

PROPOSITION 5

Shall the use as a public park be discontinued and abandoned of Columbia Square, bounded by Folsom, Sherman, Harrison and Columbia Square Streets, particularly described in Ordinance No. 7486 (Series of 1939)?

File No. 8738-3

PROPOSITION 5

Ordinance No. 7486

(Series of 1939)

CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, NOVEMBER 4, 1952, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO THE QUESTION OF THE DISCONTINUANCE AND ABANDONMENT OF THE USE AS A PUBLIC PARK OF COLUMBIA SQUARE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby declares that the public interest or convenience requires the discontinuance and abandonment of Columbia Square as a public park consisting of an area approximately 275 feet by 550 feet bounded by Folsom Street, Sherman Street, Harrison Street and Columbia Square Street; that said Columbia Square is no longer needed for park or recreation purposes; that the hearing of all protests against the proposed abandonment or discontinuance thereof, was set by Resolution No. 12482 (Series of 1939) to be before the Board of Supervisors at its regular meeting in Room 235 at the City Hall, San Francisco, California, on the 15th day of September, 1952, at 2:00 o'clock p. m. of said day; that said resolution and notices of the adoption thereof were duly published and posted; that said hearing was duly held at said time; that any and all of said protests were thereafter overruled by a two-thirds vote of the Board of Supervisors; that the said Columbia Square is more particularly described as follows:

All that certain parcel of land used in the City and County of San Francisco, State of California, described as follows:

BEGINNING at a point on the southeasterly line of Folsom Street distant thereon 275 feet southwesterly from the southwesterly line of 6th Street and running thence southwesterly along said line of Folsom Street 275 feet; thence at a right angle, southeasterly, 550 feet to the northwesterly line of Harrison Street; thence at a right angle, northeasterly, along the said line of Harrison Street 275 feet; thence at a right angle, northwesterly, 550 feet to the point of beginning. Composed of a parcel of land 200 feet wide extending from Folsom Street to Harrison Street bounded on the southwesterly side by Sherman Street 37' 6" wide and on the northeasterly side by Columbia Square Street 37' 6" wide. Being a portion of 100 Vara Lot 396. Being also a portion of Assessor's Block 3754.

Section 2. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the 4th day of November, 1952, for the purpose of submitting to the electors of said city and county the question of the discontinuance and abandonment of the use as a public park of the land described in Section 1 of this ordinance.

Section 3. The special election hereby called and ordered to be held shall be held and conducted and the votes thereat received and canvassed, and the returns thereof made and the result thereof ascertained, determined and declared as herein provided and in all particulars not herein recited said election shall be held according to the laws of the State of California providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 4. The said special election hereby called, shall be and hereby is consolidated with the General Election to be held on Tuesday, November 4, 1952, and the voting precincts, polling places, and officers of the election, for said General Election be and the same are hereby adopted, established, declared and named, respectively, as the voting precincts, polling places and officers of election for said special election hereby called, and as specifically set forth by the Registrar of Voters of polling places and election officers for the said General Election.

The ballots to be used at said special election shall be the ballots to be used at the said General Election.

Section 5. On the ballots to be used at such special election and on the voting machines used at said special election, in addition to any other matter required by law to be printed thereon shall appear thereon the following:

"Shall the use as a public park be discontinued and abandoned of Columbia Square, bounded by Folsom, Sherman, Harrison and Columbia Square Streets, particularly described in Ordinance No. 7486 (Series of 1939)."

To vote for any proposition where ballots are used, stamp a cross (X) in the blank space to the right of the word "Yes." To vote against any proposition, stamp a cross (X) in the blank space to the right of the word "No."

Where voting machines are used at said special election said voting machines shall be so arranged that any qualified elector may vote for any proposition by pulling down a lever over the word "Yes" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, and said act shall constitute a vote for the proposition, and by pulling down a lever over the word "No" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, shall constitute a vote against the proposition. Said voting machines and the preparation of the same shall comply in all respects with the provisions of law.

Section 6. This ordinance is enacted as an emergency measure and the Board of Supervisors does hereby declare by the vote by which this ordinance is passed that an actual emergency exists which necessitates

the enactment of this ordinance forthwith, the nature of said emergency being the immediate necessary preservation of the public health and safety, particularly in relation to school children in the area of Columbia Square and Franklin Elementary School, and provision for the uninterrupted operation of the school department in respect to functions now carried on at Franklin Elementary School, and particularly as follows:

The State of California having condemned land for the purpose of constructing the Bayshore Freeway immediately adjacent to the Franklin Elementary School situated on Eighth Street near Bryant Street, and the construction of said Freeway being imminent, the operation of this school under such circumstances will be extremely hazardous for the school children attending it. The preservation of the safety of the pupils therefore requires the immediate utilization of Columbia Square for construction thereon of an elementary school. It is also necessary to utilize the Columbia Square for elementary school purposes in order to continue the uninterrupted operation of the schooling of Franklin Elementary School pupils.

Approved as to form.

DION R. HOLM, City Attorney.

Passed as an emergency measure—Board of Supervisors, San Francisco, September 15, 1952.

Ayes: Supervisors Arnold, Christopher, Dobbs, Ferdon, Halley, Lewis, MacPhee, Mancuso, McCarty, Mead, Sullivan.

I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco.

JOHN R. McGRATH, Clerk.

Approved, September 15, 1952.

ELMER E. ROBINSON, Mayor.