



September 1, 2017

Exchange Interests in Real Property
Town of East Palo Alto

Honorable Board of Supervisors
City & County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Dear Board Members:

Enclosed for your consideration is a Resolution authorizing a Second Amendment to Agreement to Exchange Interests in Real Property to grant the Midpeninsula Regional Open Space District a permanent non-exclusive public trail easement in exchange for a quitclaim to the City and County of San Francisco of an open space easement over real property owned by the City and County of San Francisco.

On October 22, 2010, through Resolution No. 491-10, the Board of Supervisors and the Mayor approved an Agreement to Exchange Interests in Real Property to acquire an exclusive, subsurface easement from the Midpeninsula Regional Open Space District ("District") in exchange for a 50-foot wide open space easement on land owned by the San Francisco Public Utilities Commission ("SFPUC") located in the Town of East Palo Alto.

The District conducted feasibility studies and worked with SFPUC staff to identify a 20-foot wide easement that would be granted to the District for a public trail easement on property under the SFPUC's jurisdiction in exchange for a quitclaim back to the SFPUC of all rights, title and interest of the open space easement that SFPUC originally granted to the District pursuant to the Agreement to Exchange Interests in Real Property. Through this proposed legislation, we are asking that the Board of Supervisors:

1. Approve and authorize the Second Amendment to Agreement to Exchange Interests in Real Property;
2. Adopts and incorporates findings that the conveyance of the exchange of easements is consistent with the City's General Plan and eight priority policies of City Planning Code Section 101.1 per the General Plan referral findings dated August 29, 2017; and

Edwin M. Lee
Mayor

Anson Moran
President

Ike Kwon
Vice President

Ann Moller Caen
Commissioner

Francesca Vietor
Commissioner

Vince Courtney
Commissioner

Harlan L. Kelly, Jr.
General Manager



3. Approve the Second Amendment and authorize the Director of Property and/or SFPUC General Manager to execute documents, make certain modifications, and take certain actions in furtherance of the resolution.

If you have any questions or need additional information, Please call Brian Morelli of the SFPUC at 415-554-1545.

Respectfully,



Harlan L. Kelly Jr.
SFPUC General Manager

cc: Naomi Kelly, City Administrator

w/ Resolution;
Rosanna Russell SFPUC