

CITY OF MERCED
Planning & Permitting Division

STAFF REPORT: #18-27

AGENDA ITEM: 4.1

FROM: Kim Espinosa,
Planning Manager

PLANNING COMMISSION
MEETING DATE: Oct 5, 2018

PREPARED BY: Julie Nelson,
Associate Planner

CITY COUNCIL
MEETING DATE: Nov. 3, 2018
(Tentative)

SUBJECT: **Vacation #18-03**, initiated by Bright Development, to abandon a 20-foot-wide temporary access easement on 7 lots within the Summer Creek Subdivision, generally located west of McKee Road at Silverstone Drive.

ACTION: Finding:

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

RECOMMENDATION

Bright Development is requesting the Vacation/Abandonment of the 20-foot-wide temporary access along the north property line of Lots 5, 6, 7, 17, 18, and 19, and along the southeast property line of Lot 130 within the Summer Creek Subdivision. Bright Development is the owner of these lots, with the exception of Lot 5 (3549 Veranda Ct.), which is owned by Chris Curtis and Mehnaz Hassan (Attachment A). The owners of Lot 5 are supportive of the vacation request. Planning staff recommends the Planning Commission adopt a Finding that the proposed Vacation is consistent with the General Plan..

BACKGROUND

The 20-foot-wide temporary access easement was required as a condition of approval of the Tentative Subdivision map for the Summer Creek Subdivision in 2003. At that time, the area surrounding this subdivision had not been developed and emergency access to the site was limited to one access point off McKee Road at Silverstone Drive. Therefore, a second access from McKee Road was required which was provided by the easement on Lots 5, 6, 7, 17, 18, and 19. Additional access was needed to the second phase of the subdivision which was provided by the easement on Lot 130. Now that the surrounding area has been developed and there is access to McKee Road and Yosemite Avenue, the temporary access easement is no longer needed.

The General Plan does not address such routine issues as abandoning a temporary access easement. Therefore, the abandonments would not conflict with any goals, policies, or actions in the General Plan, and the proposed vacation is consistent with the General Plan.

Attachments:

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

20-Foot-Wide
Temporary Access
Easement



130

20-Foot-Wide
Temporary Access
Easement



EXHIBIT 'A'

**Legal Description for
Abandonment of 20' Wide Temporary Emergency Access Easement
Summer Creek Phase 1 (A.P.N. 008-391-005, 006, 007, 017, 018 and 029)**

The north 20.00 feet of Lots 5, 6, 7, 17, 18 and 29 as shown on the map of Summer Creek Phase 1 filed in Book 62 of Official Plats, at Pages 43 through 47, inclusive, Merced County Records, lying in Section 16, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, County of Merced, State of California.

This real property description was prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.



Sean Harp 5/1/2018
Sean Harp, P.L.S. 7823 Date

EXHIBIT 'A'
Legal Description for
Abandonment of 20' Wide Temporary Access Easement
Summer Creek Phase 1 (A.P.N. 008-403-004)

The southeasterly 20.00 feet of Lot 130 as shown on the map of Summer Creek Phase 1 filed in Book 62 of Official Plats, at Pages 43 through 47, inclusive, Merced County Records, lying in Section 16, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, County of Merced, State of California.

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Sean Harp 5/1/2018
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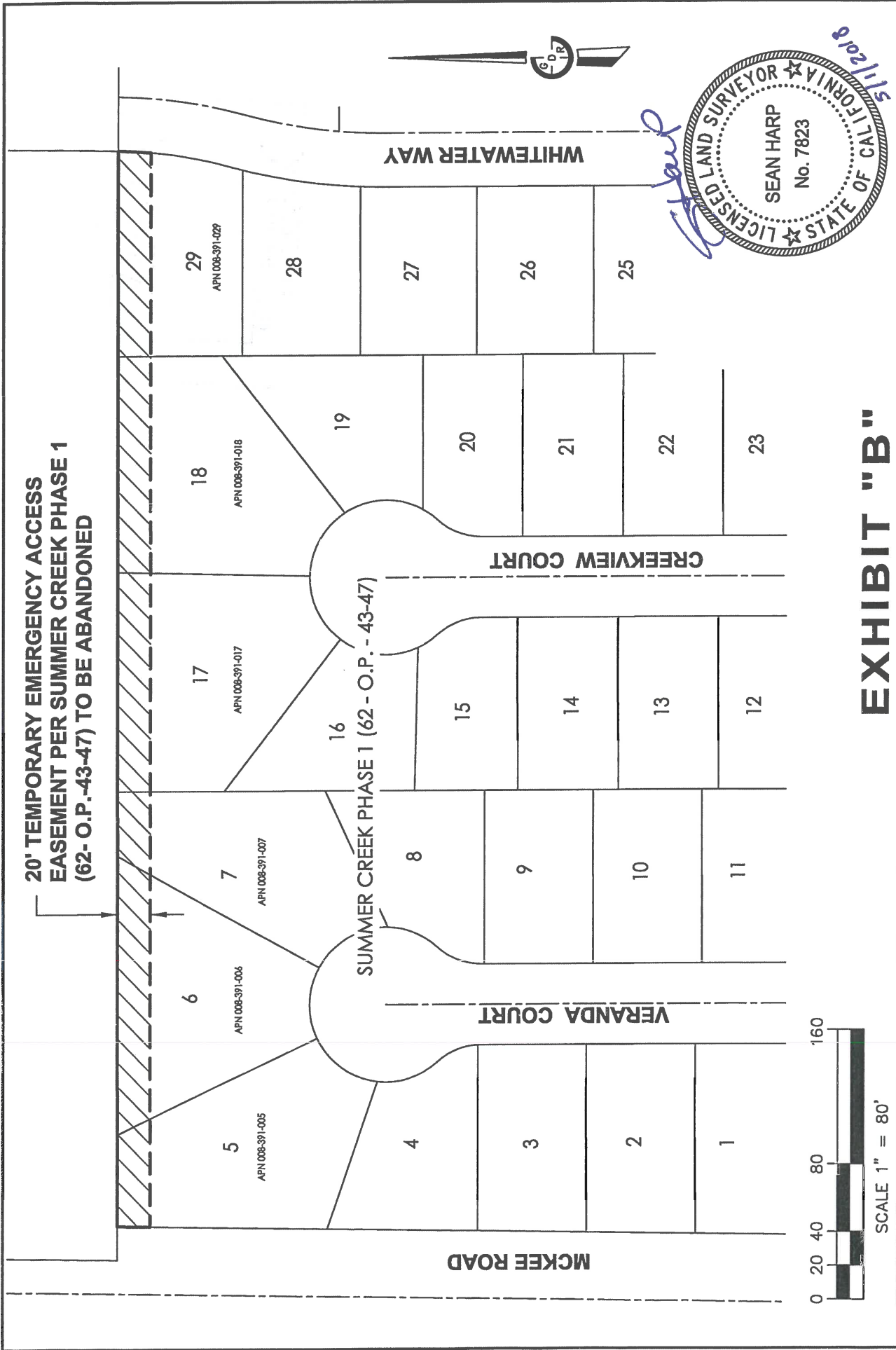
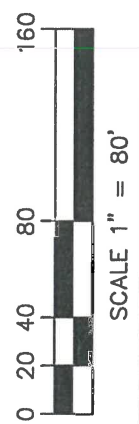


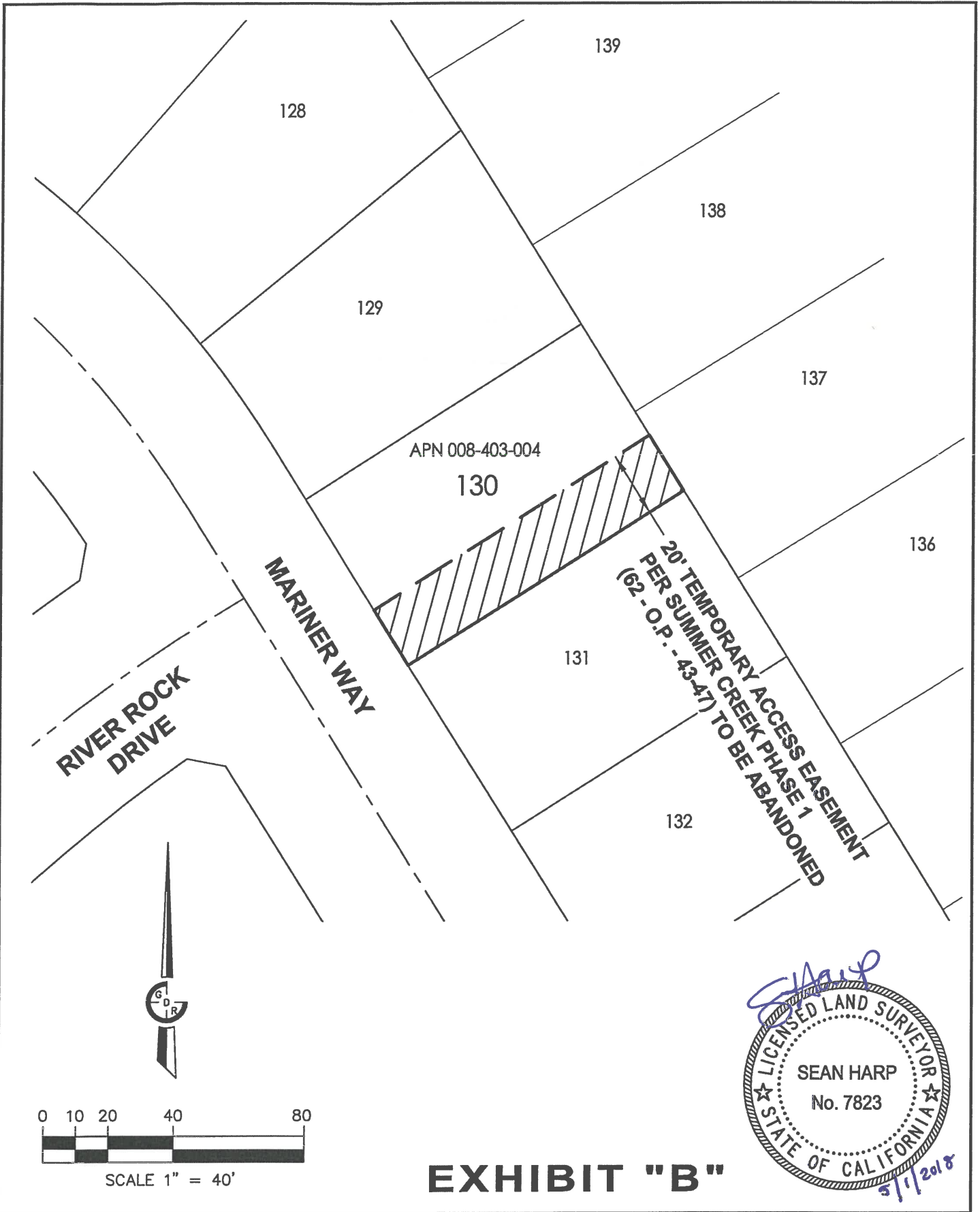
EXHIBIT "B"

ABANDONMENT OF TEMPORARY EMERGENCY ACCESS EASEMENT FOR SUMMER CREEK PHASE 1
 CITY OF MERCED, COUNTY OF MERCED, CALIFORNIA

JOB NO.: 18022
 APRIL, 2018
 SHEET 1 OF 1

GDR ENGINEERING, Inc.
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Sean Harp
 LICENSED LAND SURVEYOR
 SEAN HARP
 No. 7823
 STATE OF CALIFORNIA
5/1/2018

EXHIBIT "B"

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 CITY OF MERCED, COUNTY OF MERCED, CALIFORNIA

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