

RECORDING REQUESTED BY,
AND WHEN RECORDED RETURN TO:

Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, California 94102
Attn: Director of Property

MAIL TAX STATEMENTS TO:

Attn: _____

The undersigned hereby declares this
instrument to be exempt from Recording Fees
(CA Govt. Code § 27383)

APN:

(Space above this line reserved for
Recorder's use only)

Documentary Transfer Tax of \$_____ based upon full market value of the property without
deduction for any lien or encumbrance

QUITCLAIM DEED
[(Assessor's Parcel No. _____)]

FOR VALUABLE CONSIDERATION, receipt and adequacy of which are hereby
acknowledged, the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation (the
"City"), pursuant to Ordinance No. _____, adopted by the Board of Supervisors on
_____, 2020 and approved by the Mayor on _____, 2020, subject to the
reservations in this Quitclaim Deed hereby RELEASES, REMISES AND QUITCLAIMS to India
Basin Investment LLC, a California limited liability company, any and all right, title and interest
City may have in and to the real property located in the City and County of San Francisco, State
of California, described on Exhibit 1 attached hereto and made a part hereof (the "**Property**").

1. **Reservation of Right-of-Way Easement.** City reserves for itself a perpetual,
nonexclusive easement for public street purposes, including City-owned utilities and utilities
needed to serve the City-owned property commonly known as India Basin Open Space (the
"**ROW Easement**"), over, across, and under the property shown and described on attached
Exhibit 2.

a. **Termination.** The ROW Easement will terminate automatically on (a) the City
Public Works Director's ("**PW Director**") issuance of determination of completion for at least
1.3 acres of public rights-of-way within Phase 1 of the India Basin Project in accordance with the

Development Agreement by and between City and Developer dated _____, which includes providing access (including rights for utility service) to the property commonly known as the India Basin Open Space; or (b) such earlier date at the PW Director's discretion, in consultation with the affected City departments. In no event will the ROW Easement terminate without City having adequate access to the India Basin Open Space.

b. **Right to Trim Trees.** The ROW Easement also includes the right to trim and cut trees and vegetation, if any, that may be a hazard to the Facilities and the right to do such other things as are necessary for the full enjoyment and accomplishment of the purposes of the ROW Easement. City's rights with respect to the ROW Easement may be exercised by City's agents, contractors, subcontractors, suppliers, consultants, employees, or representatives, or by other authorized persons acting for or on behalf of City.

c. **Definition of Facilities.** "Facilities" means, collectively, any existing City-owned or requested paving, street base, signage, traffic controls, striping, parking meters, water, sewer, power, and communication facilities and all accessories and appurtenances thereto, including without limitation, hatches, hatch covers, fittings, air valves, braces, connections, fastenings, conduits, conductors, streetlights, and other utility facilities and appurtenances.

d. **Exercise of Rights.** City's rights with respect to the Public ROW Easement may be exercised by City's agents, contractors, subcontractors, suppliers, consultants, employees, or representatives, or by other authorized persons acting for or on behalf of City or otherwise utility providers with franchise rights. "Facilities" means, collectively, any existing paving, street base, signage, traffic controls, striping, parking meters, water, sewer, power, gas, and communication facilities and all accessories and appurtenances thereto, including without limitation, hatches, hatch covers, fittings, air valves, braces, connections, fastenings, conduits, conductors, streetlights, and appurtenances.

e. **Superior to PG&E Easement.** The ROW Easement is superior to the PG&E Easement described below.

2. **Reservation of Easement for Existing Water Facilities.** City reserves for itself a nonexclusive easement in gross to maintain an existing eight-inch water main and hydrants over, across, and under the property shown on attached Exhibit 3 ("**Water Easement**"). The Water Easement will terminate by quitclaim deed on the acceptance of replacement facilities, or such earlier date at the PW Director's discretion, in consultation with the affected City departments.

3. **Reservation of PG&E Easement.** City reserves for the benefit of Pacific Gas and Electric Company, a California corporation, a nonexclusive easement in gross for gas and electrical facilities existing as of the date of the Ordinance (the "**PG&E Easement**") over, across, and under the property shown and described on attached Exhibit 4.

a. **Termination.** The PG&E Easement will terminate automatically on the earlier of (a) the relocation or removal of the facilities, with PG&E's concurrence, or (b) termination of service to customers through the facilities.

b. **Right to Cut Trees.** The PG&E Easement also includes the right to trim and cut trees and vegetation, if any, that may be a hazard to the gas and electrical facilities and the right to do such other things as are necessary for the full enjoyment and accomplishment of the purposes of the PG&E Easement. PG&E's rights with respect to the PG&E Easement may be exercised by PG&E's agents, contractors, subcontractors, suppliers, consultants, employees, or representatives, or by other authorized persons acting for or on behalf of PG&E.

Executed as of this ____ day of _____, 201__.

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
Andrico Q. Penick
Director of Property

Board of Supervisors Ordinance No. _____

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____
Shari Geller Diamant
Deputy City Attorney

[If required: DESCRIPTION
CHECKED/APPROVED:]

By: _____
[NAME]
City Engineer

EXHIBIT 1

Legal Description of Property

[To be inserted.]

EXHIBIT 2

Description and Depiction of ROW Easement

EXHIBIT 3

Description and Depiction of Easement for Existing Water Facilities

EXHIBIT 4

Description and Depiction of PG&E Easement