



Mohammed Nuru
Director

Andrico Q. Penick
Director of Real Estate

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Mohammed Nuru, Director, Public Works
 Bruce R. Storrs, County Surveyor, Public Works
 Andrico Q. Penick, Director of Property, Real Estate Division

RE: Street Vacation and Conveyance – India Basin Project

DATE: December 3, 2019

The India Basin Project and related Development Agreement, as approved by the Board of Supervisors in 2018, provides for certain street or right-of-way vacations and the conveyance of a portion of that underlying land to the project's developer, once specified conditions are met. The development agreement also obligates the developer to convey certain land to the City for parks and open space and also to dedicate additional land for future right-of-ways and make certain street improvements that will be offered to the City for acceptance upon completion. These conveyances will be in accordance with the terms of a Public Trust Exchange Agreement, substantially in the form approved in Ordinance No. 252-18.

In Public Works Order No 201923, the Director of Public Works recommended that the Board of Supervisors move forward with the legislation to vacation of streets in the India Basin Project site.

In a letter dated September 23, 2019, the Director of Property recommended the approval of the real property transactions related to the India Basin Project street vacation.

After consulting with the City Attorney's Office, it has come to our attention that a minor amendment is needed to the Street Vacation and Conveyance Ordinance for the India Basin Project. This amendment corrects the acreage that will be conveyed from the developer to the City at the time of the Public Trust Exchange. The attached diagram, which is consistent with the approved Development Agreement, shows approximately 0.9 acres of land, in addition to the 2.6 acres already identified (for a total of approximately 3.5 acres), that will be conveyed from the developer to the City at the time of the Public Trust Exchange as public open space. This 0.9 acres will be owned by the City as part of the public open space, but will be free of the public trust.

This memorandum documents our recognition of this minor proposed amendment to the street vacation Ordinance. Our previous recommendations remain in effect.



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AP 12/5/19

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Private Land to Become City Property (For reference only)

OWNERSHIP	AREA	MAP ID
BUILD to City Open Space Conveyance (privately-owned BUILD non-street property that will be conveyed to City at Trust Exchange)	2.46 ACRES	
BUILD to City Open Space Subsequent Conveyance (privately-owned BUILD non-street property that will be conveyed to City following remediation)	0.14 ACRES	
BUILD to City Open Space Conveyance (BUILD property that will be conveyed to City, and is not subject to the Trust)	0.9 ACRES	
BUILD to City future streets (proposed new street network dedication)	3.8 ACRES	
TOTAL	7.3 ACRES	

7.3 acres to become City property as a result of Public Trust Exchange and future street acceptance

