

**RESOLUTION NO. 23-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA,  
APPROVING THE VACATION OF A PORTION OF CRAIG AVENUE AND THE  
RESERVATION OF UTILITIES AND EASEMENTS THEREIN**

**WHEREAS**, on June 8, 2022, a petition to vacate portions of right-of-way on Craig Avenue, east of Antelope Road, was received from FPG Tricon Meniffee Property, LLC; and

**WHEREAS**, on July 19, 2023, the Mayor and City Council authorized staff to initiate proceedings for investigation and analysis to vacate portions of right-of-way on Craig Avenue, east of Antelope Road; and

**WHEREAS**, the City has determined that the portion of right-of-way to be vacated is unnecessary for prospective or public use; and

**WHEREAS**, on August 19, 2023, and August 26, 2023, a Notice of Public Hearing was published in the Press Enterprise, a locally distributed daily newspaper; and

**WHEREAS**, on August 22, 2023, notices were sent out to City Departments and utility providers, and posted in three conspicuous locations on the vacation site; and

**WHEREAS**, on September 6, 2023, a public hearing was held where all persons interested in or objecting to the proposed vacation areas appeared before the City Council of the City of Meniffee, California and offered evidence in relation to the vacation of portions of right-of-way on Craig Avenue, east of Antelope Road.

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

**Section 1.** The City Council, in vacating portions of right-of-way on Craig Avenue east of Antelope Road, elects to proceed in accordance with the provision of the “Public Streets, Highways and Service Easements Vacation Law”, being Division 9, Part 3, of the Streets and Highways Code of the State of California.

**Section 2.** The City Council of the City of Meniffee does hereby vacate that portion of Craig Avenue, east of Antelope Road, as described in the Notice of Vacation and exhibits attached hereto and incorporated as Exhibit “A” and depicted on each of the maps attached hereto and incorporated as Exhibit “B”.

**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 Meniffee or public entity that existed prior to these vacation proceedings. Reservations of easements are made in accordance with the provisions of 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 6<sup>th</sup> day of September 2023.

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Bill Zimmerman, Mayor

Attest:

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Sarah Manwaring, City Clerk

Approved as to form:

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Jeffrey T. Melching, City Attorney