

1 [Deed Restriction - 17th and Folsom Streets Park Project]

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3 **Resolution authorizing the Director of Real Estate to record a deed restriction against**
4 **Assessor's Block No. 3571, Lot No. 032, for the 17th and Folsom Streets Park Project.**

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6 WHEREAS, The City and County of San Francisco owns certain real property located
7 on the North side of 17th Street bounded on the east and west by Folsom Street and Shotwell
8 Street, in San Francisco, California, and known as Assessor's Block Number 3571, Lot No.
9 032 ("the Property"); and

10 WHEREAS, By Resolution No. 395-11, the Board of Supervisors approved the
11 jurisdictional transfer of the Property from the San Francisco Public Utilities Commission to
12 the San Francisco Recreation and Park Department ("RPD"); and

13 WHEREAS, RPD plans to develop the Property into a new public park with funding
14 from a grant awarded to RPD by the California Department of Parks and Recreation ("CDPR")
15 Statewide Park Grant Program ("Grant"); and

16 WHEREAS, By Resolution No. 267-11, the Board of Supervisors authorized RPD to
17 accept and expend the Grant funds for the development of the 17th and Folsom Street Park
18 Project; and

19 WHEREAS, The terms and conditions of the Grant are detailed in an agreement on file
20 at the Clerk of the Board of Supervisors in File No. 121204 ("Grant Agreement"), which is
21 hereby declared to be part of this resolution as set forth fully herein; and

22 WHEREAS, The Grant Agreement requires the City to operate and maintain the project
23 site and use the Property only for the purposes of the Grant and consistent with the grant
24 scope for the duration of the Contract Performance Period, which extends from July 1, 2009
25 through June 30, 2039; and

1 WHEREAS, As a condition of receiving the Grant, CDPR requires the City to record a
2 deed restriction against the Property to ensure that the Property is used for a purpose
3 consistent with the Grant for the duration of the Contract Performance Period; now, therefore,
4 be it

5 RESOLVED, That the Board of Supervisors authorizes the Director of Real Estate to
6 record a deed restriction with the Assessor-Recorder against the Property, designated as
7 Assessor's Block Number 3571, Lot No. 032, providing that the use restrictions contained in
8 the Grant Agreement will be covenants, conditions and restrictions on the use of the Property
9 for the duration of the Contract Performance Period from July 1, 2009 through June 30, 2039;
10 and, be it

11 FURTHER RESOLVED, That the Board of Supervisors authorizes the General
12 Manager of the Recreation and Park Department, or his or her designee, to conduct all
13 negotiations, execute and submit all documents, including, but not limited to applications,
14 agreements, amendments, payment requests and so on, which may be necessary for the
15 completion of the project.

16 Recommended:

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19 Philip A. Ginsburg, General Manager, Recreation and Park Department

20 Recommended:

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23 John Updike, Acting Director of Real Estate

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