

1 [Real Property Lease Amendment]

2 **AUTHORIZING AN EXTENSION AND MODIFICATION OF AN EXISTING LEASE OF**
3 **REAL PROPERTY AT TWENTY THIRD AND ILLINOIS STREETS FOR THE PUBLIC**
4 **TRANSPORTATION COMMISSION, MUNICIPAL RAILWAY .**

5
6 RESOLVED, That in accordance with the recommendation of the General Manager of
7 the Municipal Railway, the City Administrator, and the Director of Property; the Mayor, the Clerk of
8 the Board of Supervisors, and the Director of Property are hereby authorized to execute a written lease
9 extension and modification with Harrigan, Weidenmuller, as Landlord; for approximately 84,000
10 square feet of land and warehouse space at 23rd & Illinois Streets,
11 San Francisco, California, being a portion of Lot 10 of Assessor's Block 4232, on the terms and
12 conditions contained herein and on a form approved by the City Attorney; and, be it

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14 FURTHER RESOLVED, That the term of this lease extension shall be extended from
15 July 1, 1999 and continue until June 30, 2002, unless funds for rental payments are not appropriated in
16 any subsequent City fiscal year, at which time the City may terminate the lease with advance notice to
17 the Landlord.

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19 FURTHER RESOLVED, That the rent for the premises shall be \$31,800 per month
20 (\$.38 per square foot per month) over the entire extended term, without any CPI or other increases,
21 and, be it

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23 FURTHER RESOLVED, That the Landlord and Tenant shall have the right to terminate
24 this lease with NINETY (90) Days written notice to the other party, provided however, that such notice
25 shall not be given prior to February 1, 2000, and, be it

1 FURTHER RESOLVED, That the Landlord, at Landlord's sole cost and expense, shall
2 install new iron fencing, improve area lighting, and repair and maintain the roof and structural aspects
3 of the building. Tenant shall maintain new fencing, replace broken windows, and clean exterior graffiti.
4 Additionally, Tenant shall maintain interior building sprinkler and electrical systems, and, be it
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6 FURTHER RESOLVED, That the lease amendment shall include an appropriate clause
7 (in a form approved by the Director of Property and the City Attorney and contained in the original
8 lease.) pursuant to which the City shall indemnify, defend and hold harmless ("Indemnify") Landlord
9 and its Agents from and against any and all claims, costs and expenses, including, without limitation,
10 reasonable attorneys' fees, (collectively "Claims"), incurred as a result of (a) City's use of the premises,
11 (b) any default by the City in the performance of any of its obligations under this lease, or (c) any
12 negligent acts or omissions of City or its Agents, in or about the premises or the property; provided,
13 however, City shall not be obligated to Indemnify Landlord or its Agents to the extent any Claim arises
14 out of the active negligence or willful misconduct of Landlord or its Agents. City's obligations under
15 this Section shall survive the termination of this lease, and be it
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17 **RECOMMENDED:**

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20 _____
21 **DIRECTOR OF PROPERTY**

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25 **GENERAL MANAGER, MUNICIPAL RAILWAY**

REAL ESTATE

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William Lee

CITY ADMINISTRATOR

\$ 381,600 Available 1999-2000 Fiscal Year

Appropriation No. 358001 03011

Edward Namj
CONTROLLER

SL. 23RD&III LEG.DOC
04/28/99 8:42 AM

REAL ESTATE



City and County of San Francisco

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

Tails

Resolution

File Number: 991860

Date Passed:

Resolution authorizing an extension and modification of an existing lease of real property at Twenty Third and Illinois Streets for the Public Transportation Commission, Municipal Railway.


October 25, 1999 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Becerril

File No. 991860

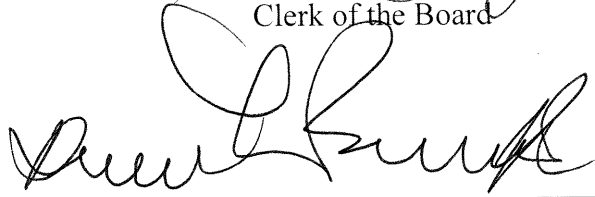
I hereby certify that the foregoing Resolution was ADOPTED on October 25, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

NOV - 5 1999

Date Approved



Mayor Willie L. Brown Jr.