

1 [Real Property Exchange Agreement]

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3 **Resolution approving a real property exchange agreement between the City and**  
4 **County of San Francisco and the Petrocchi Family Trust dated December 8, 1989, the**  
5 **Petrocchi Family Trust dated November 5, 2004, and the Bravo5 Trust (collectively, the**  
6 **"Trusts") pertaining to property located at Chestnut Avenue and El Camino Real in the**  
7 **City of South San Francisco; adopting findings that the transaction is categorically**  
8 **exempt from environmental review and is consistent with the City's General Plan and**  
9 **Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director**  
10 **of Property and/or the General Manager of the San Francisco Public Utilities**  
11 **Commission ("SFPUC") to execute documents, make certain modifications and take**  
12 **certain actions in furtherance of this Resolution.**

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14 WHEREAS, The City and County of San Francisco owns a parcel of land located at  
15 the intersection of Chestnut Avenue and El Camino Real in the City of South San Francisco  
16 consisting of approximately 37,026 square feet (the "SFPUC Parcel") which is under the  
17 jurisdiction of the SFPUC, and the Trusts jointly own a parcel of land consisting of  
18 approximately 17,424 square feet located at the same intersection (the "Trust Parcel");

19 WHEREAS, The SFPUC pursuant to Resolution No. 04-0151 approved the exchange  
20 of the SFPUC Parcel for the Trust Parcel plus payment of \$632,500 in cash; and

21 WHEREAS, The SFPUC Parcel and the Trust Parcel each have diminished value in  
22 their "stand alone" situation due to parcel size, configuration, and topographic features that  
23 severely impair development; and,

24 WHEREAS, The proposed exchange of parcels will enhance the value and  
25 development potential of each party's other property lying adjacent to the subject parcels; and

1           WHEREAS, SFPUC Real Estate Services engaged the services of Keyser Marston  
2 Associates, Inc. to determine the value of the SFPUC Parcel as well as the Trust Parcel; and

3           WHEREAS, The appraised value of the SFPUC Parcel was determined to exceed the  
4 appraised value of the Trust Parcel by \$470,000, however, SFPUC Real Estate Services had  
5 negotiated a Real Property Exchange Agreement (the "Agreement") with the Trusts providing  
6 for the exchange of the SFPUC Parcel for the Trusts Parcel and the payment by the Trusts of  
7 an exchange payment of \$632,500, a copy of which Agreement is on file with the Clerk of the  
8 Board of Supervisors in File No. 061097; and

9           WHEREAS, The SFPUC has determined that the SFPUC Parcel to be conveyed to the  
10 Trusts is no longer required for its operating needs; and

11           WHEREAS, The Director of Planning, by letter dated September 16, 2004, found that  
12 the proposed property exchange is categorically exempt from environmental review under  
13 CEQA and is consistent with the City's General Plan and with the Eight Priority Policies of City  
14 Planning Code Section 101.1, and a copy of these findings has been placed in the file with the  
15 Clerk of the Board of Supervisors and are incorporated herein by this reference; now,  
16 therefore, be it

17           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
18 hereby finds that the City's execution and performance of the Real Property Exchange  
19 Agreement is consistent with the City's General Plan and with the Eight Priority Policies of  
20 City Planning Code Section 101.1 and is categorically exempt under CEQA for the same  
21 reasons as set further in the letter of the Director of Planning, dated September 16, 2004, and  
22 hereby incorporates such findings by reference as though fully set forth in this resolution; and,  
23 be it

24           FURTHER RESOLVED, That the Board of Supervisors hereby approves the  
25 Agreement and the transactions contemplated thereby, and authorizes the Director of

\*\*Real Estate\*\*

**BOARD OF SUPERVISORS**

1 Property and the General Manager of the SFPUC to execute and deliver the Agreement in  
2 substantially the form presented to the Board and to take the actions required to be performed  
3 by the City in the Agreement; and be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Director  
5 of Property and the General Manager of the SFPUC to take any and all other steps they or the  
6 City Attorney deem necessary and advisable to effectuate the purpose and intent of this  
7 Resolution; and be it

8 FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Director  
9 of Property and the General Manager of the SFPUC to enter into any amendments or  
10 modifications to the Agreement, including without limitation, the exhibits, and other related  
11 documents, that the Director of Property or the General Manager determine, in consultation  
12 with the City Attorney, are in the best interest of the City and do not materially increase the  
13 obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of  
14 the Agreement or this Resolution, and are in compliance with all applicable laws, including  
15 City's Charter.

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18 **Recommended:**

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20 Amy L. Brown  
21 Director of Property

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25  
  
\*\*Real Estate\*\*

BOARD OF SUPERVISORS



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Resolution

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**File Number:** 061097

**Date Passed:**

Resolution approving a real property exchange agreement between the City and County of San Francisco and the Petrocchi Family Trust and Bravo 5 Trust (the "Trust") pertaining to property located at Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission ("SFPUC") to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

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February 6, 2007 Board of Supervisors — ADOPTED

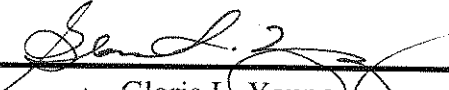
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,  
McGoldrick, Mirkarimi, Peskin, Sandoval

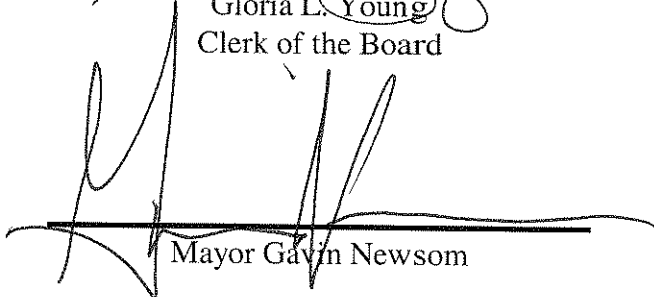
File No. 061097

I hereby certify that the foregoing Resolution was ADOPTED on February 6, 2007 by the Board of Supervisors of the City and County of San Francisco.

FEB 16 2007

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Date Approved

  
\_\_\_\_\_  
Gloria L. Young  
Clerk of the Board

  
\_\_\_\_\_  
Mayor Gavin Newsom