



CITY OF

NEWPORT BEACH

City Council Staff Report

October 28, 2025
Agenda Item No. 4

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Resolution No. 2025-67: Vacation of Existing Sewer Easement at
124 Kings Place

ABSTRACT:

The property owner of 124 Kings Place has requested the vacation of an existing City of Newport Beach (City) sewer easement that crosses the property. In connection with new home construction at the site, the original 6-inch sewer main crossing the property was abandoned and replaced with a new 6-inch main located along the southerly property line within a newly granted 10-foot-wide sewer easement. The new main serves both 124 and 120 Kings Place. With the new improvements in place, the original sewer easement is no longer necessary.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Adopt Resolution 2025-67, *A Resolution of the City Council of the City of Newport Beach, California, Summarily Vacating Public Sewer Easements at 124 Kings Place (Lot 10 of Block D, Tract 1219) and Directing the City Clerk to Record Same with the County Recorder's Office.*

DISCUSSION:

A new home construction project is located at 124 Kings Place. Prior to the new construction project, the existing 6-inch City sewer main that ran across the property was abandoned. A new 6-inch sewer main was installed and a new 10-foot-wide sewer easement was granted along the southerly property line of 124 Kings Place. The new sewer mains served both 124 and 120 Kings Place. A location map is provided in Attachment A.

With the abandonment of the existing sewer main, and installation of a new sewer main and sewer easement, the existing sewer easement that runs across 124 Kings Place is no longer necessary. The property owner is requesting that the existing sewer easement be summarily vacated. Attachment B provides a map of the easement to be vacated. The new recorded sewer easement is provided in Attachment C.

According to City records and the Wastewater Master Plan, there are no other active City utilities nor are there plans to build within said easement. Pursuant to the California Streets and Highways Code Section 8333, the City Council may summarily vacate a City easement if any of the following conditions exist: (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; (b) The date of dedication or acquisition is less than five years, and more than one year, immediately preceding the proposed dedication, and the easement was not used continuously since that date; or (c) The easement has been superseded by relocation, or determined to be excess by the easement holder, and there are no other public facilities located within the easement. The sewer easement to be summarily vacated satisfies the previously mentioned condition (c) of the California Streets and Highways Code. The sewer easement to be summarily vacated is legally described in Exhibit A and Exhibit B of the attached Resolution in Attachment D.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Area Map

Attachment B – Map of Easement to be Vacated

Attachment C – Grant of new Easement (O.R. 2015000157842)

Attachment D – Resolution 2025-67