

File Nos. 110002 Committee Item Nos. 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date January 24, 2011

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Quitclaim Deed from City to SFUSD</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SFUSD Resolution No. 1012-14Sp1</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Department's General Plan Referral Letter, dtd 06/03/08</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>List of Properties to be Quitclaimed</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Quitclaim Deed from SFUSD to City, dtd 02/23/84</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Alisa Somera Date January 21, 2011
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Exchange of Quitclaim Deeds - San Francisco Unified School District]
2

3 **Resolution (1) authorizing and directing execution of a quitclaim deed from the City**
4 **and County of San Francisco to the San Francisco Unified School District, a political**
5 **subdivision of the State of California, for 110 public school properties; (2) authorizing**
6 **and directing the acceptance of a quitclaim deed by the City and County of San**
7 **Francisco from the San Francisco Unified School District for five properties owned in**
8 **fee by the City and County of San Francisco; and (3) adopting findings pursuant to City**
9 **Planning Code Section 101.1.**

10
11 WHEREAS, The City and County of San Francisco (the "City") holds legal title to 110
12 real properties, including both the land and the school facilities thereon (collectively, the
13 "School Properties"), that were acquired, used or dedicated for public school purposes, such
14 properties listed by their block and lot numbers, common names, and street addresses on file
15 with the Clerk of the Board of Supervisors in File No. 110002, which is hereby declared to be
16 a part of this motion as if set forth fully herein; and,

17 WHEREAS, Under State law, the State, acting by and through its political subdivision,
18 the San Francisco Unified School District (the "School District"), is the beneficial owner of the
19 School Properties, and the City, in holding record title, is merely a passive trustee, with a duty
20 to execute and deliver a quitclaim deed of its interest in the School Properties to the School
21 District if requested to do so by the School District; and,

22 WHEREAS, the School District has requested that the City to execute and deliver a
23 quitclaim deed of its interest in the School Properties to the School District; and,

24 WHEREAS, Transfer of legal title to the School Properties may reduce potential liability
25 for the City for such properties; and,

1 WHEREAS, So long as the City continues to hold legal title to the School Properties,
2 the ability of the School District to use such properties to secure financings for necessary
3 capital projects may be limited; and,

4 WHEREAS, the Director of Property has identified certain title issues regarding 5 of the
5 School Properties, identified as Block 2094, Lot 5; Block 5310, Lot 1; Block 6221, Lot 1; Block
6 6221, Lot 2; and Block 7295, Lot 16 (the "Exception Properties"), listed by their block and lot
7 numbers, common names, and street addresses on file with the Clerk of the Board of
8 Supervisors in File No. 110002, which is hereby declared to be a part of this motion as if set
9 forth fully herein, and as such require further investigation by the Director of Property prior to
10 transferring legal title to the School District; and,

11 WHEREAS, The School District in 1984 conveyed by quitclaim deed to the City five
12 parcels (the "City Properties"), which hold the following City facilities: the Richmond Police
13 Station and Arguello Mini Park (Lot 7, Block 1538); the Taraval Police Station (portion of Lot 2,
14 Block 2353); the old Potrero Police Station (portion of Lot 1, Block 4108); Fire Station No. 31
15 (Lot 7, Block 1532); and the former Juvenile Hall at 150 Otis Street (portion of Lot 7, Block
16 3515) ; and,

17 WHEREAS, The 1984 quitclaim deed, which is on file with the Clerk of the Board of
18 Supervisors in File No. 110002, and is hereby declared to be a part of this motion as if set
19 forth fully herein, contains a reversionary interest in the School District's favor that could
20 impair the City's ability to use such properties to secure financings for necessary capital
21 projects or to lease the properties; and,

22 WHEREAS, There is a proposed project for the property at 150 Otis Street, which
23 would include the adaptive rehabilitation of an existing city landmarked, federal historically
24 significant building into service space and 76 studio units (including 1 manager's unit) of
25

1 affordable rental housing of which 75 units will be targeted to homeless veterans (the "150
2 Otis Street Project"); and

3 WHEREAS, By Resolution No. 288-10 approved on June 29, 2010, the Board of
4 Supervisors has already authorized the City to enter into a long term ground lease of 150 Otis
5 Street with 150 Otis Associates, L.P. (the "150 Otis Street Lease") in order to facilitate the
6 development of the 150 Otis Street Project; and,

7 WHEREAS, the School District's reversionary interest in 150 Otis Street could prevent
8 the 150 Otis Street Lease from becoming effective, and in turn could prevent the 150 Otis
9 Street Project from commencing; and,

10 WHEREAS, By Resolution No. 1012-14Sp1 approved on December 14, 2010, which is
11 on file with the Clerk of the Board of Supervisors in File No. 110002, and is hereby declared to
12 be a part of this motion as if set forth fully herein, the San Francisco Board of Education
13 authorized the School District to execute a quitclaim for the City Properties and to accept a
14 quitclaim deed for the School Properties, a copy of which is on file with the Clerk of the Board
15 of Supervisors in File No. 110002 (the "School Quitclaim"); and,

16 WHEREAS, The Director of Property and the School District have agreed upon a form
17 of quitclaim deed for the School Properties which retains certain easement rights for the City,
18 a copy of which is on file with the Clerk of the Board of Supervisors in File No. 110002 (the
19 "City Quitclaim"); and,

20 WHEREAS, Under the circumstances, any interest the City has in the School
21 Properties is of no value to the City and any interest the School District has in the City
22 Properties is of limited value to the School District, and thus it is appropriate to exchange
23 quitclaim deeds for the property interests; and,

1 WHEREAS, The Department of City Planning reported by letter dated June 3, 2008, a
2 copy of which is on file with the Clerk of the Board of Supervisors in File No. 110002, and is
3 hereby declared to be a part of this motion as if set forth fully herein, that the transfer of
4 School Properties from the City to the School District is in conformity with the City's General
5 Plan, is consistent with the Eight Priority Policies of City Planning Code Section 101.1; now,
6 therefore, be it

7 RESOLVED, That the City's Director of Property is hereby authorized and directed to
8 execute the City Quitclaim to the School District for the School Properties (other than the
9 Exception Properties); and, be it

10 FURTHER RESOLVED, That the City's Director of Property is hereby authorized and
11 directed to execute the City Quitclaim to the School District for the Exception Properties,
12 subject to the condition that the Director of Property first determine that all title issues have
13 been resolved and that the School District has the right to legal title to the Exception
14 Properties under State law; and, be it

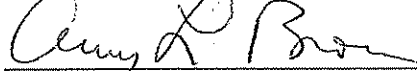
15 FURTHER RESOLVED, that the Director of Property shall exclude from the City
16 Quitclaim any of the Exception Properties or any portion thereof that the Director of Property
17 determines the School District does not have legal title to; and, be it

18 FURTHER RESOLVED, That the Director of Property is hereby authorized and
19 directed to accept the School Quitclaim from the School District for the City Properties; and,
20 be it

21 FURTHER RESOLVED, That the Board hereby adopts as its own and incorporates by
22 reference herein, as though fully set forth, the findings of the Planning Department that
23 transfer of the School Properties is consistent with the Eight Priority Policies of City Planning
24 Code Section 101.1; and, be it
25

1 FURTHER RESOLVED, The Director of Property is hereby authorized and directed to
2 take any and all actions which she or the City Attorney may deem necessary or advisable in
3 order to effectuate the purpose and intent of this Resolution.
4

5 RECOMMENDED:

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7 Amy L. Brown
8 Director of Property

9 RECOMMENDED:

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11 Douglas Shoemaker
12 Director of Mayor's Office of Housing
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Amy L. Brown
Director of Real Estate



December 27, 2010

Exchange of Quitclaim Deeds
San Francisco Unified
School District

Through Edwin M. Lee
City Administrator

Honorable Board of Supervisors
City & County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Dear Board Members:

Enclosed for your consideration is a Resolution authorizing the execution of two quitclaim deeds. The first quitclaim deed is from the City and County of San Francisco to the San Francisco Unified School District for 110 public school properties and the second is from the San Francisco Unified School District (School District) to the City and County of San Francisco (City) for 5 properties owned in fee by the City.

Although the City holds record title to the 110 public school properties, it is merely legal title held in trust for the benefit of the State, acting through the San Francisco Unified School District. The City has identified 5 properties that have certain title issues that must be addressed and will not be immediately transferred until investigated and cleared.

In 1984, the School District conveyed by quitclaim deed to the City five parcels, described as the Richmond Police Station and Arguello Mini Park, the Taraval Police Station, the old Potrero Police Station, Fire Station No. 31 and the former Juvenile Hall at 150 Otis Street. The quitclaim deed contained a reversionary interest in the School District's favor that could impair the City's ability to secure financing for capital projects or to lease them out. On December 14, 2010, the San Francisco Board of Education authorized the School District to execute a quitclaim for the City properties and to accept a quitclaim for the school properties.


RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 DEC 30 PM 3:32
BY _____
AK

In addition to the Resolution, enclosed are:

1. Quitclaim Deed from City to School District for school properties.
2. Quitclaim Deed from School District to City and County of San Francisco for 5 City-owned properties.
3. Copy of San Francisco Board of Education Resolution No. 1012-14Sp1 dated December 14, 2010.
4. City Planning's letter dated June 3, 2008, stating that the proposed transfer of school properties from the City to the School District, is in conformance with the general plan and consistent with the Eight Priority Policies of the Planning Code Section 101.1.
5. List of 5 properties to be quitclaimed when title issues are cleared.
6. Quitclaim Deed from February 23, 1984 from School District to City.

Should you have any questions or need additional information, do not hesitate to call Marta Bayol of our office at 554-9865.

Very truly yours,


Amy L. Brown
Director of Real Estate

cc: Edwin M. Lee, City Administrator

w/ Resolution;
Evan Gross, Deputy City Attorney
Maribel Medina, General Counsel, SFUSD
Douglas Shoemaker, Director, Mayor's Office of Housing

RECORDING REQUESTED BY,
AND WHEN RECORDED RETURN TO:

Real Estate Division
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attn: Director of Property

(Space above this line reserved for Recorder's use only)

(Pursuant to Section 11922 of the California Revenue & Tax Code, this conveyance is exempt from any transfer tax because the grantee contained herein is a political subdivision of the State of California.)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt and adequacy of which are hereby acknowledged, the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation ("**City**"), pursuant to Resolution No. _____, adopted by the Board of Supervisors on _____, and approved by the Mayor on _____, hereby RELEASES, REMISES AND QUITCLAIMS TO the SAN FRANCISCO UNIFIED SCHOOL DISTRICT, a political subdivision of the State of California ("**Grantee**"), any and all right, title and interest City may have in and to all of the real property located in the City and County of San Francisco, State of California, the specific Assessor's Parcel Numbers of which are described on Exhibit A attached hereto and made a part hereof (collectively, the "**Property**").

The above conveyance is subject without limitation to (a) liens of local real estate taxes and assessments, and (b) all existing exceptions and encumbrances, whether or not disclosed by a title report or the public records or any other documents discoverable or reviewed by Grantee, and any other exceptions to title that would be disclosed by an accurate and thorough investigation, survey or inspection of the Property.

Furthermore, City reserves perpetual easement rights over the Property in favor of City, its successors and assigns, for an easement to maintain, repair and replace, without prior consent of Grantee, any utility facilities used or owned by City on, in or under portions of the Property as of the date of execution of this Deed (the "**Easement**"). Such Easement shall include City's right of ingress and egress over the Property for the purposes of exercising its Easement rights.

Furthermore, City shall perform all work required or permitted under this Easement in a manner so as to cause as minimal inconvenience and interference with Grantee and any other users of the Property as is practicable, and only with all necessary or appropriate provisions for the safety and convenience of all persons potentially affected thereby. City shall replace and/or restore any area of Grantee's property (regardless of whether located within or outside the Property) affected by City's work or other acts of City under this Easement.

Furthermore, City, to the fullest extent permitted by law, hereby agrees to indemnify and hold harmless Grantee and Grantee's officers, employees, successors, assigns and agents from and against any and all losses, damages, liabilities, claims, causes of action, penalties, judgments, costs and expenses (collectively, the "**Claims**")

(including, without limitation, reasonable legal fees and disbursements) now or in the future, directly or indirectly, contingent or liquidated, which Grantee may incur and which arise from or relate to (i) the City's repair, maintenance, or replacement of the Property under this Easement; or (ii) any Claims that arise out of, result from or are in any way related to, any damage, injury, loss or any other impact whatsoever that the City's repair, maintenance, or replacement of the Property under this Easement may cause to persons using the Property.

[Signature Page Follows]

Executed as of this _____ day of _____, 2010.

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
Amy L. Brown
Director of Property

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____
Deputy City Attorney

State of California)
) ss
County of San Francisco)

On _____, before me, _____, a notary public
in and for said State, personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A

Legal Description of the Property

	Principal Block-Lot	Property Name	Address
1	0040-002	FRANCISCO MIDDLE SCHOOL	2190 POWELL STREET
2	0072-001	YICK WOO SCHOOL (ELEMENTARY)	2245 JONES STREET
3	0087-028	GARFIELD SCHOOL (ELEMENTARY)	420 FILBERT STREET
4	0092-006	SARAH B. COOPER CHILD DEVELOPMENT CENTER	940 FILBERT STREET
5	01480-08	JEAN PARKER SCHOOL (ELEMENTARY)	840 BROADWAY
6	0186-007	SPRING VALLEY SCHOOL (ELEMENTARY)	1451 JACKSON STREET
7	0192-06	GORDON J. LAU CDC	949 WASHINGTON ST.
8	02110-07	GORDON J. LAU ELEMENTARY SCHOOL	950 CLAY ST
9	0468A-001	MARINA JR. HIGH SCHOOL	3500 FILLMORE STREET
10	0509-003	YERBA BUENA CULTURAL COLLEGE CENTER	2110 GREENWICH STREET
11	0668-001	REDDING SCHOOL (ELEMENTARY)	1421 PINE STREET
12	0705-001	BENJAMIN FRANKLIN JR. HIGH SCHOOL	1430 SCOTT STREET
13	0723-042	ROSA PARKS ELEMENTARY SCHOOL	1501 O'FARRELL STREET
14	0753-026	GOLDEN GATE SCHOOL (ELEMENTARY)	1601 TURK STREET
15	0758-027	LAGUNA GOLDEN GATE CHILD CARE CENTER, PRE-K SCHOOL	1015 LAGUNA STREET
16	0763-010	TENDERLOIN COMMUNITY SCHOOL	657 TURK ST
17	0841-010	JOHN MUIR SCHOOL (ELEMENTARY)	380 WEBSTER STREET
18	0853-020	BESSIE L. SMITH CHILD CARE CENTER	95 GOUGH STREET

19	0853-020	BESSIE L. SMITH CHILD CARE CENTER/ PRE-KINDERGARTEN SCHOOL	95 GOUGH STREET
20	0920-004	CLAIRE LILIENTHAL (K-2) ALTERNATIVE SCHOOL	3630 DIVISADERO STREET
21	1014-011	CLAIRE LILIENTHAL K-8	3950 SACRAMENTO STREET
22	1061-049	ROOSEVELT MIDDLE HIGH SCHOOL	460 ARGUELLO BOULEVARD
23	1067-001A	GEARY CHILD CARE CENTER	20 COOK STREET
24	1105-001	RAUL WALLENBERG HIGH SCHOOL	40 VEGA STREET
25	1194-010	NEW TRADITION ALTERNATIVE SCHOOL (ELEM.)	2049 GROVE STREET
26	1236-025	FLORENCE MARTIN CHILD CARE CENTER	1155 PAGE STREET
27	1281-013	GRATTAN SCHOOL (ELEMENTARY)	165 GRATTAN STREET
28	1574-001	GEORGE WASHINGTON SR. HIGH SCHOOL	600 32ND AVENUE
29	1579-001	LAFAYETTE SCHOOL (ELEM.)	4545 ANZA STREET
30	1620-027	CABRILLO SCHOOL (ELEMENTARY)	735 24TH AVENUE
31	1627-012	ARGONNE SCHOOL (ELEMENTARY)	675 17TH AVENUE
32	1658-007	ARGONNE NURSERY	750 16TH AVENUE
33	1888-001	FRANCIS SCOTT KEY SCHOOL (ELEMENTARY)	1530 43RD AVENUE
34	2005-002	INDEPENDENCE HIGH SCHOOL	1775 44TH AVENUE
35	2094-001	A.P. GIANNINI JR. HIGH SCHOOL	3151 ORTEGA STREET
36	2154-001	R.L. STEVENSON SCHOOL (ELEMENTARY)	2051 34TH AVENUE
37	2193-001	ABRAHAM LINCOLN SR. HIGH SCHOOL (ANNEX)	24TH AVE & QUINTARA
38	2194-001	ABRAHAM LINCOLN SR. HIGH SCHOOL	2162 24TH AVE

39	2370-074	JAPANESE BILINGUAL - BICULTURAL PROGRAM - WEST (JBBP)	3045 SANTIAGO STREET
40	2455-001	ULLOA SCHOOL (ELEMENTARY)	2650 42ND AVENUE
41	2612-001	MCKINLEY SCHOOL (ELEMENTARY)	126 CASTRO STREET
42	2684-011	CLARENDON ALTERNATIVE ELEMENTARY SCHOOL	500 CLARENDON AVENUE
43	2697-001	HARVEY MILK CIVIL RIGHTS ACADEMY	4235 19TH STREET
44	2756-007	ROOFTOP ALTERNATIVE K-4 SCHOOL	445 BURNETT AVENUE
45	2773-001D	ALVARADO SCHOOL (ELEMENTARY)	625 DOUGLASS STREET
46	2955B-001	MIRALOMA SCHOOL (ELEMENTARY)	175 OMAR WAY
47	2979-014	WEST PORTAL SCHOOL (ELEMENTARY)	5 LENOX WAY
48	3121-019	SUNNYSIDE SCHOOL (ELEMENTARY)	250 FORESTER STREET
49	3256-001	COMMODORE SLOAT SCHOOL (ELEMENTARY)	201 JUNIPERO SERRA
50	3266A-001	APTOS JR. HIGH SCHOOL	105 APTOS AVENUE
51	3565-001	SANCHEZ SCHOOL (ELEMENTARY)	325 SANCHEZ STREET
52	3565-001	EVERETT JUNIOR HIGH SCHOOL	450 CHURCH STREET
53	3579-006	MISSION SENIOR HIGH SCHOOL	3750 18TH STREET
54	3593-040	LAS AMERICAS CHILDREN'S CENTER	3250 20TH STREET
55	3593-040	JOHN O'CONNELL ALTERNATIVE HIGH SCHOOL	2355 Folsom St
56	3613-001	GEORGE R. MOSCONE ELEMENTARY SCHOOL	2576 HARRISON STREET
57	3620-076	THERESA S MAHLER CDC	990 CHURCH STREET
58	3630-001	EDISON SCHOOL (ELEMENTARY)	3531 22ND STREET

59	3638-004	CESAR CHAVEZ ELEMENTARY SCHOOL	825 SHOTWELL STREET
60	3643-034	HORACE MANN JR. HIGH SCHOOL	3351 23RD STREET
61	3752-012	FILIPINO EDUCATION CENTER	824 HARRISON STREET
62	4029-009	INTERNATIONAL STUDIES ACADEMY	693 VERMONT STREET
63	4032-001	ENOLA D. MAXWELL MIDDLE SCHOOL	655 DE HARO STREET
64	4066-006	DANIEL WEBSTER SCHOOL (ELEMENTARY)	465 MISSOURI STREET
65	4219-054	STARR KING SCHOOL (ELEMENTARY)	1215 CAROLINA STREET
66	4277-002	MISSION EDUCATION CENTER	2641 25TH STREET
67	4287-007	POTRERO NURSERY	1101 CONNECTICUT STREET
68	4700-008	HUNTERS PT COMM. YOUTH FOUNDATION	200 MIDDLE POINT ROAD
69	4700-008	HUNTERS PT COMM. YOUTH (EAST)	200 MIDDLE PT. ROAD
70	4700-008	HUNTERS PT COMM. YOUTH (WEST)	200 MIDDLE PT. ROAD
71	470-0071	MALCOLM X ACADEMY	MIDDLE POINT & HARE
72	4713-005	GLORIA R. DAVIS MIDDLE SCHOOL	LA SALLE & NEWCOMB
73	4715-003	GEORGE WASHINGTON CARVER ELEMENTARY	2251' SE OF OAKDALE & KEITH ST
74	4944-001	BRET HARTE SCHOOL (ELEMENTARY)	1035 GILMAN AVENUE
75	5346-005	TWENTY-FIRST CENTURY ACADEMY	2055 SILVER AVENUE
76	5351-001	THURGOOD MARSHALL ACADEMIC HIGH SCHOOL	45 CONKLING STREET
77	5356-001	DR. CHARLES R. DREW SCHOOL (ELEMENTARY)	50 POMONA STREET
78	5503-001	LEONARD R. FLYNN ELEMENTARY SCHOOL	3125 CESAR CHAVEZ STREET
79	5588A-001	MAINTENANCE AND OPERATIONS	834 TOLAND STREET
80	5702-003	PAUL REVERE SCHOOL (ELEMENTARY)	555 TOMPKINS STREET

81	5718-001	JUNIPERO SERRA SCHOOL (ELEMENTARY)	625 HOLLY PARK CIRCLE
82	5728-001	PAUL REVERE SCHOOL ANNEX	610 TOMPKINS STREET
83	5911-004	HILLCREST SCHOOL (ELEMENTARY)	810 SILVER AVENUE
84	5983-003	MARTIN LUTHER KING JR. HIGH SCHOOL	350 GIRARD STREET
85	5985-001	E.R. TAYLOR SCHOOL (ELEMENTARY)	423 BURROWS STREET
86	6010-024	MONROE SCHOOL (ELEMENTARY)	260 MADRID STREET
87	6071-002	LUTHER BURBANK JR. HIGH SCHOOL	325 LA GRANDE AVENUE
88	60750-03	CLEVELAND SCHOOL (ELEMENTARY)	455 ATHENS
89	6126-016	PHILLIP AND SALA BURTON ACADEMIC HIGH SCHOOL	400 MANSELL ST.
90	6163-040	EL DORADO SCHOOL (ELEM)	70 DELTA STREET
91	6254-001	VISITACION VALLEY SCHOOL (ELEMENTARY)	55 SCHWERIN STREET
92	6316-002	JOHN MCLAREN CHILD CARE CENTER	2055 SUNNYDALE AVENUE
93	6440-001	GUADALUPE SCHOOL (ELEMENTARY)	859 PRAGUE STREET
94	6474-001	LONGFELLOW SCHOOL (ELEMENTARY)	755 MORSE STREET
95	6529-004	MISSION NURSERY	2950 MISSION STREET
96	6547-001	JAMES LICK JR. HIGH SCHOOL	1220 NOE STREET
97	6640-001	BUENA VISTA ALTERNATIVE ELEMENTARY SCHOOL	1670 NOE STREET
98	6657-008	FAIRMOUNT SCHOOL (ELEM.)	65 CHENERY ST.
99	6757-002	GLEN PARK SCHOOL (ELEMENTARY)	151 LIPPARD AVENUE
100	6958A-001	BALBOA SR. HIGH SCHOOL	1000 CAYUGA AVENUE

101	6961-001	JAMES DENMAN JR. HIGH SCHOOL	241 ONEIDA
102	6962-001	SAN MIGUEL CHILD CARE CENTER	300 SENECA AVENUE
103	7105-001	SHERIDAN SCHOOL (ELEM)	431 CAPITOL AVENUE
104	7298-005	LAKESHORE SCHOOL (ELEMENTARY)	220 MIDDLEFIELD DRIVE
105	7298-005	LOWELL HIGH SCHOOL	1101 EUCALYPTUS DR.

(Per Board Policy 120, Section 9.4, the Board may suspend its Rules in order to consider action to this resolution at First Reading)

First Reading

**San Francisco Unified School District
San Francisco, California**

Superintendent's Proposal

Subject: Resolution No. 1012-14Sp1

Resolution Authorizing the Exchange of Quitclaim Deeds between the San Francisco Unified School District and the City and County of San Francisco

WHEREAS: The City and County of San Francisco (the "City") holds legal title to 110 real properties, including both the land and the school facilities thereon, collectively (the "School Properties") that were acquired, used or dedicated for public school purposes, such properties listed by their block and lot numbers, common names, and street addresses attached as Exhibit A which; and

WHEREAS: Under State law, the State, acting by and through its political subdivision, the San Francisco Unified School District (the "School District"), is the beneficial owner of the School Properties, and the City, in holding record title, is merely a passive trustee, with a duty to execute and deliver a quitclaim deed of its interest in the School Properties to the School District; and

WHEREAS: The School District has requested that the City execute and deliver a quitclaim deed of its interest in the School Properties to the School District; and

WHEREAS: So long as the City continues to hold legal title to the School Properties, the ability of the School District to use such properties to secure financings for necessary capital projects may be limited; and

WHEREAS: The City's Director of Property has identified certain title issues regarding 5 of the School Properties, identified as Block 2094, Lot 5; Block 5310, Lot 1; Block 6221, Lot 1; Block 6221, Lot 2; and Block 7295, Lot 16 (the "Exception Properties"), and as such require further investigation by the Director of Property prior to transferring legal title to the School District; and

WHEREAS: The School District in 1984 conveyed by quitclaim deed to the City five parcels (the "City Properties"), which hold the following City facilities: the Richmond Police Station; the Taraval Police Station; the old Potrero Police Station; Fire Station No. 31; and the former Juvenile Hall at 150 Otis; and

Subject: Resolution No. 1012-14Sp1

Resolution Authorizing the Exchange of Quitclaim Deeds Between the San Francisco Unified School District and the City and County of San Francisco

Page 2

WHEREAS: The 1984 quitclaim deed, which is on file with the Clerk of the Board of Supervisors is hereby declared to be a part of this motion as if set forth fully herein, contains a reversionary interest in the School District's favor that could impair the City's ability to use such properties to secure financings for necessary capital projects or to lease the properties; and

WHEREAS: Contingent upon the San Francisco Board of Supervisors authorizing the City to execute quitclaim deeds for the public school properties identified in Exhibit A; and

WHEREAS: The City's Director of Property and the School District have agreed upon a form of quitclaim deed for the School Properties which retains certain easement rights for the City; and

WHEREAS: Under the circumstances, any interest the City has in the School Properties is of limited value to the City and any interest the School District has in the City Properties is of limited value to the School District, it is appropriate to exchange quitclaim deeds for the property interests.

THEREFORE BE IT RESOLVED: That the Superintendent is hereby authorized and directed to execute a quitclaim deed to the City for the City Properties; and

FURTHER BE IT RESOLVED: That the Superintendent is hereby authorized and directed to accept a quitclaim deed from the City for the School District Properties; and

BE IT FURTHER RESOLVED: That the Superintendent is hereby authorized and directed to take any and all actions which he or the SFUSD General Counsel may deem necessary or advisable in order to effectuate the purpose and intent of this Resolution.

Superintendent's Proposal
1012-14Sp1

12/14/10



SAN FRANCISCO PLANNING DEPARTMENT

June 3, 2008

Amy Brown, Director
Real Estate Division
25 Van Ness Avenue, #400
San Francisco, CA 94102

RECEIVED *JA*
JUN 10 2008 *6/12/08*
REAL ESTATE DIV.

RE: Case No. 2008.0233R
Transfer of Approximately 110 Public Schools from City & County of San
Francisco to the San Francisco Unified School District

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Director Brown,

We are responding to your request for a General Plan Referral for the transfer of real property from the City and County of San Francisco to the San Francisco Unified School District. The properties in question consist of approximately 110 public school properties throughout the City.

The General Plan Referral is conducted pursuant to San Francisco Charter § 4.105 and § 2A.53 of the Administrative Code. We find the proposed project to be, on balance, in conformity with the General Plan as described in the attached Case Report.

Various individual school properties have been transferred over time from the City to the School District. The approximately 110 school properties that are the subject of this transfer represent the entire inventory of schools for which the City still holds title. One reason the City is transferring the properties is to reduce any potential legal liability the City may have from holding title to the school properties, though it has not jurisdictional authority over them.

Although the City holds record title to these properties, it is only legal title held in trust for the benefit of the State, acting through the San Francisco Unified School District. In general, the City itself does not have any property rights to school properties, and its control or influence over school properties would not be affected by the transfer. City Attorney Opinion 81-3 (and summarized in the attached memo dated March 17, 1993) lays out the principles by which the City's rights to individual school properties are evaluated. The three primary areas of analysis include: (a) acquisition of the property; (b) use of the property; and (c) dedication of the property for school purposes. Generally, any property that was acquired, used, and dedicated for school use falls under the jurisdiction of the School District and the City does not have any rights to it. However, depending on the facts of the transactional history of any one property, the City may, in fact, maintain property rights if that property was conveyed by the City to the School

District with specific provisions or covenants in place that retained the City's rights under certain conditions.

Since such an individual historical analysis and legal opinion for each of the subject 110 properties does not accompany this application and General Plan review, this General Plan referral only pertains to the transfers of properties which are assumed to be under the jurisdiction of the School District and to which the City is not now or later, after further research, deemed to retain any property rights. Any property, including those deemed surplus for school uses, for which it is revealed after further legal research that the City does maintain some property rights, must be subject to a new, individual General Plan review and this finding of General Plan conformity does not apply.

Environmental Review

The project is exempt under §15060(c)(2).

Planning Code Section 101.1 Priority Policies

The project has been reviewed for consistency with the Eight Priority Policies of the Planning Code Section 101.1 and the findings are attached.

Sincerely,



John Rahaim
Director of Planning

Attachments: Case Report including General Plan Referral Findings
Planning Code Section 101.1 Priority Policies Findings
City Attorney Memo Dated March 17, 1993
List of School Properties Proposed for Transfer

Cc: Joshua Switzky

I:\Citywide\General Plan\General Plan Referrals\2008\2008.0233R Property Transfer of 110 Schools from City to SFUSD.doc

Case Number: 2008.0233R

Assessor's Block/Lot number: Various

Location, Description: Transfer of 110 Schools from City & County of SF to SFUSD

Staff reviewer: Joshua Switzky

Date: 6/2/2008

GENERAL PLAN POLICY FINDINGS

Note: General Plan Objectives are in **BOLD CAPS**, and Policies are in **bold font**, General Plan text is in regular font, and staff comments are in *italic font*.

Community Facilities Element

OBJECTIVE 8

ASSURE THAT PUBLIC SCHOOL FACILITIES ARE DISTRIBUTED AND LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

POLICY 8.1

Provide public school facilities for education in accordance with the need for such facilities as defined by the Unified School District and Community College District. Locate such facilities according to the Public School Facilities Plan and, wherever possible, make available for community use.

The transfer of the school properties from CCSF to SFUSD maintains the use of these properties for school use and puts their responsibility directly under the School District, which manages and operates the educational facilities. The schools are distributed throughout the City. The transfer does not affect the distribution of the facilities.

PLANNING CODE SECTION 101.1 PRIORITY POLICIES FINDINGS

The following Priority Policies are hereby established. They shall be included in the preamble to the General Plan and shall be the basis upon which inconsistencies in the General Plan are resolved:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

Proposal is not in conflict with this policy.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

Proposal is not in conflict with this policy.

3. That the City's supply of affordable housing be preserved and enhanced;

Proposal is not in conflict with this policy.

4. That commuter traffic not impede Muni transit services or overburden our streets or neighborhood parking;

Proposal is not in conflict with this policy.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

Proposal is not in conflict with this policy.

6. That the City achieve the greatest possible preparedness to protect against injury and the loss of life in an earthquake.

Proposal is not in conflict with this policy.

7. That landmarks and historic buildings be preserved; and

Proposal is not in conflict with this policy.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

Proposal is not in conflict with this policy.

After Recording Mail to:

DOCUMENT NO. 201

RECORDED AT REQUEST OF

BY 217/MIN/PAST/7/84

Real Estate Department
City & County of San Francisco
450 McAllister St., Room 600
San Francisco, CA 94102

1465862

FEB 23 1984

DOCUMENTARY TRANSFER TAX \$ 0
 COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR
 COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES
REMAINING THEREON, AT TIME OF SALE
Kevin D. Blum
Signature of declarant or agent determining tax - firm name

QUITCLAIM DEED

City & County of San Francisco, Calif.

RECORDER

OFFICIAL
INC

The San Francisco Unified School District, a political subdivision of the State of California, pursuant to Resolution No. 310-25 Spl, adopted as amended by its Board of Education and approved by the Superintendent of Schools on November 22, 1983, hereby remises, releases, and quitclaims to the City and County of San Francisco, a municipal corporation, the following described real property in the City and County of San Francisco, State of California, designated as parcels one (1) through five (5) and more fully described in Exhibit "A", attached hereto and by this reference made a part hereof.

Provided, however, that this Quitclaim Deed is made and accepted, and the real property described herein is conveyed, subject to the express conditions that the parcels described herein are to remain in the possession and control of grantee under the jurisdiction of one of its offices, departments or commissions; and are to be used for the health, comfort or welfare of the public or to otherwise carry out the governmental functions and operations of the grantee; and it is further provided that if any parcel of the real property conveyed hereby shall cease to be used for said purposes, the interest in said parcel which is conveyed hereby shall revert to the grantor.

REVERSION

IN WITNESS WHEREOF, this conveyance is executed this 23rd day of February, 1984.

APPROVED AS TO FORM:

Corrine Lee
Legal Advisor 2.23.84

SAN FRANCISCO UNIFIED SCHOOL DISTRICT

By [Signature]

DESCRIPTIONS CHECKED AND APPROVED

BY [Signature]

[Signature]
HELEN M. DEAR
NOTARY PUBLIC - CALIFORNIA
San Francisco County
My Commission Expires January 3, 1985

Parcel 1

Beginning at a point on the westerly line of 6th Avenue distant thereon 225 feet northerly from the northerly line of Anza Street, formerly A Street, and thence running northerly along said line of 6th Avenue 150 feet; thence at a right angle westerly 240 feet to the easterly line of 7th Avenue; thence at a right angle southerly along said line of 7th Avenue 150 feet; thence at a right angle easterly 240 feet to said westerly line of 6th Avenue and the point of beginning.

Being a portion of Richmond Block 278.

Being also Lot 7 in Assessor's Block 1538.

BOOK **D645** PAGE **202**

Containing 36,000 square feet, more or less.

Parcel 2

Beginning at a point on the westerly line of 24th Avenue distant thereon 225 feet northerly from the northerly line of Taraval Street, formerly T Street, and thence running northerly along said line of 24th Avenue 150 feet; thence at a right angle westerly 130 feet; thence at a right angle southerly 150 feet; thence at a right angle easterly 130 feet to said line of 24th Avenue and the point of beginning.

Being a portion of Sunset Block 1126.

Being also a portion of Lot 2 in Assessor's Block 2352.

Containing 19,500 square feet, more or less.

Parcel 3

Beginning at the point of intersection of the easterly prolongation of the southerly line of 20th Street with the former westerly line of Third Street, formerly Kentucky Street, as said former westerly line existed prior to the widening of Third Street where shown on that certain map entitled "Map Showing the Widening of Third Street From Fourth Street to Custer Ave.", recorded January 20, 1944 in Map Book "O" at pages 94 to 98, inclusive, in the office of the Recorder of the City and County of San Francisco, State of California, and thence running westerly along said easterly prolongation of the southerly line of 20th Street and said line of 20th Street 100 feet; thence at a right angle southerly 150 feet; thence at right angle easterly 100 feet to said former line of Third Street; thence at a right angle northerly along said former line of Third Street 150 feet to the point of beginning.

Being a portion of New Potrero Block 391.

Being also a portion of Lot 1 in Assessor's Block 4108.

Containing 15,000 square feet, more or less.

Parcel 4

Beginning at a point on the westerly line of 12th Avenue distant thereon 225 feet southerly from the southerly line of Geary Boulevard, and thence running southerly along said line of 12th Avenue 51 feet; thence at a right angle westerly 160 feet; thence at a right angle northerly 1.198

EXHIBIT "A"

Potrero
Parcel
391

Parcel 4 cont.

feet; thence at a right angle westerly 80 feet to the easterly line of
Furston Avenue; thence at a right angle northerly along said line of
Furston Avenue 49.802 feet; thence at a right angle easterly 240 feet
to said line of 12th Avenue and the point of beginning.

Being a portion of Richmond Block 272.

Being also Lot 7 in Assessor's Block 1532.

Containing 12,144 square feet, more or less.

BOOK 0645 PAGE 203

Parcel 5

Beginning at a point on the westerly line of Otis Street distant thereon
206.25 feet northerly from the northerly line of Duboce Avenue, and thence
running northerly along said line of Otis Street 137.50 feet; thence at
a right angle westerly 137.50 feet; thence at a right angle southerly
137.50 feet; thence at a right angle easterly 137.50 feet to said line
of Otis Street and the point of beginning.

Being a portion of Mission Block 21.

Being also a portion of Lot 7 in Assessor's Block 3513.

Containing 18,906 square feet, more or less.

**CITY PROPERTIES UTILIZED BY SFUSD
WITHHELD FROM IMMEDIATE TRANSFER**

APN 2094-005
Sunset Elementary School
1920-41st Avenue

APN 5310-001
Facilities Management Office
1551 Newcomb Avenue

APN 6221-001
Visitation Valley Jr. High School
450 Raymond Avenue

APN 6221-002
Candlestick Cove Child Care Center
500 Raymond Avenue

APN 7295-016
Lakeside School
25th Avenue and Eucalyptus Drive