

File No. 121089

Committee Item No. _____

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date December 11, 2012

Cmte Board

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Completed by: Joy Lamug Date December 7, 2012,
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

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. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

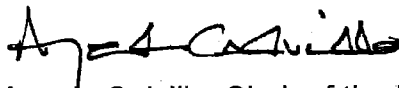
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121090)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.


Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 1 Stockton Street,
Assessor's Block 0327, Lot 025**

The proposed acquisition comprises a license affecting an underground triangular area at the northeast corner of the subject property, in which thin-diameter grout pipes will cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The thin-diameter grout pipes will be filled with grout as needed. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 1,625 square feet, more or less.

APN: 0327-025

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Beginning at the point of intersection of the northerly line of Ellis Street and the westerly line of Stockton Street; running thence westerly along said northerly line of Ellis Street 90 feet; thence at a right angle northerly 65 feet; thence at a right angle easterly 90 feet to the westerly line of Stockton Street; thence at a right angle southerly along said westerly line of Stockton Street 65 feet to the point of beginning.

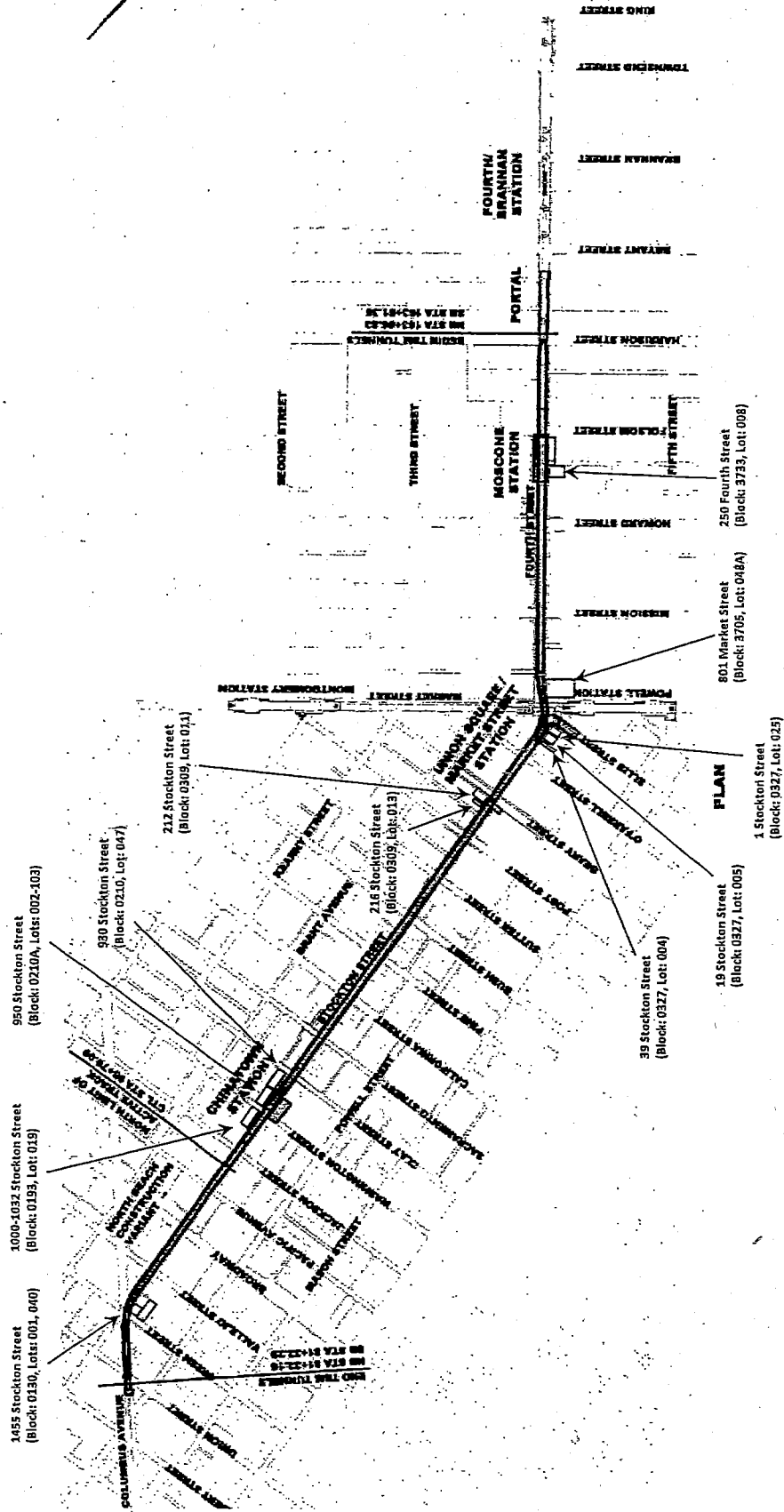
Being a portion of 50 Vara Block No. 144.

Excepting therefrom, that portion conveyed to the San Francisco Bay Area Rapid Transit District, by instrument recorded October 3, 1974, Book B936, Page 697, Official Records.

APN: Lot 025, Block 0327

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BOARD of SUPERVISORS



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- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121091)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 1000–1032 Stockton Street,
Assessor's Block 0193, Lot 019**

The proposed acquisition comprises a license affecting an underground rectangular area coterminous with the area of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 8,250 square feet, more or less.

APN: 0193-019

EXHIBIT A

Legal Description of Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

BEGINNING at the point of Intersection of the Northerly line of Washington Street, and the Easterly line of Stockton Street, running thence Easterly along said line of Washington Street 60 feet; thence at a right angle Northerly 137 feet and 6 inches; thence at a right angle Westerly 60 feet to the Easterly line of Stockton Street; thence at a right angle Southerly along said line of Stockton Street 137 feet and 6 inches to the point of beginning.

Being a part of 50 Vara Block No.112.

APN: Lot 19, Block 193

BOARD of SUPERVISORS



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- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain; interest in real property: a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

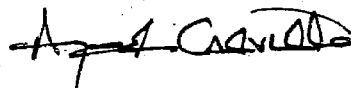
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled "Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121092)

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 1455 Stockton Street,
Assessor's Block 0130, Lots 001, 040**

The proposed acquisition comprises a license used for installation of a vertical shaft extending into the subsurface area where thin-diameter grout pipes will be installed in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The vertical shaft will be approximately 355 square feet, but will utilize virtually the entire surface of Lot 040 for a six-month period. No surface area of Lot 001 will be used under the license. The thin-diameter grout pipes will be filled with grout as needed. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 13,469 square feet, more or less.

APNs: 0130-001, -040

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel A:

Beginning at a point on the Southerly line of Green Street, distant thereon 80 feet Westerly from the Westerly line of Stockton Street; running thence Westerly along the Southerly line of Green Street 57 feet and 6 inches; thence at a right angle Southerly 70 feet and 11-3/4 inches; thence at a right angle Easterly 57 feet and 6 inches; and thence at a right angle Northerly 70 feet and 11-3/4 inches to the point of beginning.

Being a portion of 50 Vara Block No. 131.

Parcel B:

Beginning at a point on the Northerly line of Card Alley, distant thereon 77 feet 6 inches Westerly from the Westerly line of Stockton Street, and also perpendicularly distant 134 feet 6 inches Southerly from the Southerly line of Green Street; running thence Westerly along said line of Card Alley 36 feet; thence at a right angle Northerly 62 feet 6 inches; thence at a right angle Easterly 36 feet; and thence at a right angle Southerly 62 feet 6 inches to the point of beginning.

Being a portion of 50 Vara Lot No. 236 in Block No. 131.

Parcel C:

Beginning at a point on the Northerly line of Card Alley, distant thereon 113 feet 6 inches Westerly from the Westerly line of Stockton Street; running thence Westerly along said line of Card Alley 24 feet; thence at a right angle Northerly 61 feet 10 inches; thence at a right angle Easterly 24 feet; and thence at a right angle Southerly 61 feet 10 inches to the point of beginning.

Being a portion of 50 Vara Block No. 131.

Parcel D:

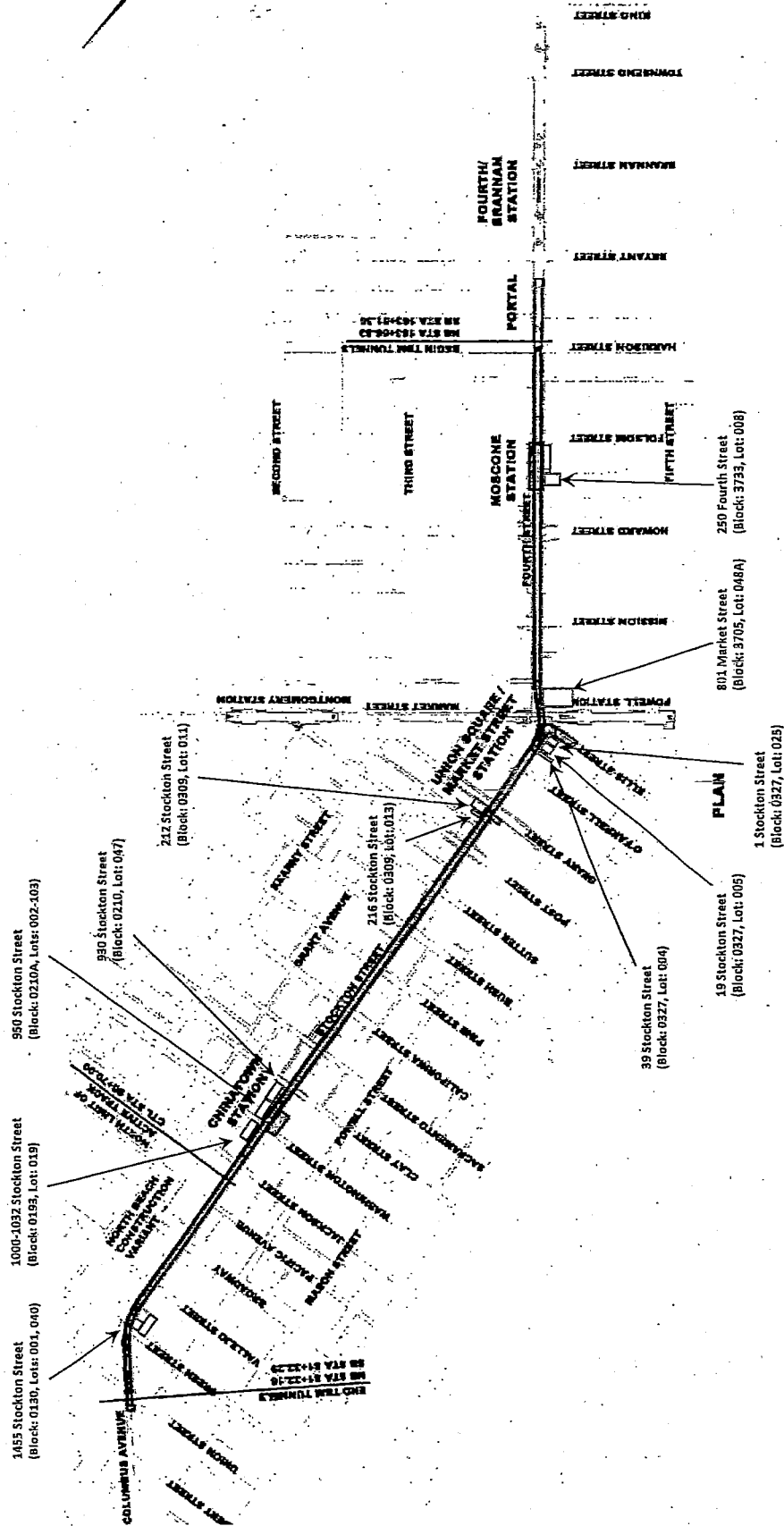
Beginning at a point formed by the intersection of the Southerly line of Green Street with the Westerly line of Stockton Street; and running thence Southerly along said line of Stockton Street 70 feet and 11-1/4 inches; thence at a right angle Westerly 80 feet; thence at a right angle Northerly 70 feet and 11-1/4 inches to the Southerly line of Green Street; thence at a right angle Easterly along said line of Green Street 80 feet to the point of beginning.

Being a portion of 50 Vara Lot No. 236.

APN: 0130-040 (Parcels A, B and C), 0130-001 (Parcel D)

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BOARD of SUPERVISORS



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- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

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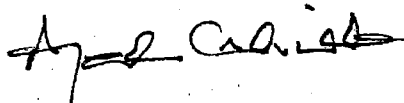
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled "Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121093)

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 19 Stockton Street,
Assessor's Block 0327, Lot 005**

The proposed acquisition comprises a license affecting an underground rectangular area along the eastern boundry of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 3,974 square feet, more or less.

APN: 0327-005

Legal Description..

G252503

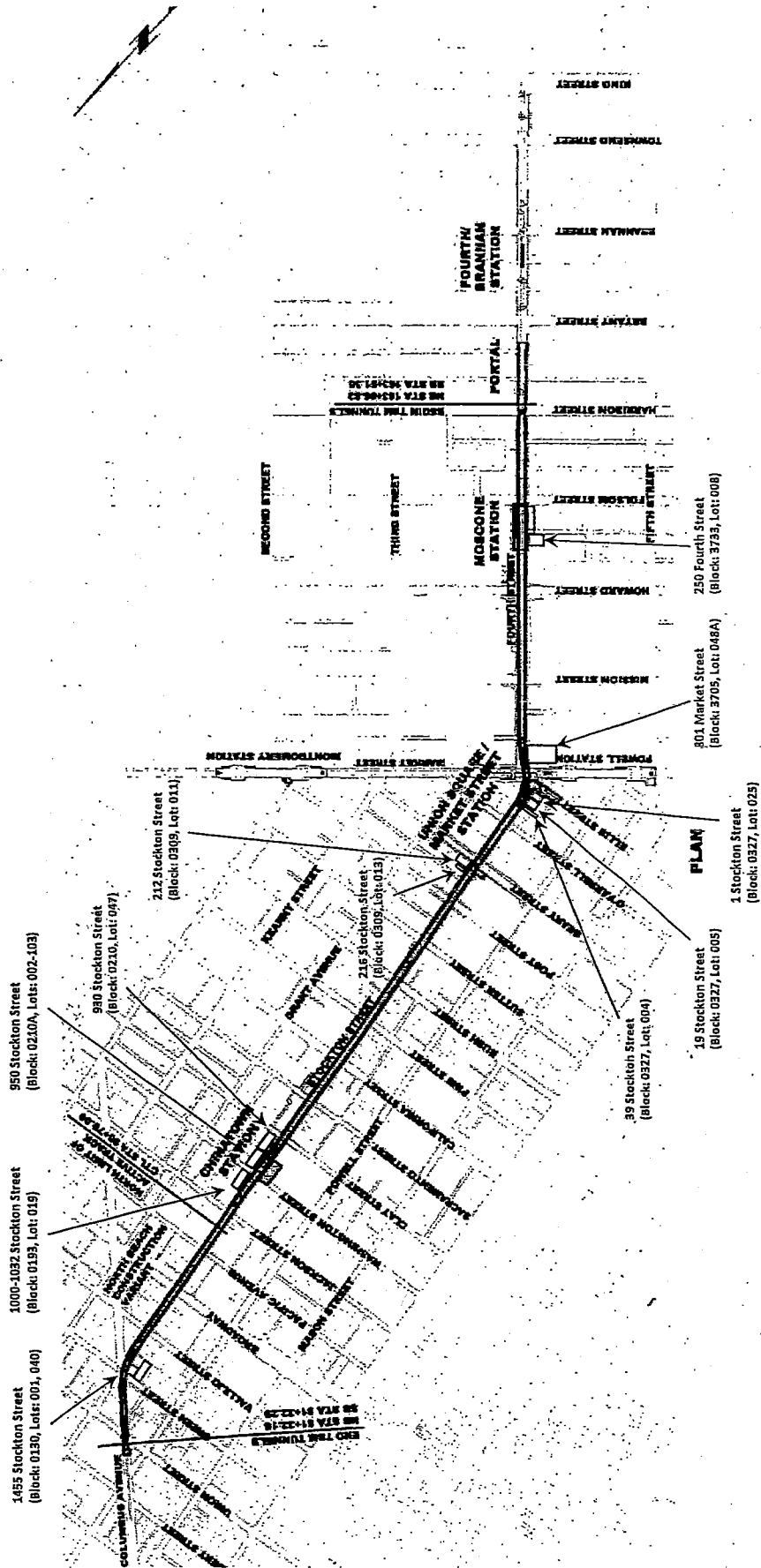
BEGINNING at a point on the westerly line of Stockton Street, distant thereon 65 feet northerly from the northerly line of Ellis Street; running thence northerly along the westerly line of Stockton Street 72 feet and 6 inches; thence at a right angle westerly 90 feet; thence at a right angle southerly 72 feet and 6 inches; thence at a right angle easterly 90 feet to the point of beginning.

BEING a portion of 50 Vara Block No. 144.

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EXHIBIT "B"



BOARD of SUPERVISORS



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- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

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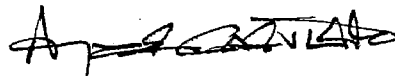
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121094)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 212 Stockton Street,
Assessor's Block 0309, Lot 011**

The proposed acquisition comprises a license affecting an underground rectangular area coterminous with the area of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 5,445 square feet, more or less.

APN: 0309-011

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Commencing at the point of intersection of the Northerly line of Geary Street and Easterly line of Stockton Street; thence Northerly and along said line of Stockton Street 58 feet 6 inches; thence at a right angle Easterly 70 feet; thence at a right angle Northerly 1 foot 6 inches; thence at a right angle Easterly 22 feet 6 inches; thence at a right angle Southerly 60 feet to the Northerly line of Geary Street; thence at a right angle Westerly along said line of Geary Street 92 feet 6 inches to the point of commencement.

Being a part of 50 Vara Block No. 120

Assessor's Lot 11, Block 309

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121095)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 216 Stockton Street,
Assessor's Block 0309, Lot 013**

The proposed acquisition comprises a license affecting an underground rectangular area coterminous with the area of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 1,224 square feet, more or less.

APN: 0309-013

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO , COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Beginning at a point on the Easterly line of Stockton Street, distant thereon 58 feet and 6 inches Northerly from the Northerly line of Geary Street, running thence Northerly along said line of Stockton Street 17 feet and 6 inches; thence at a right angle Easterly 70 feet; thence at a right angle Southerly 17 feet and 6 inches; thence at a right angle Westerly 70 feet to the point of beginning.

Being a portion of 50 Vara Block No. 120.

APN: Lot 013, Block 0309

BOARD of SUPERVISORS



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San Francisco 94102-4689
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

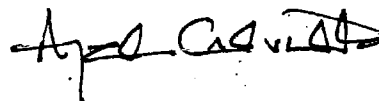
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121096)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 250 Fourth Street,
Assessor's Block 3733, Lot 008**

The proposed acquisition comprises a license affecting an underground rectangular area along the northern boundary of the subject property adjacent to Fourth Street, and an underground rectangular area along the eastern boundary of the subject property adjacent to Clementina Street, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 2,800 square feet, more or less.

APN: 3733-008

ORDER NO. : 0227006445-MN

EXHIBIT A

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

Commencing at the point of intersection of the northwesterly line of Clementina Street and the southwesterly line of 4th Street; running thence northwesterly along said line of 4th Street 80 feet; thence at a right angle southwesterly 130 feet; thence at a right angle southeasterly 80 feet to the northwesterly line of Clementina Street; thence northeasterly along said line of Clementina Street 130 feet to the point of commencement.

Being a portion of 100 VARA BLOCK NO. 373.

Excepting therefrom one half of the oil, gas and mineral rights, however, without surface entry rights, as reserved by Del Monte Corporation in Deed recorded July 18, 1984, in Book D705, Page 1606, Official Records.

Being Assessor's Lot 8; Block 3733.

BOARD of SUPERVISORS



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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, December 11, 2012

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in Exhibits A and B, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

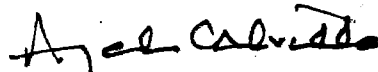
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121097)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 39 Stockton Street,
Assessor's Block 0327, Lot 004**

The proposed acquisition comprises a license affecting an underground rectangular area along the eastern boundry of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 1,868 square feet, more or less.

APN: 0327-004

EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

COMMENCING at a point on the Westerly line of Stockton Street, distant thereon 110 feet Southerly from the Southerly line of O'Farrell Street; running thence Southerly and along said line of Stockton Street 27 feet 6 inches; thence at a right angle Westerly 137 feet 6 inches; thence at a right angle Northerly 27 feet 6 inches; thence at a right angle Easterly 137 feet 6 inches to the point of commencement.

BEING part of 50 Vara Lot No. 922, in Block No. 144.

APN: Lot 004, Block 0327

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
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

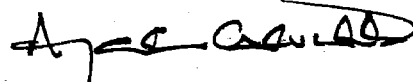
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121098)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 801 Market Street,
Assessor's Block 3705, Lot 048A**

The proposed acquisition comprises a license affecting an underground triangular area at the northeast corner of the subject property, in which thin-diameter grout pipes will cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The thin-diameter grout pipes will be filled with grout as needed. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 3,412 square feet, more or less.

APNs: 3705-048A

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SAN FRANCISCO, COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

All that certain real property situate in the City and County of San Francisco, State of California, being a vertical portion of a parcel of land, said parcel being a portion of that certain parcel of land as shown on the Parcel Map recorded on June 18, 1992 in Book 41 of Parcel Maps at Pages 44 and 45, Official Records of the Assessor-Recorder of the City and County of San Francisco, the upper elevation being defined by a plane of -30.70 feet, City of San Francisco Datum (intended to be 60.00 feet below existing ground surface) and the lower elevation defined by the center of the earth, said property more particularly described as follows:

Beginning at the intersection of the southwesterly line of Fourth Street with the southeasterly line of Market Street;
thence southeasterly 100.79 feet along said southwesterly line of Fourth Street;
thence northwesterly 101.91 feet along a line having a deflection angle to the right of 171°29'46", to a point on the said southeasterly line of Market Street;
thence northeasterly 15.07 feet along said southeasterly line of Market Street, said line having a deflection angle to the right of 98°30'14", to the point of beginning.

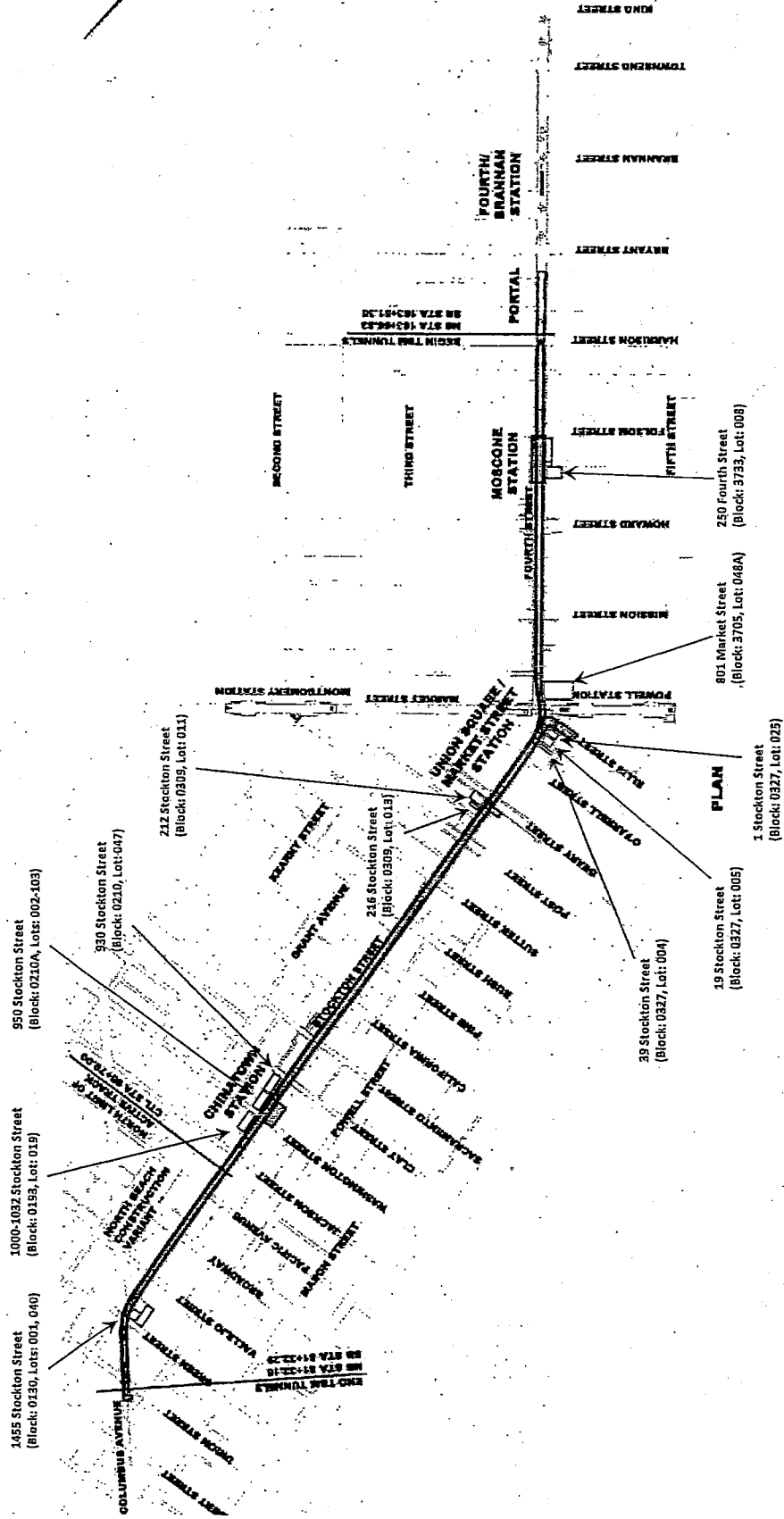
Being a portion of 100 Vara Block No. 371

APN: portion 3705Z-002 aka 3705-048

central T subway

Connecting people. Connecting communities.

EXHIBIT "B"



BOARD of SUPERVISORS



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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, December 11, 2012

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil


Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121099)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 930 Stockton Street,
Assessor's Block 0210, Lot 047**

The proposed acquisition comprises a license affecting an underground rectangular area along the western boundry of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 8,400 square feet, more or less.

APN: 0210-047

G598545

Order No. : 357315A-WDB

EXHIBIT "A"

The land referred to is situated in the State of California, City and County of San Francisco, and is described as follows:

Lot 47, as shown on that certain map entitled, "Parcel Map, being a merger of lands described in Grant Deeds recorded on January 28, 1998 in Reel H58 O.R. Image 579. Being also a merger of Lot 13 and 14 of Assessor's Block 210. Being also a portion of 50 Vara Block 113, San Francisco, California", which map was filed for record in the office of the Recorder of the City and County of San Francisco, State of California, on March 25, 1998, in Book 43 of Parcel Maps, Page 154.

Assessor's Lot 47; Block 210.

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. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors of the City and County of San Francisco, as a Committee of the Whole, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Tuesday, December 11, 2012
- Time:** 3:00 p.m.
- Location:** Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** Public Hearing to Consider Property Acquisition - Eminent Domain, interest in real property: a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements. (File No. 121089)

Said public hearing will be held to make findings of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interests in real property: a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. A description of the real property is set forth in **Exhibits A and B**, available in the official file for review in the Office of the Clerk of the Board.

The purpose of said hearing is to hear all persons interested in the matter. You have a right to appear and be heard on the matters referred to in California Code of Civil

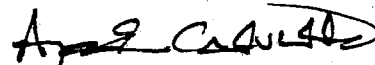
Procedure Section 1240.030, including, but not limited to, whether: (1) the public interest and necessity require the project and acquisition of the temporary construction license identified above; (2) the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the temporary construction license is necessary for the proposed project; and (4) the City has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. Failure to file a written request to appear and be heard within this period may result in waiver of the right to appear and be heard.

The procedure of the Board requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled **"Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1." (File No. 121100)**

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments prior to the time the hearing begins. These comments will be made part of the official public record in these matters and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Thursday, December 6, 2012.



Angela Calvillo, Clerk of the Board

DATED: November 20, 2012
POSTED/MAILED: November 21, 2012
PUBLISHED: November 25, 2012

EXHIBIT "A"

PROPERTY DESCRIPTION

**For a portion of 950 Stockton Street,
Assessor's Block 0210A, Lots 002-103**

The proposed acquisition comprises a license affecting an underground rectangular area nearly coterminous with the area of the subject property, in which thin-diameter grout pipes cross the property line in a horizontal orientation at approximately 30 to 40 feet below the surface of the ground. The license further authorizes installation, monitoring, repair, and maintenance of settlement monitor markers and equipment.

Containing 9,265 square feet, more or less.

APN: 0210A-002 through 0210A-103

EXHIBIT "A"

ALL OF THE REAL PROPERTY SITUATE IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY LINE OF WASHINGTON STREET AND THE EASTERLY LINE OF STOCKTON STREET; RUNNING THENCE SOUTHERLY ALONG SAID LINE OF STOCKTON STREET 137 FEET AND 6 INCHES; THENCE AT A RIGHT ANGLE EASTERLY 68 FEET AND 9 INCHES; THENCE AT A RIGHT ANGLE NORTHERLY 85 FEET; THENCE AT A RIGHT ANGLE EASTERLY 1 FOOT AND 6-1/2 INCHES; THENCE NORTHERLY 52 FEET AND 6 INCHES, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF WASHINGTON STREET, DISTANT THEREON 69 FEET AND 10-1/2 INCHES EASTERLY FROM THE EASTERLY LINE OF STOCKTON STREET; THENCE WESTERLY ALONG SAID LINE OF WASHINGTON STREET 69 FEET AND 10-1/2 INCHES TO THE POINT OF BEGINNING.

BEING A PORTION OF 50 VARA BLOCK NO. 113.

PROOF OF SERVICE

I, Alisa Miller, declare as follows:

I am a citizen of the United States, over the age of 18 years. I am employed at the Office of the Clerk of the Board of Supervisors, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

On November 21, 2012, I served the following document:

NOTICE OF PUBLIC HEARING; BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

Subject: Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real properties commonly known as 1 Stockton Street #1 (File No. 121090), (Assessor's Parcel Block No. 0327, Lot No. 025); 1000-1032 Stockton Street #2 (File No. 121091), (Assessor's Parcel Block No. 0193, Lot No. 019); 1455 Stockton Street #3 (File No. 121092), (Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040); 19 Stockton Street #4 (File No. 121093), (Assessor's Parcel Block No. 0327, Lot No. 005); 212 Stockton Street #5 (File No. 121094), (Assessor's Parcel Block No. 0309, Lot No. 011); 216 Stockton Street #6 (File No. 121095), (Assessor's Parcel Block No. 0309, Lot No. 013); 250-4th Street #7 (File No. 121096), (Assessor's Parcel Block No. 3733, Lot No. 008); 39 Stockton Street #8 (File No. 121097), (Assessor's Parcel Block No. 0327, Lot No. 004); 801-Market Street #9 (File No. 121098), (Assessor's Parcel Block No. 3705, Lot No. 048A); 930 Stockton Street #10 (File No. 121099), (Assessor's Parcel Block No. 0210, Lot No. 047); 950 Stockton Street #11 (File No. 121100), (Assessor's Parcel Block No. 0210A, Lot Nos. 002-103) by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code, Section 101.1.

on the following persons at the locations specified:

See attached list

in the manner indicated below:

BY UNITED STATES MAIL: Following ordinary business practices, I sealed true and correct copies of the above documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States Postal Service. I am readily familiar with the practices of the Office of the Clerk of the Board for collecting and processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited, postage prepaid, with the United States Postal Service the same day.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct.

Executed December 3, 2012, at San Francisco, California.



Alisa Miller
Assistant Committee Clerk

121089
121094

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Allen Matkins

2012 NOV 28 AM 11:59

ST AK

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
Three Embarcadero Center, 12th Floor | San Francisco, CA 94111-4074
Telephone: 415.837.1515 | Facsimile: 415.837.1516
www.allenmatkins.com

Mark J. Seifert
E-mail: mseifert@allenmatkins.com
Direct Dial: 415.273.7433 File Number: 371836-00002/SF866452.01

**Via Certified Mail Return Receipt Requested
and Facsimile**

November 27, 2012

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

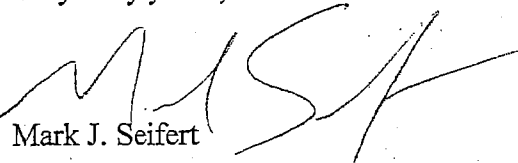
**Re: December 11, 2012 Hearing to Consider Property Acquisition by
Eminent Domain of a Construction License for the Central Subway /
Third Street Light Rail Extension at 212 Stockton Street**

Dear Ms. Calvillo:

This firm represents Deka USA Union Square LP, the owner of the property commonly known as 212 Stockton Street in San Francisco, California. Said property is the subject of a proposed resolution scheduled to be considered by the Board of Supervisors of the City and County of San Francisco at a hearing held pursuant to the *Notice of Public Hearing to Consider Property Acquisition – Eminent Domain, Interest in Real Property: A Temporary Construction License at the Real Property Commonly Known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, for the Public Purpose of Constructing the Central Subway / Third Street Light Rail Extension and Other Improvements (File No. 121089)* ("Notice of Public Hearing"). The Board of Supervisors proposes to hold that hearing on Tuesday, December 11, 2012, at 3:00 p.m.

This letter shall constitute Deka USA Union Square LP's request to appear and be heard on the matters referred to in the Notice of Public Hearing. Please also accept this letter as notice that Deka USA Union Square LP intends to, and does hereby, object to the City and County's adoption of the proposed resolution that is the subject of the Notice of Public Hearing.

Very truly yours,


Mark J. Seifert

121089

121090

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Allen Matkins

2012 NOV 28 AM 11:59

AK

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
Three Embarcadero Center, 12th Floor | San Francisco, CA 94111-4074
Telephone: 415.837.1515 | Facsimile: 415.837.1516
www.allenmatkins.com

Mark J. Seifert
E-mail: mseifert@allenmatkins.com
Direct Dial: 415.273.7433 File Number: 371835-00002/SF866449.01

**Via Certified Mail Return Receipt Requested
and Facsimile**

November 27, 2012

Angela Calvillo
Clerk of the Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

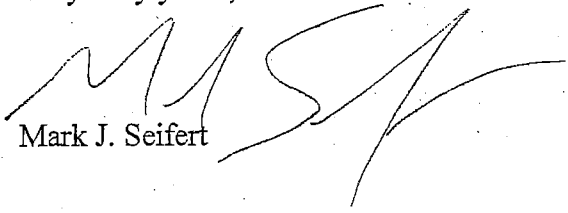
**Re: December 11, 2012 Hearing to Consider Property Acquisition by
Eminent Domain of a Construction License for the Central Subway /
Third Street Light Rail Extension at 1 Stockton Street**

Dear Ms. Calvillo:

This firm represents Deka USA Stockton LP, the owner of the property commonly known as 1 Stockton Street in San Francisco, California. Said property is the subject of a proposed resolution scheduled to be considered by the Board of Supervisors of the City and County of San Francisco at a hearing held pursuant to the *Notice of Public Hearing to Consider Property Acquisition – Eminent Domain, Interest in Real Property: A Temporary Construction License at the Real Property Commonly Known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, for the Public Purpose of Constructing the Central Subway / Third Street Light Rail Extension and Other Improvements (File No. 121089)* ("Notice of Public Hearing"). The Board of Supervisors proposes to hold that hearing on Tuesday, December 11, 2012, at 3:00 p.m.

This letter shall constitute Deka USA Stockton LP's request to appear and be heard on the matters referred to in the Notice of Public Hearing. Please also accept this letter as notice that Deka USA Stockton LP intends to, and does hereby, object to the City and County's adoption of the proposed resolution that is the subject of the Notice of Public Hearing.

Very truly yours,


Mark J. Seifert

GUTTENBERG & COLVIN LLP

101 Lucas Valley Road, Ste. 216

San Rafael, California 94903

Telephone: (415) 507-4525

Fax: (415) 507-4526

E-mail: aguttenberg@grclaw.com

File 121089

DATE: December 5, 2012

FROM: Alan Guttenberg, Esq.

TO: VIA FEDERAL EXPRESS

Angela Calvillo
Clerk of the San Francisco Board of Supervisors
City Hall (SF), Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 DEC - 7 AM 10:34

RE: Written Statement in Opposition to Proposed SF Board of Supervisors Resolution At Hearing Scheduled for December 11, 2012 at 3:00 p.m. at the Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California – On Behalf of Owner of 19-25 Stockton Street, San Francisco, California

ENCLOSURE: See enclosed original and one copy of a Written Statement/Appearance in Opposition to proposed Resolution to authorize and pursue condemnation proceedings regarding temporary construction license at 19-25 Stockton Street, San Francisco, California.

Please accept the original for filing with the Board of Supervisors regarding the referenced Hearing, and please mail me back an endorsed-filed copy of the enclosed copy of the Statement in Opposition, showing its filing and submission to the Board of Supervisors prior to the Hearing.

Any questions or problems, please contact me immediately per the above contact information. Thank you.

Alan Guttenberg
Attorney for A.H. Realty, Inc., Owner of 19-25 Stockton Street, San Francisco

WRITTEN APPEARANCE AND STATEMENT OF OPPOSITION BY PROPERTY OWNER AT HEARING REGARDING PROPOSED RESOLUTION OF NECESSITY OF THE CITY AND COUNTY OF SAN FRANCISCO TO EXERCISE EMINENT DOMAIN RIGHTS TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS WITHIN THAT CERTAIN REAL PROPERTY COMMONLY KNOWN AS 17-25 STOCKTON STREET, SAN FRANCISCO, CALIFORNIA

In accordance with Section 67.7-1 of the San Francisco Administrative Code, the undersigned legal counsel for A.H. Realty, Inc., the owner (“Owner”) of 17-25 Stockton Street, San Francisco, California, APN Block 0327, Lot 005 (“Property”), hereby appears by written appearance at the hearing (“Hearing”) being held by the Board of Supervisors of the City and County of San Francisco on December 11, 2012 at 3:00 p.m. at the Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, and on behalf of Owner, and states the following in opposition to the Proposed Resolution (defined below) to be considered for adoption at the Hearing:

1. The City and County of San Francisco (“City”) is not authorized to exercise the power of eminent domain for the purpose stated in its resolution proposed for adoption at the Hearing and entitled “Resolution authorizing the acquisition of a temporary construction license at [the Property]...” (“Proposed Resolution”) in that the Proposed Resolution does not state facts sufficient to constitute a right to take the Property rights sought for the construction of that certain federally, state, and locally funded public transportation project commonly known and referred to as the Central Subway Project, and referred to in the Proposed Resolution as the “Project” (“Project”).
2. The stated purpose of the construction license sought to be condemned by the City as described in the Proposed Resolution (“Construction License”) is not a public use in that the City has not stated within the Proposed Resolution, or within any other document or statement, facts sufficient to constitute or show a right or need to proceed with the Construction License or the Project.
3. The public interest, convenience and necessity do not require acquisition of the Construction License by the City, as a necessary adjunct or part of the Project.
4. The Construction License is not at all “needed or necessary for the Project” (as an engineering, legal or other matter), in that the Project easily could and should proceed without the Construction License, and without any taking of Owner’s Property or any interest(s) therein. The only acquisitions necessary for the Project are listed in “Table 6-2 Acquisition and Relocation Requirements” of the EIR (defined below); the Property and Construction License are not listed in Table 6-2.
5. Acquisition of the Construction License by the City violates the California Environmental Quality Act (“CEQA”), CEQA Guidelines and the Environmental Impact Report (including without limitation all supplements and exhibits and addenda thereto, the “EIR”) previously approved for the Project, in that the acquisition of the Construction License is not described in the EIR as to the Property, and constitutes a

significant environmental effect not discussed in the EIR, or a substantial increase in the severity of previously examined significant effects, and that alternate mitigation measures exist to the Construction License which have not been adopted or considered.

6. The Project, as planned and located, is not planned and located in the manner that will be the most compatible with the greatest public good and the least private injury, including without limitation, the fact that the Project has not adequately addressed construction issues and risks of damage to adjoining properties (including the Property), and there is a high probability that during and/or after construction of the Project, the Property and the Owner will suffer significant physical, business and other damages, and the Construction License does not adequately address these risks to the Property and the Owner.
7. The City has not complied with California Government Code Section 7267.2, in that (a) the City has not furnished the Owner an adequate written statement of the basis of the City's offer for the Construction License, and (b) the City has not delivered the Owner an offer in compliance with said code section, and (c) the City has not adequately described the Construction License sought to be condemned. The City has only furnished the Owner with an incomplete draft License Agreement containing multiple blanks as to material information about the License, which draft License Agreement does not comply with the Construction License described in the Proposed Resolution. As such, the City has not made a valid or fair offer to the Owner or attempted to negotiate a valid and fair offer to the Owner.
8. The City has not adequately described the Construction License sought to be acquired by eminent domain in the Proposed Resolution or otherwise. It is not possible to ascertain the term of requested license, the extent of the requested access or the locations to be affected, or necessary protections for the Owner or the Property against damages caused by such access and intrusions. For example, the Notice of Hearing, Exhibit A lacks any such specificity, as does the draft License Agreement previously delivered by the City. It is impossible for the Owner to determine precisely what property rights are sought to be condemned, and thus impossible to determine the fair market value of those rights.
9. There is no reasonable probability of use of the Construction License for the purpose stated in the Proposed Resolution within the applicable time period, a further reason why no current necessity for the Construction License currently exists.
10. Adoption of the Proposed Resolution will constitute a gross abuse of discretion within the meaning of California Code of Civil Procedure Section 1245.255 for the reasons stated herein, and for other good and sufficient reasons.
11. The City's offer of compensation to Owner failed and fails to comply with Government Code provisions and other relevant provisions of condemnation law, in that (among other matters): (a) it fails to address the fact that the "temporary"

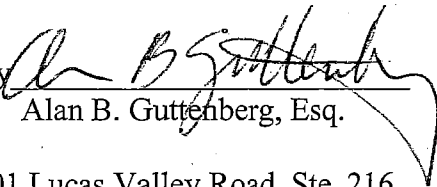
Construction License is in fact a permanent taking, in light of the fact the City intends to "abandon" and leave the installed grout pipes in place under the Property, rather than remove them; (b) it fails to award severance damages which will be incurred by the Owner and the Property, or to adequately explain why the City contends such severance damages will not be incurred; (c) it offers grossly inadequate and unfair compensation to Owner for the value of the property interests sought by condemnation (using unreasonable methods to determine such value and offer), which absurd and insultingly low offer amount by the City is based on wholly non-comparable, irrelevant and dated transactions, and which offer fails to even cover the Owner's costs of having engineering, legal and other consultants review and advise as to the Construction License sought, or to restore the Property to the physical condition existing before such City taking.

12. The EIR approved for the Project fails to comply with CEQA and other relevant laws, and the Owner was not given proper notice of the City's intention or "need" to acquire the Construction License in, to and under the Property, nor any opportunity to object to the same. The Project must cease until there is proper compliance with CEQA, CEQA Guidelines and other relevant laws, and a valid EIR adopted.

13. All other grounds provided or allowed by law.

Dated: December 5, 2012

Guttenberg & Colvin LLP

By 
Alan B. Guttenberg, Esq.

101 Lucas Valley Road, Ste. 216
San Rafael, CA 94903
Ph: (415) 507-4525
Fax: (415) 507-4526
Email: aguttenberg@grclaw.com