

File No. 111025

Committee Item No. 6
Board Item No. 6

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 10/20/11

Board of Supervisors Meeting

Date 11/1/11

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" 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 type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | * <u>Stipulation for Entry of Judgment in Condemnation</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Linda Wong

Date 10/14/11

Completed by: Aliso Miller

Date 10/25/11

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

1 [Settlement of Lawsuit – City to Pay \$500 for Sub-Surface Easement in San Mateo County]

2

3 **Ordinance authorizing settlement of a lawsuit filed by the City and County of San**

4 **Francisco against San Mateo County Transit District; Union Pacific Railroad Company;**

5 **State of California, Department of Transportation; and Does 1 through 100, to condemn**

6 **and take by right of eminent domain a permanent sub-surface easement of**

7 **approximately 27,829 square feet in property owned by San Mateo County Transit**

8 **District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed**

9 **June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City**

10 **and County of San Francisco v. San Mateo County Transit District; Union Pacific**

11 **Railroad Company; State of California, Department of Transportation; and Does 1**

12 **through 100.**

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

14 Section 1. The City Attorney is hereby authorized to settle the action entitled City and

15 County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad

16 Company; State of California, Department of Transportation; and Does 1 through 100, San

17 Mateo County Superior Court, Case No. CIV 495644 by the payment by the City and County

18 of San Francisco ("City") to Defendant State of California, Department of Transportation of

19 \$500 for a permanent subsurface easement of approximately 27,829 square feet on property

20 owned by San Mateo County Transit District, located in Menlo Park, California, commonly

21 known as SBE 872-41-20P, and in accordance with other material terms as set forth in the

22 Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors File No.

23 111025, or such amended terms as do not materially increase the City's obligations or

24 decrease the City's benefits, for the purpose of constructing the San Francisco Public Utilities

25 Commission's Water System Improvement Program-Funded Project CUW36801, Bay Division

1 Pipeline Reliability Upgrade—Tunnel. The payment of \$500 to Defendant State of California,
2 Department of Transportation shall be made from the appropriation in Water System
3 Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability
4 Upgrade—Tunnel.

5
6 Section 2. The above-named action was filed in San Mateo County Superior Court on
7 June 3, 2010, and the following defendants were named in the lawsuit: San Mateo County
8 Transit District; Union Pacific Railroad Company; State of California, Department of
9 Transportation; and Does 1 through 100.

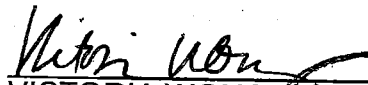
10
11 APPROVED AS TO FORM AND
12 RECOMMENDED:

RECOMMENDED:

13 DENNIS J. HERRERA, City Attorney

SAN FRANCISCO REAL ESTATE DIVISION

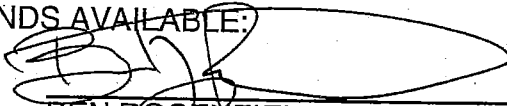
14 By:


VICTORIA WONG
Deputy City Attorney

By:


JOHN UPDIKE
Director

15
16
17 FUNDS AVAILABLE:


BEN ROSENFELD
Controller
Index Code: 736846
Sub-object Code: 05314



Exempt from Filing Fees per
Government Code § 6103

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CITY AND COUNTY OF SAN FRANCISCO

15
16
17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 FOR THE COUNTY OF SAN MATEO

19
20 CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation,

21 Plaintiff,

22 vs.

23
24 SAN MATEO COUNTY TRANSIT DISTRICT,
a public agency; UNION PACIFIC RAILROAD
25 COMPANY, a Delaware Corporation; STATE
OF CALIFORNIA, DEPARTMENT OF
26 TRANSPORTATION; and DOES 1 through
100, inclusive,

27 Defendants.
28

Case No.: CIV 495644

SBE No.: 872-41-20P

STIPULATION FOR ENTRY OF
JUDGMENT IN CONDEMNATION