



Office of the City and County Surveyor
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Edwin M. Lee, Mayor
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

DPW Order No: 183258

Re: Recommendation to summarily vacate a sewer easement within property located at 98 Crown Terrace, being Lot 029 in Assessor's Block 2705 (the Vacation Area), pursuant to California Streets and Highways Code Sections 8300 *et seq.* and Section 787 of the San Francisco Public Works Code.

WHEREAS, DPW has determined that said easement is exclusive to the San Francisco Public Utility Commission (SFPUC); and

WHEREAS, Pursuant to San Francisco Charter Section 8B.121(a), the SFPUC has exclusive charge of the sewer utilities of the City and the real property assets under its jurisdiction; and

WHEREAS, SFPUC staff has confirmed that since the City acquired the easement in 1958, the SFPUC has not constructed any sewer infrastructure or related facilities within the easement and has no plans to use the easement in the future; and

WHEREAS, SFPUC staff has confirmed that the easement is surplus to SFPUC's current and future utility needs; and

WHEREAS, The Vacation Area is specifically shown on SUR Map 2015-001, dated January 9, 2015

WHEREAS, Section 8333(c) of the California Streets and Highways Code provides in relevant part that the legislative body of a local agency may summarily vacate a public service easement if (i) it has been determined to be excess by the easement holder and there are no other public facilities located within the easement, or (ii) the easement has not been used for the purpose for which it was acquired for five consecutive years immediately preceding the proposed vacation. In addition, in order to authorize a summary vacation, Section 8334.5 of the California Streets and Highways Code requires a finding that there are no in-place public utility facilities that are in use and would be affected by the vacation. Based on the information the SFPUC provided to DPW and as described above, the requirements for a summary vacation have been satisfied; and

WHEREAS, In a Certificate of Determination dated June 19, 2014, an Environmental Review Officer of the Planning Department determined that the removal of the Easement is categorically exempt from environmental review. In a letter dated June 25, 2014, the Director of Planning



found that the proposed easement vacation and sale are in conformance with the City's General Plan, and are consistent with the Eight Priority Policies of Planning Code Section 101.1; and

WHEREAS, The Director of Public Works for the City and County of San Francisco has determined the following:

1. The vacation is being carried out pursuant to the California Streets and Highways Code sections 8300 et seq. as a summary vacation.
2. The vacation is being carried out pursuant to section 787 of the San Francisco Public Works Code.
3. The vacation area is unnecessary for the City's present or prospective public street, sidewalk, or public service easement purposes as described herein.
4. Pursuant to the Streets and Highways Code Section 892, the Vacation Area is not necessary for non-motorized transportation for the reasons set forth herein, and therefore has no use as a non-motorized transportation facility.
5. There are no physical SFPUC utilities or utility facilities affected by the Vacation Area,

NOW THEREFORE BE IT ORDERED THAT,

The Director approves all of the following documents either attached hereto or referenced herein:

1. Ordinance to vacate the Vacation Area, being a sewer easement within property located at 98 Crown Terrace, being Lot 029 in Assessor's Block 2705.
2. SUR Map No. 2015-001, showing the Vacation Area.

The Director further recommends the Board of Supervisors move forward with the legislation to vacate said portions of the sewer easement. The sale of the vacation area is a policy matter for the Board of Supervisors.

The Director recommends the Board of Supervisors approve all actions set forth herein and heretofore taken by the Officers of the City with respect to this vacation.

The Director further recommends the Board of Supervisors authorize the Mayor, Clerk of the Board, Director of Property, County Surveyor, and Director of Public Works to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Ordinance.



1/14/2015

1/14/2015

X Bruce R. Storrs

Storrs, Bruce
City and County Surveyor

X Mohammed Nuru

Nuru, Mohammed
Director

