

**(DRAFT) CALIFORNIA TRANSPORTATION COMMISSION
RESOLUTION No. R-xxxx**

RELINQUISHMENT OF HIGHWAY RIGHT OF WAY IN THE
CITY AND COUNTY OF SAN FRANCISCO, ROAD 4-SF-101-PM T4.6/6.7
Request No. 56130

WHEREAS, by Ordinance No. _____ adopted on _____, the City and County of San Francisco waived the 90-day notice requirement and agreed to accept title to nonmotorized transportation facilities, namely sidewalks, upon relinquishment thereof to said City and County by the State of California; and

WHEREAS, the State of California has acquired right of way for and has constructed the above-mentioned nonmotorized transportation facilities in the City and County of San Francisco, along State Route 101, between Plum Street and Lombard Street; and

WHEREAS, this Commission has found and determined, and does hereby find and determine, that it is desirable and in the public interest that said nonmotorized transportation facilities and rights to the underlying real property, be relinquished to the City and County of San Francisco, without warranty, for use as city sidewalks and related uses.

NOW, THEREFORE, IT IS VOTED by the California Transportation Commission that it relinquish, and it does hereby relinquish, to the City and County of San Francisco, without

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warranty, effective upon the recordation of a certified copy hereof with the Recorder of the City and County of San Francisco, all of the State of California's right, title and interest in and to said nonmotorized transportation facilities and real property, if any, in said City and County, described as follows:

SEGMENTS 1 through 83, inclusive, as shown on that certain map entitled "REL. NO. 56130 TO THE CITY AND COUNTY OF SAN FRANCISCO" filed _____, in State Highway Map Book No. ____, pages ____ through ____, inclusive, in the office of the Recorder of the City and County of San Francisco.

EXCEPTING and RESERVING therefrom a nonexclusive easement for any and all State-owned facilities necessary for operation of the adjacent State highway, such as lighting, signage, signals and other State highway appurtenances thereto, within Segments 1 through 83, inclusive, and the right to construct, maintain, replace, remove, or renew the existing said State-owned facilities incidental thereto, including, but not limited to, access to protect the facilities from all hazards, in, upon, under and over the areas herewith relinquished, subject to the following requirements: (a) State shall comply with all of the requirements of the San Francisco Municipal Code and the City and County regulations applicable to public right-of-ways, or the reasonable equivalent of such requirements, as

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such requirements may be amended, (b) State shall not be required to pay permit fees or bond for work required to comply with the preceding City and County requirements, and (c) upon completion of the work, at its sole expense State shall repair any damage to City and County property or adjacent private property caused by State or its contractor and shall restore the easement area and any damaged adjacent property to the same or better condition as before the work commenced.

RESERVING ALSO the right to enforce a clear recovery zone within the sidewalks, measuring 1.5 feet in width from the face of the curb, to be kept clear of obstructions by the City and County (except as otherwise approved by the City and County in consultation with the State of California).