

## RESOLUTION NO. 2022-5780

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA, DECLARING ITS INTENT TO A PARTIAL VACATION OF THE LANDSCAPE EASEMENT AT 5851 DEERFOOT LANE

**WHEREAS**, the City Council of the City of Yorba Linda ("City Council") desires to initiate proceedings to vacate a portion the landscape easement at 5851 Deerfoot Lane in the City of Yorba Linda, County of Orange, California (Subject Property); and

**WHEREAS**, in order to vacate a portion of the landscape easement on the Subject Property, the City Council must find that it is unnecessary for present or prospective public use; and

**WHEREAS**, in order for the City Council to initiate proceedings to vacate a portion of the landscape easement on the Subject Property, it must comply with the provisions of the Public Streets, Highways, and Service Easements Vacation Law of the Streets and Highway Code of the State of California (Streets and Highways Code §8300 et. seq.) ("Vacation Law"); and

**WHEREAS**, the Vacation Law requires specific procedures for the vacation of public streets and easements.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Yorba Linda as follows:

Section 1. The City Council, under the authority vested in it by the Vacation Law, hereby initiates proceedings to vacate a portion of the landscape easement on the Subject Property and set a hearing for all persons interested in or objecting to the proposed vacation the landscape easement on the Subject Property.

Section 2. The time and place for hearing all persons interested in or objecting to the proposed vacation is to be held on February 15, 2022, at 7:00 p.m. in the Council Chambers at 4845 Casa Loma Avenue, Yorba Linda, California.

Section 3. The City Clerk shall cause this Resolution to be posted and published in the manner prescribed by the Vacation Law.

Section 4. The City Engineer shall post notices conspicuously along the line of the Subject Property at least two weeks prior to the public hearing on February 15, 2022. Such notices shall be posted not more than 300 feet apart, but at least three (3) notices shall be posted. Furthermore, each notice so posted shall make reference to the passage of this Resolution and shall state the time and place of the public hearing.

Section 5. The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Yorba Linda on this 18<sup>th</sup> day of January, 2022.

CARLOS RODRIGUEZ, MAYOR  
CITY OF YORBA LINDA

ATTEST:

MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA

APPROVED AS TO FORM:  
RUTAN & TUCKER LLP

CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss.

**I, MARCIA BROWN**, City Clerk of the City of Yorba Linda, California, **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Yorba Linda held on the 18<sup>th</sup> day of January, 2022, and was carried by the following roll call vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:

MARCIA BROWN, CITY CLERK  
CITY OF YORBA LINDA