

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN EASEMENT AGREEMENT THAT GRANTS A PUBLIC-SERVICE EASEMENT IN FAVOR OF EASTERN MUNICIPAL WATER DISTRICT ON THE CITY-OWNED PROPERTY IDENTIFIED AS PORTIONS OF PARCEL “A” AND PARCEL “B” OF PARCEL MAP 23561-2 (APNS 910-262-060 AND 910-262-061)**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1.** The City Council of the City of Temecula does hereby find, determine and declare that:

A. The City of Temecula is the record fee owner of that certain real property identified as a portion of Parcel “A” and Parcel “B” of Parcel Map 23561-2 (APNs 910-262-060 and 910-262-061) (“City Property”).

B. On August 1, 2022, the City approved a development plan (PA21-1454) for a 260-unit apartment community. The project, known as Temecula 260, will offer market-rate apartments at the intersection of Buecking Drive (“development project”).

C. In approving the development project, the City found that the development project meets the objectives and applicable provisions of the Uptown Temecula Specific Plan because the project meets the goal of expanding land use options (Recommendation 2; pg.1-11) and identifies high quality urban-residential housing development within the Uptown Temecula Specific Plan.

D. The City also found that the development project is consistent with both the General Plan and Uptown Temecula Specific Plan. Benefits of the development project include recycling and revitalization of older retail/commercial corridors within the City, including Jefferson Avenue, and potential increases in mixed-use residential and commercial projects satisfying economic development objectives. The development project includes the extension of McCabe Court, which will be a publicly dedicated road with public utilities.

E. Eastern Municipal Water District (“EMWD”) has requested an approximate 480 square foot non-exclusive public service easement (“Subject Easement”) on portions of the City Property for sewer purposes, including the construction and installation of sewer pipeline facilities and related appurtenances. The City Property is located adjacent to the development project.

F. The Subject Easement in favor of EMWD is required for EMWD to maintain infrastructure in connection with the facilities needed to support the development project. The Subject Easement is located on the portions of the City Property described in EXHIBIT “A” and depicted in EXHIBIT “B” of ATTACHMENT “2” to the Easement Agreement.

**Section 2.** The City of Temecula hereby desires to grant in favor of EMWD that certain approximate 480 square foot Subject Easement, subject to the terms and conditions set forth in the Easement Agreement.

**Section 3.** Approval of Easement Agreement. Based on the findings made in this Resolution, the City Council of the City of Temecula hereby approves the Easement Agreement that grants to EMWD an approximate 480 square foot public service easement on the City Property, subject to the terms and conditions set forth in the Easement Agreement.

**Section 4.** City Manager's Authority. The City Manager (or his designee), is hereby authorized, on behalf of the City, to take all actions necessary and convenient to grant o EMWD that certain public service easement described more particularly in the Easement Agreement.

**Section 5.** Certification. That upon the adoption of the resolution, the City Clerk is directed to file in the Office of the County Recorder a certified copy of said resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 24<sup>th</sup> day of October, 2023.

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Zak Schwank, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA        )  
COUNTY OF RIVERSIDE     ) ss  
CITY OF TEMECULA         )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2023-        was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 24<sup>th</sup> day of October, 2023, by the following vote:

AYES:                        COUNCIL MEMBERS:

NOES:                        COUNCIL MEMBERS:

ABSTAIN:                    COUNCIL MEMBERS:

ABSENT:                     COUNCIL MEMBERS:

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Randi Johl, City Clerk