

1 [REAL PROPERTY EXCHANGE]  
2 APPROVING AN EXCHANGE AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN  
3 FRANCISCO AND THE PENINSULA CORRIDOR JOINT POWERS BOARD, BY WHICH  
4 THE JPB WILL QUITCLAIM TO THE CITY ITS EASEMENT RIGHTS IN A PARCEL  
5 BETWEEN 5TH AND SIXTH STREETS ADJACENT TO KING STREET IN EXCHANGE FOR  
6 THE CITY TRANSFERRING A TEMPORARY EASEMENT TO THE JPB IN AN AREA  
7 ENCROACHING KING STREET BETWEEN 4TH AND FIFTH STREETS; AND ADOPTING  
8 FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

9 WHEREAS, The City has undertaken a project to expand King Street between Third  
10 and Sixth Streets in San Francisco, including the extension of its Muni Metro light rail line  
11 within the expanded King Street to Sixth Street (the "King Street Project"); and

12 WHEREAS, The Peninsula Corridor Joint Powers Board ("JPB") owns the CalTrain  
13 commuter rail line and associated facilities in three counties, including San Francisco. The  
14 rail line currently terminates in the vicinity of the King Street Project; and

15 WHEREAS, In order to assist the City in the construction of the King Street Project  
16 between Fifth and Sixth Streets, Catellus Development Corporation ("Catellus") has donated to  
17 the City a parcel of real property, and further identified as a portion of Block 3797, Lot 1 and  
18 shown on a map entitled Exhibit A, a copy of which is on file with the Clerk of the Board of  
19 Supervisors in File No. 981917 ("Parcel 10"). The parcel is burdened by an easement  
20 in favor of the JPB; and

21 WHEREAS, The JPB is willing to quitclaim to the City all of the JPB's rights in Parcel  
22 10 at no cost to the City, provided that the City reimburses the JPB for the cost of removing the  
23 tracks and relocating the rail car maintenance facilities currently on Parcel 10; and

24 WHEREAS, The City has determined that facilities of the JPB are encroaching into  
25 King Street between Fourth and Fifth Streets, specifically into the north sidewalk area of the

1 King Street Project, further identified as a portion of Block 3796, Lot 2, on a map attached as  
2 Exhibit B to the Temporary Easement on file with the Clerk of the Board of Supervisors in File  
3 No. 981917 (the "Encroachment"); and

4 WHEREAS, In consideration of the JPB's quitclaim of its easement rights on Parcel 10,  
5 the City is willing to grant a temporary easement to the JPB to obviate the need for the JPB to  
6 relocate track to eliminate the Encroachment; and

7 WHEREAS, On September 17, 1998 by Motion No. 14696, the Planning Commission  
8 certified the Final Subsequent Environmental Impact Report ("FSEIR") for Mission Bay as  
9 adequate and complete; and

10 WHEREAS, In Motion No. M98-132, this Board of Supervisors affirmed the Planning  
11 Commission's certification of the FSEIR as adequate and complete; and

12 WHEREAS, The Board of Supervisors adopted findings in connection with, among other  
13 things, its consideration of this real property exchange under the California Environmental  
14 Quality Act ("CEQA"), the State CEQA Guidelines and Chapter 31 of the San Francisco  
15 Administrative Code and adopted a mitigation monitoring program; and

16 WHEREAS, In a letter dated October 28, 1998, the Director of Planning determined that  
17 this real property exchange is in conformity with the Priority Policies of Section 101.1(b) of the  
18 Planning Code and with the General Plan ; now, therefore, be it

19 RESOLVED, That the Board of Supervisors adopts the findings made pursuant to  
20 CEQA as set forth in Resolution No. 854-98, including adoption of a mitigation monitoring  
21 program, which findings and program are hereby incorporated by reference as if fully set forth  
22 herein; and be it further

23 RESOLVED, That the Board of Supervisors finds that this real property exchange is in  
24 conformity with the Priority Policies of Section 101.1(b) of the Planning Code and with the  
25 General Plan and hereby adopts the findings of the Planning Director, as set forth in the

REAL ESTATE DEPARTMENT  
BOARD OF SUPERVISORS

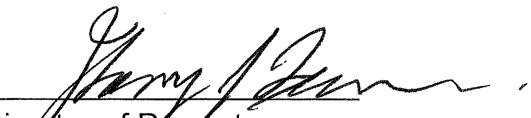
Page 2  
11/4/98

1 Planning Director's letter dated October 28, 1998, and incorporates said findings by this  
2 reference thereto; and be it further


3 RESOLVED, That the Board of Supervisors approves the Exchange Agreement  
4 between the City and the JPB, a copy of which is on file with the Clerk of the Board of  
5 Supervisors in File No. 981917, including the transfer of a Temporary Easement to  
6 the JPB in substantially the form attached as Exhibit D to the Exchange Agreement; and be it

7 FURTHER RESOLVED, That the Board authorizes the Director of Real Estate to  
8 execute any and all documents necessary to effectuate the Exchange Agreement, including  
9 the Temporary Easement.

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11 RECOMMENDED:

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14 James J. Davis Director of Property JP

15 RECOMMENDED:

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18 James J. Davis Director of Public Works

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# City and County of San Francisco

Veterans Building  
401 Van Ness Avenue, Room 308  
San Francisco, CA 94102-4532

## Tails

### Resolution

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**File Number:** 981917

**Date Passed:**

Resolution approving an exchange agreement between the City and County of San Francisco and the Peninsula Corridor Joint Powers Board (JPB), by which the JPB will quitclaim to the City its easement rights in a parcel between Fifth and Sixth Streets adjacent to King Street in exchange for the City transferring a temporary easement to the JPB in an area encroaching King Street between Fourth and Fifth Streets; and adopting findings pursuant to Planning Code Section 101.1.


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December 14, 1998 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

File No. 981917

I hereby certify that the foregoing Resolution was ADOPTED on December 14, 1998 by the Board of Supervisors of the City and County of San Francisco.



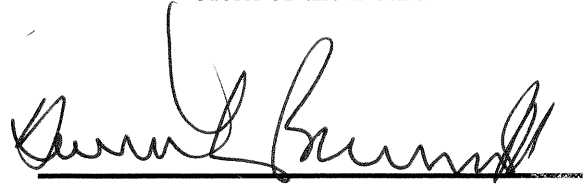
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Gloria L. Young  
Clerk of the Board

DEC 18 1998

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Date Approved



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Mayor Willie L. Brown Jr.