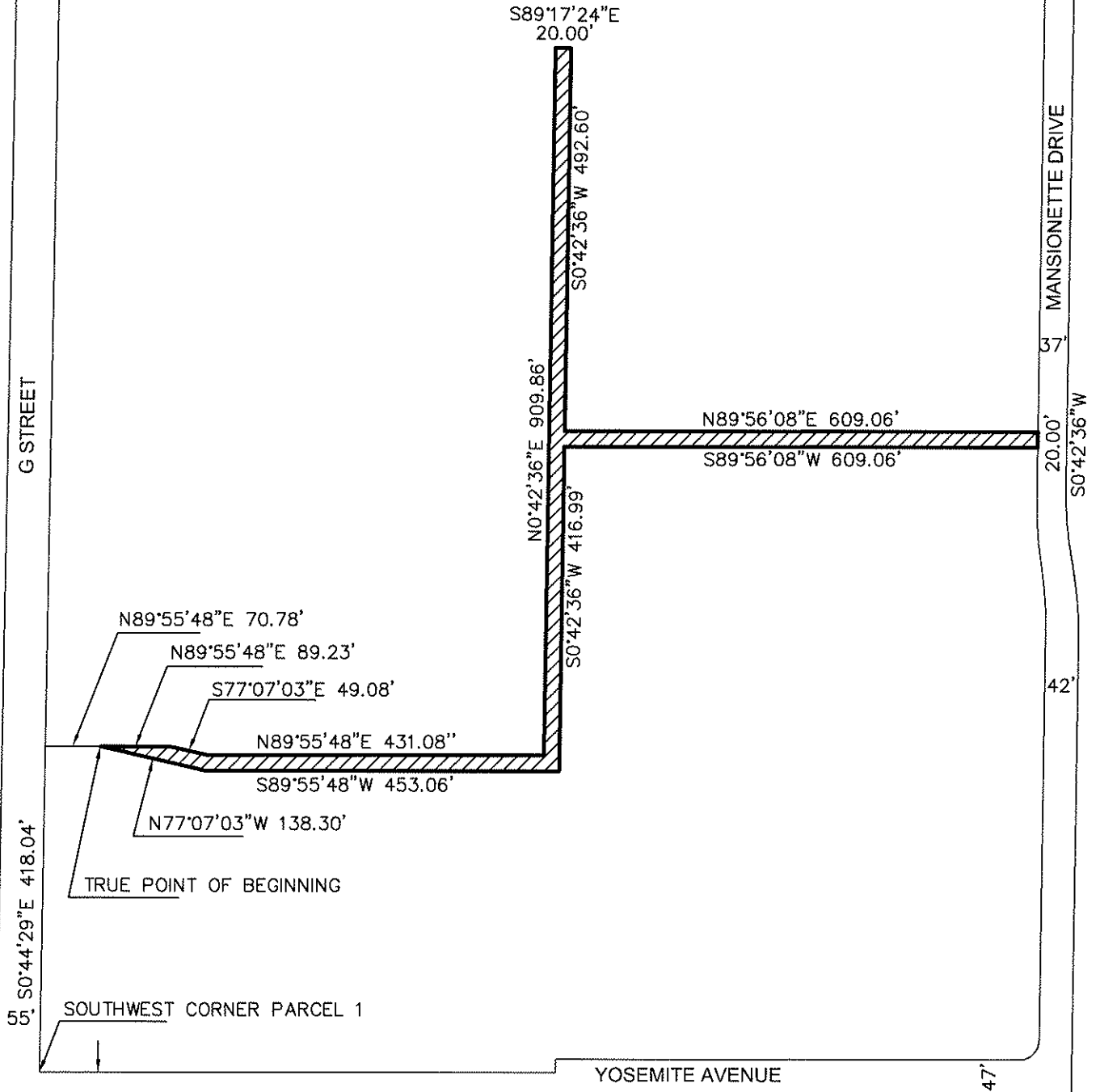
Containing 0.95± Square acres.

EXHIBIT "B"

PARCEL 1
65 P.M. 43



SCALE 1" = 200'



J.N. X130404
01-04-17