



January 25, 2017

**Via Email to Michael Carlin, Deputy General Manager, SFPUC**

Michael Carlin  
Deputy General Manager  
San Francisco Public Utilities Commission (SFPUC)  
525 Golden Gate Avenue, 10<sup>th</sup> Floor  
San Francisco, CA 94102

**Re: Town of Atherton ("Atherton") Civic Center Project and Potential Modification to SFPUC Palo Alto Pipeline**

Dear Mr. Carlin,

Thank you for your January 12, 2017 letter outlining the SFPUC's recommendations, general terms and conditions to accommodate Civic Center Project (Project) regarding the existing 36-inch SFPUC water pipeline.

As you are aware, the pipeline is currently located under Dinkelspiel Station Lane, a public right-of-way. The Civic Center Project design proposes to reconfigure existing streets within the Project area, including Dinkelspiel Station Lane. The Town will be eliminating the entirety of the right-of-way as it combines the Town's multiple existing parcels into one. These areas will become interior parking areas, pedestrian and vehicular access ways as the Town creates a new "Civic Center" – similar to a Park.

Based on correspondence letters of November 2, 2016 and November 30, 2016 and our December 14, 2016 telephone conference, SFPUC is recommending the following in order to accommodate the Project:

- (i) The City (SFPUC) and Atherton will amend the existing Pipeline Easement (Amended Pipeline Easement) to reduce the combined 40-foot easement width to a new yet-to-be-agreed width of approximately 20 feet;
- (ii) Atherton will grant the SFPUC a new easement (New Easement) covering Pipeline segments currently subject to the Permit or otherwise not covered by the existing Pipeline Easement; and
- (iii) Atherton will grant the City an additional new easement (Laydown Easement) to use an approximately 10,000 square-foot area of usable "laydown" space near the Amended Pipeline Easement or the New Easement on rare occasions.

SFPUC agreements will also be subject to all the general terms and conditions as outlined in your January 12, 2017 letter. However, the Town will be completing landscape and hardscape

## Town of Atherton Civic Center Project SFPUC Letter January 25, 2017

improvements as part of its project. Some of these landscape and hardscape improvements will be made in and around the SFPUC existing easement and proposed easement areas.

On January 18, 2017, staff presented your letter in a staff report to the Atherton City Council requesting feedback and direction. The Council understands the following:

- SFPUC has an existing easement for portions of its 36" pipeline;
- SFPUC does not have an easement for all segments of the existing pipeline within the project boundary, but instead retains a discretionary permit for the pipeline within the existing right-of-way;
- SFPUC wants an easement for the entirety of its pipeline within the Town's project area;
- the right-of-way within the project area is being eliminated;
- a portion of the Town's new police facility will rest on a portion of the existing SFPUC pipeline easement (not the pipeline itself).

After much discussion, Council provided the following direction to staff:

- SFPUC shall relinquish the existing 20-foot easement north of Ashfield Road to accommodate the ancillary building required by the Police Department per the attached Exhibit and reduce the existing 40-foot easement to a maximum of 15-feet to accommodate the existing 36" SFPUC pipeline;
- SFPUC shall provide a current inspection report noting the condition of the pipeline prior to the Town's construction project;
- No part of the Town's project shall be negatively impacted by the existing or proposed SFPUC easements;
- SFPUC shall assist Town with "protecting the line in place" during the construction project. Town shall be responsible for costs related thereto.

In exchange for the preceding:

- SFPUC and Town will identify an appropriately sized laydown easement for use by the SFPUC when needed for rehabilitation of the existing pipeline;
- Town shall provide the SFPUC with an easement for all portions of the pipeline within the project area; and
- Town and SFPUC shall split the costs of any required surveying, potholing, preliminary title reports, or other required costs within the project's boundary area. All costs that are outside the project area shall be paid 100% by SFPUC.

Please let me know if you would like to have another conference call to discuss this further. We look forward to working cooperatively with SFPUC on this important Project related issue.

Sincerely,

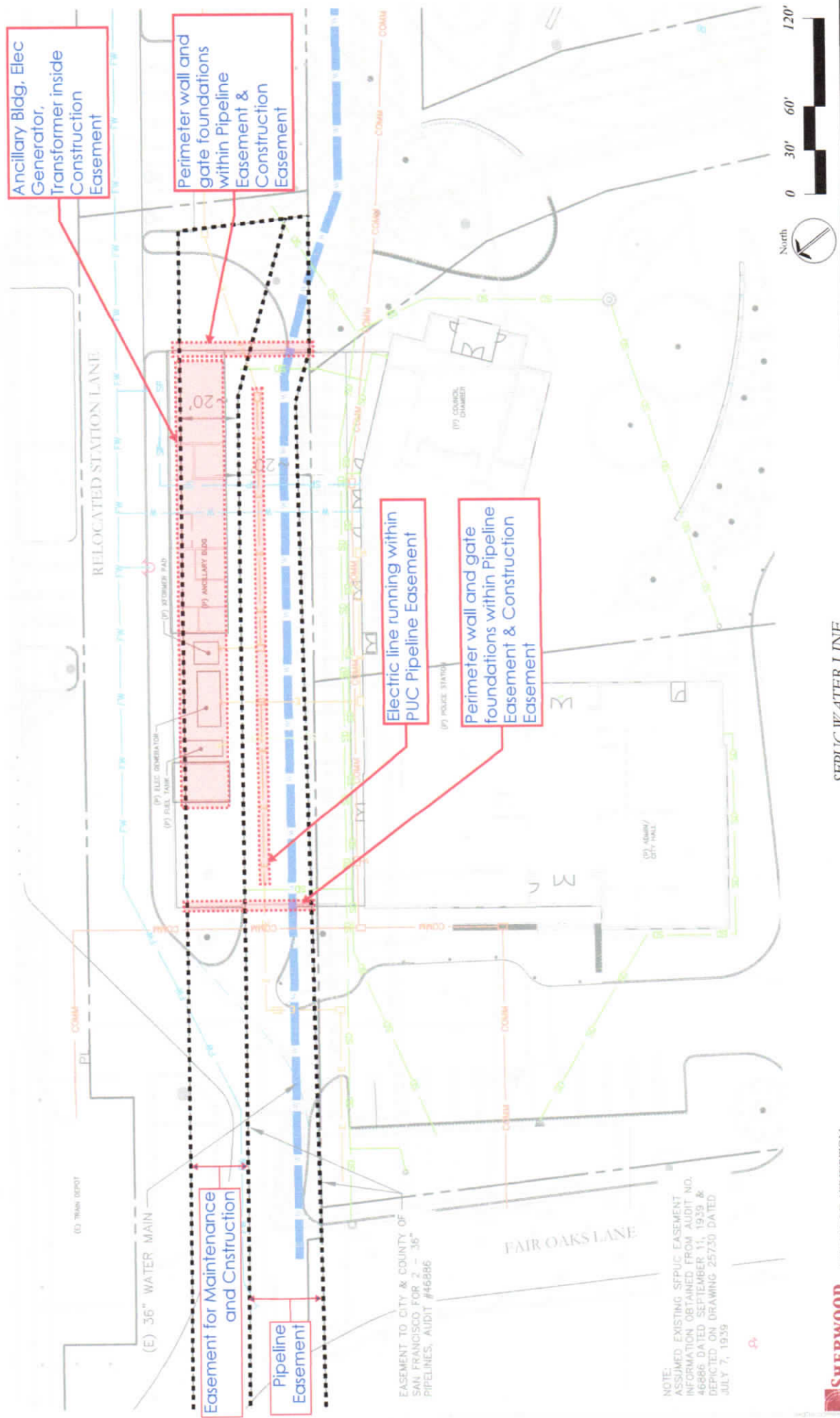


Marty Hanneman, P.E.  
City Engineer

**Town of Atherton Civic Center Project SFPUC Letter January 25, 2017**

Cc: George Rodericks, City Manager, Town of Atherton  
Bill Conners, City Attorney, Town of Atherton  
Dina Brasil, Real Estate Services, SFPUC  
Martin Gran, Special Projects Advisor, SFPUC

Attachment: SFPUC Easements Exhibit



Ancillary Bldg, Elec Generator, Transformer inside Construction Easement

Perimeter wall and gate foundations within Pipeline Easement & Construction Easement

Easement for Maintenance and Construction

Pipeline Easement

Electric line running within PUC Pipeline Easement

Perimeter wall and gate foundations within Pipeline Easement & Construction Easement

EASEMENT TO CITY & COUNTY OF SAN FRANCISCO FOR 2'-36" PIPELINES, AUDIT #46886

NOTE:  
ASSUMED EXISTING SFPUC EASEMENT INFORMATION OBTAINED FROM AUDIT NO. 46886 DATED SEPTEMBER 11, 1939, & DEPICTED ON DRAWING 25730 DATED JULY 7, 1939





January 17, 2017

SFPUC WATER LINE  
 ATHERTON CIVIC CENTER  
 ATHERTON, GA

TOWN OF ATHERTON

**SHERWOOD**  
 DESIGN ENGINEERING  
 1000 Peachtree Street, N.E.  
 Atlanta, Georgia 30309  
 404.525.4400