

1 [Sale of Surplus Property - 909 Tennessee - \$1,310,000]

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3 **Resolution approving the sale of an improved surplus property located at 909**
4 **Tennessee, within Lot 001, Block 4108, City and County of San Francisco, for a**
5 **purchase price of \$1,310,000; adopting findings pursuant to the California**
6 **Environmental Quality Act; adopting findings that the conveyance is consistent with**
7 **the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1;**
8 **and authorizing the Director of Property to execute documents, make certain**
9 **modifications and take certain actions in furtherance of this Resolution.**

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11 WHEREAS, The City and County of San Francisco owns an "L" shaped parcel of real
12 property located at the corner of 20th Street and Third Street and extending from Third Street
13 to Tennessee Street, commonly known as Assessor's Block 4108, Lot 001; and,

14 WHEREAS, The 50 foot by 100 foot portion of such parcel that fronts Tennessee
15 Street, commonly known as 909 Tennessee Street (the "Subject Property"), which is not a
16 separate legal parcel, is under the jurisdiction of the San Francisco Fire Department; and,

17 WHEREAS, The Subject Property is improved with an unreinforced masonry building
18 that is used currently only for storage, and would require extensive improvements for further
19 use; and,

20 WHEREAS, The Fire Commission has by Fire Commission Resolution No. 2010-05,
21 approved 5-0 on August 26, 2010, a copy of which is on file with the Clerk of the Board of
22 Supervisors in File No. _____ declared the Subject Property to be surplus and
23 requested that the Subject Property be sold at a public sale; and,

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1 WHEREAS, the Fire Department budget as shown in the adopted AAO for Fiscal Year
2 2010-2011 reflected anticipated revenue of \$725,000 from the sale of the Subject Property;
3 and,

4 WHEREAS, In accordance with the Fire Commission Resolution sealed bids were
5 received at a public bid opening on November 23, 2010 and the Director of Property
6 recommends acceptance of the highest bid, a bid price of \$1,310,000 in accordance with the
7 terms and conditions of the Agreement of Sale of Real Estate (the "Agreement"), a copy of
8 which is on file with the Clerk of the Board of Supervisors in File No. _____; and,

9 WHEREAS, The Director of Planning, by letter dated July 27, 2010, found that the
10 sale of the Subject Property is categorically exempt from environmental review pursuant to
11 CEQA guidelines and is consistent with the City's General Plan and the Eight Priority Policies
12 of City Planning Code Section 101.1, which letter is on file with the Clerk of the Board of
13 Supervisors in File No. _____, and which letter is incorporated herein by this reference;
14 now, therefore, be it

15 RESOLVED, That the Board of Supervisors hereby adopts the findings set forth in the
16 letter of the Director of Planning, dated July 27, 2010, that the sale of the Subject Property is
17 categorically exempt from environmental review pursuant to CEQA guidelines and is
18 consistent with the City's General Plan and the Eight Priority Policies of City Planning Code
19 Section 101.1 for the same reasons as set forth in the letter of the Director of Planning, and
20 hereby incorporates such findings by reference as though fully set forth in this resolution; and,
21 be it

22 FURTHER RESOLVED, That the Board of Supervisors hereby approves the
23 Agreement and the transaction contemplated thereby and authorizes the Director of Property
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1 to enter into any additions, amendments or other modifications to the Agreement (including,
2 without limitation, the attached exhibits) that the Director of Property, in consultation with the
3 City Attorney, determines are in the best interest of the City, do not decrease the sales price
4 for the Subject Property or otherwise materially increase the obligations or liabilities of the
5 City, and are necessary or advisable to complete the transaction contemplated in the
6 Agreement and effectuate the purpose and intent of this Resolution, such determination to be
7 conclusively evidenced by the execution and delivery by the Director of Property of the
8 Agreement and any amendments thereto; and, be it

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

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20 RECOMMENDED:

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22 _____
23 Amy Brown
24 Director of Property

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