City & County of San Francisco

London N. Breed, Mayor



Office of the City Administrator

Carmen Chu, City Administrator Andrico Q. Penick, Director of Real Estate

May 20, 2021

TO:

WHOM ITMAY CONCERN

FROM:

ANDRICO O. PENICK, DIRECTOR OF PROPERTY

RE:

HOPESF-Hunters View Housing Development, Phase 1

Public Access Easement/Easement for Emergency Vehicle Access Vacation

Sewer Easement Vacation

The Master Development Agreement ("MDA") between the Housing Authority of the City and County of San Francisco ("SFHA"), and Hunters View Associates, LP, ("HVA") for the Hunters View HOPE SF Project Development Agreement ("Agreement) approved and adopted by the SFHA on July 23, 2009 and the modifications to the Hunters View Special Use District and conditional use authorization allowing for development was approved and adopted by the San Francisco Board of Supervisors and Mayor on August 22, 2008 by Ordinance No. 200-08 provides for certain infrastructure improvements within each subphase of the master development. The MDA contemplates certain infrastructure improvements within each sub-phase of the master agreement. These infrastructure improvements include roads, utility lines, and conduits, sewers and other site improvements in accordance with the Improvement Plans for each phase. The MDA also provides for an equal or "greater than" exchange of square feet, in favor of the City and County of San Francisco ("City"), of Street Dedications (and infrastructure improvements) to the City as a donation with Street Vacations from the City to the Developer. Section 6.5 of the MDA states that "Each DDA to be entered into between the Authority and the Owner shall provide an infrastructure improvements plan, which shall include the improvements to be constructed as part of the applicable plan, a plan to construction such improvements and a timeframe to complete such improvements." During each phase, the City will vacate the public right-of-way streets (Street Vacations) to the SFHA, and in turn, the SFHA will enter into a short-term ground lease with the Master Developer, HVA or an affiliate, for the purpose of completing the infrastructure improvements. Once the improvements are complete and accepted by the City, the Master Developer will re-convey the streets back to the City.

I am informed that as part of the Phase 1 Infrastructure work, HVA, in partnership with the Department of Public Works (DPW), placed two easements on the Phase 2 site to facilitate the construction of Phase 1:

Sanitary Sewer Easement (SSE) (6,358.96 sf) Public Access Easement/Emergency Vehicle Access Easement (PAE/EVAE) (5,067.82 sf).

I am informed that the City conditionally accepted the SSE and PAE/EVAE through Final Subdivision Map No. 5461 on December 14,2010. (A copy of which is attached as Exhibit A.)

I am informed that these easements have become obsolete as development of the housing, infrastructure and streets has progressed and the infrastructure work in Phase 1 and 2 is now complete. HVA would like to remove these public easements at this time as they will interfere with future development at the site, which includes approximately 35-50 units of for-sale housing. Vacating these easements will allow for the future construction of housing on Block 9. The DPW is proposing the SSE and PAE/EVAE be vacated for a total of 11,426.78 square feet.

I am informed that the San Francisco Fire Department ("SFFD") reviewed and evaluated Public Works Order 179008 approving Final Map 5461 and reserving an irrevocable non-exclusive easement for emergency vehicle access ("EVAE") across Lot C and portions of Lot D and Lot 9, and evaluated the constructed area underlying this EVAE as depicted in Final Map 5461 (Document 2010-1107068), and SFFD determined that the EVAE is no longer needed by SFFD. I am informed that emergency vehicles are able to access the area within the Hunters View HOPE SF project by way of the new rights-of-way that have been constructed and received determination of completion from Public Works.

I am informed that the San Francisco Public Utilities Commission ("SFPUC") reviewed and approved the plans for the sewer facilities in the public right-of-way and as the sewer facilities are in operation, the SFPUC confirms that the SSE can be vacated since for installation and maintenance of a combined sewer pipe and appurtenances has been installed.

lam informed that the Vacations (totaling 11,426.78 square feet) are along the vacated West Point Road between Middle Point Road and Catalina Street.

I am informed that in order to remove these easements, HVA filed a General Plan Referral application for the vacation of the Sanitary Sewer Easement (SSE) and Public Access Easement/Emergency Vehicle Access Easement (PAE/EVAE) on May 2, 2019. The Sanitary Sewer Easement is on Lots Lot 7 and 9 and the Public Access/Emergency Vehicle Access Easement is on Lot 9 as shown on Final Map No. 5461. These are depicted in San Francisco Public Works' SUR Map 2021-003 attached as Exhibit B.

HOPE SF Hunters View Phase 2 Disposition and Development Agreement (DDA)

The Phase 2 DDA between SFHA and HVA contemplates the Infrastructure Improvements required by the Project, including those anticipated by Final Map 5461 and Final Map 7545.

Recital I and J of the Phase 2 DDA obligates the Developer to construct "public street improvements" which "will be conveyed to the City" and as described in Exhibit E of the DDA.

Further, in Recital J, "The Authority intends to convey a fee interest to the City in those portions of the Phase IIIA-(I) Development Site designated for public street improvements, at such time as the City has accepted such public street improvements in accordance with the Subdivision Map."

The completion of the proposed Vacations (11,426.78 square feet) and Street Dedications (57,935 square feet) of Phase 2 of the Project will result in a net gain of 46,508.22 square feet of real property to City along with \$16,309,576 million in capital improvements, as priced by the developer, completed in the newly dedicated public ROW.

Pursuant to Chapter 23 of the San Francisco Administrative Code, and based upon the above and review of the relevant documents provided to the Real Estate Division, I recommend approval of this transaction.

EXHIBIT A

TAX STATEMENT

I, ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE SUBDIVIDER HAS FILED A STATEMENT FROM THE CONTROLLER OF THE CITY AND COUNTY OF SAN FRANCISCO, SHOWING THAT ACCORDING TO THE RECORDS OF HIS OFFICE THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR LINPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT AS TAXES OR SPECIAL ASSESSMENTS NOT YET PAYBLE WHICH ARE ESTIMATED TO BE

DAY OF December 2015 CLERK OF THE BOARD OF SUPERVISORS

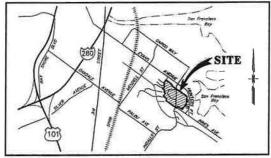
CERTIFICATE OF PUBLIC IMPROVEMENT AGREEMENT

THIS CERTIFICATE EVIDENCES THAT A PUBLIC IMPROVEMENT AGREEMENT HAS BEEN EXECUTED ON THE AFFORDABLE HOUSING INC., A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION AND THE CITY AND COUNTY OF SAN FRANCISCO
BY:

DATE: 200

DATE: 13.03.2010

EDWARD D. REISKIN DIRECTOR OF PUBLIC WORKS CITY AND COUNTY OF SAN FRANCISCO



VICINITY MAP

CLERK'S STATEMENT

APPROVED THIS MAP ENTITLED, "FINAL MAP NO. 5461", AND ACCEPTED ON BEHALF OF THE PUBLIC THE OFFERS OF DEDICATION, SUBJECT TO CITY CERTIFIED COMPLETION AND ACCEPTANCE OF IMPROVEMENTS, EASEMENTS AND STREETS IDENTIFIED IN OWNER'S

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY HAND AND CAUSED THE SEAL

OF THE OFFICE TO BE AFFIXED. CLERK OF THE BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFFORNIA

APPROVALS

DAY OF DECEMBER 2010 BY THIS MAP IS APPROVED THIS ORDER NO. 179,000 __ DATE: 12003020102

EDWARD D. REISKIN
DIRECTOR OF PUBLIC WORKS AND ADVISORY AGENCY
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

APPROVED AS TO A FORM

DENNIS J. HERRERA, CITY ATTORNEY BY: DEPUTY CITY ATTORNEY CITY AND COUNTY OF SAN FRANCISCO

FINAL MAP NO. 5461

A 219 RESIDENTIAL CONDOMINIOM PROJECT WITHIN 5 BUILDABLE LOTS
BEING A MERGER AND RESUBBINISION OF A PORTION OF LOT 27 OF
ASSESSOR'S BLOCK 4720 AS SHOWN ON THAT CERTAIN MAP ENTITLED
PARCEL MAP OF PORTION OF BLOCK 4720, THE NEW HUNTERS POINT
COMMUNITY UNIT 1, FILED FOR RECORD IN BOOK W OF MAPS, AT PAGE
36-39, SAN FRANCISCO GITY AND COUNTY RECORDS AND A PORTION OF
THE REAL PROPERTY DESCRIBED IN BOOK 9858, AT PAGE 397, OFFICIAL
RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO

22.5 ACRES

CITY AND COUNTY OF SAN FRANCISCO STATE OF CALIFORNIA

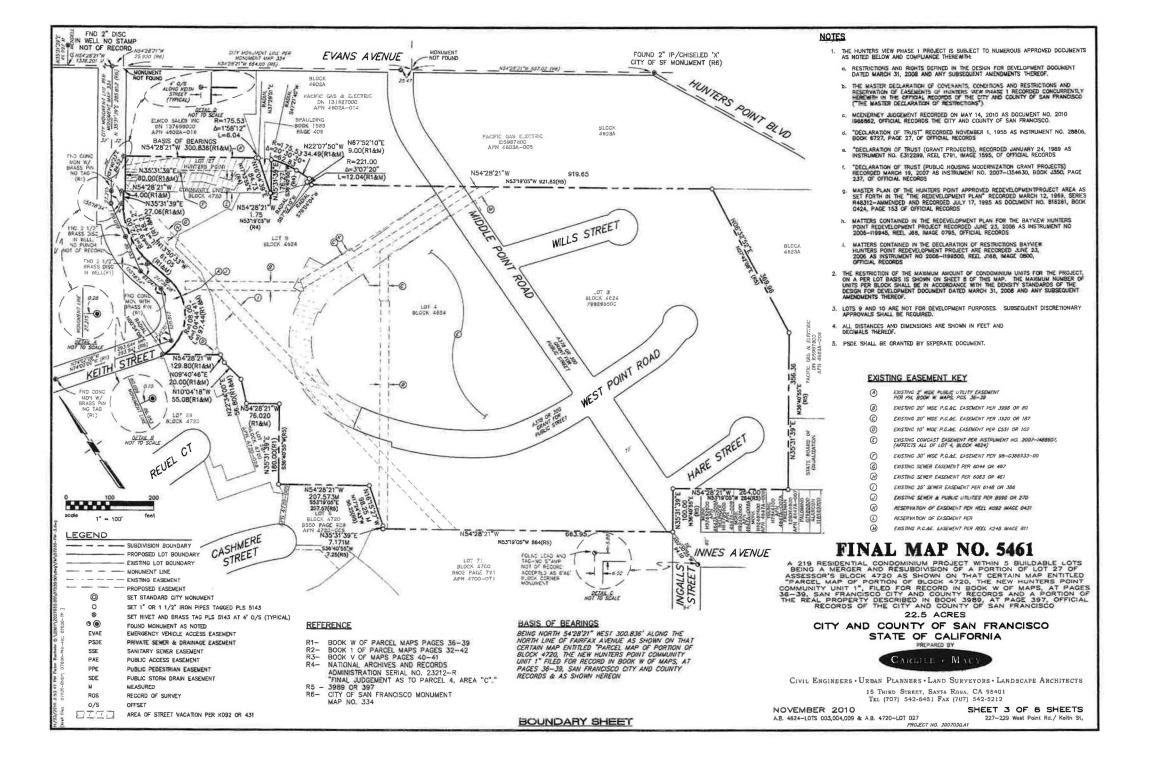


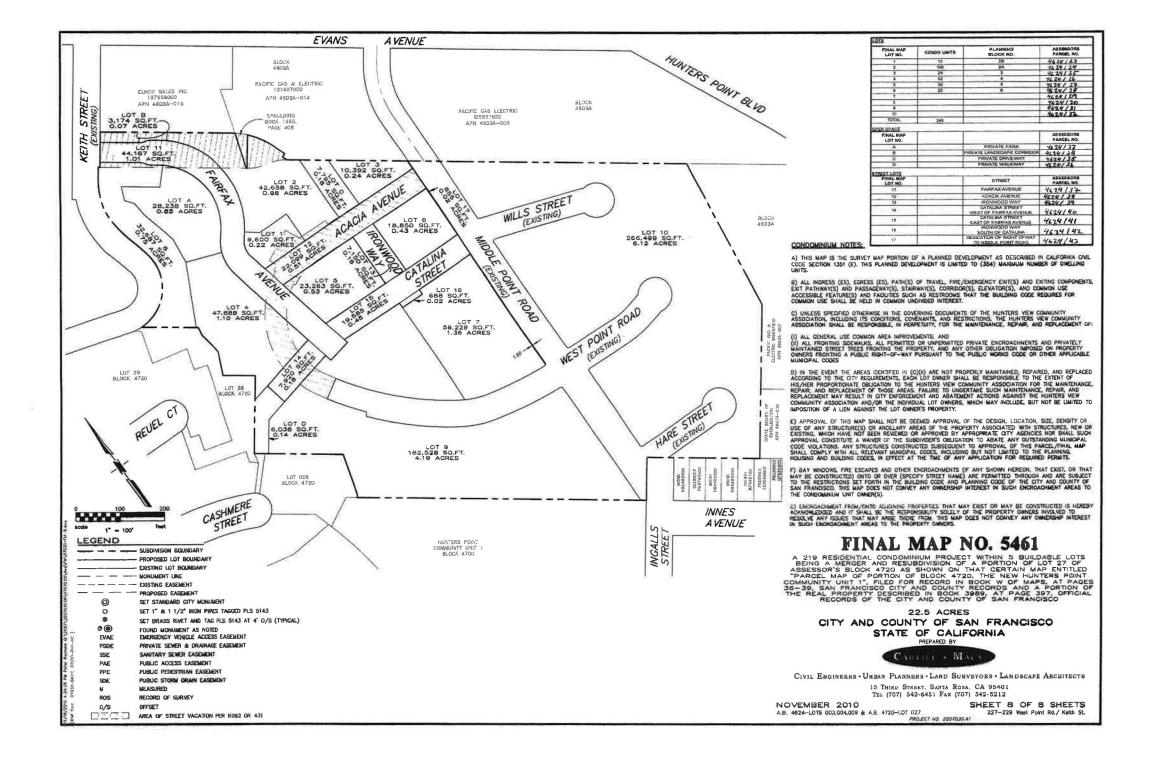
CIVIL ENGINEERS · URBAN PLANNERS · LAND SURVEYORS · LANDSCAPE ARCHITECTS

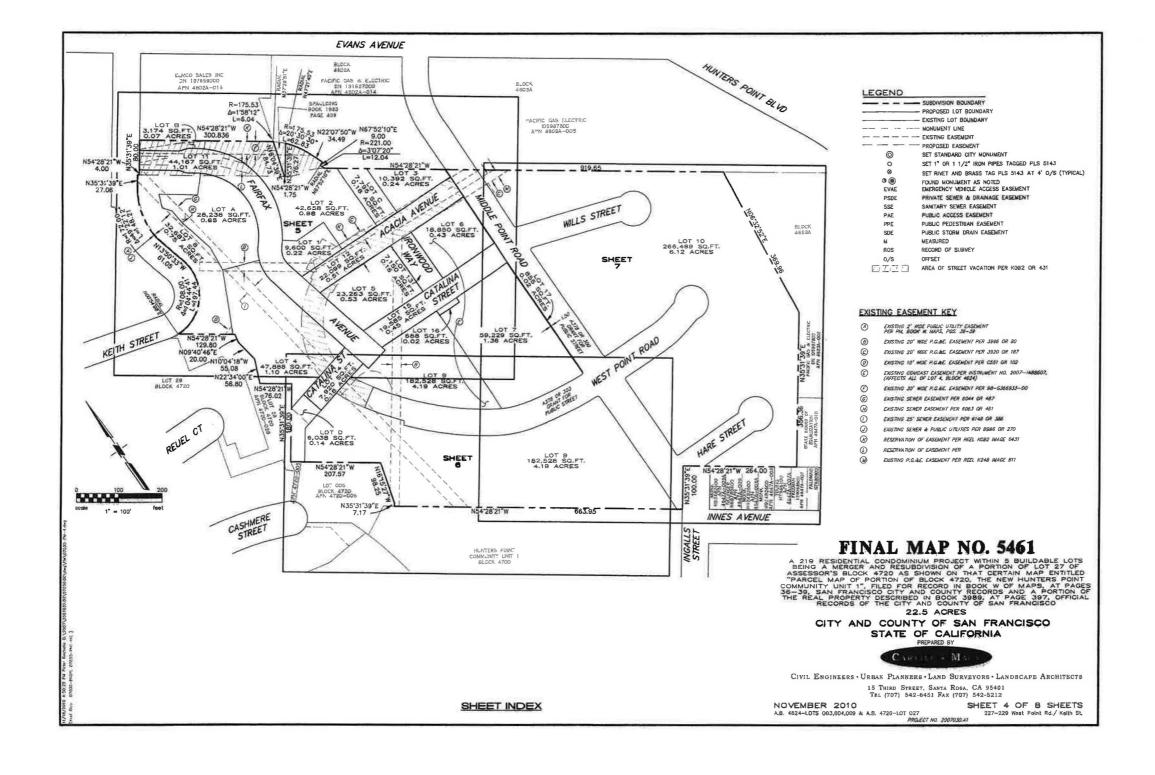
PROJECT NO. 2007030A1

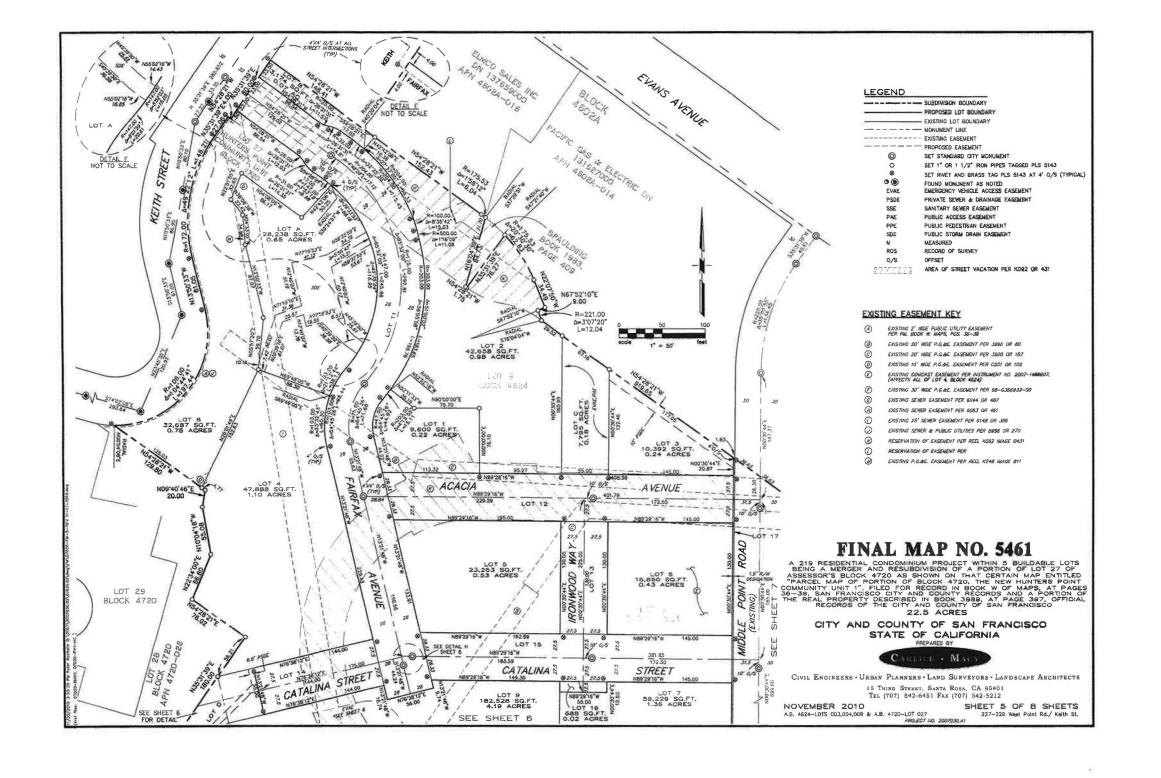
15 THIRD STREET, SANTA ROBA, CA 95401 Tel (707) 542-6451 Fax (707) 542-5212

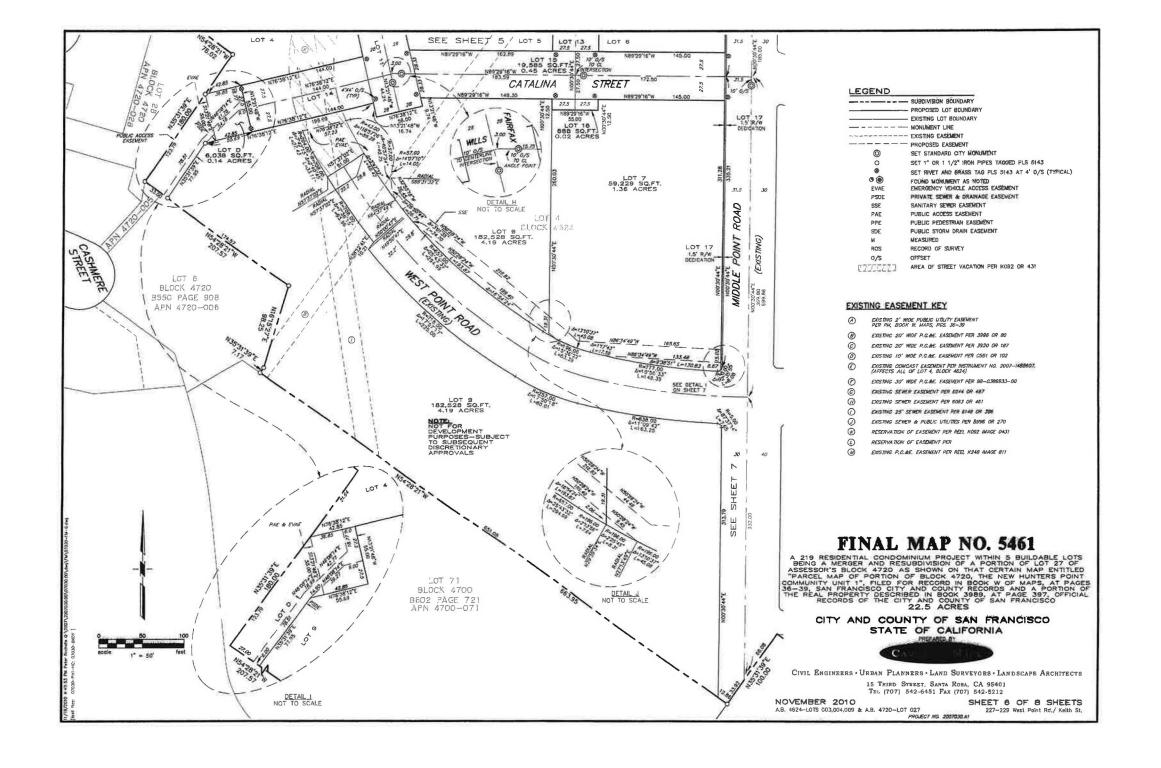
NOVEMBER 2010 A.B. 4624-LOTS 003,004,009 & A.B. 4720-LOT 027 SHEET 2 OF B SHEETS 227-229 West Point Rd./ Kelth St,

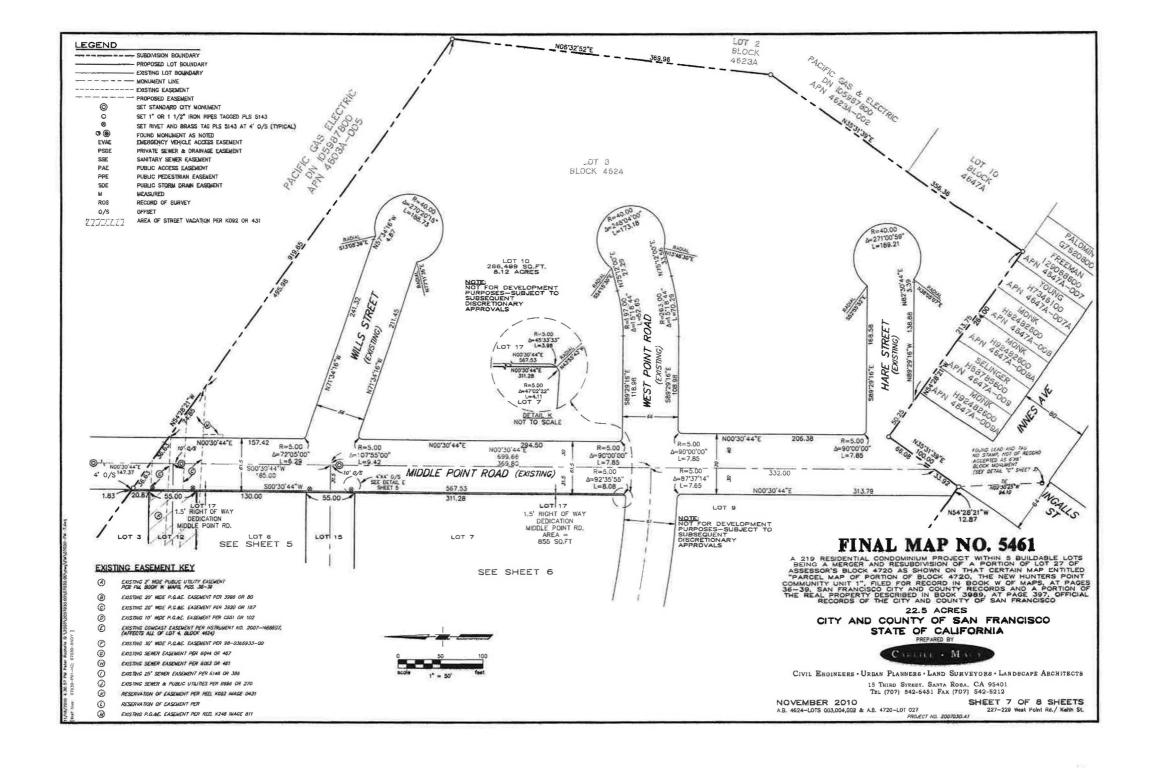












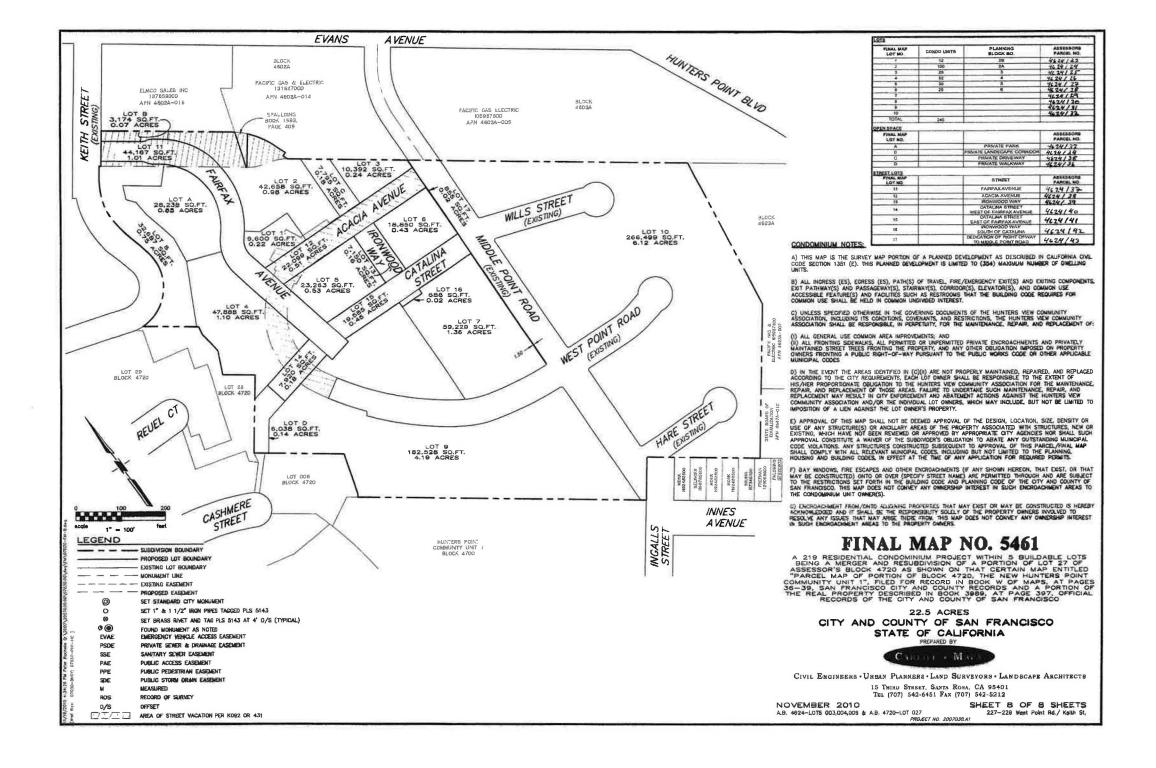
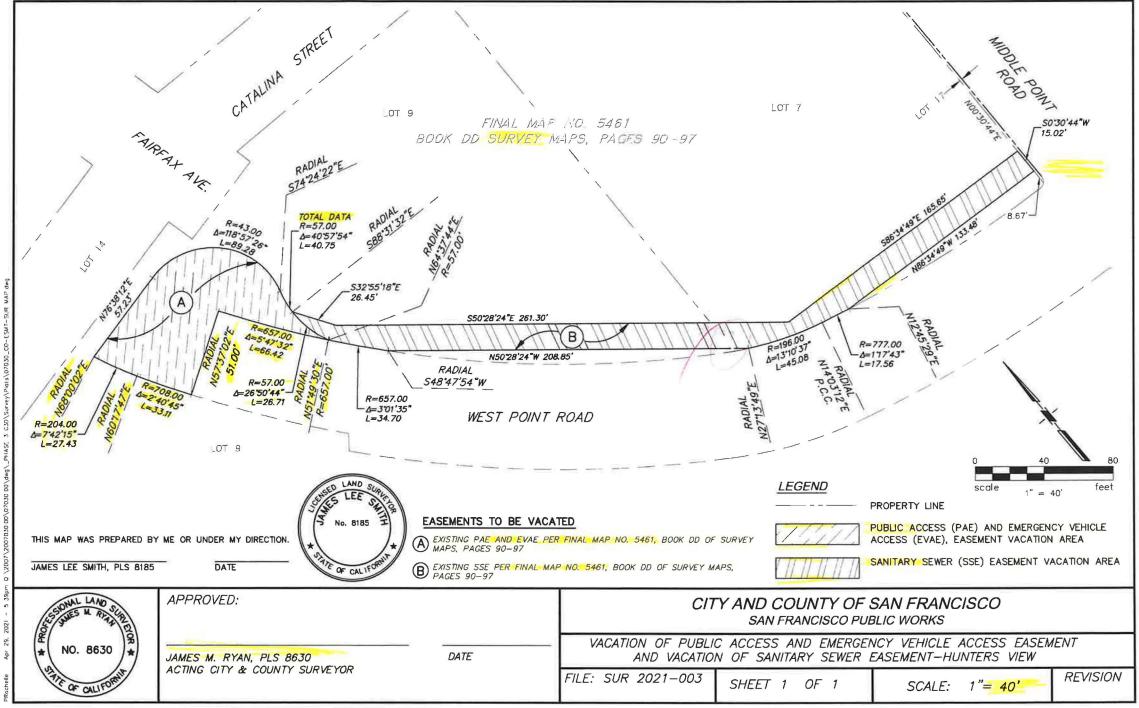


EXHIBIT B



5th glatzkette FINAL

EXHIBIT 'A'

Vacation of Easement for Sanitary Sewer Easement over a portion of Lot 7 and a portion of Lot 9, Final Map No. 5461

Lying within the City of San Francisco, County of San Francisco, State of California, and being a portion of Lot 7 and a portion of Lot 9 as shown on that Map entitled Final Map No. 5461 filed in Book DD of Survey Maps, Pages 90 through 97, San Francisco City and County Records, and being more particularly described as follows:

BEGINNING at a point distant North 00°30'44" East, 8.67 feet from the southeasterly corner of Lot 7, as shown on said Final Map No. 5461; thence North 86°34'49" West, 133.48 feet to the northerly line of West Point Road as shown on said map; thence northwesterly along said northerly line, on a curve concave northeasterly, with a radius of 777.00 feet, with a radial bearing of South 12°45'29" West, a central angle of 1°17'43", a distance of 17.56 feet; thence northwesterly on a compound curve, concave northeasterly, with a radius of 196.00 feet, a central angle of 13°10'37", a distance of 45.08 feet; thence leaving said northerly line, North 50°28'24" West, 208.85 feet to said northerly line; thence northwesterly along said northerly line, on a curve concave northeasterly, with a radius of 657.00 feet, with a radial bearing of South 48°47'54"West, through a central angle of 3°01'35", a distance of 34.70 feet; thence leaving said northerly line, on a non-tangent curve concave easterly, with a radius of 57.00 feet, with a radial bearing of South 64°37'44" West, through a central angle of 26°50'44", a distance of 26.71 feet; thence South 32°55'18" East, 26.45 feet; thence South 50°28'24" East, 261.30 feet; thence South 86°34'49" East, 165.65 feet to the easterly line of Lot 7; thence along said easterly line, South 00°30'44" West, 15.02 feet to the POINT OF BEGINNING.

See Exhibit 'B' for graphic depiction.

Being a portion of APN 4624-029 and a portion of APN-4624-031

This property description was prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors Act

James Lee Smith PLS 8185

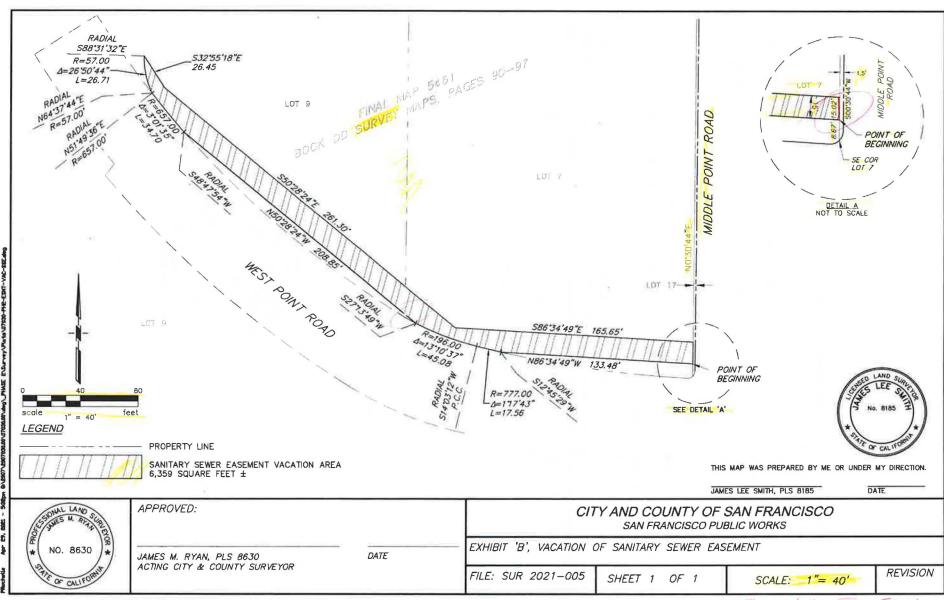


Date

END OF DESCRIPTION

574 5/4/21 GR FINAL

2007030 00/Milestones/Phase 2 Esmt-Vac-SSE--Legal



5THV 5/4/01 GRE FINAL

EXHIBIT 'A'

Vacation of Easement for Public Access and Emergency Vehicle Access over a portion of Lot 9, Final Map No. 5461

Lying within the City of San Francisco, County of San Francisco, State of California, and being a portion of Lot 9 shown on that Map entitled Final Map No. 5461 filed in Book DD of Survey Maps, Pages 90 through 97, San Francisco City and County Records, and being more particularly described as follows:

BEGINNING at a point at the northwesterly end of the southerly right of way line of West Point Road as shown on said Final Map No. 5461; thence northwesterly on a curve, concave northeasterly, with a radius of 708.00 feet, from a radial bearing of North 57°37'02" East, through a central angle of 2°40'45", a distance of 33.11 feet; thence northwesterly on a compound curve, concave northeasterly, with a radius of 204.00 feet, through a central angle of 7°42'15", a distance of 27.43 feet; thence North 76°38'12" East, 57.23 feet; thence southerly on a curve, concave westerly, with a radius of 43.00 feet, through a central angle of 118°57'26", a distance of 89.28 feet; thence southeasterly on a reverse curve, concave northeasterly with a radius of 57.00 feet, through a central angle of 40°57'54", a distance of 40.75 feet to the northerly line of West Point Road as shown on said map; thence northwesterly on a curve, concave northeasterly, with a radius of 657.00 feet, from a radial bearing of North 51°49'30" East, through a central angle of 5°47'32", a distance of 66.42 feet; thence South 57°37'02" West, 51.00 feet to the POINT OF BEGINNING.

See Exhibit 'B' for graphic depiction.

Being a portion of APN 4624-031

This property description was prepared by me, or under my direction, in conformance with the requirements of the Professional Land Surveyors Act

James Lee Smith PLS 8185



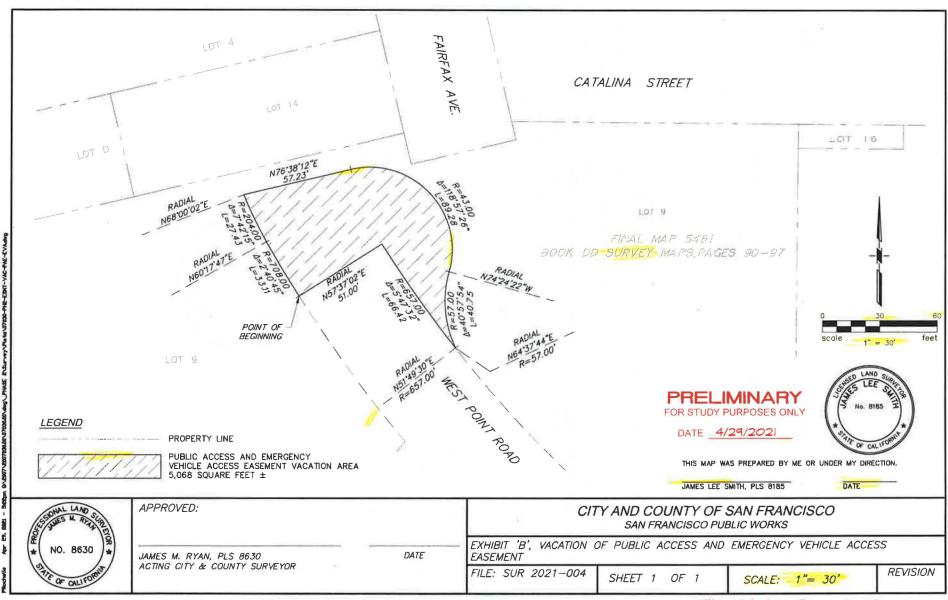
+ //

END OF DESCRIPTION

2007030 00/Milestones/Phase 2 Esmt-Vac-PAE-EVAE-Legal

Date

5THV 5/4/21 DE FINAL



5th spale en FINAL