

PUBLIC UTILITIES COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

RESOLUTION No. 10,435

WHEREAS, The City and County of San Francisco herein-after called the City, owns a tract of land in the City and County of San Francisco, herein called the Lake Merced Tract, delineated and designated upon the map attached hereto and made a part hereof, which tract of land was acquired from the Spring Valley Water Company and which is used and useful for water supply purposes; and

WHEREAS, His Honor, Mayor Robinson, has expressed the opinion that the Lake Merced Tract can be used both for water supply and park and recreational purposes, and that such use can best be developed and administered by the Park and Recreation Commission; and

WHEREAS, The Public Utilities Commission desires to cooperate with the Mayor in the development of the property for the enjoyment and recreation of all of the people of San Francisco:

THEREFORE, BE IT RESOLVED, as follows:

The Public Utilities Commission hereby confers upon the Park and Recreation Commission, the right to occupy, use and improve, for park and recreational purposes, all of the area in the Lake Merced Tract as delineated and designated upon said Map, subject to the following conditions:

1. The Park and Recreation Commission agrees that the primary purpose of the Lake Merced Tract is to supply potable water to the water consumers in San Francisco and that they will do nothing or suffer or permit anything to be done that, in the opinion of the Public Utilities Commission is detrimental to the quality or use of the water in Lake Merced.
2. The water drawn from the lake for all purposes shall be not more than the average yield of the lake and in no instance shall the water level be drawn down below 27 feet on the gauge.
3. In view of the fact that the lake may be used as the domestic water supply for the City, no swimming shall be permitted, no gasoline driven motorboats shall be permitted to operate regularly on the lake, all sewage shall be removed from the lake area, and nothing shall be done that would tend to make the waters of the lake unfit for human consumption.
4. The Public Utilities Commission shall have the right to construct or reconstruct and maintain pumping stations and keeper's quarters and other buildings on the Lake Merced Tract wherever and to such extent as deemed necessary with the approval of the Mayor.

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5. The Public Utilities Commission shall have the right to lay and maintain pipe lines, together with such appurtenant structures as necessary, across the Lake Merced Tract, and to do such other work as necessary; it being agreed that any turf removed or damaged will be replaced or restored and, so far as is possible, the grounds shall be left in the same condition as they were before the work was started.
6. Neither the whole nor any part of the Lake Merced Tract shall be sold or traded or assigned or leased except that the Park and Recreation Commission shall have the right to grant concessions or leases, in the manner and for the purposes permitted by law and for the use and patronage of the public, subject to the provisions of Paragraph 7 next ensuing.
7. The Public Utilities Commission reserves the right to sell or trade any portion of the Lake Merced Tract, provided such action is necessary or advisable in the opinion of both the Public Utilities Commission and the Park and Recreation Commission. In the event of disagreement between these two commissions the matter will be referred to the Mayor for final decision.
