

## **RESOLUTION NO. 2025-67**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA VACATING A PORTION OF PUBLIC SERVICE EASEMENTS WITHIN PARCELS 2 AND 3 OF PARCEL MAP NO. 5438**

**WHEREAS**, pursuant to the Parcel Map as recorded in the office of the Tulare County Recorder on November 12, 2024, as Document No. 2024-0057202, in Book 55, Page 46 of Parcel Maps ("Parcel Map"), the City of Visalia ("City") accepted dedication in portions of Parcels 2 and 3 of easements for traffic signal, pedestrian access, and public utility purposes, this area is referred to herein as the "Vacated Easements"; and

**WHEREAS**, the City and the property owner, after review has determined that the location and configuration of the easement should be slightly revised (the "Revised Easements"); and

**WHEREAS**, the Revised Easements improve the usefulness of the easements for purposes they serve, and

**WHEREAS**, the portions of the previously accepted easements, the Vacated Easements, described in Exhibit A hereto and depicted in attached Exhibit B hereto are no longer needed by the City due to the Revised Easements; and

**WHEREAS**, the property owner and the City are entering into a separate Easement Agreement conveying the Revised Easements to the City to serve the purposes of the Vacated Easements; and

**WHEREAS**, the Revised Easements make the Vacated Easements unnecessary for present or prospective use, the Vacated Easements have been superseded by relocation; and

**WHEREAS**, the City Council of the City of Visalia may vacate all or part of a street, highway, or public service easement pursuant to the Public Streets, Highways, and Service Easements Vacation Law (State of California Streets & Highways Code, § 8300 et seq.); and

**WHEREAS**, the summary vacation proceedings are to be conducted pursuant to the provision in § 8330 – 8336, Chapter 4 of Part 3, Division 9, entitled "Summary Vacation", of the State of California Streets & Highways Code; and

**WHEREAS**, City staff have determined that no other entities have any right, title, or interest in the area being proposed to be vacated; and

**NOW THEREFORE, BE IT ORDERED**, by the City Council of the City of Visalia:

1. That the Vacated Easements described in attached Exhibit A and depicted in attached Exhibit B are unnecessary for present or prospective use because the easement locations are superseded by relocation and with this relocation the Vacated Easements are not needed for municipal purposes, and there are no public facilities within the Vacated Easements.
2. A public hearing is not required, and the use of a summary proceeding is allowed for the Vacated Easements under Chapter 4 of Part 3 of Division 9 of the Streets & Highways Code and Section 8333(c) thereof, which allows the summary vacation of a public service easement that has been superseded by relocation or determined to be in excess by the easement holder, and there are no other public facilities within the easement.
3. The City Council further determined that the provisions of Government Code § 65402 concerning the administration of the general plan over streets, highways, and public service easements, does not apply to this abandonment as it is a project of a minor nature slightly shifting the location of the planned public improvements.
4. From and after the date this resolution is recorded, the Vacated Easements shall be considered vacated and abandoned.

PASSED AND ADOPTED: September 15, 2025  
CLERK

Leslie B. Caviglia, CITY

STATE OF CALIFORNIA )  
COUNTY OF TULARE    ) ss.  
CITY OF VISALIA        )

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2025-67 passed and adopted by the Council of the City of Visalia at a regular meeting held on September 15, 2025.

Dated: September 15, 2025

Leslie B. Caviglia, CITY CLERK

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By Reyna Rivera, Chief Deputy City Clerk