

1 [Agreement to Purchase Lots 25 & 26 in Assessor Block 6188]
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3 **Resolution approving and authorizing an agreement for the purchase of real**
4 **property located on Alberta Street in Visitacion Valley, to retain as public open space**
5 **for a purchase price of \$240,000; adopting findings that the conveyance is exempt**
6 **from Environmental Review and is consistent with the City's General Plan and Eight**
7 **Priority Policies of City Planning Code Section 101.1; and authorizing the Director of**
8 **Property to execute documents, make certain modifications and take certain actions**
9 **in furtherance of this resolution.**
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11 WHEREAS, the Recreation and Park Commission pursuant to Resolution No. 0111-
12 003, has authorized the purchase of two vacant, residential lots adjacent to McLaren Park,
13 located on Alberta Street in Visitacion Valley in the City of San Francisco and identified as
14 Lots 25 & 26 in Assessor Block 6188 (the "Property") to preserve as open space for
15 \$240,000; and,
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17 WHEREAS, A copy of the Agreement of Purchase and Sale of Real Estate (the
18 "Purchase Agreement") between the City, as Buyer, and Seller, is on file with the Clerk of
19 the Board of Supervisors under File No. _____; and,
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21 WHEREAS, the Purchase Agreement provides for the conveyance of the Property to
22 City, subject to the satisfaction of certain conditions, including the payment of a purchase
23 price of \$240,000; and,
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25 WHEREAS, The Director of Property has determined, based on an independent MAI
appraisal, that the purchase price reflects the fair market value of the Property; and,
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1 WHEREAS, the Director of Planning, by letter dated September 10, 2001, found that
2 the conveyance of the Property contemplated by the Purchase Agreement, is consistent
3 with the City's General Plan, and with the Eight Priority Policies of City Planning Code
4 Section 101.1, and is exempt from Environmental Review, which letter is on file with the
5 Clerk of the Board of Supervisors under File No. _____, and which letter is
6 incorporated herein by this reference; now, therefore, be it

7 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
8 hereby finds that the Purchase Agreement is consistent with the General Plan, and with the
9 Eight Priority Policies of City Planning Code Section 101.1 and is exempt from
10 Environmental Review for the same reasons as set forth in the letter of the Director of
11 Planning, dated September 10, 2001, and hereby incorporates such findings by reference
12 as though fully set forth in this resolution; and, be it

13 FURTHER RESOLVED, That in accordance with the recommendations of the
14 General Manager of the Recreation and Park Department, the Recreation and Park
15 Commission and the Director of Property, the Board of Supervisors hereby approves the
16 Purchase Agreement and the transaction contemplated thereby in substantially the form of
17 such agreement presented to this Board; and, be it

18 FURTHER RESOLVED, That in consideration of the conveyance of the Property the
19 City shall pay to the Seller a purchase price of \$240,000, upon the closing of the
20 conveyance of the Property to the Buyer; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
22 Property to enter into any additions, amendments or other modifications to the Purchase
23 Agreement (including, without limitation, the attached exhibits) that the Director of Property
24 determines are in the best interests of the City, that do not increase the purchase price for
25 the Property or otherwise materially increase the obligations or liabilities of the City, and are

1 necessary or advisable to complete the transaction contemplated in the Purchase
2 Agreement and effectuate the purpose and intent of this resolution, such determination to
3 be conclusively evidenced by the execution and delivery by the Director of Property of the
4 Purchase Agreement and any amendments thereto; and, be it

5 FURTHER RESOLVED, That the Director of Property is hereby authorized and
6 urged, in the name and on behalf of the City and County, to accept the deed to the Property
7 from the Seller upon the closing in accordance with the terms and conditions of the
8 Purchase Agreement, and to take any and all steps (including, but not limited to, the
9 execution and delivery of any and all certificates, agreements, notices, consents, escrow
10 instructions, closing documents and other instruments or documents) as the Director of
11 Property deems necessary or appropriate in order to consummate the conveyance of the
12 Property pursuant to the Purchase Agreement, or to otherwise effectuate the purpose and
13 intent of this resolution, such determination to be conclusively evidenced by the execution
14 and delivery by the Director of Property of any such documents.

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RECOMMENDED:

FUNDS AVAILABLE:
REC00NPBND01

Director of Property

Controller

\$247,500 (inc. Escrow & Title Fees)

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