

1 [Exchange of Property]

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3 **Resolution approving and authorizing the conveyance of a water pipeline easement**
4 **in exchange for approximately 2.5 acres in San Mateo County; adopting findings that**
5 **the exchange is exempt from Environmental Review and is consistent with the City’s**
6 **General Plan and Eight Priority Policies of City Planning Code Section 101.1; and**
7 **authorizing the Director of Property to execute documents, make certain**
8 **modifications and take certain actions in furtherance of this resolution.**

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10 WHEREAS, The Public Utilities Commission pursuant to Resolution No. 02-0066,
11 has authorized the conveyance of a 20’ x 2350’ water pipeline easement over the Water
12 Department’s Crystal Springs watershed lands located south of Highway 92 between
13 Canada Road and Skyline Boulevard in San Mateo County to Jean C. Phleger, as Trustee
14 under that certain Declaration of Trust dated May 3, 1995 (“the adjoining private property
15 owner”) in exchange for fee title to approximately 2.5 acres of additional watershed land;
16 and,

17 WHEREAS, A copy of the Easement Agreement and Deed between the City and
18 the adjoining owner are on file with the Clerk of the Board of Supervisors under File No.
19 _____; and,

20 WHEREAS, The Director of Property has determined, based on an independent MAI
21 appraisal, dated February 2002, that the 2.5± acres has a value at least equal to the water
22 pipeline easement; and,

23 WHEREAS, The Director of Planning, by letter dated December 26, 2001, found that
24 the exchange of property is consistent with the City’s General Plan, and with the Eight
25 Priority Policies of City Planning Code Section 101.1, and is exempt from Environmental

1 Review, which letter is on file with the Clerk of the Board of Supervisors under File No.
2 _____, and which letter is incorporated herein by this reference; now, therefore, be it

3 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
4 hereby finds that the exchange of property is consistent with the City's General Plan, and
5 with the Eight Priority Policies of City Planning Code Section 101.1, and is exempt from
6 Environmental Review for the same reasons as set forth in the letter of the Director of
7 Planning dated December 26, 2001, and hereby incorporates such findings by reference as
8 though fully set forth in this resolution; and, be it

9 FURTHER RESOLVED, That in accordance with the recommendations of the Public
10 Utilities Commission and the Director of Property, the Board of Supervisors hereby
11 approves the transaction contemplated hereby in substantially the form of such agreement
12 presented to this Board; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
14 Property to enter into any additions, amendments or other modifications to the documents
15 (including, without limitation, the attached exhibits) that the Director of Property determines
16 are in the best interests of the City, that do not materially increase the obligations or
17 liabilities of the City, and are necessary or advisable to complete the transaction
18 contemplated and effectuate the purpose and intent of this resolution, such determination
19 to be conclusively evidenced by the execution and delivery by the Director of Property of
20 the documents and any amendments thereto; and, be it

21 FURTHER RESOLVED, That the Director of Property is hereby authorized and
22 urged, in the name and on behalf of the City and County, to accept the deed to the Property
23 from the adjoining owner in exchange for deeding out the water pipeline easement, and to
24 take any and all steps (including, but not limited to, the execution and delivery of any and
25 all certificates, agreements, notices, consents, escrow instructions, closing documents and

(Real Estate)

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1 other instruments or documents) as the Director of Property deems necessary or
2 appropriate in order to consummate the exchange, or to otherwise effectuate the purpose
3 and intent of this resolution, such determination to be conclusively evidenced by the
4 execution and delivery by the Director of Property of any such documents.

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7 RECOMMENDED:

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Director of Property

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