

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING SUMMARY VACATION OF A PUBLIC EQUESTRIAN EASEMENT AT 710 WHITE COURT, 711 WHITE COURT, 151 RIDGEVIEW WAY, AND 250 RIDGEVIEW WAY AND FINDING THAT THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Chapter 4 of the Public Streets, Highways and Services Easements Vacation Law, commencing with Streets and Highways Code Section 8330, provides for summary vacation of streets and public service easements; and

WHEREAS, the subject easement (the “Easement”) to be vacated is a fourteen-foot wide (14') easement along the four parcels described in Exhibit A and depicted in Exhibits B-D, of which copies are attached hereto and incorporated herein by this reference; and

WHEREAS, the Easement was original conveyed to the City for equestrian trail purposes to be incorporated into a public equestrian trail system, envisioned in the 1988 Parks and Recreation Element of the General Plan; and

WHEREAS, the proposed public equestrian trail system did not materialize, and no other equestrian easements have been established under the proposed equestrian trail network; and

WHEREAS, the Arroyo Grande Parks and Recreation Element no longer envisions the development of a public equestrian trail system; and

WHEREAS, the City’s [Bicycle and Trails Master Plan](#), adopted in 2012, does not identify the subject equestrian easement as part of an existing or proposed bicycle or trail network, nor is a path shown in the adopted 2021 Circulation Element. Additionally, the City’s Active Transportation Plan, which will supersede the Bicycle and Trails Master Plan, does not include the equestrian easement as an active transportation facility; and

WHEREAS, the Easement does not connect to any other existing trails; and

WHEREAS, the Easement is a public service easement; and

WHEREAS, Section 8333 of the Streets and Highways Code authorizes the City Council to summarily vacate a public service easement when it has been determined to be excess by the easement holder, and there are no other public facilities within the easement; and

WHEREAS, the Easement is not needed for its specified purpose, has been determined to be excess by the City as the easement holder, and there are no other public facilities or utility easements within the Easement; and

RESOLUTION NO.

PAGE 2

WHEREAS, the Easement has not served the purpose for which it was acquired for at least the past consecutive five years immediately preceding this vacation; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande does hereby resolve as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

2. Vacation of Easement. This Resolution is adopted pursuant to the summary vacation procedures set forth in California Streets and Highways Code section 8330 et seq., as the portion of the easement to be vacated is excess, not required for public utility purposes, and there are no public facilities located within the easement area. The easement area to be vacated is described in Exhibit A and depicted in Exhibits B-D, a copy of which are attached hereto and incorporated herein by this reference. The City Council hereby orders the vacation of the Easement and any and all interests that the City may have therein.

3. Environmental Review. The City Council hereby determines that the summary vacation of the easement is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.) Alternatively, the summary vacation of the easement is exempt from CEQA on the basis that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061, subd. (b)(3).)

4. Effective Date. This Resolution shall take effect upon adoption.

5. Recordation. The City Clerk shall cause a certified copy of this Resolution of vacation, attested by the City Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof in the Office of the San Luis Obispo County Clerk-Recorder. Pursuant to California Streets and Highways Code Section 8336, no fee shall be charged for recordation.

On motion by Council Member _____, seconded by Council Member _____, and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Ordinance was adopted this ____ day of _____, 2025.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

MATTHEW DOWNING, CITY MANAGER

APPROVED AS TO FORM:

ISAAC ROSEN, CITY ATTORNEY