



Office of the City and County Surveyor
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Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 182888

Re: Determination to summarily vacate a portion of Raccoon Drive lying within Assessor's Block 2720 at the intersection of Raccoon Drive, Twin Peaks Boulevard, and Saint Germain Avenue pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Section 787 of the San Francisco Public Works Code.

WHEREAS, Most public streets and sidewalks are owned by the City and County of San Francisco as a public right-of-way; and

WHEREAS, This portion of Raccoon Drive is undeveloped public right-of-way lying within Assessor's Block 2720 at the intersection of Raccoon Drive, Twin Peaks Boulevard, and Saint Germain Avenue (the "Vacation Area"); and

WHEREAS, The Vacation Area is specifically shown on SUR Map 2013-004, dated October 10, 2013; and

WHEREAS, On September 11, 2013 the Department of City Planning (Case No. 2013.0475R) found that the proposed Vacation is on balance and in conformity with the General Plan, Planning Code Section 101.1, and the California Quality Act, provided that the project will include the construction of public stairways to improve pedestrian access, stepped retaining walls, landscaping, and installation of a public access area, including publicly-accessible benches and a viewing deck; and

WHEREAS, Pursuant to the California Streets and Highway Code, the Department of Public Works, Bureau of Street Use and Mapping (the Department) has initiated the process to vacate the Vacation Area; and

WHEREAS, The Department sent notice of the proposed street vacation, draft SUR drawing, a copy of the petition letter, and a DPW referral letter to the Department of Technology, SFMTA, Pacific Bell, San Francisco Fire Department, San Francisco Water Department, Pacific Gas and Electric ("PG&E"), Bureau of Light, Heat and Power, Bureau of Engineering, Department of Parking and Traffic, Utility Engineering Bureau, and the Public Utility Commission ("PUC"). No utility company or agency objected to the proposed vacation, there are no physical public and private utilities affected by the vacation of the Vacation Area, and the Vacation Area is unnecessary for the City's present or prospective public street purposes; and



WHEREAS, Agents of the project sponsor have made good faith efforts to obtain the consent of all owners of property adjacent to the Vacation Area to the proposed vacation and, despite such efforts, most but not all such owners have yet consented to such proposed vacation. In consideration of all relevant factors, the consent of all owners of property adjacent to the Vacation Area to the proposed vacation is unnecessary; and

WHEREAS, The public interest, convenience, and necessity require that, except as specifically provided herein, no other easements or other rights should be reserved by City for any public or private utilities or facilities that may be in place in the Vacation Area and that any rights based upon any such public or private utilities or facilities should be extinguished; and

WHEREAS, Pursuant to the Streets and Highways Code Section 892, the Department determines that the Vacation Area is a small and irregularly shaped parcel of land unusable for any independent purpose, and therefore, it has no use for a non-motorized transportation facility ; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

1. The vacation is being carried out pursuant to the California Streets and Highways Code sections 8300 et seq.
2. The vacation is being carried out pursuant to section 787 of the San Francisco Public Works Code.
3. The Vacation Area is excess right-of-way that can be summarily vacated under California Streets and Highways Code Section 8334(a).
4. The Vacation Area to be vacated is shown on the SUR Map No. 2013-004.
5. The Vacation Area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes as described herein.
6. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not necessary for non-motorized transportation for the reasons set forth herein, and therefore has no use as a non-motorized transportation facility.
7. There are no physical public or private utilities or utility facilities affected by the Vacation Area, which allows the City to proceed with a summary street vacation under Streets and Highways Code Section 8334.5.
8. The public interest, convenience and necessity require that, except as provided in this Order, no other easements or other rights be reserved for any public or private utilities or facilities that are in place in such Vacation Area and that any rights based upon any such public or private utilities or facilities may be extinguished.
9. The public interest, convenience and necessity require that the City obtain a public access easement for a portion of the Vacation Area;



10. It is a policy matter for the Board of Supervisors to quitclaim the City's interest in the Vacation Area to the Vaughn R. Walker Revocable Trust.

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Ordinance to summarily vacate the Vacation Area, a portion of Raccoon Drive at the intersection of Raccoon Drive, Twin Peaks Boulevard, and Saint Germain Avenue;
2. Vacation Area SUR Map No. 2013-004

The Director further recommends the Board of Supervisors move forward with the legislation to vacate said portion of Raccoon Drive.

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation. The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.

Attachments:

1. SUR Map No. 2013-004, dated October 10, 2013.
2. Planning Department's letter September 11, 2013.
3. Street Vacation Description dated October 10, 2013 (Exhibit A)
4. Street Vacation Plat dated October 10, 2013. (Exhibit B)

9/2/2014

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X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor

X Mohammed Nuru

Nuru, Mohammed
Director

