

[Summary Public Service Easement Vacation and Quitclaim - 112 Kensington Way]

Ordinance ordering the summary vacation of a public service easement for public utility purposes at 112 Kensington Way; authorizing the City to quitclaim its interest in the vacation area (Assessor's Parcel Block No. 2923, Lot No. 078) to Kevin Jenkins and Lalitha Chandrasekher for \$20,000; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the actions contemplated in this Ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance, as defined herein.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. Environmental, Land Use, and Public Service Easement and Street Vacation Findings.

(a) California Streets and Highways Code Sections 8300 et seq. and San Francisco Public Works Code Section 787(a) set forth the procedures that the City and County of San Francisco ("City") follows to vacate public streets and public service easements.

(b) The Board of Supervisors finds it appropriate and in the public interest to pursue the summary public service easement vacation to vacate the City's interest in the utility easement located at 112 Kensington Way (Assessor's Parcel Block No. 2923, Lot No. 078)

1 (“Easement”) and quitclaim the City’s interest in the Easement to the property owners Kevin
2 Jenkins and Lalitha Chandrasekher (collectively, the “Owners”) for \$20,000.00. This price is
3 identified in the agreement between the Real Estate Division and the Owners dated
4 June 1, 2025 (“Agreement for Sale of Real Estate”). Copies of the Easement, draft quitclaim
5 deed, and the Agreement for Sale of Real Estate are on file with the Clerk of the Board of
6 Supervisors in File No. 250813.

7 (c) The location and extent of the area to be vacated (the “Vacation Area”) comprises
8 the abovementioned Easement at 112 Kensington Way. The Vacation Area is more
9 particularly shown on the draft Public Works SUR Map, dated September 18, 2017 (“SUR
10 Map”). A copy of this map is on file with the Clerk of the Board of Supervisors in File
11 No. 250813 and is incorporated herein by reference.

12 (d) The City proposes to quitclaim its interest in the Vacation Area to the Owners
13 of 112 Kensington Way to help facilitate a construction project at 112 Kensington Way
14 pursuant to the provisions of the Agreement for Sale of Real Estate.

15 (e) On March 15, 2017, the San Francisco Recreation and Parks Department (“RPD”)
16 reviewed the SUR Map and determined that the Easement was no longer needed and agreed
17 with and supported the vacation of the Easement. A copy of RPD’s consent is on file with the
18 Clerk of the Board of Supervisors in File No. 250813.

19 (f) On September 10, 2019, the San Francisco Public Utilities Commission (“SFPUC”)
20 adopted Resolution No.19-0179, finding that the SFPUC had no foreseeable future need for
21 the Easement, and consenting to the conveyance of the City’s interest in the Easement under
22 the terms identified in the Agreement for Sale of Real Estate. A copy of this Resolution is on
23 file with the Clerk of the Board of Supervisors in File No. 250813.

24 (g) In Public Works Order No. 211954, dated July 29, 2025 (“PW Order”), the Public
25 Works Director (“PW Director”) determined and the City Engineer certified that: (1) the

1 Vacation Area is unnecessary for the City's present or prospective public service easement
2 purposes; (2) based on public convenience and necessity, the Easement in the Vacation Area
3 is no longer necessary for public purposes; (3) the public interest, convenience, and necessity
4 do not require any easements or other rights be reserved because there are no public or
5 private utility facilities that are in place in the Vacation Area and the Easement should be
6 extinguished upon the effectiveness of the vacation; and (4) it is a policy matter for the Board
7 of Supervisors to quitclaim the City's interest to the Owners. A copy of the PW Order is on file
8 with the Clerk of the Board of Supervisors in File No. 250813 and is incorporated herein by
9 reference.

10 (h) In the PW Order, the PW Director also found that the vacation of the Easement
11 qualifies for a summary vacation for the following reasons:

12 (1) Under California Streets and Highways Code Section 8333(a), the
13 Easement has not been used for the purpose for which it was created for five consecutive
14 years immediately preceding the proposed vacation.

15 (2) Under California Streets and Highways Code Section 8333(c), the
16 Easement has been determined to be excess by the SFPUC, as holder of the Easement on
17 behalf of the City and County of San Francisco, and there are no other public facilities located
18 within the Easement.

19 (3) Under California Streets and Highways Code Section 8334.5, there are no in
20 place functioning facilities that would be affected by the vacation.

21 (i) In a letter dated July 29, 2025, the Director of Property recommended that the
22 Board of Supervisors approve the sale and quitclaim of the City's interest in the Easement to
23 the Owners for a cost of \$20,000.00 in accordance with the Agreement for Sale of Real
24 Estate.

1 (j) In a letter dated December 15, 2017, the Planning Department found that the
2 proposed vacation of the Vacation Area and other actions contemplated in this ordinance are
3 consistent with the General Plan and priority policies of Planning Code Section 101.1. For
4 purposes of this legislation, the Board of Supervisors adopts the Planning Department's
5 General Plan and Planning Code Section 101.1 findings as its own and incorporates them
6 herein by reference. The Planning Department letter is on file with the Clerk of the Board of
7 Supervisors in File No. 250813 and is incorporated herein by reference.

8 (k) In this same letter, the Planning Department has determined that the actions
9 contemplated in this ordinance comply with the California Environmental Quality Act
10 (California Public Resources Code Sections 21000 et seq.). The Board affirms this
11 determination.

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13 Section 2. Summary Vacation of Easement at 112 Kensington Way.

14 (a) The Board of Supervisors adopts the PW Order findings of the PW Director and
15 City Engineer as its own, including the findings that support the summary public service
16 easement vacation that is the subject of this ordinance.

17 (b) The Board of Supervisors, consistent with terms of Section 1 of this ordinance,
18 finds that the Vacation Area is unnecessary for present or prospective public use.

19 (c) The Board of Supervisors hereby summarily vacates the Vacation Area, as shown
20 on the SUR Map, pursuant to California Streets and Highways Code Sections 8300 et seq., in
21 particular Sections 8333 and 8334.5 and San Francisco Public Works Code Section 787(a).

22 (d) The public interest and convenience require that the summary public service
23 easement vacation be done as declared in this ordinance.

24 (e) The summary public service easement vacation shall be effective automatically
25 and without any requirement for further Board of Supervisors action.

1 Section 3. Real Property Transaction; Delegation of Authority.

2 (a) The Board of Supervisors approves the draft quitclaim of the City's interest in the
3 Vacation Area (Assessor's Parcel Block No. 2923, Lot No. 078) and conveyance of this
4 property to the Owners in accordance with the Agreement for Sale of Real Estate.

5 (b) The Board of Supervisors delegates to the Director of Property, in consultation with
6 the City Attorney's Office, the authority to make nonmaterial changes in, and to finalize and
7 execute, the quitclaim deed for the Vacation Area on behalf of the City to the Owners in
8 accordance with the terms set forth in this ordinance and to deposit the proceeds of the sale
9 of this Easement to the City's General Fund.

10 (c) The Board further directs the Director of Property to submit copies of the final
11 quitclaim for the Easement to the Clerk of the Board for the Clerk's files on this ordinance
12 within 30 days of the date that the quitclaim is recorded.

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14 Section 4. Official Acts in Connection with this Ordinance.

15 (a) The Mayor, Clerk of the Board of Supervisors, Director of Property, County
16 Surveyor, and PW Director are hereby authorized and directed to take any and all actions
17 which they or the City Attorney may deem necessary or advisable to effectuate the purpose
18 and intent of this ordinance, including, without limitation, the filing of this ordinance in the
19 Official Records of the City; confirmation of satisfaction of the conditions to the effectiveness
20 of the vacation of the Vacation Area hereunder; and execution and delivery of any evidence of
21 the same, which shall be conclusive as to the satisfaction of the conditions upon signature by
22 any such City official or the official's designee, and completion and recordation of the
23 quitclaim.

24 (b) The City shall record this ordinance promptly upon the effective date of this
25 vacation.

1 Section 5. The Clerk of the Board of Supervisors is hereby directed to transmit to the
2 PW Director a certified copy of this ordinance so that the ordinance may be recorded together
3 with any other documents necessary to effectuate the ordinance.
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5 Section 6. Effective Date. This ordinance shall become effective 30 days after
6 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8 of Supervisors overrides the Mayor's veto of the ordinance.
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10 APPROVED AS TO FORM:
11 DAVID CHIU, City Attorney

12 By: /s/ JOHN D. MALAMUT
13 JOHN D. MALAMUT
14 Deputy City Attorney

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