

## RESOLUTION NO. 25-

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA, ORDERING THE SUMMARY VACATION OF THE PUBLIC ROAD RIGHT OF WAY, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, AS ORIGINALLY DEDICATED FOR PUBLIC ROAD AND UTILITY PURPOSES ON TRACT MAP NO. 15, IN THE CITY OF MENIFEE, CALIFORNIA**

**WHEREAS**, the Recorded Romola Map No. 15, located north of Rouse Road and east of Antelope Road in the City of Menifee ("City"), with Riverside County Recorder's Office, included offers of dedications for public roadway and utility easements; and

**WHEREAS**, the original alignment of Antelope Road was subsequently abandoned with the realignment and construction of the new Antelope Road by developer KB Homes; and

**WHEREAS**, the property owner requested a vacation be granted for the remaining previously dedicated right of way, said vacation would relinquish any interest in the abandoned portion of Antelope Road; and

**WHEREAS**, the City has determined that a summary of vacation is warranted for relinquishing public right of way, moves to approve the notice of Vacation 23-001; and

**WHEREAS**, the Streets and Highways Code Section 8333(c) establishes that a local jurisdiction may summarily vacate a public utility easement if "the easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement."

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Menifee, California:

**Section 1.** The City Council, in summarily vacating public right of way, elects to proceed in accordance with the provision of the "Public Streets, Highways and Service Easements Vacation Law," as established in Division 9, Part 3, of the Streets and Highways Code of the State of California.

**Section 2.** The City Council of the City of Menifee does hereby summarily vacate those public utility easements, together with the right of ingress and egress originally irrevocably offered by the Map of Romola No. 15, for the portion of Antelope Road, located near the southwest corner of the new Antelope Road Alignment and Calle Celia intersection, as described in the Easement Vacation and exhibits attached hereto and incorporated as Exhibit "A" and depicted on Exhibit "B" attached and incorporated.

**Section 3.** Nothing in this Resolution shall in any way affect or disturb any other existing easements for public utility purposes belonging to either the City of Menifee or public entity that existed prior to these vacation proceedings. Reservations of easements are made in accordance with the provisions or Division 9, Part 3, Chapter 5, Article 1, of the Streets and Highways Code of the State of California.

**Section 4.** The City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Section 5.** Severability. If any provision of this Resolution or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

**Section 6.** Effective Date. This Resolution shall become effective immediately.

**PASSED, APPROVED AND ADOPTED** this 7<sup>th</sup> day of May 2025.

---

Ricky Estrada, Mayor

Attest:

---

Stephanie Roseen, City Clerk

Approved as to form:

---

Jeffrey T. Melching, City Attorney