

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY**

DEPT: PUBLIC WORKS *CP*

BOARD AGENDA # \*C-1

Urgent        Routine ✓

AGENDA DATE FEBRUARY 27, 2001

CEO Concurs with Recommendation YES        NO         
(Information Attached)

4/5 Vote Required YES ✓ NO       

**SUBJECT:**

APPROVAL OF A SUMMARY ABANDONMENT OF A ROAD DEDICATION AT THE NORTH END OF RICHLAND AVENUE NEAR THE CITY OF CERES.

**STAFF  
RECOMMEN-  
DATIONS:**

1. ADOPT A RESOLUTION TO SUMMARILY VACATE A ROAD DEDICATION AT THE NORTH END OF RICHLAND AVENUE NEAR THE CITY CERES; AND,
2. FIND THAT PURSUANT TO SECTION 66478.8 OF THE SUBDIVISION MAP ACT, REASONABLE PUBLIC ACCESS IS AVAILABLE WITHIN A REASONABLE DISTANCE FROM THE SUBDIVISION.

**FISCAL  
IMPACT:**

There is no fiscal impact associated with this item.

**BOARD ACTION**

No. 2001-143

On motion of Supervisor Caruso, **Seconded by Supervisor** Simon,  
and approved by the following vote, Mayfield, Blom, Simon, Caruso, and Chair Paul

Ayes: Supervisors: None

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2)        Denied

3)        Approved as amended

Motion:

*Christine Ferraro*

File No.

**SUBJECT:** APPROVAL OF A SUMMARY ABANDONMENT OF A ROAD DEDICATION AT THE NORTH END OF RICHLAND AVENUE NEAR THE CITY OF CERES  
**PAGE:** 2

**DISCUSSION:** A condition of Stanislaus County Parcel Map No. 89-07 required the dedication of a 90-foot-wide strip of land for the future Richland Avenue -Tioga Drive Bridge link. At the time of the dedication, both the City of Ceres and the City of Modesto included this parcel in their general plan as a link to connect Richland Avenue and Tioga Drive. The City of Ceres and the City of Modesto have now removed it from their respective general plans. Stanislaus County General Plan Amendment 2000-10 - Ceres Circulation approved the removal of this parcel from the general plan subject to providing adequate public access to the Tuolumne River .

The property owner, Mr. William Hysell, has requested that the Public Works Department abandon this dedication. Since the dedication was a requirement of the parcel map, and the reason that the County complied with the condition was to assist the City of Modesto and the City of Ceres with their planned link across the Tuolumne River, we feel his request is acceptable and that per Section 8334(a) of the Streets and Highways Code, the legislative body of a local agency may summarily vacate an excess right of way of a street not required for street purposes. Also, pursuant to Section 66478.8 of the Subdivision Map Act, public access to the Tuolumne River is available within a reasonable distance from this parcel via Mancini Park.

**POLICY ISSUE:** This action is consistent with the Board's policy of providing a safe, healthy community.

**STAFFING IMPACT:** There is no staffing impact associated with this item.

CK:la  
G:\survey\hysell.ck.wpd

## **EXHIBIT "A"**

All of Parcel 3 as shown on the map filed in volume 47 of Parcel Maps at page 73, Stanislaus County Records, lying in Section 3, Township 4 South, Range 9 East, Mount Diablo Meridian

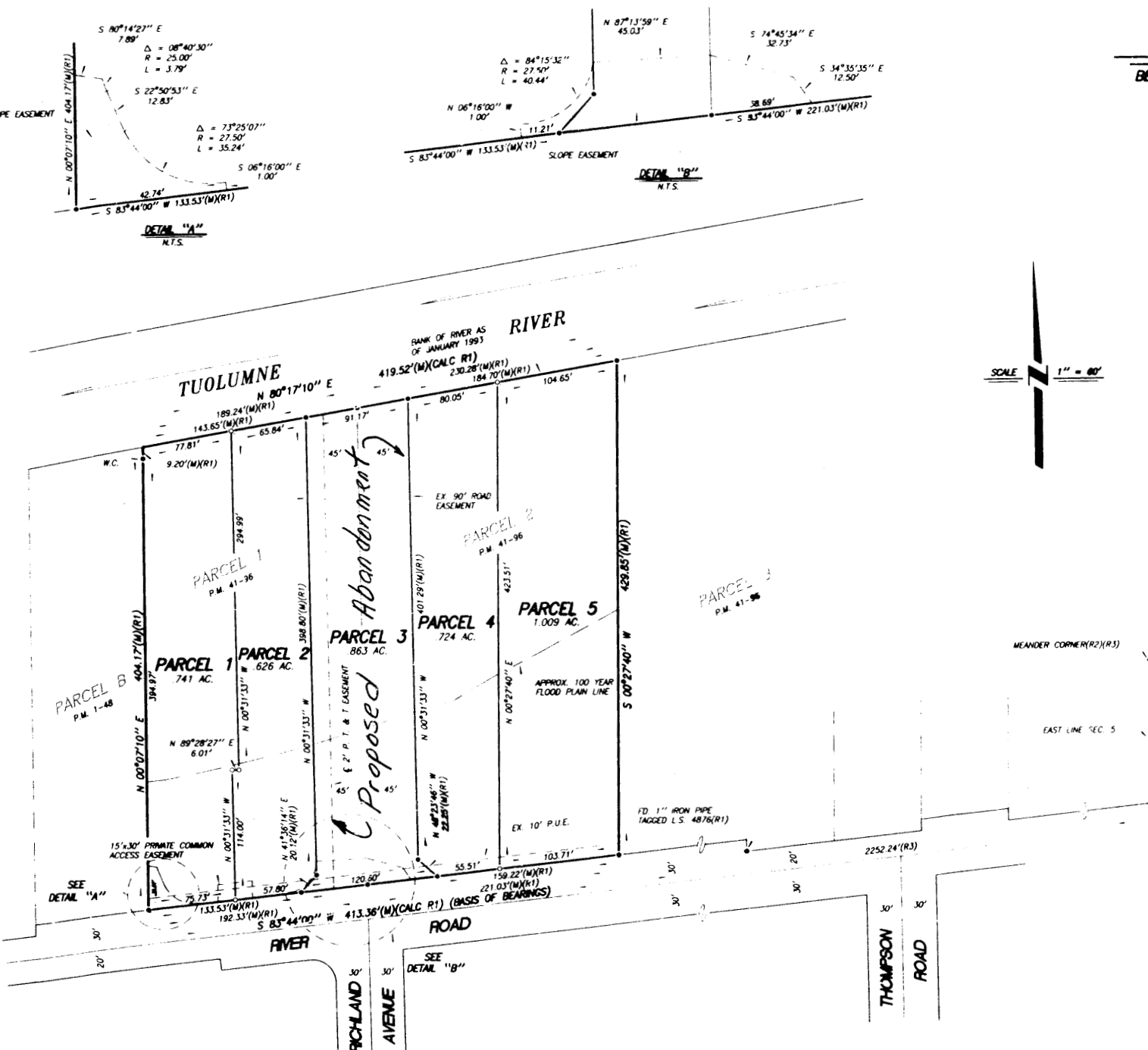
Subject to all easements of record.

# PARCEL MAP

BEING A SUBDIVISION OF PARCEL 1 AND PARCEL 2 OF PARCEL MAP FILED FOR RECORD IN BOOK 41 OF PARCEL MAPS, AT PAGE 96, STANISLAUS COUNTY RECORDS, LYING IN SECTION 3, T. 4 S., R. 9 E., M. D. B. & M. STANISLAUS COUNTY, CALIFORNIA

**THOMPSON-HYSELL ENGINEERS**

1016 12th STREET MODESTO, CALIFORNIA  
JANUARY, 1994



### LEGEND

- FD 3/4" IRON PIPE TAGGED L.S. 4876(R1), UNLESS OTHERWISE NOTED
- SET 3/4" x 30" IRON PIPE TAGGED L.S. 4876
- S.C.R. STANISLAUS COUNTY RECORDS
- P.U.E. PUBLIC UTILITY EASEMENT
- P.M. PARCEL MAP
- S.F.N. SEARCHED, FOUND NOTHING
- EX. EXISTING
- CALC. CALCULATED FROM RECORD
- W.C. WITNESS CORNER

### NOTES

1. PARCEL 3 AS SHOWN HEREON IS ENCUMBERED BY A 90'-FOOT WIDE ROAD DEDICATION AS CREATED BY PARCEL MAP FILED FOR RECORD JUNE 20, 1989 ON BOOK 41 OF PARCEL MAPS, AT PAGE 96, S.C.R.
2. PARCELS 1 AND 5 ARE DESIGNATED FOR AN AEROBIC SEPTIC SYSTEM FOR FUTURE DWELLING.

### REFERENCES

- (M) MEASURED DISTANCE, ALL DISTANCES ARE MEASURED UNLESS OTHERWISE NOTED.
- (R1) RECORD PER PARCEL MAP, BOOK 41, AT PAGE 96, (S.C.M.)
- (R2) RECORD PER PARCEL MAP, BOOK 1, AT PAGE 96, (S.C.R.)
- (R3) RECORD PER RECORD OF SURVEY, BOOK 41, AT PAGE 96, (S.C.H.)

### BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTHERLY LINE OF RIVER ROAD AS SHOWN ON BOOK 41 OF PARCEL MAPS, PAGE 96, STANISLAUS COUNTY RECORDS, AS N 83°44'00" E.

### RECORDER'S STATEMENT

FILED THIS 28 DAY OF July, 1994, AT 2:00 P.M.  
IN BOOK 46 OF PARCEL MAPS, AT PAGE 73  
AT THE REQUEST OF WILLIAM B. HYSSELL

FEES \$ 10.00

KAREN MATTHEWS  
COUNTY RECORDER OF  
STANISLAUS COUNTY, CALIFORNIA

By *Pat Savelle*  
DEPUTY

#76209