

LEGISLATIVE DIGEST

[Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]

Ordinance ordering the summary vacation of public service easement and approving sale for \$77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

Existing Law

California Streets and Highways Code sections 8300 et seq. A summary street vacation, which is an expedited procedure as contrasted with a standard street vacation, is permitted when certain conditions are satisfied under State law.

Amendments to Current Law

This legislation would vacate an approximately 34-foot-long unused public service easement (the "Vacated Property") that commences at the western end of Jessie Street and continues on and under an adjacent parcel of real property. This Ordinance would also approve the sale of the Vacated Property, make environmental findings, and findings that the legislation is consistent with the General Plan and the priority policy findings of the Planning Code Section 101.1.

Background

This Ordinance will approve the vacation and sale of the Vacated Property pursuant to a proposed Agreement for Sale of Real Property (the "Agreement") to be entered into between the City and Tenth and Market LLC, a California limited liability company, ("T&M"). The Vacated Property consists of an approximately 34-foot-long unused public service easement formerly used for sewer purposes that commences at the western end of Jessie Street and continues on and under an adjacent parcel of real property owned by T&M located at 1407-1435 Market Street (Lot 041 in Assessor's Block 3507) in the City and County of San Francisco (the "T&M Property"). The T&M Property is currently being developed by T&M for use as a large-scale mixed residential and commercial project.