

1 [Hunters Point Shipyard- Resolution of Intent for Street Vacation.]

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3 **Resolution declaring the intention of the Board of Supervisors to vacate portions of**
4 **McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue,**
5 **Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Earl Street in**
6 **Hunters Point Shipyard Parcel “A-1” and Oakdale Avenue, Newcomb Avenue,**
7 **McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point**
8 **Shipyard Parcel “A-2” along with public service easements in the aforementioned**
9 **locations in the Hunters Point Shipyard; setting the hearing date for all persons**
10 **interested in the proposed vacation of said street areas and public service easements.**

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12 WHEREAS, This vacation proceeding for portions of McKinnon Avenue, La Salle
13 Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street,
14 Coleman Street, Donahue Street, and Earl Street in portions of Hunters Point Shipyard Parcel
15 “A-1” and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch
16 Street, and Earl Street in Hunters Point Shipyard Parcel “A-2” and public service easements in
17 the aforementioned locations of the Hunters Point Shipyard (collectively, the "Vacation Area"),
18 is conducted under the general vacation procedures of the Public Streets, Highways and
19 Service Easements Vacation Law (California Streets and Highways Code sections 8320 et
20 seq.); and,

21 WHEREAS, Section 787(a) of the San Francisco Public Works Code provides that the
22 street vacation procedures for the City and County of San Francisco (the “City”) shall be in
23 accordance with the applicable provisions of the California Streets and Highways Code and
24 such rules and conditions as are adopted by the Board of Supervisors; and,

1 WHEREAS, The location and extent of the Vacation Area is more particularly described
2 on the Department of Public Works' SUR Map No. _____, dated _____, 2004, a
3 copy of such map is on file with the Clerk of the Board of Supervisors in File No.
4 _____; and,

5 WHEREAS, The vacation of the Vacation Area is part of an action to implement the
6 Hunters Point Shipyard Redevelopment Plan; and,

7 WHEREAS, In DPW Order No. _____, dated _____, 2004, a copy of which is
8 on file with the Clerk of the Board of Supervisors in File No. _____, the Director of
9 the Department of Public Works and the City Engineer determined: (i) the Vacation Area is no
10 longer necessary for the City's present or prospective future public street and sidewalk and
11 public service easement purposes, (ii) the proposed quit claim of easement rights is
12 consistent with the Hunters Point Shipyard Redevelopment Plan, (iii) the value of such
13 exchange for future public right-of-way and public utilities is equal or in favor of the City, and
14 (iv) there are no physical public utility facilities within the Vacation Area except for SBC for
15 telecommunications purposes; PG&E for power and gas transmission purposes; and various
16 City utilities; and,

17 WHEREAS, The public interest, convenience and necessity require that the City
18 reserve from the vacation of the Vacation Area solely the following: (i) non-exclusive
19 easement(s) for the benefit of SBC; (ii) non-exclusive easement(s) for the benefit of PG&E;
20 and (iii) non-exclusive easement(s) for the benefit of City utilities, in, upon, and over that
21 certain portion of the Vacation Area in which their respective in-place and functioning facilities
22 are located or to be located in the future as shown on said SUR Map No. _____ to the
23 extent necessary to maintain, operate, repair and remove existing lines of pipe, conduits,
24 cables, wires, poles, and other convenient structures, equipment and fixtures for the operation
25 of SBC for telecommunications facilities; PG&E for power and gas transmission purposes;

1 and various City utilities, together with reasonable access to the foregoing facilities for the
2 purposes set forth above; and,

3 WHEREAS, Subject to the reservations and conditions specified in this resolution,
4 none of the Vacation Area is necessary for present or prospective public use; and,

5 WHEREAS, Except as specifically provided above, the public interest, convenience,
6 and necessity require that no other easements or other rights be reserved for any public utility
7 facilities that are in place in the Vacation Area and that any rights based upon any such public
8 utility facilities be extinguished; now, therefore, be it

9 RESOLVED, That under sections 8320 et seq. of the California Streets and Highway
10 Code, the Board of Supervisors hereby declares that it intends to order the vacation of the
11 Vacation Area, as shown on the SUR Map No. _____, which is incorporated herein by
12 reference; and, be it

13 FURTHER RESOLVED, That notice is hereby given that on the ____ day of
14 _____, 2005, beginning at approximately 2:00 PM. in the Legislative Chambers of
15 the Board of Supervisors, all persons interested in or objecting to the proposed vacation will
16 be heard; and, be it

17 FURTHER RESOLVED, That the San Francisco Board of Supervisors adopts as its
18 own and incorporates by reference herein as though fully set forth, the Department of Public
19 Works, Order No. _____, findings, including among other things, that the Vacation
20 Area is no longer necessary for the City's use for public street and sidewalk purposes and that
21 there are no physical public utility facilities within the Vacation Area to be vacated except for
22 SBC for telecommunication purposes; PG&E for power and gas transmission purposes; and
23 various City utilities; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
25 to transmit to the Department of Public Works a certified copy of this Resolution, and the

1 Board of Supervisors urges the Director of Public Works to publish and post this Resolution
2 promptly in the manner required by law and to give notice of the hearing of such contemplated
3 action in the manner required by law.

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RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

RECOMMENDED:
DIRECTOR OF PROPERTY

By: _____
Edwin M. Lee
Director of Public Works

By: _____
Steve Legnitto
Director of Property

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

By: _____
Robert Beck
City Engineer