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10.1 EXISTING OWNERSHIP

City Land
Major Phase 1 CP is comprised primarily of land currently owned by the City and County of San Francisco and OCII. The southern section of Major Phase 1 CP is currently occupied by the Candlestick Park stadium and associated parking lots and access roadways. The stadium is owned by the City and County of San Francisco and leased by the San Francisco 49ers. The stadium and parking lot areas immediately surrounding the stadium are under the jurisdiction of the San Francisco Recreation and Park Department. The northern section of Major Phase 1 CP contains Alice Griffith public housing, which is owned by the City and controlled by the San Francisco Housing Authority (SFHA).

State Land
A small parcel of land on the northeast corner of the Alice Griffith site is owned by the State Lands Commission.

Private Land
Major Phase 1 CP contains no privately-owned land.

Auction Lots
Section 17.2 of the DDA requires that at least twenty five percent of the Residential Lots, excluding Agency Lots, Alice Griffith Lots and Community Building Lots, in each Major Phase that contains Residential Projects shall be offered for sale by an auction or other competitive process Approved by Developer and the Agency. The proposed location of the Auction Lots is to be identified in the Major Phase Application, and subject to change in the Sub-Phase Applications.

Given that the Residential Lots contained within Major Phase 1 CP are all associated with either the early phases of development at Alice Griffith or are part of the mixed-use development of the Candlestick Point regional retail center, it is the Applicant’s request that these Residential Lots be excluded from the pool of Auction Lots for this Major Phase Application. This will require future phases to include a higher portion of Auction Lots to achieve the Project-wide percentage of 25% at build-out.

Community Builder Lots
Section 5.1 of the Community Benefits Plan requires that, during the build out of the Project, 500 units (not including Agency Affordable Units) will be made available for development by or with the assistance of Community Builders. The “Community Builder Units”, provided across a spectrum of affordability levels, will be distributed throughout the Project Site on “Community Builder Lots”. Community Builder Lots are to be identified in Major Phase Applications and Approved by the Agency in the Major Phase Approval.

Given that the residential units proposed to be developed within Major Phase 1 CP are all associated with either the early phases of development at Alice Griffith or are part of the mixed-use development of the Candlestick Point regional retail center, it is the Applicant’s request that these residential units be excluded from the pool of Community Builder Units for this Major Phase Application. This will require future phases of the Project to include a higher portion of Community Builder Lots to achieve the Project-wide goal of 500 units.
10. PROPERTY OWNERSHIP & CONVEYANCE

10.2 PROPOSED SUBDIVISION MAPPING PROCESS

Concurrent with the review and approval of this Major Phase Application, the Developer will submit an application to the City’s Bureau of Street-Use and Mapping for the approval of Transfer Maps and Subdivision Maps for Project. The following outlines the general mapping strategy for the Project; however the sequence and process is subject to further refinement based on discussions with City and OCII staff.

**Transfer Maps**

**Tentative Transfer Map:** The Tentative Transfer Map (Figure 10.2) shows the layout of large parcels to be conveyed from OCII to the Developer pursuant to the DDA.

**Phased Final Transfer Maps:** The Phased Final Transfer Maps, when recorded, will legally establish these large parcels for purposes of conveying the parcels from OCII to the Developer. These maps do not confer any specific development rights; they are merely for conveying or financing purposes only.

**Subdivision Maps**

**Vesting Tentative Subdivision Map Candlestick Point:** The Vesting Tentative Subdivision Map will vest the Developers rights with respect to the Candlestick Point portion of the CP/HPS Phase 2 Project. The Developer will request those discretionary extensions to the life of this Vesting Tentative Subdivision Map allowed by the Map Act and contemplated by the Interagency Cooperation Agreement. The Developer will also use phased Final Maps to further extend the life of this Vesting Tentative Subdivision Map as permitted under the Map Act and the CP/HPS Subdivision Code.

The Vesting Tentative Subdivision Map includes the general configuration (in some instances conceptually) for vertical development parcels within Candlestick Point. Its approval will include any conditions of approval that must be satisfied before the final phased subdivision of certain vertical development parcels and/or development on these parcels can occur.

**Final Subdivision Map:** The Final Subdivision Map, when recorded, will legally establish the development parcels within each Sub-Phase of the project that have been shown on the Vesting Tentative Subdivision Map and will allow for the sale, lease, or finance – and ultimate development – of these parcels. This map will also depict required dedications and infrastructure improvements.

**Alice Griffith**

**Tentative Subdivision Map for Alice Griffith:** This map shows the layout of development parcels within Sub-Phase CP-01 – the first phase of the Alice Griffith project (see Figure 10.3). Its approval will include any conditions of approval that must be satisfied before the final subdivision and development of these parcels can occur.

**Final Subdivision Map for Alice Griffith:** This map, when recorded, will legally establish the development parcels within Alice Griffith that have been shown on the Alice Griffith Tentative Subdivision Map and will allow for the sale, lease, or finance – and ultimate development – of the parcels within Alice Griffith. This map will also depict required dedications and infrastructure improvements.
10. PROPERTY OWNERSHIP & CONVEYANCE

10.2 PROPOSED SUBDIVISION MAPPING PROCESS

Figure 10.2 - Candlestick Point Tentative Transfer Map - For Illustrative Purposes Only

EXHIBIT TO MAJOR PHASE AND SUB-PHASE CP-01 APPLICATION

CANDLESTICK POINT
TENTATIVE TRANSFER MAP
(FOR PURPOSES OF FINANCING AND/OR CONVEYANCE ONLY)
SHEET 1 - COVER SHEET
10. PROPERTY OWNERSHIP & CONVEYANCE

10.2 PROPOSED SUBDIVISION MAPPING PROCESS

Figure 10.3 - Sub-Phase CP-01 Tentative Subdivision Map - For Illustrative Purposes Only

09/19/13
EXHIBIT TO MAJOR PHASE AND SUB-PHASE CP-01 APPLICATIONS

GENERAL NOTES:

1. DRAWING PRODUCED BY:
   [Name of Drawing Production Company]

2. DRAWN TO SCALE:
   [Scale of the drawing]

3. DRAWING SHEET:
   [Sheet Number]

4. DRAWING REV.
   [Revision Number]

5. DRAWN BY:
   [Name of Drawer]

6. CHECKED BY:
   [Name of Checker]

7. DATE DRAWN:
   [Date the drawing was drawn]

8. DATE CHECKED:
   [Date the drawing was checked]

9. PROJECT:
   [Project Name]

10. SHEET INDEX:
    1. TITLE & NOTES SHEET
    2. BOUNDARY & PROPOSED LOT DIMENSIONS
    3. CONCURRENCE & STREET SECTIONS
    4. PROPOSED GRAZING
    5. PROPOSED UTILITIES

TITLE & NOTES SHEET
TENTATIVE SUBDIVISION MAP
CANDLESTICK POINT
SUB-PHASE CP-01
The Candlestick Point State Recreation Area Reconfiguration, Improvement and Transfer Agreement (“Parks Agreement”) and the Hunters Point Shipyard/Candlestick Point Title Settlement, Public Trust Exchange and Boundary Line Agreement (“Trust Exchange Agreement”) are agreements among OCI (formerly the SF Redevelopment Agency), the City, the Port of San Francisco, the State Lands Commission, and the California Department of Parks and Recreation (State Parks). These Agreements, and their intent, are described in the following sections.

Parks Agreement

The purpose of the Parks Agreement is to provide for the reconfiguration and improvement of the Candlestick Point State Recreation Area (CPSRA), and to facilitate the redevelopment of areas surrounding the CPSRA, in accordance with Senate Bill 792 which was approved by the California Legislature and signed by the Governor in 2009.

SB 792 authorizes the director of State Parks (“Director”) to enter into an agreement for the transfer of certain lands within the CPSRA to the Agency in exchange for the transfer of lands from the Agency to State Parks, funding for operation and maintenance of the CPSRA, funding for the planning and construction of improvements to be added to the CPSRA, and other consideration, having an aggregate value of at least fifty million dollars ($50,000,000), provided the agreement will result in an overall benefit to the CPSRA and meets certain other requirements. The land transfers will take place in phases concurrent with the redevelopment of adjacent lands at Candlestick Point. At each phase, the Agency will provide a pro rata share of the remaining operation and maintenance funds and park improvements, based on the acreage of land received from the State in that phase.

Full implementation of the Parks Agreement also requires approval of amendments to the State Parks General Plan by the State Parks Commission. In addition, approval from the National Park Service is required because 3.7 +/- acres of CPSRA lands subject to the transfer were improved with Land and Water Conservation Funds from the Department of Interior (DOI), and these lands will be converted to uses other than public outdoor recreation.

Trust Exchange Agreement

In addition to the conveyances described in the Parks Agreement, a critical component of the reconfiguration will be implemented via the Trust Exchange Agreement to improve the configuration of lands within Candlestick Point that are subject to the public trust for commerce, navigation and fisheries (“public trust” or “trust”), and lift the trust from the remainder of the Project site.

Prior to the Trust Exchange Agreement, the configuration of trust and non-trust lands within Candlestick Point (and neighboring HPS) was such that the purposes of the public trust could not be fully realized. A substantial portion of the reclaimed trust lands were interior lands that had been cut off from access to navigable waters, or were paper streets laid out in a grid pattern that was not useful to the trust. Most of these lands were no longer needed or required for the promotion of the public trust, while other lands within the CPHPSII project area adjacent to the waterfront or otherwise of high value to the public trust were not subject to the public trust.

To remedy this situation, a land exchange will occur to improve the configuration of public trust lands at Candlestick Point and HPS by placing the trust along the entire shoreline and on other lands with high value to the trust, and removing the trust from interior lands that are cut off from the water, thereby removing impediments to their redevelopment. The Trust Exchange Agreement implements this exchange through a series of phased conveyances, by which the State Lands Commission will take title to the lands, hold a portion of the lands subject to the trust, and convey the remainder to the Agency, the City, or State Parks either subject to or free of the trust.

Lands removed from the Trust are included within 1 CP and more specifically, at the site of the first Candlestick Point Sub-Phase Application (CP-01). An approximately 2.8 acre State Lands property at the Alice Griffith housing site will be conveyed to OCI and ultimately the San Francisco Housing Authority for housing development. An estimated .7 acre site adjacent to, but outside of the first 1 CP will also be included in the first exchange for the future construction of Arelius Walker Drive. Per the Trust Agreement, and an agreement with California State Parks, consideration received by the State is to be dedicated to improvements, operations and maintenance expenses at the Candlestick Point State Recreation Area.
10. PROPERTY OWNERSHIP & CONVEYANCE

10.3 PUBLIC TRUST LANDS & CANDLESTICK POINT STATE RECREATION AREA AGREEMENTS

Public Trust Lands

Under the public trust doctrine, most tide and submerged lands are sovereign lands that are held on behalf of the people of the state, to be used for public trust purposes. Maritime uses, parks and open space, restaurants and other visitor serving uses, historic preservation, and environmental conservation are examples of trust-consistent uses. Uses that are generally considered inconsistent with the trust include residential, general office, general commercial and local-serving retail. The filling and reclamation of tide and submerged lands generally does not necessarily terminate public trust restrictions.

Much of the land at Candlestick Point and Hunters Point was created by fill. The complicated title history of these filled lands, including several state statutes authorizing sale of certain of the lands to private parties, a statutory grant of trust lands to the City, and federal government’s condemnation of large portions of the Shipyard, have resulted in a complicated pattern of ownership and substantial uncertainty as to the existence and location of the public trust. Most of the trust lands at the site consist of a patchwork of “paper streets”, much of which has been cut off from the water and does not correspond with the existing street grid. Meanwhile, a substantial portion of the lands along the shoreline has likely been removed from the trust.

To remedy this situation, in May 2011 the Governor signed the Candlestick Point State Recreation Area Reconfiguration, Improvement and Transfer Agreement (the “Park Agreement”) and the Hunters Point Shipyard/Candlestick Point Title Settlement, Public Trust Exchange and Boundary Line Agreement (the “Trust Agreement”). The ultimate configuration of Trust Lands from these actions is shown on Figure 10.4.