

LEGISLATIVE DIGEST

[Administrative, Public Works Codes - Recording of Jurisdictional Transfers and Street Vacations]

Ordinance amending the Administrative Code and Public Works Code to require that any resolution approving a jurisdictional transfer of real property (a transfer of the authority over City-owned real property between City departments) be recorded in the Office of the Recorder together with a legal description and map of the real property; to require that any petition to the Board of Supervisors for a street vacation include a legal description and County Surveyor-approved map, and that the Clerk of the Board record in the Office of the Recorder a copy of the adopted Ordinance together with the legal description and map; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

San Francisco Administrative Code Sections 23.10 through 23.20 govern the transfer of the authority over City Real Property from one department to another (commonly called a "jurisdictional transfer"). There are no requirements for the description of the Real Property or notification of the jurisdictional transfer to the Office of the Assessor Recorder.

San Francisco Public Works Code Section 787 provides that the petition for a street vacation will be referred to the Director of Public Works for investigation and recommendation and otherwise be in accordance with the California Streets and Highways Code. State law requires that the approved petition must be recorded, but does not mandate the specific contents of the petition.

Amendments to Current Law

San Francisco Administrative Code Section 23.19 is amended to require that legislation transferring the authority over City Real Property from one department to another must include a plat map and verified legal description of the Real Property, or a narrative description that refers to the Assessor's Block Map and sufficiently identifies the location and dimensions of the property to be transferred. A verified legal description is the description included in the City's title insurance policy for the Real Property or approved by the County Surveyor. Once the legislation has been passed by the Board of Supervisors, the Clerk of the Board of Supervisors will submit to the Recorder's office the resolution and the accompanying legal description and plat map and new department contact information for tax bills and notices.

San Francisco Public Works Code Section 787 is amended to require that petition for a street vacation submitted to the Board of Supervisors must include a legal description and a County Surveyor-approved map of the area to be vacated. In addition, the Clerk of the Board of

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Supervisors will transmit the adopted ordinance, together with the legal description and the required map, to the Recorder for recording.

Background Information

Under current law, the Assessor would not receive notice of jurisdictional transfers between City Departments, which transfer may result in an assessable interest.

Under the current law, street vacation ordinances would not be consistently be sent to the Recorder with a map, legal description, or Assessor's Parcel Number, which causes problems for indexing.

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