

1 (Street Vacation/GSA Office Building Site)

2 **ORDERING THE VACATION OF JESSIE STREET BETWEEN SEVENTH AND EIGHTH**
3 **STREETS IN CONNECTION WITH THE PROPOSED DEVELOPMENT OF A NEW**
4 **FEDERAL OFFICE BUILDING BY THE GENERAL SERVICES ADMINISTRATION**
5 **(GSA) AND CONVEYANCE OF THE STREET AREA TO THE REDEVELOPMENT**
6 **AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO (AGENCY) AT NO COST;**
7 **ESTABLISHING CONDITIONS FOR THE EFFECTIVENESS OF THE VACATION; AND**
8 **ADOPTING FINDINGS THAT THE VACATION AND CONVEYANCE ARE CONSISTENT**
9 **WITH THE CITY'S GENERAL PLAN AND EIGHT PRIORITY POLICIES OF CITY**
10 **PLANNING CODE SECTION 101.1.**

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14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings. The Board of Supervisors of the City and County of San Francisco
16 finds, determines and declares as follows:

17 A. On July 10, 2000, the Board of Supervisors adopted Resolution No. 614-00
18 (the "Resolution of Intention"), being a Resolution of Declaration of Intention to Order
19 the Vacation of Jessie Street between Seventh and Eighth Streets, as further described
20 below (the "Street Area"), and the conveyance at no cost, of the Street Area to the
21 Agency pursuant to the terms and conditions of the Purchase and Sale Agreement, a copy
22 of which is on file with the Clerk of the Board of Supervisors in File No. 001152.

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24 B. The Street Area is shown in the Department of Public Works' SUR Map No. 599, dated
25 September 30, 1999 and a copy of which is on file with the Clerk of the Board of

1 Supervisors in File No. 001153 and is located within the Federal Office Building
2 Redevelopment Project Area.

3 C. The Clerk of the Board of Supervisors did transmit to the Director of the Department of
4 Public Works a certified copy of the Resolution of Intention, and the Director of the
5 Department of Public Works did cause notice of adoption of such resolution to be posted
6 in the manner required by law.

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8 D. When such matter was considered as scheduled by the Board of Supervisors at its regular
9 meeting held in City Hall, San Francisco, on July 31, 2000, beginning at 3:00
10 p.m., the Board heard all persons interested in the vacation of the Street Area.

11 E. The vacation of the Street Area and conveyance to the Agency is necessary to complete
12 the site assembly for the proposed GSA office building and to fulfill the purposes of the
13 Redevelopment Plan for the Federal Office Building Redevelopment Project Area as
14 approved by the Board of Supervisors pursuant to Ordinance No. 403-97.

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16 F. From all the evidence submitted at the hearing on the Resolution of Intention, the Board
17 of Supervisors finds that the Street Area, as described in such resolution, is unnecessary
18 for present or prospective public use, subject to the conditions described in this
19 Ordinance.

20 G. On April 5, 1999, the Director of City Planning sent a letter, a copy of which is on file
21 with the Clerk of the Board of Supervisors in File No. 001153, wherein the Director
22 found that the vacation of the Street Area and conveyance of the Street Area to the
23 Agency are consistent with the City's General Plan and with the Eight Priority Policies of
24 City Planning Code Section 101.1.
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1 Section 2. The public convenience and necessity require that the City reserve and except
2 from the vacation of the Street Area solely the following: the non-exclusive easement and right for
3 the benefit of PG&E, in, upon, and over those certain portions of the Street Area in which its
4 respective in-place and functioning facilities are located, to the extent necessary to maintain, operate,
5 repair and remove such existing lines of pipe, conduits, cables, wires, poles, and other convenient
6 structures, equipment and fixtures for the operation of existing gas pipelines, telegraphic,
7 telecommunications and telephone lines, and existing street lighting facilities, and existing facilities
8 for the transportation or distribution of electric energy, and reasonable access to the foregoing
9 facilities for the purposes set forth above; and
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11 Section 3. The public convenience and necessity further require that any reserved or
12 excepted easement for the benefit of PG&E shall be terminated in whole or in part, as applicable,
13 upon the expiration of ninety (90) days written notice from the Executive Director of the Agency that
14 the easement must be terminated in order to carry out the purpose of the Redevelopment Plan for the
15 Federal Office Building Redevelopment Project Area.
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17 Section 4. Any removal or relocation of any in-place utility shall be performed at no cost
18 or expense to the City, provided that nothing in this Ordinance shall be deemed to preclude any future
19 owner of the Street Area from charging a third party for or otherwise causing a third party to bear the
20 costs of such relocation where such charge or cost is otherwise permitted by law.
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22 Section 5. The public convenience and necessity require that, except as specifically
23 provided in this Ordinance above, no easements or other rights be reserved for any public utility
24 facilities that are in place in the Street Area and that any rights based upon any such utility facilities
25 shall be extinguished upon the effectiveness of the vacation hereunder.

1 Section 6. The public interest and convenience require that the vacation be done as
2 declared in the Resolution of Intention.

3 Section 7. The Board of Supervisors hereby finds that the vacation of the Street Area and
4 conveyance of the Street Area to the Agency are in conformity with the General Plan and consistent
5 with the Eight Priority Policies of Planning Code Section 101.1 and hereby incorporates such
6 findings by reference as though fully set forth in this Ordinance.
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8 Section 8. The Board of Supervisors has acquired jurisdiction to order such vacation
9 subject to the reservation of easements as described in this Ordinance above.

10 Section 9. The Street Area is hereby ordered vacated in the manner described in the
11 Resolution of Intention and the Director of Property is hereby authorized to convey to the Agency by
12 Quitclaim Deed, approved as to form by the City Attorney, and at no cost, the vacated Street Area as
13 referenced in and on the terms of the Purchase and Sale Agreement referenced hereinabove.
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15 Section 10. The Board of Supervisors hereby directs the Clerk of the Board of Supervisors
16 to transmit to the Director of Public Works a certified copy of this Ordinance, and the Board of
17 Supervisors hereby urges the Director of Public Works to proceed in the manner required by law.
18 The Clerk of the Board is also hereby directed to transmit to the Recorder a certified copy of this
19 Ordinance so that this Ordinance may be recorded upon satisfaction of the conditions precedent
20 described above.
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22 Section 11. All actions heretofore taken by the officers of the City with respect to such
23 street vacation and conveyance to the Agency are hereby approved, confirmed and ratified, and the
24 Mayor, Clerk of the Board, Director of Property, and Director of Public Works are hereby authorized
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1 and directed to take any and all actions which they or the City Attorney may deem necessary or
2 advisable in order to effectuate the purpose and intent of this Ordinance.

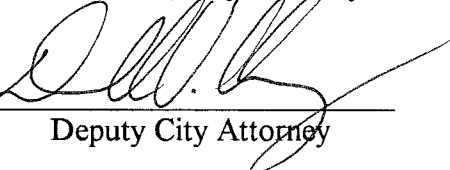
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RECOMMENDED:


Mark Primeau
Director of Public Works


Anthony J. DeLucchi
Director of Property

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

By 
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 001153

Date Passed:

Ordinance ordering the vacation of Jessie Street between Seventh and Eighth Streets in connection with the proposed development of a new Federal Office Building by the General Services Administration (GSA) and conveyance of the street area to the Redevelopment Agency of the City and County of San Francisco (Agency) at no cost; establishing conditions for the effectiveness of the vacation; and adopting findings that the vacation and conveyance are consistent with the city's General Plan and Eight Priority Policies of the City Planning Code Section 101.1.

July 31, 2000 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yee

Absent: 1 - Yaki

Excused: 1 - Becerril

August 7, 2000 Board of Supervisors — FINALLY PASSED

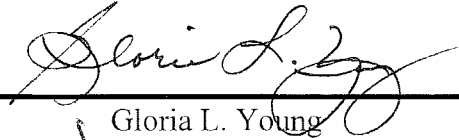
Ayes: 8 - Ammiano, Bierman, Katz, Kaufman, Leno, Newsom, Teng, Yaki

Absent: 2 - Brown, Yee

Excused: 1 - Becerril

File No. 001153

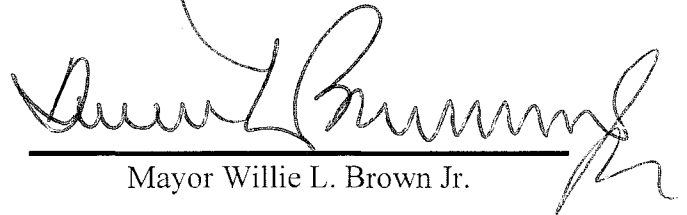
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on August 7, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

AUG 11 2000

Date Approved



Mayor Willie L. Brown Jr.