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**BILL OF SALE
FOR UTILITY INFRASTRUCTURE
RELATED TO TREASURE ISLAND**

7 This Bill of Sale is made this _____ day of _____, 20____ (“Effective
8 Date”) by and between the **UNITED STATES OF AMERICA**, acting by and through the
9 Department of the Navy (“Navy”), for the benefit of the **TREASURE ISLAND**
10 **DEVELOPMENT AUTHORITY** (“Authority”), recognized as the local redevelopment
11 authority with regard to the disposition and conveyance of portions of Naval Station Treasure
12 Island, San Francisco, California. The Navy and the Authority are each sometimes referred to
13 herein individually as a “Party” and collectively as the “Parties.”
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RECITALS

17 1. In 1993, the Defense Base Closure and Realignment Commission recommended
18 the closure of Naval Station Treasure Island (“Treasure Island”), located within the City and
19 County of San Francisco (“City”), which consists of approximately one thousand one hundred
20 and eighty-seven (1,187) acres of real property, together with the buildings, improvements and
21 related and other tangible personal property located thereon and all rights, easements and
22 appurtenances thereto.
23

24 2. Pursuant to the power and authority provided by § 2905(b)(4) of the Defense Base
25 Closure and Realignment Act of 1990, 10 U.S.C. § 2687 note, as amended, and the
26 implementing regulations of the Department of Defense (32 C.F.R. Part 174), the Secretary of
27 the Navy is authorized to convey surplus property at a closing installation to the Local
28 Redevelopment Authority for economic development purposes.
29

30 3. The Parties entered into the *Economic Development Conveyance Memorandum of*
31 *Agreement between the United States of America, acting by and through the Department of the*
32 *Navy, and the Treasure Island Development Authority for the Conveyance of the Naval Station*
33 *Treasure Island*, dated _____, 2012. (“Agreement”).
34

35 4. Pursuant to Section 3.1.2 of the Agreement, the Navy agreed to transfer to the
36 Authority by bill of sale the Utility Infrastructure consisting of all utilities and related support
37 infrastructure located on and off the Navy Real Property that serve the Navy Real Property such
38 as electrical, water, sewer, gas, storm drainage and telecommunications lines.
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MUTUAL UNDERSTANDINGS

42 **NOW, THEREFORE**, in consideration of the foregoing recitals and other consideration
43 set forth herein, it is mutually agreed as follows:
44

45 1. **Transfer.** For good and valuable consideration, the receipt and sufficiency of
46 which is hereby acknowledged, the Navy hereby grants, releases, quitclaims and transfers to the

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1 Authority title and ownership of those portions of the Utility Infrastructure owned by the Navy
2 described on Exhibit A hereto which are located and situated on the Navy Real Property
3 described on Exhibit B¹ hereto, and those portions of the Utility Infrastructure owned by the
4 Navy located and situated on property not owned by the Navy, but serving the Navy Real
5 Property, described on Exhibit C hereto.²
6

7 2. **No Warranty.** The Utility Infrastructure transferred under this Bill of Sale is
8 conveyed without warranty of any kind and is delivered to the Authority “as is,” “where is.” The
9 Navy makes no warranty as to the Utility Infrastructure’s usability generally or as to its fitness
10 for any particular purpose.
11

12 3. **Counterparts.** This Bill of Sale may be executed in multiple counterparts and/or
13 with the signatures of the Parties set forth on different signature sheets and all such counterparts,
14 when taken together, shall be deemed one original.
15

16 **[SIGNATURE PAGE FOLLOWS]**

¹ Note: Exhibit B to be included with each Bill of Sale.
² Note: Exhibit C to be included only in the first Bill of Sale.

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IN WITNESS WHEREOF, the Parties, intending to be legally bound hereby, have caused their duly appointed representatives to execute this Bill of Sale as of the Effective Date set forth above.

WITNESS/ATTEST:

THE UNITED STATES OF AMERICA

By: _____
Name:
Title:

By: _____
Name:
Title:

Date: _____

ATTEST:

**TREASURE ISLAND DEVELOPMENT
AUTHORITY**

By: _____
Name:
Title:

By: _____
Name:
Title:

Date: _____

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1 CERTIFICATE OF ACCEPTANCE

2

3 Government Code Section 27281

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7 This is to certify that the interest in utility infrastructure conveyed by the Bill of Sale for the
8 Utility Infrastructure from the United States of America to the Treasure Island Development
9 Authority of the City and County of San Francisco, a California non-profit public benefit
10 corporation, existing under the laws of the State of California, Grantee, is hereby accepted by the
11 undersigned officer, its _____, on behalf of the _____,
12 pursuant to the authority conferred by Resolution No. _____, adopted on _____,
13 and the Grantee consents to the recordation thereof, by its duly authorized officer.

14

15 IN WITNESS WHEREOF, I have hereunder set my hand this _____ day of _____,
16 20__.

17

18

19 Approved As To Form:
20 DENNIS J. HERRERA, City Attorney

21

22

23 By: _____

24

Name:
Deputy City Attorney

26

27

TREASURE ISLAND DEVELOPMENT AUTHORITY

28

29

30

By: _____

31

Name:
Title:

32

BILL OF SALE FOR UTILITY INFRASTRUCTURE

EXHIBIT A Utility Infrastructure

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4 **Electric Utility Infrastructure:** Any building, structure, surface, subsurface or elevated pipe,
5 pole, line, service connection, conduit, feeder, wire, fixture, duct, manhole, handhole, cable,
6 equipment, transformer, switch, generator, facility, and any necessary devices now or hereafter
7 used or intended to be used for supplying, distributing or storing any Electric Utility Service
8

9 **Water Supply, Wastewater and Stormwater Infrastructure:** Any building, structure, facility,
10 pumphouse, pumping station, metering station, reducing station, lift station, containment vessel,
11 catch basin, reservoir, outfalls, vault, or similar improvement, pipes, lines, service connections,
12 conduits, tanks, feeders, wires, fixtures, ducts, manholes, handholes, hydrants, valves, cables,
13 equipment (including but not limited to process equipment), and any necessary devices now or
14 hereafter used or intended to be used for supplying, distributing, treating, storing, containing, or
15 conducting any Water, Wastewater or Stormwater Utility Service.
16

17 **Gas Supply and Steam Supply Infrastructure:** Any structure, facility, metering station,
18 meters, pressure regulators, valves, pipes, lines, service connections, conduits, tanks, fixtures,
19 manholes, handholes, equipment, and any necessary devices now or hereafter used or intended to
20 be used for the supplying, distributing, storing, containing or conducting any Gas Supply or
21 Steam Supply Utility Service.
22

23 **Telecommunications Infrastructure:** Any structure, facility, antennae structure, antenna,
24 subsurface or elevated pipes and lines, poles, service connections, relays, booster equipment,
25 conduits, feeders, wires, fixtures, ducts, manholes, handholes, cables, equipment, power supplies
26 and equipment, transmitters, broadcasting equipment, and any necessary devices now or
27 hereafter used or intended to be used for transmitting, broadcasting or delivering any
28 Telecommunications Service.
29