

1 [Portion of Willow Street -Sale]

2 AUTHORIZING AND APPROVING THE SALE OF A FORMER PORTION OF WILLOW
3 STREET BETWEEN FRANKLIN STREET AND GOUGH STREET, AND ADOPTING
4 FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

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7 **WHEREAS**, The City owns certain property (the "City Property") as shown on the
8 Department of Public Works SUR Drawing No. 1191, Change 1, dated April 5, 1999, a copy of
9 which is on file in the office of the Clerk of the Board of Supervisors in File No. 990676.
10 The City Property is a former portion of Willow Street which bisects two lots, Assessor's Block 737,
11 Lots 1 and 16, owned by the Roman Catholic Welfare Corporation of San Francisco ("R.C. Welfare
12 Corp.") and operated as Sacred Heart Cathedral Preparatory School, and abuts three other lots owned
13 by various owners; and

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15 **WHEREAS**, R. C. Welfare Corp. desires to acquire the City Property to connect various
16 portions of its school campus; and

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18 **WHEREAS**, The owners of the three other lots abutting the City Property have indicated they
19 are not interested in purchasing the City Property; and

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21 **WHEREAS**, The Director of Property has determined the value of the City Property to be
22 One Hundred Sixty-Five Thousand Dollars (\$165,000.00). R. C. Welfare Corp. has agreed to pay
23 this amount to the City on the terms and conditions set forth in that certain Agreement for the Sale
24 and Purchase of Property (the "Agreement") dated as of April 6, 1999, a copy of which is on file in
25 the offices of the Clerk of the Board of Supervisors; and

[REAL ESTATE]

1 **WHEREAS**, The Agreement includes provisions for deed restrictions which will prohibit any
2 future development of the property except for certain landscaping features, and which prohibit its use
3 in determining development rights on abutting parcels, and which also includes an easement reserved
4 for the benefit of Pacific Gas & Electric Company for the operation, maintenance, replacement,
5 removal and renewal of gas facilities, and an easement reserved for the benefit of the property located
6 at Assessor's Block 737, Lot 2, for sun, light and air; and
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8 **WHEREAS**, By letters dated January 23, 1992, and February 8, 1999, copies of which are on
9 file in the office of the Clerk of the Board of Supervisors, the Planning Department found that the
10 proposed sale by the City of the City Property is in conformity with the City's General Plan, and with
11 the Eight Priority Policies of City Planning Code Section 101.1; now, therefore, be it:

12 **RESOLVED**, That the Board of Supervisors hereby finds that it is in the best interest of the
13 City to sell the City Property based on direct negotiations with R. C. Welfare Corp. without a
14 competitive bid process, since competitive bidding in this situation would be impractical or
15 impossible; and, be it
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17 **FURTHER RESOLVED**, That the San Francisco Board of Supervisors adopts as its own
18 and incorporates by reference herein as though fully set forth, the findings in the Planning
19 Department's letters described above; and, be it

20 **FURTHER RESOLVED**, That the sale of the City Property on the terms and conditions set
21 forth in that certain Agreement for the Sale and Purchase of Property (the "Agreement") dated as of
22 April 6, 1999, a copy of which is on file in the offices of the Clerk of the Board of Supervisors, is
23 hereby approved. The Director of Property, on behalf of the City and County of San Francisco, is
24 hereby authorized to execute appropriate agreements implementing such sale of property on the terms
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1 and conditions set forth in the Agreement and such other unconflicting terms as approved by the City
2 Attorney and the Director of Property; and, be it

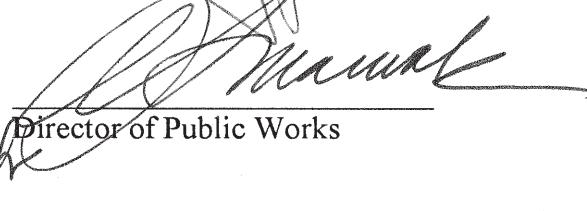
3 **FURTHER RESOLVED**, That the Director of Property, on behalf of the City and County of
4 San Francisco, is hereby further authorized to execute a quitclaim deed, conveying the City's interest
5 in the City Property to R. C. Welfare Corp., which includes deed restrictions which prohibit any
6 future development of the property except for certain landscaping features, and which prohibit its use
7 in determining development rights on abutting parcels, and which also reserves an easement for the
8 benefit of Pacific Gas & Electric Company for the operation, maintenance, replacement, removal and
9 renewal of gas facilities, and which also reserves an easement for the benefit of the property located
10 at Assessor's Block 737, Lot 2, for sun, light and air, as approved by the City Attorney; and, be it

11 **FURTHER RESOLVED**, That all actions authorized by this resolution and heretofore taken
12 by any City official in connection with the subject matter hereof are hereby ratified, confirmed and
13 approved by this Board of Supervisors; and, be it

14 **FURTHER RESOLVED**, That the expenses of the Department of Public Works in handling
15 this sale, estimated to be \$2,500, and the expenses of the Real Estate Department in handling this
16 sale, estimated to be \$8,000, shall be deducted from the proceeds of this sale, and the balance of the
17 proceeds shall be deposited to the Department of Public Works Real Property Fund.

1 **RECOMMENDED:**

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3 Director of Property

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5 Director of Public Works

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City and County of San Francisco

Tails

Resolution

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

File Number: 990676

Date Passed:

Resolution authorizing and approving the sale of a former portion of Willow Street between Franklin and Gough Streets (Assessor's Block 737), and adopting findings pursuant to Planning Code Section 101.1.

June 21, 1999 Board of Supervisors — ADOPTED

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

File No. 990676

I hereby certify that the foregoing Resolution
was ADOPTED on June 21, 1999 by the
Board of Supervisors of the City and County
of San Francisco.

Jean Lum

Gloria L. Young
Clerk of the Board

Willie L. Brown Jr.

Mayor Willie L. Brown Jr.

JUL - 1 1999

Date Approved

File No. 990676 continued...