

FILE NO. 98-1500

ORDINANCE NO.

1 [Settlement Of Lawsuit]

2 AUTHORIZING SETTLEMENT WITH DEFENDANT 1900 THIRD STREET, LLC IN
3 LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO V. ALL PERSONS.

4
5 Be it ordained by the People of the City and County of San Francisco:

6 Section 1. The City Attorney is hereby authorized to settle with defendant 1900 Third
7 Street LLC in the action entitled "City and County of San Francisco v. All Persons, San
8 Francisco Superior Court No. 44492," an action to quiet title to City owned property within the
9 Mission Bay Development Project area.

10 Section 2. As part of the settlement, the City will enter into a License Agreement with
11 1900 Third Street LLC ("Licensee") and Catellus Development Corporation ("Catellus"),
12 providing Licensee with a license to enter upon and use the City property that is the subject of
13 the action ("Property") and portions of Catellus property for ingress and egress, the turning
14 and maneuvering of vehicles, parking of vehicles used in the course of business and the
15 encroachment of certain building improvements onto City and Catellus property.

16 Section 3. In consideration for the City entering into the License Agreement, Licensee
17 shall quitclaim to the City any and all right, title and interest in the Property, and shall enter
18 into a stipulation, substantially in the form on file with the Clerk of the Board of Supervisors in
19 File No. 98-1501, stating that Licensee has no right, title or interest in the Property.

20 Section 4: Pursuant to Planning Code Section 101.1, this Board of Supervisors finds
21 that this ordinance is in conformity with the Priority Policies of Section 101.1(b) of the
22 Planning Code and, when effective, with the General Plan as proposed to be amended and
23 hereby adopts the findings of the Planning Director, as set forth in the Planning Director's
24 letter dated October 9, 1998, and incorporates said findings by this reference thereto.

25

1 Section 5. In Resolution No. 854-98, this Board of Supervisors adopted
2 findings in connection with its consideration of, among other things, this settlement
3 agreement, under the California Environmental Quality Act ("CEQA"), the State CEQA
4 Guidelines and Chapter 31 of the San Francisco Administrative Code and made certain
5 findings in connection therewith, and adopted a mitigation monitoring program, which findings
6 and program are hereby incorporated by reference as if fully set forth herein.

7 Section 6. In accordance with the recommendation of the City Attorney, Director of
8 Property and Director of Public Works, the Board of Supervisors hereby authorizes the
9 Director of Property to accept a quitclaim deed from the Licensee on behalf of the City and
10 hereby authorizes the City Attorney to enter into a stipulation with Licensee stating that
11 Licensee has no right, title or interest in the Property.

12
13 APPROVED AS TO FORM AND
RECOMMENDED:

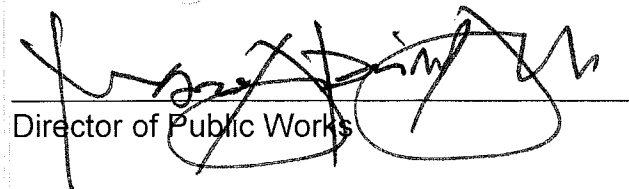
14 LOUISE H. RENNE
15 City Attorney

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17 WILLIAM M FLEISHHACKER
18 Deputy City Attorney

19 RECOMMENDED:

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21 
22 Director of Property

23
24 
25 Director of Public Works

SUPERVISOR YAKI
BOARD OF SUPERVISORS



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails Ordinance

File Number: 981500

Date Passed:

Ordinance authorizing settlement with defendant 1900 Third Street, LLC in litigation of City and County of San Francisco v. All Persons.

October 19, 1998 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

October 26, 1998 Board of Supervisors — FINALLY PASSED

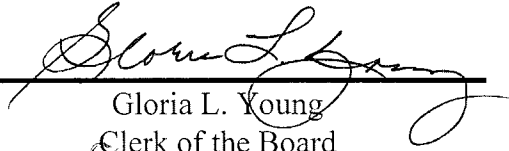
Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 1 - Kaufman

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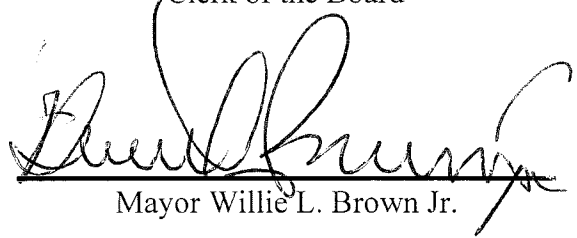
I hereby certify that the foregoing Ordinance was FINALLY PASSED on October 26, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 30 1998

Date Approved



Mayor Willie L. Brown Jr.