

1 [Sale of Real Property]

2

3 **Resolution authorizing and approving the transfer of the real property located in the**
4 **City of San Francisco by and between the City and County of San Francisco, for the**
5 **Department of Public Health, as Seller, and Visitacion Valley Community Center, Inc.,**
6 **as Buyer; authorizing and approving the conveyance of the real property located at**
7 **Assessor’s Block 6237, Lots 009 through 013, commonly known as 50 Raymond**
8 **Avenue; adopting findings that such conveyance is consisted with the City’s General**
9 **Plan and the Eight Priority Policies of City Planning Code Section 101.1; and adopting**
10 **findings that such conveyance is categorically exempt from compliance with the**
11 **California Environmental Quality Act.**

12

13 WHEREAS, The Visitacion Valley Community Center, Inc., a California non-profit
14 Corporation (or its predecessor in interest, if any) (the “Visitacion Valley Community Center”)
15 purchased certain property located at Assessor’s Block No. 6237, Lots 009 through 013,
16 commonly known as 50 Raymond Avenue, being an approximate 12,500 square foot parcel of
17 land (the “Land”) on March 30, 1923, for \$7,010, including the assumption of a \$7,000 loan;
18 and,

19 WHEREAS, Since that date, Visitacion Valley Community Center has provided
20 community, educational, recreational and social services on the Land; and,

21 WHEREAS, In 1938, the Visitacion Valley Community Center desired to qualify for
22 Works Progress Administration (WPA) construction funds in order to erect a community center
23 building and related improvements on lots 009-013 but because the terms of the WPA loan
24 mandated that the underlying parcel be owned by a public entity, title to the Land was
25 transferred to the City of San Francisco (the “City”) on January 4, 1943, and the City has

1 owned the Land since that time, and Visitacion Valley Community Center has remained at the
2 property as the tenant;

3 WHEREAS, The Land has been leased to the Visitacion Valley Community Center at
4 \$1 per year since approximately 1943 to the present; and

5 WHEREAS, The Land is presently improved with approximately 9,000 square feet of
6 community center improvements which were constructed by Visitacion Valley Community
7 Center (the "Improvements", and together with the Land, the "Property"); and,

8 WHEREAS, The last lease was for twenty-five years, and it expired on June 30, 2001;
9 and,

10 WHEREAS, The Property is under the jurisdiction of the Department of Public Health;
11 and,

12 WHEREAS, The Department of Public Health has never occupied the Property, has no
13 intention to occupy the Property, and has stated that 50 Raymond Avenue is surplus to its
14 need; and,

15 WHEREAS, The Health Commission approved the transfer of ownership of the
16 Property to the Visitacion Valley Community Center on April 3, 2001; and,

17 WHEREAS, By letter dated November 5, 2001, the Planning Director found that the
18 conveyance of the Property is in compliance with the City's General Plan and with the Eight
19 Priority Policies of City Planning Code Section 101.1, and a copy of such letter is on file with
20 the Clerk of the Board of Supervisors in File No. _____, which is hereby declared to be a
21 part of this resolution as if set forth fully herein; and,

22 WHEREAS, By letter dated November 5, 2001, the Planning Director determined that
23 the conveyance of the Property is categorically exempt from compliance with the California
24 Environmental Quality Act; and

25

1 WHEREAS, It is proposed that the City agree to sell, and the Visitacion Valley
2 Community Center agree to purchase, the Property for One Dollar (\$1), plus all escrow and
3 closing costs, subject to the terms and conditions in the proposed "Agreement of Purchase
4 and Sale of Real Estate (the Purchase Agreement), a copy of which is on file with the Clerk of
5 the Board of Supervisors in File No. _____; and

6 WHEREAS, The Purchase Agreement provides that the Deed will reserve and restrict
7 the use of the Property to be that of a community center; and that if the Property ceases to be
8 used as a community center; the City shall have the power to demand and to cause title to the
9 Property to revert to the City; now, therefore, be it

10 RESOLVED, That the Board of Supervisors approves the conveyance of the Property
11 to the Visitacion Valley Community Center, and that in accordance with the recommendations
12 of the Director of the Department of Public Health and the Director of Property, this Board of
13 Supervisors authorizes and urges the Director of Property to execute the Purchase
14 Agreement, Deed and all related documents in the name of and on behalf of the City, in
15 substantially the form presented to this Board of Supervisors and in a form approved by the
16 City Attorney, so as to convey the Property at 50 Raymond Avenue to the Visitacion Valley
17 Community Center, on the terms and conditions contained in the Purchase Agreement; and,
18
19
20 be it

21 FURTHER RESOLVED, That the conveyance of the Property shall be subject to the
22 deed restrictions described in the Purchase Agreement; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors finds that the Purchase
2 Agreement and the conveyance of the Property on the terms contemplated thereby is in the
3 best interests of the City and County and will further a public purpose; and, be it.

4 FURTHER RESOLVED, That the Board of Supervisors hereby finds that the
5 conveyance of the Property is in conformity with the General Plan, is consistent with the Eight
6 Priority Policies of Planning Code Section 101.1, and is categorically exempt from the
7 provisions of the California Environmental Quality Act, for the same reasons set forth in the
8 Planning Department's letter dated November 5, 2001 referred to above, which findings are
9 hereby incorporated by reference as though fully set forth in this resolution; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
11 Property to enter into any additions, amendments or other modifications to the Purchase
12 Agreement (including, without limitation, the exhibits thereto) that the Director of Property
13 determines, in consultation with the Department of Public Health, the Director of Property and
14 the City Attorney, are in the best interests of the City, do not materially increase the
15 obligations or liabilities of the City, and are necessary or advisable to complete the transaction
16 contemplated in the Purchase Agreement and to effectuate the purposes and intent of this
17 resolution, such determination to be conclusively evidenced by the execution and delivery by
18 the Director of Property of any amendments thereto; and, be it

19
20 FURTHER RESOLVED, That The Board of Supervisors authorizes and urges the
21 Director of Property and any other officers, agents or employees of the City to take any and all
22 steps (including, but not limited to, the execution and delivery of any and all agreements,
23 notices, consents and other instruments or documents) as they or any them deem necessary
24 or appropriate, in consultation with the City Attorney, in order to consummate the transactions
25

1 described in and contemplated by the Purchase Agreement in accordance with this resolution,
2 or to otherwise effectuate the purpose and intent of this resolution, such determination to be
3 conclusively evidenced by the execution and delivery by such person or persons of such
4 documents; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors approves, confirms and ratifies
6 all prior actions taken by the officials, agents or employees of the City with respect to the
7 Purchase Agreement and the transaction contemplated hereby and thereby.
8

9
10 RECOMMENDED;

11
12 _____
13 Mitchell H. Katz, M.D.
14 Director of Public Health

15 _____
16 Marc S. McDonald
17 Director of Property
18 09757.001.0001.b