

RECORDING REQUESTED BY,
AND WHEN RECORDED RETURN TO:

City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attention: Director of Property

MAIL TAX STATEMENTS TO:

Transbay Joint Powers Authority

Attn: _____

No fee for recording pursuant to Government Code
Section 27383

Documentary Transfer Tax of \$_____ based upon full market
value of the property without deduction for any lien or
encumbrance

(Space above this line reserved for Recorder's use only)

QUITCLAIM DEED

(Portion of the airspace above Natoma Street and between _____ and _____ Streets)

FOR VALUABLE CONSIDERATION, receipt and adequacy of which are hereby acknowledged, the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation ("City"), pursuant to Ordinance No. _____, adopted by the Board of Supervisors on _____, 20__, and approved by the Mayor on _____, 20__, hereby RELEASES, REMISES AND QUITCLAIMS to the TRANSBAY JOINT POWERS AUTHORITY, a joint powers agency created under California Government Code Sections 6500 et seq. ("TJPA"), any and all right, title and interest City may have in and to the real property located in the City and County of San Francisco, State of California, described on Exhibit A attached hereto and made a part hereof ("**Vacated Property**"), subject to the City's reserved easement for a future right of way on the conditions described below.

The City vacated the Property as a right of way under Ordinance No. _____, adopted by the City's Board of Supervisors on _____, and approved by the Mayor on _____, 20__ ("**Street Vacation**"), in order to transfer the Property to the TJPA for use as a pedestrian bridge ("**Pedestrian Bridge**") that will provide public access between the property commonly known as 524-530 Howard Street and located in the City and County of San Francisco, State of California, as further described on Exhibit B attached hereto and made a part hereof ("**Adjacent Property**"), and the public park owned by the TJPA and located on the property commonly known as _____ in the City and County of San Francisco, State of California, as further described on Exhibit C attached hereto and made a part hereof ("**TJPA Property**"). The TJPA intends to grant an easement to construct, use, maintain and replace the Pedestrian Bridge to the owner of the Adjacent Property ("**Bridge Easement**").

The City reserves an easement to use the Vacated Property for a future right of way in accordance with California Streets and Highways Code Section 8340(b) and Section 8341, provided that the City shall only use the Vacated Property for a future right of way if the following conditions are met:

(i) Either (a) the Pedestrian Bridge is not substantially completed on or before _____ [*insert the date that will be the 8th anniversary of the effective date of the vacation ordinance*], which substantial completion would be evidenced by the issuance of a certificate of occupancy by the City's Department of Building Inspection, or (b) use of the Vacated Property for the Pedestrian Bridge is abandoned by the owner of the TJPA Property; and,

(ii) The City's Director of Public Works has delivered written notice of City's exercise of its rights to use the Vacated Property for a future right of way ("**Easement Notice**") to the owner of the TJPA Property. The Easement Notice shall specify the effective date of City's right to use of the Vacated Area as a future right of way, which date shall be no less than thirty (30) days following the date the Easement Notice is delivered to the owner of the TJPA Property. If any portion of the Pedestrian Bridge remains in the Vacated Property following the effective date of the Easement Notice, City shall have the right to deem such portion to be an unpermitted encroachment and require the owner of the TJPA Property to remove such unpermitted encroachment at its own cost.

Executed as of this _____ day of _____, 20__.

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
Andrico Q. Penick
Director of Property

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss
County of San Francisco)

On _____, before me, _____, a notary public in and for said State, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

CERTIFICATE OF ACCEPTANCE
(Pursuant to Government Code 27281)

This is to certify that the interest in real property conveyed by the foregoing Quitclaim Deed (Portion of the airspace above Natoma Street and between _____ and _____ Streets) dated _____, 20__, from the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation, is hereby accepted on _____, 20__, by the undersigned officer or agent on behalf of the TJPA pursuant to authority conferred by **[resolution of the TJPA's Board of Directors (Res. No. _____, dated _____, 20__, and the TJPA's Board of Directors consents to the recordation of said document in the Office of the Recorder of City and County of San Francisco, State of California.)]**

TRANSBAY JOINT POWERS AUTHORITY,
a joint powers authority created under
California Government Code Sections 6500 et seq.

By: _____
Adam Van de Water
Executive Director

Dated: _____, 20__

APPROVED AS TO FORM AND LEGALITY:

Shute Mihaly & Weinberger LLP

By: _____
Andrew W. Schwartz

Attorneys for Transbay Joint Powers Authority

EXHIBIT A

Legal Description of the Vacated Property

EXHIBIT B

Legal Description of the Adjacent Property

EXHIBIT C

Legal Description of the TJPA Property