

FILE NO. 041542

RESOLUTION NO.

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

2

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 Galvez Street**  
6 **in Hunters Point Shipyard Parcel “A-4A1” and Oakdale Avenue, Newcomb Avenue,**  
7 **McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point**  
8 **Shipyard Parcel “A-2A2” 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 Galvez Street in portions of Hunters Point  
15 Shipyard Parcel “A-4A1” and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La  
16 Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel “A-2A2” and  
17 public service easements in the aforementioned locations of the Hunters Point Shipyard  
18 (collectively, the "Vacation Area"), is conducted under the general vacation procedures of the  
19 Public Streets, Highways and Service Easements Vacation Law (California Streets and  
20 Highways Code sections ~~8320~~8300 et 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,

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1           WHEREAS, The location and extent of the Vacation Area is more particularly described  
2 on the Department of Public Works' draft SUR Map No. 8004, dated December 1, 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. 175,121, dated December 1, 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 or private utility facilities within the Vacation Area except for~~  
15 ~~SBC for telecommunications purposes; PG&E for power and gas transmission purposes; and~~  
16 ~~various City utilities; and other utilities of record, including but not limited to the San Francisco~~  
17 ~~Housing Authority and Bridge Housing Corporation;~~ and,

18           WHEREAS, The public interest, convenience and necessity require that the City  
19 reserve from the vacation of the Vacation Area solely the following: (i) non-exclusive  
20 easement(s) for the benefit of SBC; (ii) non-exclusive easement(s) for the benefit of PG&E;  
21 ~~and~~ (iii) non-exclusive easement(s) for the benefit of City utilities; and (iv) non-exclusive  
22 easement(s) for the benefit of those record easement holders including, but not limited to, the  
23 San Francisco Housing Authority and the Bridge Housing Corporation, in, upon, and over that  
24 certain portion of the Vacation Area in which their respective in-place and functioning facilities  
25 are located or to be located in the future as shown on said draft SUR Map Nos. 9004, 10004,

1 11004, and 12004, dated December 1, 2004, to the extent necessary to maintain, operate,  
2 repair and remove existing lines of pipe, conduits, cables, wires, poles, and other convenient  
3 structures, equipment and fixtures for the operation of SBC for telecommunications facilities;  
4 PG&E for power and gas transmission purposes; ~~and various City utilities;~~ and other public  
5 and private utilities for record easement holders as specified above, together with reasonable  
6 access to the foregoing facilities for the purposes set forth above. Copies of said draft SUR  
7 maps are on file with the Clerk of the Board in File No. \_\_\_\_\_, and are incorporated herein  
8 by reference; and,

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

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

15 RESOLVED, That under sections 8320 et seq. of the California Streets and Highway  
16 Code, the Board of Supervisors hereby declares that it intends to order the vacation of the  
17 Vacation Area, as shown on the draft SUR Map No. 8004, which is incorporated herein by  
18 reference; and, be it

19 FURTHER RESOLVED, That notice is hereby given that on the \_\_\_\_ day of  
20 \_\_\_\_\_, 2005, beginning at approximately 2:00 PM. in the Legislative Chambers of  
21 the Board of Supervisors, all persons interested in or objecting to the proposed vacation will  
22 be heard; and, be it

23 FURTHER RESOLVED, That the San Francisco Board of Supervisors adopts as its  
24 own and incorporates by reference herein as though fully set forth, the Department of Public  
25 Works, Order No. 175,121, findings, including among other things, that the Vacation Area is

1 no longer necessary for the City's use for public street and sidewalk purposes and that there  
2 are no physical public or private utility facilities within the Vacation Area to be vacated except  
3 for SBC for telecommunication purposes; PG&E for power and gas transmission purposes;  
4 ~~and various City utilities;~~ and other utilities of record, including but not limited to the San  
5 Francisco Housing Authority and Bridge Housing Corporation; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
7 to transmit to the Department of Public Works a certified copy of this Resolution, and the  
8 Board of Supervisors urges the Director of Public Works to publish and post this Resolution  
9 promptly in the manner required by law and to give notice of the hearing of such contemplated  
10 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 P. Beck  
~~City Engineer~~ Deputy Director of Engineering