

FILE NO. 98-1278

RESOLUTION NO. 697-98

1 **[Eminent Domain]**

2 AUTHORIZING ACQUISITION OF LOTS 18, 35, 36, 37, 38, AND 69, COMMONLY KNOWN
3 AS 860 HOWARD STREET, LOT 68 TOGETHER WITH THE IMPROVEMENTS THEREON
4 AND COMMONLY KNOWN AS 1 HOLLAND COURT OR 325 MINNA STREET, AND LOT 70
5 TOGETHER WITH THE IMPROVEMENTS THEREON, COMMONLY KNOWN AS 150
6 FOURTH STREET, ALL IN SAN FRANCISCO ASSESSOR'S BLOCK 3724, BY EMINENT
7 DOMAIN FOR THE MOSCONE CENTER EXPANSION PROJECT (THE "PROJECT"), AND
8 TO ADOPT FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

9
10 **RESOLVED**, That the public interest and necessity require the acquisition by the City
11 and County of San Francisco, a municipal corporation, of the following described real
12 property and any and all improvements and fixtures thereon, situated in the City and County
13 of San Francisco (the "Property"):
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<u>Block No.</u>	<u>Lot Nos.</u>
3724	18, 35, 36, 37, 38, 68, 69, and 70

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17 **RESOLVED**, That the City Planning Commission in adopting Resolution No. 14559
18 adopted March 12, 1998 found that the acquisition of the Property is in conformity with the
19 General Plan and consistent with the Eight Priority Policies of City Planning Code Section
20 101.1.
21

22 **RESOLVED**, That the Board of Supervisors adopts as its own and incorporates by
23 reference herein, as though fully set forth, the findings made by the City Planning
24 Commission in its Resolution No. 14559 adopted March 12, 1998, that the acquisition of the
25

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1 Property is in conformity with the General Plan and consistent with the Eight Priority Policies
2 of City Planning Code Section 101.1.

3 **RESOLVED**, That the City Planning Commission, in adopting Resolution No. 14557
4 adopted March 12, 1998 found that under the guidelines of the California Environmental
5 Quality Act, California Administrative Code Section 15308, the Project could not have a
6 significant effect on the environment as shown in the analysis of the Negative Declaration,
7 and affirmed the decision to issue a Negative Declaration as prepared by the Planning
8 Department.
9

10 **RESOLVED**, That the Board of Supervisors has reviewed and considered the
11 Negative Declaration, file number 96.099E, for the proposed construction of a new
12 convention facility known as Moscone Center III, at Lots 18, 35, 36, 37, 38, 68, 69, and 70 in
13 Assessor's Block 3724 and concurs with and adopts as its own and incorporates by reference
14 herein, as though fully set forth, the findings made by the City Planning Commission in its
15 Resolution No. 14557 adopted March 12, 1998, related to the appeal of the Negative
16 Declaration.
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18 **RESOLVED**, That the Property is suitable, adaptable, necessary and required for the
19 public use of the City and County of San Francisco, to wit: The expansion of the Moscone
20 Convention Center. The Project is planned and located in a manner that will be most
21 compatible with the greatest public good and least private injury. Acquisition of fee title in the
22 Property is necessary for the Project.
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24 **RESOLVED**, That the use for which the Property is sought, namely, for the expansion
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BOARD OF SUPERVISORS

1 of the Moscone Convention Center, is a more necessary public use than the use of a portion
2 of Block 3724, Lot 70 by the University of California and the use of a portion of Block 3724,
3 Lot 68 by the State of California Department of Corrections under Section 1240.610 of the
4 California Code of Civil Procedure.

5 **RESOLVED**, That the City has made the offers as required by California Government
6 Code Section 7267.2 to the owners of record of the Property.
7

8 **RESOLVED**, That as provided by Sections 37350.5, 37351, 37352, 37501, and 40404
9 of the California Government Code and Sections 1240.010, 1240.040, and 1240.610 of the
10 California Code of Civil Procedure authorizing the City to acquire the Property by eminent
11 domain, the City Attorney is hereby authorized and directed to commence proceedings in
12 eminent domain against the owners of the Property and any and all interests therein or claims
13 thereto for the condemnation thereof for the public use of the City and County of San
14 Francisco; together with the authorization and direction to file any actions or comply with any
15 legal procedures to obtain an order for immediate possession for all or a portion of the
16 Property in conformity with existing or amended law; and be it
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18 **FURTHER RESOLVED**, That the cost of acquiring the Property shall be paid from
19 Appropriation No. DPW 250073 in an amount not to exceed \$57,000,000
20 unless an additional certification is secured.
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RECOMMENDED:

\$57,000,000 Available

See file for signature

Director
Department of Public Works



Controller

Appropriation No. DPW 250073

See file for signature

Director of Property

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BOARD OF SUPERVISORS

Adopted - Board of Supervisors, San Francisco August 24, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Leno
Medina Newsom Yaki Yee

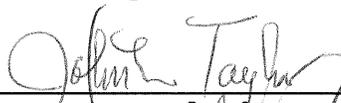
Absent: Supervisor Teng

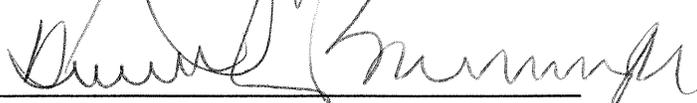
I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

File No.
98-1278

AUG 28 1998

Date Approved


Clerk


Mayor