

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

---

---


## MEMORANDUM

---

---

Date: March 29, 2018

To: Carmen Chu, Assessor-Recorder, Office of the Assessor-Recorder

From:  Angela Calvillo, Clerk of the Board, Board of Supervisors

Subject: Declaration of Restrictions - Creeks to Peaks Trail Project - Twin Peaks Open Space (File No. 180153)

---

On March 13, 2018, the Board of Supervisors adopted Resolution No. 059-18, sponsored by the Recreation and Parks Department (File No. 180153, Declaration of Restrictions - Creeks to Peaks Trail Project - Twin Peaks Open Space); enacted on March 16, 2018.

Please find the attached courtesy copy of the Resolution for the Office of the Assessor-Recorder's information and consideration.

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184.

c: Nicole Agbayani, Office of the Assessor-Recorder  
Phil Ginsburg, Recreation and Parks Department  
Sarah Madland, Recreation and Parks Department

1 [Declaration of Restrictions - Creeks to Peaks Trail Project - Twin Peaks Open Space]

2  
3 **Resolution authorizing the Director of Real Estate to file a Declaration of Restrictions**  
4 **with the Assessor-Recorder against the property designated as Assessor's Parcel**  
5 **Block No. 2643, Lot Nos. 017 and 023, known as Twin Peaks Open Space, in support of**  
6 **a Habitat Conservation Fund Grant from the California Department of Parks and**  
7 **Recreation, and providing that the use restrictions contained in the Habitat**  
8 **Conservation Fund Grant Agreement will be covenants, conditions, and restrictions on**  
9 **the use of the properties until June 30, 2033.**

10  
11 WHEREAS, The City and County of San Francisco ("the City") owns the property  
12 located on Assessor's Parcel Block No. 2643, Lot Nos. 017 and 023 ("the Property"), known  
13 as Twin Peaks Open Space; and

14 WHEREAS, The City, through the San Francisco Recreation and Park Department  
15 ("RPD") operates and maintains the Property; and

16 WHEREAS, The California Department of Parks and Recreation (DPR) administers the  
17 Habitat Conservation Fund (HCF) Grant Program which provides state funds to local entities  
18 to acquire, enhance, restore, or develop facilities for public recreation purposes; and

19 WHEREAS, In 2011, the City adopted Resolution No. 152-14 that authorized RPD to  
20 accept and expend a \$130,679 HCF grant for the Creeks to Peaks Trail Project, subject to  
21 grant agreement number C9771016 (hereafter, the "Grant Agreement") which is on file with  
22 the Clerk of the Board of Supervisors in File No. 131156; and

23 WHEREAS, Resolution No. 152-14 also authorized the Director of Real Estate to  
24 record a declaration of restrictions against Assessor's Parcel Block No. 2643, Lot No. 003,  
25 and Assessor Parcel Block 7560, Lot No. 002, consistent with the Grant Agreement, which

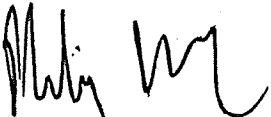
1 requires the City to record a declaration of restrictions against all parcels improved with grant  
2 funds to provide notice that the parcels must be used for a purpose consistent with the terms  
3 of the Grant Agreement for the duration of the Contract Performance Period, which extends  
4 from July 1, 2013 to June 30, 2033; and

5 WHEREAS, In 2017, RPD and DPR amended the Grant Agreement to include  
6 improvements to Assessor's Parcel Block No. 2643, Lot Nos. 017 and 023, subject to the  
7 same terms and conditions including that the City must record a Declaration of Restrictions  
8 against the additional parcels to provide notice that those parcels must be used for a purpose  
9 allowed under the Grant Agreement for the duration of the Contract Performance Period; and


10 WHEREAS, the amended Grant Agreement with DPR is on file with the Clerk of the  
11 Board of Supervisors in File No. 180153; now, therefore, be it

12 RESOLVED, That the Board of Supervisors authorizes the Director of Real Estate to  
13 record a Declaration of Restrictions against the property designated as Assessor's Parcel  
14 Block No. 2643, Lot Nos. 017 and 023, providing that the use restrictions contained in the  
15 Grant Agreement will be covenants, conditions, and restrictions on the use of the Property for  
16 the duration of the Contract Performance Period, which extends from July 1, 2013 through  
17 June 30, 2033.

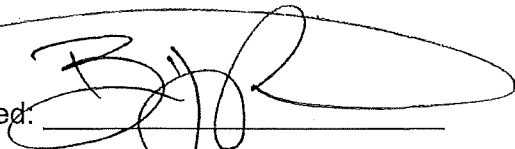
18  
19 Recommended:

20  
21   
22 \_\_\_\_\_

23 General Manager

20 Approved:   
\_\_\_\_\_

21 for Mayor

22  
23 Approved:   
\_\_\_\_\_

24 Controller



City and County of San Francisco  
Tails  
Resolution

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

File Number: 180153

Date Passed: March 13, 2018

Resolution authorizing the Director of Real Estate to file a Declaration of Restrictions with the Assessor-Recorder against the property designated as Assessor's Parcel Block No. 2643, Lot Nos. 017 and 023, known as Twin Peaks Open Space, in support of a Habitat Conservation Fund Grant from the California Department of Parks and Recreation, and providing that the use restrictions contained in the Habitat Conservation Fund Grant Agreement will be covenants, conditions, and restrictions on the use of the properties until June 30, 2033.

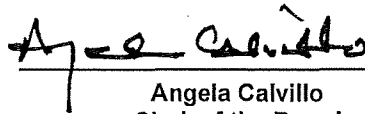
March 12, 2018 Land Use and Transportation Committee - RECOMMENDED AS COMMITTEE REPORT


March 13, 2018 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180153

I hereby certify that the foregoing Resolution was ADOPTED on 3/13/2018 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mark E. Farrell  
Mayor

  
3/16/18  
Date Approved