

1 [Sale of City Property]

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3 **Ordinance ordering the sale at public auction of City-owned property located at 425**
4 **Mason Street; adopting findings pursuant to the California Environmental Quality Act;**
5 **adopting findings that the sale is consistent with the City’s General Plan and Eight**
6 **Priority Policies of City Planning Code Section 101.1; and authorizing other actions in**
7 **furtherance of this ordinance.**

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9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are *strikethrough italics Times New Roman*.
11 Board amendment additions are double underlined.
12 Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. In accordance with the recommendation of the San Francisco Public
15 Utilities Commission (PUC Resolution Number 05-0007), General Manager, Public Utilities
16 Commission, and the Director of Property, the Board of Supervisors ("Board") hereby declares
17 that the public interest or necessity will not be inconvenienced by the sale at public auction of
18 425 Mason Street (the "Property") owned by the City, located within the City and County of
19 San Francisco, as shown on the attached aerial photograph, copies of which are both on file
20 with the Clerk of the Board of Supervisors in File No. _____:

21 Assessor’s Block 0306, Lot 002, 425 Mason Street, located on the west side of Mason
22 Street, between Geary Street and Post Street.

23 Section 2. The Property is under the jurisdiction of the Public Utilities Commission and
24 is no longer needed for the efficient and proper operation of its water enterprise.

25 Section 3. On June 16, 2005, at a duly noticed public hearing, the Planning
Commission in Motion No. 17035, found that the sale of the Property was consistent with the
City's General Plan and with Planning Code Section 101.1(b). A copy of the Motion is on file
with the Clerk of the Board of Supervisors in File No. _____ and is incorporated
herein by reference. The Board finds that the proposed sale is consistent with the City's

1 General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said
2 Motion.

3 Section 4. Pursuant to the California Environmental Quality Act (“CEQA”), State CEQA
4 Guidelines and Chapter 31 of the San Francisco Administrative Code, the Planning
5 Department determined that the sale of the Property would have no significant effect on the
6 environment. A copy of such determination is on file with the Clerk of the Board of
7 Supervisors in File No. _____ and is incorporated herein by reference.

8 Section 5. The Board of Supervisors hereby authorizes the Director of Property, on
9 behalf of the City and County of San Francisco, to request and receive bids at public auction
10 for the sale of the Property. Notwithstanding Section 23.3 of the San Francisco Administrative
11 Code, the Director of Property is hereby authorized to sell the Property at public auction
12 without subsequent approval or confirmation by the Board of Supervisors. The minimum bid
13 for the Property shall be Four Million Eight Hundred Fifty Thousand Dollars (\$4,850,000),
14 which represents ninety percent (90%) of the independently appraised fair market value of
15 Five Million Three Hundred Eighty-Six Thousand Five Hundred Dollars (\$5,386,500).
16 Subsequent to the public auction sale, the Director of Property shall deposit the proceeds
17 from such sale in a separate fund for the water utility of the Public Utilities Commission and
18 report the results of the public auction sale to the Clerk of the Board of Supervisors.

19 Section 6. The successful bidder must agree to convey a conservation easement to
20 San Francisco Architectural Heritage, which easement shall be recorded immediately after
21 recordation of the deed transferring title to such bidder. The conservation easement shall
22 obligate the successful bidder, and its successors and assigns, to retain and preserve the
23 architectural features of the Property described in the easement, all pursuant to the terms of
24 such easement. A copy of the easement is on file with the Clerk of the Board of Supervisors
25 in File No. _____ and is incorporated herein by reference.

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Section 7. The Mayor, Clerk of the Board, Controller, and Director of Property are hereby authorized and directed to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this ordinance.

RECOMMENDED:

Director of Property

General Manager
Public Utilities Commission

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Carol Wong
Deputy City Attorney