

1 [Settlement of Lawsuit]

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3 **Ordinance approving settlement of litigation brought by the San Francisco Bay Area**  
4 **Transit District against City and County of San Francisco in the eminent domain action**  
5 **entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et**  
6 **al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total**  
7 **value of \$2,750,000.**

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The City Attorney is hereby authorized to settle with San Francisco Bay  
10 Area Transit District ("BART") for the taking of the City's property in the eminent domain action  
11 entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al.,  
12 Alameda County Superior Court No. HG03-099024, by accepting payment to the City of  
13 \$2,750,000.00, plus interest. This settlement has been approved by the Public Utilities  
14 Commission, which adopted Resolution 05-0074 on April 26, 2005.

15 Section 2. The plaintiff filed its eminent domain action entitled San Francisco Bay Area  
16 Transit District v. City and County of San Francisco, et al. in Alameda County Superior Court  
17 on July 7, 2003.

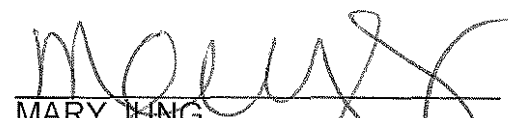
18  
19 APPROVED AS TO FORM:

APPROVED: Public Utilities Commission

20 DENNIS J. HERRERA, City Attorney

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22  
23 By:

  
KRISTEN A. JENSEN  
Deputy City Attorney

  
MARY JUNG  
Commission Secretary



# City and County of San Francisco

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

## Tails Ordinance

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**File Number:** 051350

**Date Passed:**

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of \$2,750,000.

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August 16, 2005 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,  
McGoldrick, Mirkarimi, Peskin, Sandoval

September 6, 2005 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval  
Excused: 3 - Alioto-Pier, Daly, McGoldrick

File No. 051350

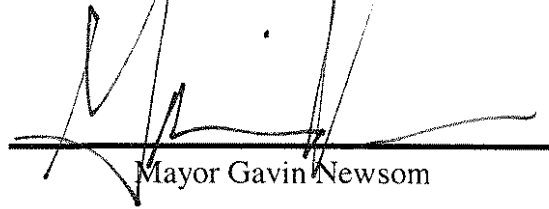
I hereby certify that the foregoing Ordinance was FINALLY PASSED on September 6, 2005 by the Board of Supervisors of the City and County of San Francisco.

09/09/05

Date Approved



Gloria L. Young  
Clerk of the Board



Mayor Gavin Newsom