

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #20-07

AGENDA ITEM: 4.2

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: May 6, 2020

PREPARED BY: Julie Nelson,
Associate Planner

CITY COUNCIL
MEETING DATE: June 15, 2020
(Tentative)

SUBJECT: **Vacation #20-02**, initiated by Rick Telegan on behalf of Exposition, LLC and Leeco, LLC, to abandon a 25-foot-wide access easement in Foothill Drive (extended) and a 25-foot-wide temporary access easement along the east side of G Street at Foothill Drive (extended).

ACTION: Finding:

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

RECOMMENDATION

The owner is requesting the Vacation/Abandonment of a 25-foot-wide access easement that begins on the east side of Foothill Drive (extended) near the intersection of G Street and extends east approximately 1,732 feet containing approximately 43,075 square feet and a 25-foot-wide temporary access easement along the east side of G Street beginning at the intersection of Foothill Drive (extended) and extending south approximately 449 feet, containing approximately 11,229 square feet (Attachment A). Planning staff recommends the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan, subject to approval by the City Council of General Plan.

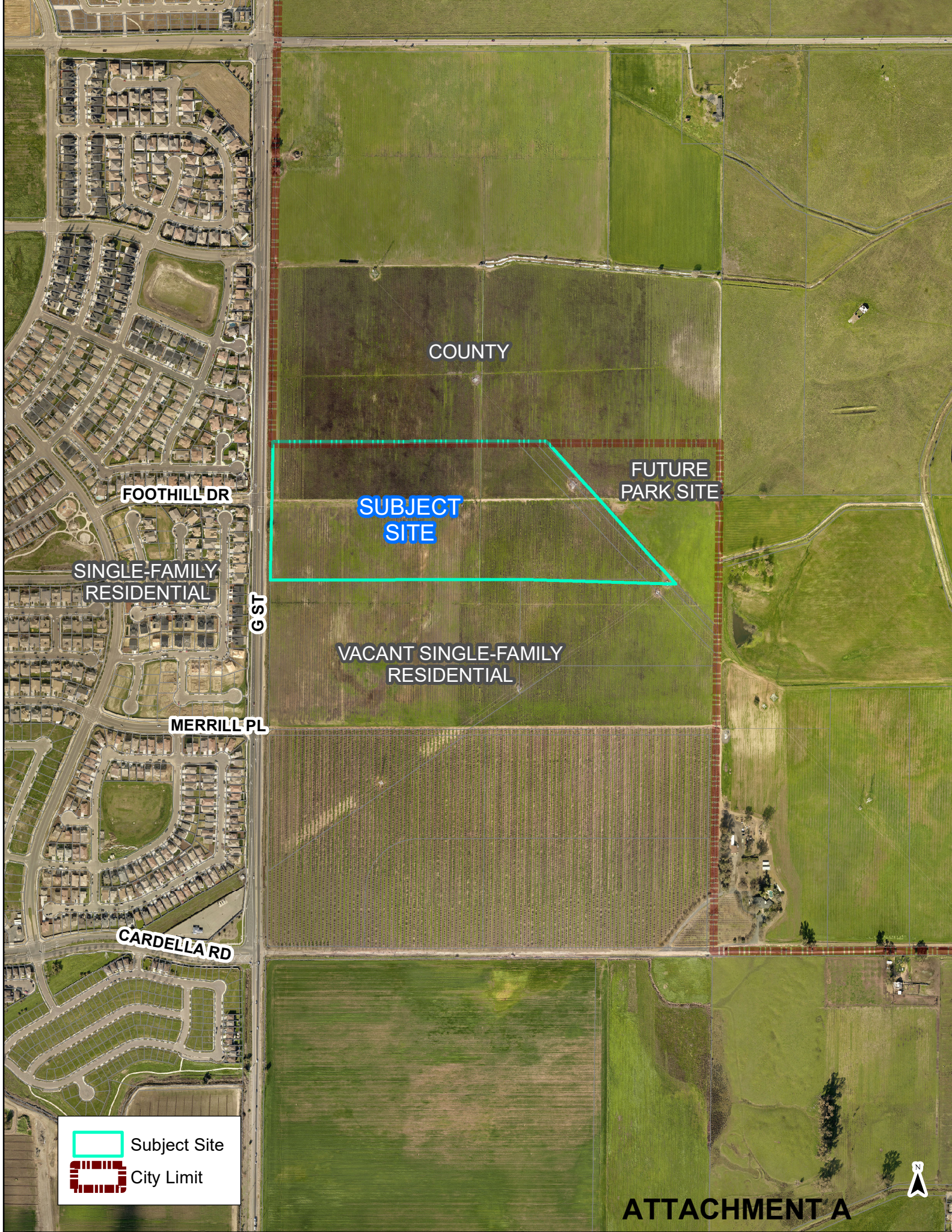
BACKGROUND

The property owner dedicated the easements in 2007 to provide access to the City's park site east of their property as shown on the location map at Attachment A and in anticipation of widening of G Street to its ultimate width of 128 feet. The owner recently recorded a parcel map that dedicated the streets and the additional right-of-way needed along G Street. Therefore, there is no longer a need for the easements.

The General Plan does not address such routine items as easements or vacating parcels, 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. Planning staff recommends the Planning Commission adopt a Finding showing that the proposed Vacation is consistent with the General Plan.

Attachments:

- A) Location Map
- B) Legal Description and Map of Proposed Vacation Areas



COUNTY

FOOTHILL DR

SUBJECT SITE

FUTURE PARK SITE

SINGLE-FAMILY RESIDENTIAL

G ST

VACANT SINGLE-FAMILY RESIDENTIAL

MERRILL PL

CARDELLA RD



 Subject Site
 City Limit



EXHIBIT 'A'

ACCESS EASEMENT RELINQUISHMENT

LEGAL DESCRIPTION

An easement 25.00 feet in width, situate in a portion of Section 5, Township 7 South, Range 14 East, Mount Diablo Base and Meridian affecting a portion of Parcel 1 as shown on the "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, the south line of said easement described as follows:

Commencing at the northwest corner of said Parcel 1; thence S.00°41'18" W. a distance of 384.01 feet to the TRUE POINT OF BEGINNING; thence N.89°47'54" 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°47'28" E., along a tangent line a distance of 282.75 feet to a point on the southwesterly line of City of Merced owned park area, recorded in Grant Deed Doc. No. 2007-0255323, M.C.R., shown on said Parcel Map and the end of this description.

Containing: 43,075 square feet, more or less.

EXHIBIT 'B'

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

PARCEL 1
 45 P.M. 16

13 R.S. 39

STREET

S 00°41'18" W
 384.01'

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

PARCEL 1
 118 P.M. 3

PARCEL 1

FOOTHILL

N 89°47'54" E 1046.72'

POINT OF BEGINNING

25'

PARCEL 3
 118 P.M. 3

PALISADES DRIVE

PARCEL 2
 118 P.M. 3

DRIVE

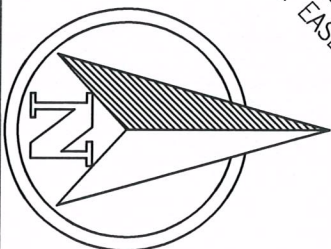
$\Delta = 43^{\circ}00'26"$
 $R = 537.00'$
 $L = 403.08'$

PARCEL 4
 118 P.M. 3

97 P.M. 15

N 46°47'28" 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

EXHIBIT 'A'

ACCESS EASEMENT RELINQUISHMENT

LEGAL DESCRIPTION

All that certain real property, 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 as shown on "Parcel Map for Exposition Properties, LLC & LEECO, LLC", Recorded in Book 118 of Parcel Map at Page 3-7, M.C.R., in the County of Merced, State of California, being described as follows:

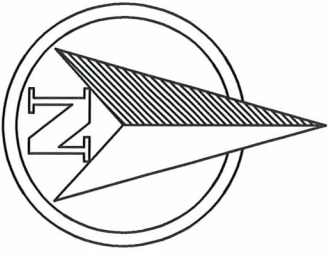
Commencing at the Northwest corner of said City of Merced owned park area; thence S.89°52'48" W. along the north line of the portion of Parcel 2 as shown on said Parcel Map, a distance of 50.50 feet to a point on the northeasterly line of a 75 foot wide Power Line Easement as described in Volume 124 of Official Records, at Page 47 Merced County Records; thence S. 43°00'50" E. along said northeasterly line a distance of 70.80 feet to the TRUE POINT OF BEGINNING; thence continuing S. 43°00'50" E. along said northeasterly line a distance of 25.00 feet; thence S. 46°39'26" W. a distance of 75.00 feet to the southwesterly line of said 75 foot wide Power Line Easement; thence N. 43°00'50" W. along said southwesterly line a distance of 25.00 feet; thence N. 46°39'26" E. a distance of 75.00 feet to the point of beginning.

Containing: 1,875 sq. ft., more or less.

PARCEL 1
45 P.M. 16

75' POWERLINE EASEMENT
PER DEED 121 O.R. 411, M.C.R.
(OWNED BY CITY OF MERCED
PER DOC. #2007-025323, M.C.R.)

PARCEL 2
118 P.M. 3



PARCEL 1
97 P.M. 15



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EXHIBIT 'B'

POINT OF COMMENCEMENT
NW CORNER OF GRANT DEED DOC. NO.
2007-0255323, M.C.R., AS ESTABLISHED ON
PARCEL MAP FOR EXPOSITION PROPERTIES,
LLC & LEECO, LLC, RECORDED IN BOOK
118 PARCEL MAP AT PAGE 3-7, M.C.R.

13 R.S. 39

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

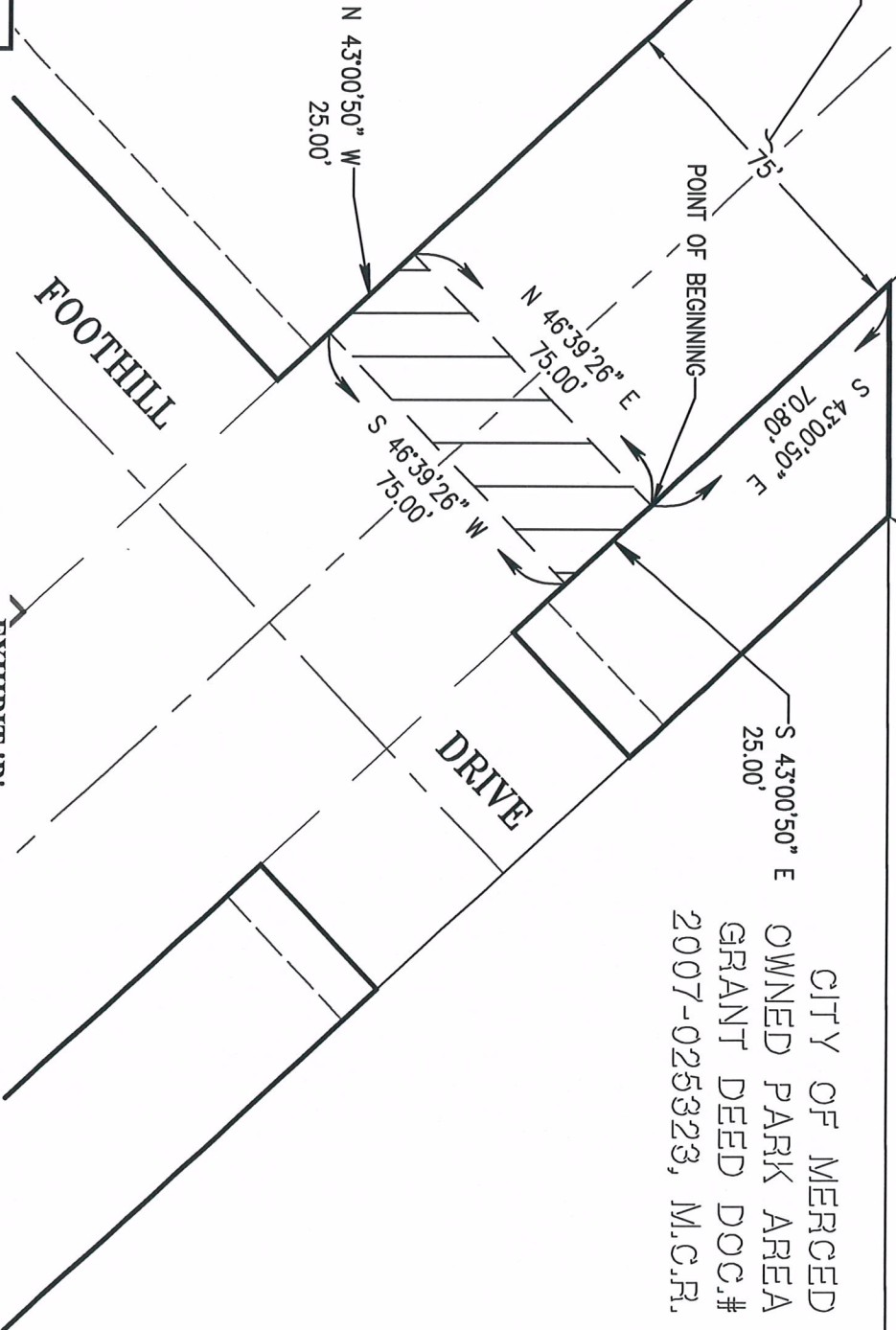


EXHIBIT 'B'

Relinquishment of 25 foot Access Easement as described in Document No. 2007-025323, M.C.R., and shown on Parcel Map Exposition Properties, LLC & LEECO, LLC, Recorded in Book 118 of Parcel Map at Page 3-7, 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

EXHIBIT 'A'

ACCESS EASEMENT RELINQUISHMENT

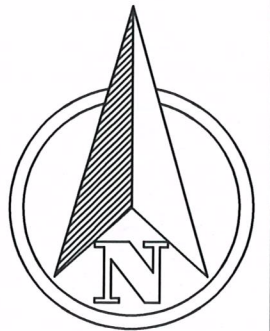
LEGAL DESCRIPTION

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 affecting Parcel 1 and 3 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 said Parcel 1; thence S.00°41'18" W. 337.27 feet to the TRUE POINT OF BEGINNING; thence S.89°18'42" E. 25.00 feet; thence S.00°41'18" W. parallel with said West line a distance of 448.97 feet to a point on the South line of said Parcel 3; thence N.89°52'37" E. along said South line a distance of 25.00 feet; thence N.00°41'18" E. along said West line of said Parcel 3 a distance of 449.32 feet to the point of beginning.

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

EXHIBIT 'B'



PARCEL 1
45 P.M. 16

PARCEL 1

PARCEL 1
118 P.M. 3

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

337.27'

S 89°18'42" E
25.00'

FOOTHILL DRIVE

POINT OF BEGINNING

S 00°41'18" W 786.59'

97 P.M. 15

PARCEL 4
118 P.M. 3

S 00°41'18" W 448.97'

449.32'

STREET

EXHIBIT 'B'

PARCEL 2
97 P.M. 15

N 89°52'37" E
25.00'

'G'



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