

1 [Settlement of Lawsuit]

2

3 **Ordinance approving settlement of litigation brought by the San Francisco Bay Area**
4 **Transit District against City and County of San Francisco in the eminent domain action**
5 **entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et**
6 **al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total**
7 **value of \$2,750,000.**

8

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

9

10 Section 1. The City Attorney is hereby authorized to settle with San Francisco Bay
11 Area Transit District ("BART") for the taking of the City's property in the eminent domain action
12 entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al.,
13 Alameda County Superior Court No. HG03-099024, by accepting payment to the City of
14 \$2,750,000.00, plus interest. This settlement has been approved by the Public Utilities
15 Commission, which adopted Resolution 05-0074 on April 26, 2005.

16

17 Section 2. The plaintiff filed its eminent domain action entitled San Francisco Bay Area
18 Transit District v. City and County of San Francisco, et al. in Alameda County Superior Court
19 on July 7, 2003.

20

21 APPROVED AS TO FORM:

APPROVED: Public Utilities Commission

22 DENNIS J. HERRERA, City Attorney

23 By:

24 KRISTEN A. JENSEN
Deputy City Attorney

25 MARY JUNG
Commission Secretary