



# STAFF REPORT

## CITY of YORBA LINDA

### PUBLIC WORKS DEPARTMENT

**DATE:** FEBRUARY 18, 2025

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS / CITY ENGINEER  
PREPARED BY: REGINA HU, P.E., PRINCIPAL CIVIL ENGINEER

**SUBJECT:** ACCEPTANCE OF THE IRREVOCABLE OFFER OF TRAIL DEDICATION FROM LENNAR HOMES ON TRACT NO. 17341 (CIELO VISTA)

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### RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 2025-5930 to accept and authorize for recordation the Irrevocable Offer of Trail Dedication from Lennar Homes on Tract No. 17341 (the Cielo Vista development) but reject acceptance of the actual trail easements at this time.

### BACKGROUND

The 83-acre Cielo Vista Development (“Project”) is situated north of Via del Agua and Stonehaven Avenue, east of San Antonio Road per Tract Map 17341. The development was formally annexed to the City of Yorba Linda from the County of Orange on December 20, 2019, through the Local Agency Formation Commission of Orange County, California (“LAFCO”). As part of the annexation, the City and the original property owner/developer (North County BRS Project, LLC) signed a Pre-Annexation Agreement. The prior property owner later sold the Property to Lennar Homes of California in 2019, and the Property is still subject to the terms of the Pre-Annexation Agreement.

Section 3.2.12 of the Pre-Annexation Agreement states, “Consistent with Mitigation measures 4-13.2 and Tract Map Condition No. 33, Company [now Lennar Homes] shall coordinate with the City trail alignments through the [Cielo Vista] Project. The Parties have agreed on the location of the trail alignments as shown on [Attachment 3] and said trail alignments shall be dedicated to the City in a location and in a manner acceptable to the City.”

As part of the Final Map approval of Tract 17341, the County of Orange (which was still at such time the governing governmental agency for permitting purposes for the Property) rejected the irrevocable offer of dedication of easements for open space and trail purposes on Lots A, B, C, K, and L of the Property. Consistent with the Pre-Annexation Agreement, Lennar Homes has now prepared an Irrevocable Offer of Trail Dedication (Attachment 3) to the City of Yorba Linda for future multi-use trail purposes. The locations of the three trails

were previously determined by City staff and Lennar consistent with City's Master Plan of Trails to the greatest extent feasible.

## **DISCUSSION**

An Irrevocable Offer of Dedication is a dedication of property by a property owner to a government agency in which the property owner agrees to dedicate property to the agency either now or in the future. The property owner cannot withdraw or terminate the offer. The City has decided to "accept" the irrevocable offer but reject the actual dedication of the easements for trail purposes at this time. The City does not have the funds to construct the actual trails at this time, and it is not recommended that the City accept the property interest until the property can be put to the intended use. In short, the City is accepting the right to accept the easements for the trails in the future.

Therefore, the City is reserving the right to accept all or part of the dedication at any later date. The City will have to take action to accept the easements and record the acceptance in the County Recorder's Office. Lennar or future property owners do not have to take any further action pertaining to the dedication.

## **FISCAL IMPACT**

There is no direct fiscal impact associated with this report. The costs to construct future multi-purpose trail improvements will be borne by the City once the trail dedication is accepted.

## **ALTERNATIVES**

The City Council may elect to not accept the Irrevocable Offer of Trail Dedication. This is not recommended because then the City would not have future trails and potential connections to other trails in this area of the City. The City could also elect to accept the actual easements at this time. This is not recommended because the City does not currently have plans in place to construct the trails and the City does not want to have any potential responsibility for real property it is not actively managing.

## **ATTACHMENTS**

Attachment 1 – Property Boundary Map

Attachment 2 – Resolution No. 2025-5930

Attachment 3 – Irrevocable Offer of Trail Dedication and Easement Plat/Legal

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