

File No. 101500

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date December 7, 2010

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

| | | |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Joy Lamug

Date December 2, 2010

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor Daly

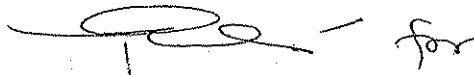
SUBJECT: Public Hearing to Acquire Various Real Properties by Eminent Domain for Transbay Transit Center Program

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real property commonly known as 85 Natoma Street #1 (File Nos. 101408 and 101409), (Block No. 3721, Lot No. 109); 85 Natoma Street #2 (File Nos. 101411 and 101412), (Block No. 3721, Lot No. 110); 85 Natoma Street #3 (File Nos. 101414 and 101415), (Block No. 3721, Lot No. 111); 85 Natoma Street #4 (File Nos. 101417 and 101418), (Block No. 3721, Lot No. 112); 85 Natoma Street #5 (File Nos. 101420 and 101421), (Block No. 3721, Lot No. 113); 85 Natoma Street #7 (File Nos. 101423 and 101424), (Block No. 3721, Lot No. 115); 85 Natoma Street #9 (File Nos. 101426 and 101427), (Block No. 3721, Lot No. 117); 85 Natoma Street #C1

101500

(File Nos. 101429 and 101430), (Block No. 3721, Lot No. 118); 60 Tehama Street (File Nos. 101432 and 101433), (Block No. 3736, Lot No. 088); 564 Howard Street (File Nos. 101435 and 101436), (Block No. 3721, Lot No. 019); 568 Howard Street (File Nos. 101438 and 101439), (Block No. 3721, Lot No. 020); and 13 parking easement interests across and through 85 Natoma Street (File Nos. 101441 and 101442), (Benefitted parcels Block No. 3721, Lot Nos. 093-105; burdened parcels Block 3721, Lot Nos. 109-118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

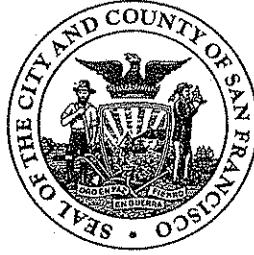


Signature of Sponsoring Supervisor: _____

For Clerk's Use Only:

File 101408

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 1, San Francisco, California (Assessor's Block 3721, Lot 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No.1, San Francisco, California (Assessor's Block 3721, Lot 109) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

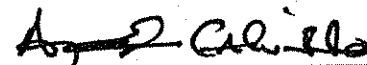
Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 1, San Francisco, California (Assessor’s Block 3721, Lot 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.



Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
85 Natoma Street No. 1, San Francisco, California (Assessor's Block 3721, Lot 109)**

CITY OF SAN FRANCISCO

PARCEL I:

CONDOMINIUM UNIT NO. 1, LOT NO. 109, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED, "MAP OF 85 NATOMA STREET, A LIVE/WORK CONDOMINIUM PROJECT, BEING A SUBDIVISION OF LOT 90 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED JUNE 24, 1998 IN BOOK 43 OF PARCEL MAPS AT PAGE 181, BEING A PORTION OF ASSESSOR'S BLOCK 3721, 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 DECEMBER 18TH, 2000, IN BOOK 66 OF CONDOMINIUM MAPS, AT PAGES 18 TO 22, INCLUSIVE, (REFERRED TO HEREIN AS "THE MAP") AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON APRIL 9TH, 2001, IN BOOK H862, PAGE 70 OF OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION".)

EXCEPTING THEREFROM ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

EXCEPTING THEREFROM:

- (A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.
- (B) EASEMENTS, APPURTENANT TO THE COMMON AREA, FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 12.64% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE MAP, EXCEPTING THEREFROM THE FOLLOWING:

- (A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE MAP AND RESERVED TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND
- (B) NON-EXCLUSIVE EASEMENTS, APPURTENANT TO ALL UNITS, FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE DECK AREA DESIGNATED D-1, ON THE MAP;

(B) THE EXCLUSIVE EASEMENT TO USE PARKING AREA DESIGNATED P-7, ON THE MAP.

PARCEL IV:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL I, ABOVE, FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA.

PARCEL V:

ENCROACHMENT EASEMENTS, APPURTENANT TO THE UNIT, IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

LOT 109, BLOCK 3721 (85 Natoma #1)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No.1, San Francisco, California (Assessor's Block 3721, Lot 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

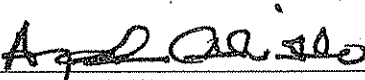
**Patrick McNerney
54 Mint St. 5th Floor
San Francisco, CA 94103**

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 of Supervisors 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 Nov. 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
 An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

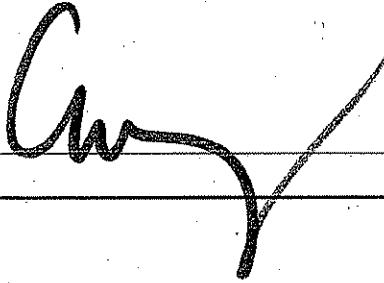
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Resolution Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 1

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 1, San Francisco, California (Assessor's Block No. 3721, Lot No. 109) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'Amy', written over a horizontal line.

For Clerk's Use Only:

File 101411

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block 3721, Lot 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block 3721, Lot 110) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor’s Block 3721, Lot 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
85 Natoma Street No. 2, San Francisco, California (Assessor's Block 3721, Lot 110)**

CITY OF SAN FRANCISCO

PARCEL I:

CONDOMINIUM UNIT NO. 1, LOT NO. 110, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED, "MAP OF 85 NATOMA STREET, A LIVE/WORK CONDOMINIUM PROJECT, BEING A SUBDIVISION OF LOT 90 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED JUNE 24, 1998 IN BOOK 43 OF PARCEL MAPS AT PAGE 181, BEING PORTION OF ASSESSOR'S BLOCK 3721, 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 DECEMBER 18TH, 2000, IN BOOK 66 OF CONDOMINIUM MAPS, AT PAGES 18 TO 22, INCLUSIVE, (REFERRED TO HEREIN AS "THE MAP") AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON APRIL 9TH, 2001, IN BOOK H862, PAGE 70 OF OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION".)

EXCEPTING THEREFROM ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

EXCEPTING THEREFROM:

- (A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.
- (B) EASEMENTS, APPURTENANT TO THE COMMON AREA, FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 12.64% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE MAP, EXCEPTING THEREFROM THE FOLLOWING:

- (A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE MAP AND RESERVED TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND
- (B) NON-EXCLUSIVE EASEMENTS, APPURTENANT TO ALL UNITS, FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

(A) THE EXCLUSIVE EASEMENT TO USE DECK AREA DESIGNATED D-1, ON THE MAP;

(B) THE EXCLUSIVE EASEMENT TO USE PARKING AREA DESIGNATED P-7, ON THE MAP.

PARCEL IV:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL I, ABOVE, FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA.

PARCEL V:

ENCROACHMENT EASEMENTS, APPURTENANT TO THE UNIT, IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

LOT 110, BLOCK 3721 (85 Natoma #2)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block 3721, Lot 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:


**Patrick McNerney
54 Mint St. 5th Floor
San Francisco, CA 94103**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
 An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

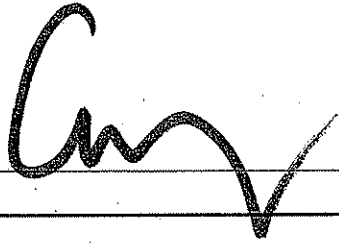
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Resolution Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 2

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 2, San Francisco, California (Assessor's Block No. 3721, Lot No. 110) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

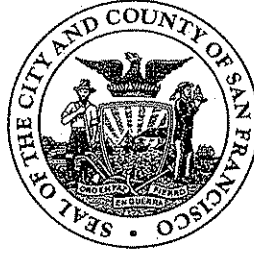
Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'C. M.', written over a horizontal line.

For Clerk's Use Only:

File 101414

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block 3721, Lot 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block 3721, Lot 111) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor’s Block 3721, Lot 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.



Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

Legal description for the fee simple interest in real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block 3721, Lot 111)

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 I :

Condominium Unit No. 3, Lot No. 111, as shown upon the Condominium Map and Diagrammatic Floor Plan entitled, "Map of 85 Natoma Street, a Live/Work Condominium Project, Being a Subdivision of Lot 90 as Shown on that Certain Parcel Map Filed June 24, 1998, in Book 43 of Parcel Maps, at Page 181, Being a Portion of Assessor's Block 3721, 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 December 18th, 2000, in Book 66 of Condominium Maps, at Pages 18 to 22, inclusive, (referred to herein as "the Map") and as further defined in the Declaration of Covenants, Conditions and Restrictions recorded on April 9th, 2001, in Book H862, Page 70 of Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration".)

Excepting therefrom, any portion of the Common Area lying within said Unit.

Excepting therefrom:

- (A) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the Common Area and all other Units.
- (B) Easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

Parcel II:

An undivided 7.30 % interest in and to the Common Area as shown and defined on the Map, excepting therefrom the following:

- (A) Exclusive easements, other than Parcel III, as designated on the Map and reserved to Units for use as designated in the Declaration; and
- (B) Non-exclusive easements, appurtenant to all Units, for ingress and egress, support, repair and maintenance.

Parcel III:

- (A) The exclusive easement to use Deck Area designated D-3 on the Map;
- (B) The exclusive easement to use Parking Area designated P-5 on the Map.

Parcel IV:

A non-exclusive easement, appurtenant to Parcel I, above, for support, repair and maintenance, and for ingress and egress through the Common Area.

Parcel V:
Encroachment easements, appurtenant to the Unit, in accordance with the provisions of the
Declaration.

APN: Lot 111, Block 3721 (85 Natoma #3)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block 3721, Lot 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

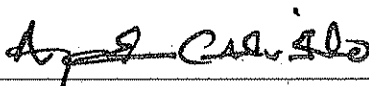
**Nader Heydayian & Hamideh Nouri
85 Natoma #3
San Francisco, CA 95105-2619**

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 of Supervisors 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 NOVEMBER 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

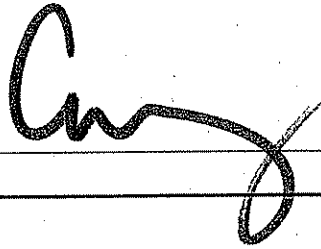
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 3

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 3, San Francisco, California (Assessor's Block No. 3721, Lot No. 111) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'C. J.', written over a horizontal line.

For Clerk's Use Only:

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block 3721, Lot 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block 3721, Lot 112) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to

be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

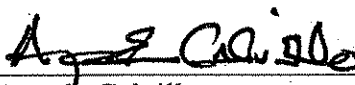
Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor’s Block 3721, Lot 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

Legal description for the fee simple interest in real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block 3721, Lot 112)

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 I:

Condominium Unit No. 4, Lot No. 112, as shown upon the Condominium Map and Diagrammatic Floor Plan entitled, "Map of 85 Natoma Street, a Live/Work Condominium Project, Being a Subdivision of Lot 90 as Shown on that Certain Parcel Map Filed June 24, 1998, in Book 43 of Parcel Maps, at Page 181, Being a Portion of Assessor's Block 3721, 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 December 18th, 2000, in Book 66 of Condominium Maps, at Pages 18 to 22, inclusive, (referred to herein as "the Map") and as further defined in the Declaration of Covenants, Conditions and Restrictions recorded on April 9th, 2001, in Book H862, Page 70 of Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration".)

Excepting therefrom, any portion of the Common Area lying within said Unit.

Excepting therefrom:

- (A) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the Common Area and all other Units.
- (B) Easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

Parcel II:

An undivided 7.29% interest in and to the Common Area as shown and defined on the Map, excepting therefrom the following:

- (A) Exclusive easements, other than Parcel III, as designated on the Map and reserved to Units for use as designated in the Declaration; and
- (B) Non-exclusive easements, appurtenant to all Units, for ingress and egress, support, repair and maintenance.

Parcel III:

- (A) The exclusive easement to use Deck Area designated D-4 on the Map;
- (B) The exclusive easement to use Parking Area designated P-3 on the Map.

Parcel IV:

A non-exclusive easement, appurtenant to Parcel I, above, for support, repair and maintenance, and for ingress and egress through the Common Area.

Parcel V:

Encroachment easements, appurtenant to the Unit, in accordance with the provisions of the Declaration.

APN: Lot 112, Block 3721 (85 Natoma # 4)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block 3721, Lot 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

**Alyce M. Stanwood
54 Mint St. 5 Fl
San Francisco, CA 94103**

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 of Supervisors 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 NOVEMBER 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

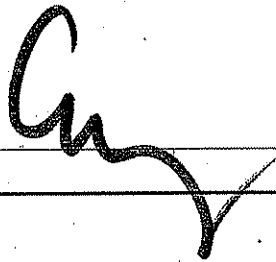
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 4

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 4, San Francisco, California (Assessor's Block No. 3721, Lot No. 112) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'Amy', written over a horizontal line.

For Clerk's Use Only:

File 101420

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block 3721, Lot 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block 3721, Lot 113) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

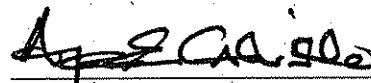
Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor’s Block 3721, Lot 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
85 Natoma Street No. 5, San Francisco, California (Assessor's Block 3721, Lot 113)**

CITY SAN FRANCISCO

PARCEL I:

CONDOMINIUM UNIT NO. 5, LOT NO. 113, AS SHOWN UPON THE CONDOMINIUM MAP AND DIAGRAMMATIC FLOOR PLAN ENTITLED, "MAP OF 85 NATOMA STREET, A LIVE/WORK CONDOMINIUM PROJECT, BEING A SUBDIVISION OF LOT 90 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED JUNE 24, 1998 IN BOOK 43 OF PARCEL MAPS AT PAGE 181, BEING A PORTION OF ASSESSOR'S BLOCK 3721, 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 DECEMBER 18TH, 2000, IN BOOK 66 OF CONDOMINIUM MAPS, AT PAGES 18 TO 22, INCLUSIVE, (REFERRED TO HEREIN AS "THE MAP") AND AS FURTHER DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED ON APRIL 9TH, 2001, IN BOOK H862, PAGE 70 OF OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA (REFERRED TO HEREIN AS "THE DECLARATION.")

EXCEPTING THEREFROM ANY PORTION OF THE COMMON AREA LYING WITHIN SAID UNIT.

EXCEPTING THEREFROM:

- (A) EASEMENTS THROUGH SAID UNIT, APPURTENANT TO THE COMMON AREA AND ALL OTHER UNITS, FOR SUPPORT AND REPAIR OF THE COMMON AREA AND ALL OTHER UNITS.
- (B) EASEMENTS, APPURTENANT TO THE COMMON AREA, FOR ENCROACHMENT UPON THE AIR SPACE OF THE UNIT BY THOSE PORTIONS OF THE COMMON AREA LOCATED WITHIN THE UNIT.

PARCEL II:

AN UNDIVIDED 12.62% INTEREST IN AND TO THE COMMON AREA AS SHOWN AND DEFINED ON THE MAP, EXCEPTING THEREFROM THE FOLLOWING:

- (A) EXCLUSIVE EASEMENTS, OTHER THAN PARCEL III, AS DESIGNATED ON THE MAP AND RESERVED TO UNITS FOR USE AS DESIGNATED IN THE DECLARATION; AND
- (B) NON-EXCLUSIVE EASEMENTS, APPURTENANT TO ALL UNITS, FOR INGRESS AND EGRESS, SUPPORT, REPAIR AND MAINTENANCE.

PARCEL III:

- (A) THE EXCLUSIVE EASEMENT TO USE DECK AREA DESIGNATED D-5 ON THE MAP;
- (B) THE EXCLUSIVE EASEMENT TO USE PARKING AREA DESIGNATED P-6 ON THE MAP.

PARCEL IV:

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL I, ABOVE, FOR SUPPORT, REPAIR AND MAINTENANCE, AND FOR INGRESS AND EGRESS THROUGH THE COMMON AREA.

PARCEL V:

ENCROACHMENT EASEMENTS, APPURTENANT TO THE UNIT, IN ACCORDANCE WITH THE PROVISIONS OF THE DECLARATION.

LOT 113, BLOCK 3721 (85 Natoma #5)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block 3721, Lot 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

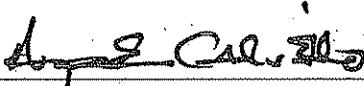
**Terri L. Brown
1050 Crestview Dr. No. 324
Mountain View, CA 94040**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

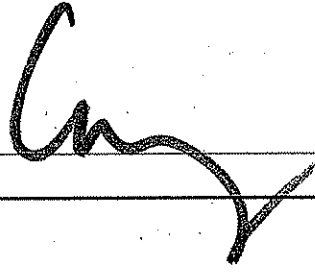
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 5

The text is listed below or attached:

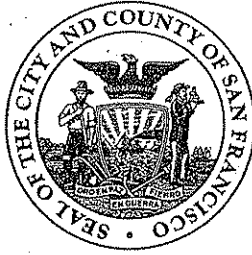
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 5, San Francisco, California (Assessor's Block No. 3721, Lot No. 113) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'C. M. V.', written over a horizontal line.

For Clerk's Use Only:

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block 3721, Lot 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block 3721, Lot 115) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor’s Block 3721, Lot 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.



Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

Legal description for the fee simple interest in real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block 3721, Lot 115)

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 I :

Condominium Unit No. 7, Lot No. 115, as shown upon the Condominium Map and Diagrammatic Floor Plan Entitled, "Map of 85 Natoma Street, a Live/Work Condominium Project, Being a Subdivision of Lot 90 as shown on that certain Parcel Map filed June 24, 1998, in Book 43 of Parcel Maps, at Page 181, being a portion of Assessor's Block 3721, 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 December 18th, 2000, in Book 66 of Maps, at Pages 18 to 22, inclusive, (referred to herein as "the Map") and as further defined in the Declaration of Covenants, Conditions and Restrictions recorded on April 9th, 2001, in Book H862, Page 70 of Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom any portion of the Common Area lying within said Unit.

Excepting therefrom:

(A) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the Common Area and all other Units.

(B) Easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

Parcel II:

An undivided 7.30 % interest in and to the Common Area, as shown and defined on the Map, excepting therefrom the following:

(A) Exclusive easements, other than Parcel III, as designated on the Map and reserved to Units for use as designated in the Declaration; and

(B) Non-exclusive easements, appurtenant to all Units, for ingress and egress, support, repair and maintenance.

Parcel III:

(A) The exclusive easement to use Deck Area designated D-7, on the Map;

(B) The exclusive easement to use Parking Area designated P--, on the Map.

Parcel IV:

A non-exclusive easement, appurtenant to Parcel I, above, for support, repair and maintenance, and for ingress and egress through the Common Area.

Parcel V:

Encroachment easements, appurtenant to the Unit, in accordance with the provisions of the Declaration.

APN: Lot 115, Block 3721 (85 Natoma #7)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block 3721, Lot 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:


**Heydayian/Nouri Family Trust 2005
300 Barbara Way
Hillsborough, CA 94010**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

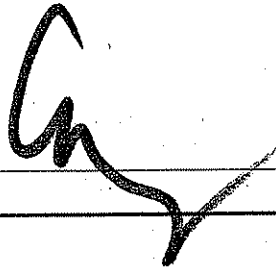
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 7

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 7, San Francisco, California (Assessor's Block No. 3721, Lot No. 115) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'G. J.', written over a horizontal line.

For Clerk's Use Only:

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block 3721, Lot 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No.9, San Francisco, California (Assessor's Block 3721, Lot 117) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor’s Block 3721, Lot 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

Legal description for the fee simple interest in real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block 3721, Lot 117)

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:

Condominium Unit No. 9, Lot No. 117, as shown upon the Condominium Map and diagrammatic floor plan entitled "Map of 85 Natoma Street A Live/Work Condominium Project" which was filed on December 18, 2000, in Book 66 of Condominium Maps, at Pages 18 to 22, inclusive, in the Office of the Recorder of the City and County of San Francisco, State of California (referred to herein as "the Map"), and as further defined in the "Declaration of Covenants, Conditions and Restrictions Establishing a Plan of Condominium Ownership of 85 Natoma Street", recorded on April 9, 2001, in Book H862, Page 70 and following, Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom, any portion of the common area lying within said Unit.

Also excepting therefrom:

- (a) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the common area and all other units.
- (b) Easements, appurtenant to the common area for encroachment upon the air space of the Unit by those portions of the common area located within the Unit.

PARCEL B:

An undivided 23.40% interest in and to the Common Area as shown on the Map and defined in the Declaration, excepting therefrom the following:

- (a) Exclusive easements, other than those shown in Parcel "C" herein, as shown on the Map and reserved unto other units for use as defined in the Declaration; and
- (b) Non-exclusive easements appurtenant to all units for ingress and egress, support, repair and maintenance.

PARCEL C:

The following easements appurtenant to Parcel A above as set forth and defined in the Declaration:

- (a) The exclusive easement to use the Parking area designated as P-1 on the Map.
- (b) The exclusive easement to use the Deck area designated as D-9 and D-9A, on the Map.

PARCEL D:

A non-exclusive easement appurtenant to Parcel A above for support, repair and maintenance, and for ingress and egress through the Common Area in accordance with California Civil Code Section 1361(a).

PARCEL E:

Encroachment easements appurtenant to the Unit in accordance with the provisions of the Declaration.

APN: Lot 117, Block 3721 (85 Natoma #9)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block 3721, Lot 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:


**Wendy Roess-McNerney
70 Linden Ave.
Atherton, CA 94027**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
 An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

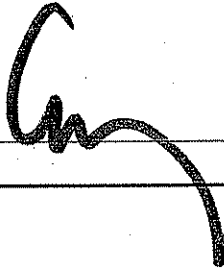
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. 9

The text is listed below or attached:

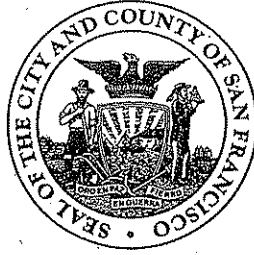
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. 9, San Francisco, California (Assessor's Block No. 3721, Lot No. 117) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be a stylized 'G' or similar character, written over a horizontal line.

For Clerk's Use Only:

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block 3721, Lot 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block 3721, Lot 118) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor’s Block 3721, Lot 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.



Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
85 Natoma Street No. C1, San Francisco, California (Assessor's Block 3721,
Lot 118)**

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 I:

Condominium Unit No. C1, Lot No. 118, as shown upon the Condominium Map and Diagrammatic Floor Plan Entitled, "Map of 85 Natoma Street, a Live/Work Condominium Project, Being a Subdivision of Lot 90 as shown on that certain Parcel Map filed June 24, 1998, in Book 43 of Parcel Maps, at Page 181, being a portion of Assessor's Block 3721, 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 December 18th, 2000, in Book 66 of Maps, at Pages 18 to 22, inclusive, (referred to herein as "the Map") and as further defined in the Declaration of Covenants, Conditions and Restrictions recorded on April 9th, 2001, in Book H862, Page 70 of Official Records of the City and County of San Francisco, State of California (referred to herein as "the Declaration").

Excepting therefrom any portion of the Common Area lying within said Unit.

Excepting therefrom:

- (A) Easements through said Unit, appurtenant to the Common Area and all other Units, for support and repair of the Common Area and all other Units.
- (B) Easements, appurtenant to the Common Area, for encroachment upon the air space of the Unit by those portions of the Common Area located within the Unit.

Parcel II:

An undivided 1.89% interest in and to the Common Area, as shown and defined on the Map, excepting therefrom the following:

- (A) Exclusive easements, other than Parcel III, as designated on the Map and reserved to Units for use as designated in the Declaration; and
- (B) Non-exclusive easements, appurtenant to all Units, for ingress and egress, support, repair and maintenance.

Parcel III:

- (A) The exclusive easement to use Deck Area designated N/A, on the Map;
- (B) The exclusive easement to use Parking Area designated N/A, on the Map.

Parcel IV:

A non-exclusive easement, appurtenant to Parcel I, above, for support, repair and maintenance, and for ingress and egress through the Common Area.

Parcel V:
Encroachment easements, appurtenant to the Unit, in accordance with the provisions of the
Declaration.

APN: Lot 118, Block 3721 (85 Natoma #C1)

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block 3721, Lot 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

**Martin Properties, LLC
c/o Patrick McNerney
54 Mint St. 5 Fl
San Francisco, CA 94103**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

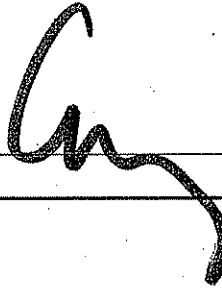
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 85 Natoma Street No. C1

The text is listed below or attached:

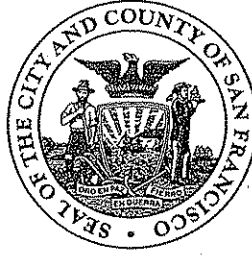
Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 85 Natoma Street No. C1, San Francisco, California (Assessor's Block No. 3721, Lot No. 118) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'G. M.', written over a horizontal line.

For Clerk's Use Only:

BOARD of SUPERVISORS



City Hall
 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 7, 2010

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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block 3736, Lot 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block 3736, Lot 088) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offers required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 60 Tehama Street, San Francisco, California (Assessor’s Block 3736, Lot 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the real property commonly known as
60 Tehama Street, San Francisco, California (Assessor's Block 3736, Lot 088)**

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

BEGINNING at a point on the northwesterly line of Tehama Street, distant thereon 480 feet southwesterly from the southwesterly line of 1st Street; running thence southwesterly along said line of Tehama Street 25 feet; thence at a right angle northwesterly 80 feet; thence at a right angle northeasterly 25 feet; thence at a right angle southeasterly 80 feet to the point of beginning.

BEING a portion of 100' Vara Block No. 348.

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block 3736, Lot 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

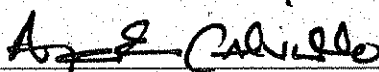
**Peter F. Byrne Revocable Trust
c/o Peter F. Byrne, Trustee
255 W Napa Street #L
Sonoma, CA 95476**

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 of Supervisors 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 NOVEMBER 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

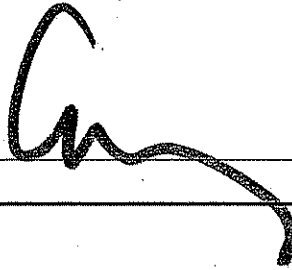
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 60 Tehama Street

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 60 Tehama Street, San Francisco, California (Assessor's Block No. 3736, Lot No. 088) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

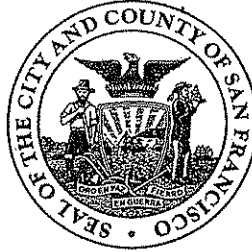
Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be a stylized 'G' or similar character, written over a horizontal line.

For Clerk's Use Only:

File 701435

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 019) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 564 Howard Street, San Francisco, California (Assessor’s Block 3721, Lot 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.



Angela Calvillo
Clerk of the Board

DATED: November 19, 2010

PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
564 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 019)**

CITY OF SAN FRANCISCO

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF HOWARD STREET,
DISTANT THEREON 250 FEET NORTHEASTERLY FROM THE NORTHEASTERLY LINE
OF SECOND STREET; RUNNING THENCE NORTHEASTERLY ALONG SAID LINE OF
HOWARD STREET 25 FEET; THENCE AT A RIGHT ANGLE NORTHWESTERLY 100
FEET; THENCE AT A RIGHT ANGLE SOUTHWESTERLY 25 FEET; THENCE AT A
RIGHT ANGLE SOUTHEASTERLY 100 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF 100 VARA BLOCK NO. 347.

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:

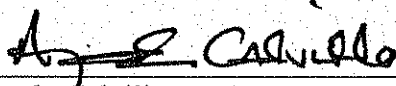
**564 Howard Street, LLC
564 Howard Street
San Francisco, CA 94109**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

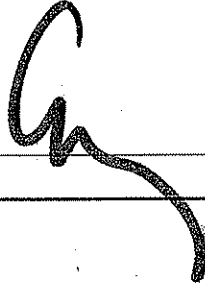
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 564 Howard Street

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 564 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 019) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be a stylized 'G' followed by a long, sweeping horizontal stroke that ends in a small hook.

For Clerk's Use Only:

File 101438

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following real property on behalf of the Transbay Joint Powers Authority (TJPA): fee ownership of the real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 020) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.


Owners of the property 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. The Board, at its discretion, need not give an opportunity to any other person 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 real property commonly known as 568 Howard Street, San Francisco, California (Assessor’s Block 3721, Lot 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

**Legal description for the fee simple interest in real property commonly known as
568 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 020)**

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 northwesterly line of Howard Street, distant thereon 175 feet northeasterly from the northeasterly line of Second Street; running thence northeasterly along said northwesterly line of Howard Street 75 feet; thence at a right angle northwesterly 100 feet; thence at right angles southwesterly 75 feet; thence at a right angle southeasterly 100 feet to the northwesterly line of Howard Street and the point of beginning.

Being portion of 100 Vara Block No. 347.

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Real Property by Eminent Domain: authorize acquisition of real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block 3721, Lot 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:


**Invesmaster Corporation
568 Howard St # FL
San Francisco, CA 94105**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
 An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

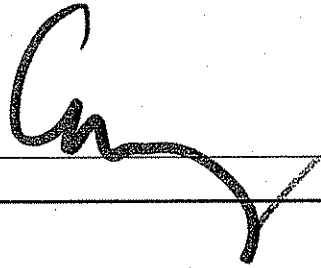
Sponsor(s): Supervisor Daly

SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 568 Howard Street

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of real property commonly known as 568 Howard Street, San Francisco, California (Assessor's Block No. 3721, Lot No. 020) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____

A handwritten signature in black ink, appearing to be 'C. M.', written over a horizontal line.

For Clerk's Use Only:

File 101441

BOARD of SUPERVISORS



City Hall
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 7, 2010
- 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 on Adopting Resolution to Acquire Interests in Real Property by Eminent Domain: authorize acquisition of 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block 3721, Lots 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

Said public hearing will be held to make findings of whether the public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, the following interest in real property on behalf of the Transbay Joint Powers Authority (TJPA): 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block 3721, Lots 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) (Property), by eminent domain, for the public purpose of constructing the Transbay Transit Center Program (Project); 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 Property is set forth in **Schedule 1**, 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; (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 Property sought to be acquired is necessary for the Project; and (4) the City and the TJPA have made the offer required by California Government Code §7267.2 to the owner(s) of record of the Property.

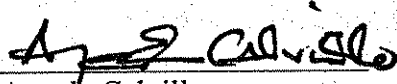
Owners of the property who have been notified of such public hearing and who, within fifteen (15) days after the mailing of such notice, have filed a written request to do so, may appear and be heard at the public hearing. The Board, at its discretion, need not give an opportunity to any other person 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 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor’s Block 3721, Lots 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.”**

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, 94012.

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 2, 2010.


Angela Calvillo
Clerk of the Board

DATED: November 19, 2010
PUBLISHED: November 21, 2010

SCHEDULE 1

Legal description for the 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block 3721, Lots 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000)

Ingress and Egress Area

For the benefit of the Owners of property located within that certain Condominium Project, known as 580 Howard Street, as shown on that certain map recorded March 11, 1999 in Book 59 of Condominium Maps, at Page 1, over Lot 90 as shown on that certain parcel map recorded June 24, 1998, in Book 43 of Parcel Maps at Page 181, all in the Official Records of the City and County of San Francisco.

Situate in the City and County of San Francisco, State of California, described as follows:

BEGINNING at a point on the southeasterly line of Natoma Street, distant thereon 23.14 feet southwesterly from the northerly corner of said Lot 90, which Point of Beginning is 145.65 feet northeasterly from the northeasterly line of Fifth Street; thence at a right angle to said line of Natoma Street southeasterly 0.65 feet; thence at a right angle northeasterly 5.14 feet; thence at a right angle southeasterly 6.65 feet to a point hereinafter referred to as Point X; thence at a right angle southwesterly 7.5 feet; thence at a right angle southeasterly 34 feet; thence at a right angle northeasterly 6.75 feet; thence at a right angle southeasterly 18.7 feet to a point on the southeasterly line of said Lot 90; thence at a right angle along said southeasterly line southwesterly 13.5 feet; thence at a right angle northwesterly 0.65 feet; thence at a right angle southwesterly 37.39 feet; thence at a right angle southeasterly 2.0 feet to a point hereinafter referred to as Point Y; thence at a right angle southwesterly 22.0 feet; thence at a right angle northwesterly 2.0 feet; thence at a right angle southwesterly 1.2 feet; thence at a right angle northwesterly 16.2 feet; thence at a right angle northeasterly 32.4 feet; thence at a right angle southeasterly 5.5 feet to a point hereinafter referred to as Point Z; thence at a right angle northeasterly 17.2 feet; thence at a right angle northwesterly 45.0 feet; thence at a right angle northeasterly 7.1 feet; thence at a right angle northwesterly 3.65 feet to a point on the southeasterly line of Natoma Street; thence at a right angle northeasterly along said southeasterly line 13.0 feet to the Point of Beginning.

Parking Area

For the benefit of the Owners of property located within that certain Condominium Project, known as 580 Howard Street, as shown on that certain map recorded March 11, 1999 in Book 59 of Condominium Maps, at Page 1, over Lot 90 as shown on that certain parcel map recorded June 24, 1998, in Book 43 of Parcel Maps at Page 181, all in the Official Records of the City and County of San Francisco.

Situate in the City and County of San Francisco, State of California, described as follows:

PARCEL I

BEGINNING AT POINT X, as hereinbefore located in Ingress and Egress Area described above; thence at a right angle to the southeasterly line of Natoma Street southeasterly 34.0 feet; thence at a right angle southwesterly 7.5 feet; thence at a right angle northwesterly 34.0 feet; thence at a right angle northeasterly 7.5 feet to Point X.

PARCEL II

BEGINNING AT POINT Y, as hereinbefore located in Ingress and Egress Area described above; thence parallel to the southeasterly line of Natoma Street northeasterly 0.3 feet; thence at a right angle southeasterly 17.85 feet; thence at a right angle southwesterly 23.5 feet; thence at a right angle northwesterly 17.85 feet; thence at a right angle northeasterly 23.2 feet to Point Y.

PARCEL III

BEGINNING AT POINT Z, as hereinbefore located in Ingress and Egress Area described above; thence at a right angle to the southeasterly line of Natoma Street northwesterly 7.5 feet; thence at a right angle southwesterly 0.8 feet; thence at a right angle northwesterly 22.5 feet; thence at a right angle northeasterly 18.0 feet; thence at a right angle southeasterly 30.0 feet; thence at a right angle southwesterly 17.2 feet to Point Z.

PROOF OF SERVICE

I, Angela Calvillo, declare as follows:

I am a citizen of the United States, over the age of eighteen 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 19, 2010, I served the following document:

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

Subject: Public Hearing on Adopting Resolution to Acquire Interests in Real Property by Eminent Domain: authorize acquisition of 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block 3721, Lots 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program.

on the following persons at the locations specified:


**Howard Historic Properties LLC
c/p Patrick McNerney
54 Mint St 5 Fl
San Francisco, CA 94103**

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 of Supervisors 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 November 19, 2010 at San Francisco, California.



Angela Calvillo
Clerk of the Board

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter.
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request.
- 6. Call file from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- | | |
|---|--|
| <input type="checkbox"/> Small Business Commission | <input type="checkbox"/> Youth Commission |
| <input type="checkbox"/> Ethics Commission | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Building Inspection Commission | |

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor Daly

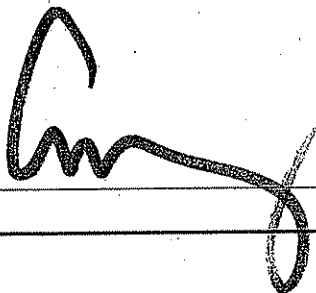
SUBJECT: Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain for Transbay Transit Center Program - 13 Easement Interests Across and Through 85 Natoma Street

The text is listed below or attached:

Hearing of persons interested in or objecting to proposed Resolution authorizing the acquisition of 13 easement interests across and through the real property commonly known as 85 Natoma Street, San Francisco, California (Assessor's Block No. 3721, Lot Nos. 109-118) (recorded in the official records of the City and County of San Francisco as Doc 2000-G860199-00, November 6, 2000) by eminent domain for the public purpose of constructing the Transbay Transit Center Program; 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.

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: