



CITY OF MENIFEE

SUBJECT: Public Service Easement Vacation No. 22-003, Vacating
Public Utility Easements within Tract No. 32628, Adler Ranch

MEETING DATE: October 18, 2023

TO: Mayor and City Council

PREPARED BY: Steven Strapac, Principal Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Approve a resolution ordering the summary vacation of public utility easements, together with the right of ingress and egress, as previously dedicated on recorded Tract Map No. 32628, Adler Ranch, located south of Craig Avenue and east of Antelope Road; and
2. Authorize the City Clerk to file the approved resolution and Notice of Vacation No. 22-003 (VAC22-003) with the Riverside County Recorder's Office.

DISCUSSION

Streets and Highways Code (SHC) sections 8330 through 8336 give a legislative body the power to summarily vacate all or part of a street, highway, or public service easement, and set forth the procedures by which the power to vacate may be executed under summary vacation procedures. This process differs from a general vacation procedure as it does not require that public notices of the vacation be published or that a public hearing be administered prior to considering the vacation. A summary vacation may be completed with the approval of a resolution by the legislative body and must be recorded with the County Clerk Records Office.

Adler Ranch (formerly Christensen Ranch), by FPG Tricon Meniffee, LLC ("Developer"), consists of 303 single-family residential units (attached and detached) within approved and recorded Tract Map No. 32628 (TM32628). The Adler Ranch development ("Project") is located south of Craig Avenue and east of Antelope Road. The Project was subdivided with the recording of TM32628 on November 17, 2007, and public utility easements were dedicated and recorded within private road easements at that time ("Original Easements").

The proposed vacation is the result of an application received from the Developer requesting that the City vacate the Original Easements recorded via TM32628 in November 2007. On September 12, 2022, a lot line adjustment (LLA 22-002) was approved and executed by the City, and recorded September 13, 2022, as Document No. 2022-0392932 by the Riverside County Recorder's Office. LLA 22-002 resulted in the shifting of the parcel lines within the Project, requiring that new public utility and access easements be recorded. The original easements, created via TM32628, have since been superseded by the dedication of new public utility easements ("New Easements") within the private roadways recorded on April 27, 2023, through the attached DED22-012, Instrument No. 2023-0119544. The New Easements were recorded with the intent to completely replace the Original Easements, allowing the Developer to better align the public utility easements within the private roadways and accommodate utility cabinets needed for the roadway alignment improvements. Given that the New Easements have already been recorded, there are no current access issues or impacts for utility companies or other agencies. Approval of this item does not impact the New Easements recorded in April 2023.

Pursuant to SHC Section 8333(c), a public utility easement may be summarily vacated 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". The proposed vacation request meets the requirements to be summarily vacated as the Original Easements have been superseded and no public facilities are located within them. While the summary vacation proceeding does not require a public hearing, staff has provided a courtesy notification of information regarding this vacation action to local utilities and other City departments. As of the writing of this report, no comments or concerns have been received by local utility or other agencies.

If approved, the proposed resolution and Notice of Vacation No. 22-003 (VAC22-003) would be recorded with the Riverside County Clerk Recorder's Office, and the vacation of the Original Easements, along with any original rights of ingress and egress, would be effective as of the recorded date.

STRATEGIC PLAN OBJECTIVE

Safe and Vibrant Community

FISCAL IMPACT

There is no fiscal impact associated with the proposed summary vacation of public service easements. Developer has submitted all fees associated with the vacation application processing.

ATTACHMENTS

1. Location Map
2. Resolution
3. Exhibit A - Notice of Vacation No. VAC22-003
4. Tract Map 32628
5. DED 22-012