

1 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise  
2 Insulation Program]

3 **Resolution approving the acquisition of thirty Avigation Easements from various**  
4 **property owners in San Mateo County required for the San Francisco International**  
5 **Airport's Noise Insulation Program; adopting findings that the Project is categorically**  
6 **exempt from environmental review under the California Environmental Quality Act**  
7 **Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the**  
8 **City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and**  
9 **authorizing the Director of Property and Mayor to execute documents, make certain**  
10 **modifications and take certain actions in furtherance of this Resolution.**

11  
12 WHEREAS, The San Francisco International Airport ("SFO") is required by the State of  
13 California Noise Standard for Airports (Title 21, California Administrative Code) to eliminate  
14 incompatible land uses within the Noise Impact Boundary; and

15 WHEREAS, Incompatibility with an airport use may be eliminated if the properties are  
16 insulated to meet an interior noise standard of 45 decibels and/or the airport proprietor has  
17 obtained an Avigation Easement; and,

18 WHEREAS, The Avigation Easements will be acquired from various property owners in  
19 exchange for soundproofing of properties as part of the Project; and,

20 WHEREAS, On April 3, 2012, the San Francisco Airport Commission by Resolution No.  
21 12-0077, a copy of which Resolution is on file with the Clerk of the Board of Supervisors under  
22 File No. 121038, and which Resolution is incorporated herein by this reference, approved the  
23 Project and authorized the request for Board of Supervisors acceptance and recordation of  
24 said Easements; and,

1           WHEREAS, The Director of Planning, by letter dated May 9, 2012, found that the  
2 acquisition of the Avigation Easements is consistent with the City’s General Plan and with the  
3 Eight Priority Policies of City Planning Code Section 101.1 and has determined that the  
4 proposed easement acquisition is categorically exempt from environmental review under  
5 CEQA Class 1: Existing Facilities, which letter is on file with the Clerk of the Board of  
6 Supervisors under File No. 121038, and which letter is incorporated herein by this reference;  
7 and,

8           WHEREAS, The copies of the Grant of Avigation Easements (“Easement Agreements”)  
9 between the City and the various property owners are on file with the Clerk of the Board of  
10 Supervisors in File No. 121038, which is incorporated herein by this reference; therefore, be  
11 it

12           RESOLVED, That the Board of Supervisors adopts the findings as stated in the May 9,  
13 2012, letter from the Director of Planning; and, be it

14           FURTHER RESOLVED, That in accordance with the recommendations of the San  
15 Francisco Airport Commission and the Director of Property, the Board of Supervisors hereby  
16 approves the Easement Agreements and the transaction contemplated thereby in  
17 substantially the form of such easement agreements presented to this Board; and, be it

18           FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
19 Property to enter into any additions, amendments or other modifications to the Easement  
20 Agreements (including, without limitation, the attached exhibits) that the Director of Property  
21 determines are in the best interest of the City, that do not materially increase the obligations  
22 or liabilities of the City, and are necessary or advisable to complete the transactions  
23 contemplated in the Easement Agreements and effectuate the purpose and intent of this  
24 Resolution, such determination to be conclusively evidenced by the execution and delivery by  
25 the Director of Property of the Easement Agreements and any amendments thereto; and, be it

1           FURTHER RESOLVED, That the Director of Property and Mayor are hereby  
2 authorized and urged, in the name and on behalf of the City and County, to accept the deeds  
3 to the easements from the grantors with the terms and conditions of the Easement  
4 Agreements, and to take any and all steps (including, but not limited to, the execution and  
5 delivery of any and all certificates, agreements, notices, escrow instructions, closing  
6 documents and other instruments or documents) as the Director of Property deems necessary  
7 or appropriate in order to consummate the acquisition of the easements pursuant to the  
8 Easement Agreement, or to otherwise effectuate the purpose and intent of this Resolution,  
9 such determination to be conclusively evidenced by the execution and delivery by the Director  
10 of Property of any such documents; and, be it

11           FURTHER RESOLVED, All actions heretofore taken by the Director of Property with  
12 respect to the matters addressed in this Resolution are hereby approved, confirmed and  
13 ratified.

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16 RECOMMENDED:

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18 \_\_\_\_\_  
19 John Martin  
20 Airport Director

21 \_\_\_\_\_  
22 John Updike  
23 Director of Property  
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