

FILE NO. 98-1765RESOLUTION NO. 914-98

1 **[Intent to Vacate and Sell - Portion of 23<sup>rd</sup> Street]**

2 **DECLARING INTENTION OF THE BOARD OF SUPERVISORS TO VACATE AND SELL**  
 3 **A PORTION OF 23<sup>RD</sup> STREET LOCATED ON THE WEST SIDE OF PENNSYLVANIA**  
 4 **AVENUE, SETTING THE HEARING DATE FOR ALL PERSONS INTERESTED IN THE**  
 5 **PROPOSED VACATION AND SALE, MAKING FINDINGS OF GENERAL PLAN**  
 6 **CONFORMANCE AND CONSISTENCY WITH PLANNING CODE SECTION 101.1, AND**  
 7 **AUTHORIZING OTHER OFFICIAL ACTIONS IN CONNECTION THEREWITH.**

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 9  
 10 WHEREAS, The San Francisco Food Bank (the "Food Bank"), owner of the property located  
 11 at 900 Pennsylvania Avenue, planned to construct a new warehouse facility on such site; and

12 WHEREAS, The Food Bank requested that a portion of 23<sup>rd</sup> Street, which adjoins the  
 13 warehouse site, be vacated and sold to the Food Bank (the "Subject Area") to be used for driveway  
 14 and landscaping purposes; and

15  
 16 WHEREAS, The Subject Area is shown on the Department of Public Works SUR Drawing  
 17 No. 1196, Parcel No. 2, dated November 19, 1996, a copy of which is on file in the Office of the Clerk  
 18 of the Board of Supervisors in File No. 98-1765; and

19  
 20 WHEREAS, By letter dated April 30, 1997, a copy of which is on file in the Office of the  
 21 Clerk of the Board of Supervisors in File No. 98-1765, the Department of Public Works reported its  
 22 findings that the Subject Area is no longer needed for present or prospective street purposes; and

23 WHEREAS, A public utility easement will be reserved for use, installation, maintenance, repair

24 **[REAL ESTATE]**

1 and replacement of existing PG&E gas and electric facilities as well as future utility installations by  
2 other parties; and

3 WHEREAS, There is no potential user of the Subject Area other than the Food Bank; and

4 WHEREAS, The Food Bank provides a public service to people in need by annually  
5 distributing 10 million pounds of food to said people and so a nominal purchase price of \$1.00 is  
6 recommended; and

7  
8 WHEREAS, By letter dated December 24, 1996, a copy of which is on file in the Office of the  
9 Clerk of the Board of Supervisors in File No. 98-1765, the Department of City Planning reported  
10 its findings that the proposed vacation of the Subject Area is in conformity with City's General Plan  
11 and consistent with the Eight Priority Policies of City Planning Code Section 101.1; and

12 WHEREAS, The Board of Supervisors intends to sell the Subject Area to the Food Bank and  
13 to authorize the Director of Property to execute and deliver any and all necessary documents and  
14 instruments to effectuate such sale, including a purchase agreement and quitclaim deed on behalf of  
15 the City and County of San Francisco; now, therefore, be it

16  
17 RESOLVED, That, pursuant to Section 8320 of the Streets and Highways Code, the Board of  
18 Supervisors hereby declares that it is its intention to order the vacation of a portion of 23<sup>rd</sup> Street,  
19 located on the west side of Pennsylvania Avenue, as described in the aforesaid drawing on file in the  
20 Office of the Clerk of the Board of Supervisors in File No. 98-1765 (the "Subject Area"); and, be it

21  
22 FURTHER RESOLVED, That the vacation proceeding of said Subject Area is conducted  
23 under the general vacation procedures of the Public Streets, Highways and Service Easements  
24 Vacation Law (Streets and Highways Code Sections 8320 et seq.); and, be it

5J  
1/3  
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1 FURTHER RESOLVED, That notice is hereby given that on the 7th day of December,  
2 1998, beginning at 3:00 p.m. in the Legislative Chambers of the Board of Supervisors, all persons  
3 interested in or objecting to the proposed vacation will be heard; and, be it

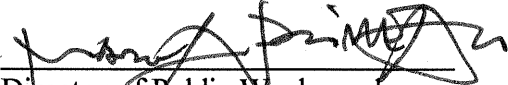
4 FURTHER RESOLVED, That the San Francisco Board of Supervisors adopts as its own and  
5 incorporates by reference herein as though fully set forth, the findings in the Department of City  
6 Planning's letter dated December 24, 1996, that the proposed vacation of said Subject Area is in  
7 conformity with the General Plan and consistent with the Eight Priority Policies of Planning Code  
8 Section 101.1; and, be it

9  
10 FURTHER RESOLVED, All actions authorized by this Resolution and heretofore taken by  
11 any City official in connection with the vacation contemplated herein are hereby ratified, approved and  
12 confirmed by this Board of Supervisors; and, be it

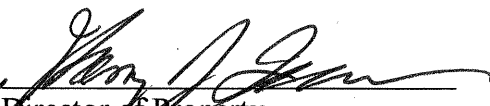

13  
14 FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to  
15 transmit to the Department of Public Works, a certified copy of this Resolution, and the Department  
16 of Public Works is hereby directed to publish or post this Resolution in the manner required by law  
17 and to give notice of the hearing of such contemplated action in the manner required by law.

18  
19 **RECOMMENDED:**

**DESCRIPTIONS  
APPROVED/CHECKED:**

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21   
22 Director of Public Works and  
23 City Architect

By: Nancy Lockard, L.S. Acting Chief Surveyor  
For: Deputy Director of Public Works &  
City Engineer

24  
25   
Director of Property  


GJR:avd



# City and County of San Francisco

Veterans Building  
401 Van Ness Avenue, Room 308  
San Francisco, CA 94102-4532

## Tails

### Resolution

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**File Number:** 981765

**Date Passed:**

Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of 23rd Street located on the west side of Pennsylvania Avenue, setting the hearing date (of December 7, 1998, at 3:00 p.m.) for all persons interested in the proposed vacation and sale, making findings of general plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith.

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November 9, 1998 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Bierman, Katz, Kaufman, Leno, Medina, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Brown

File No. 981765

I hereby certify that the foregoing Resolution was ADOPTED on November 9, 1998 by the Board of Supervisors of the City and County of San Francisco.



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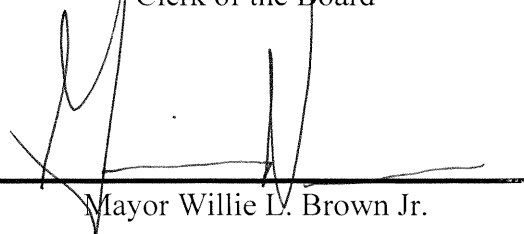
Gloria L. Young  
Clerk of the Board

NOV 13 1998

~~NOV 13 1997~~

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Date Approved



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Mayor Willie L. Brown Jr.