

1 [Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco.]

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3 **Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E")**
4 **against the City and County of San Francisco for \$1,088,000.00; the lawsuit was filed on**
5 **June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled**
6 **Pacific Gas & Electric Company v. City and County of San Francisco; other material**
7 **terms of said settlement are set forth in the Stipulation for Entry of Judgment in**
8 **Condemnation and the Judgment in Condemnation, contained in Board of Supervisors**
9 **File No. 071612.**

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

12 Section 1. The San Francisco City Attorney is hereby authorized to settle the action
13 entitled Pacific Gas & Electric Company v. City and County of San Francisco, San Francisco
14 Superior Court, Case No. CGC-06-452985, by the payment by PG&E of \$1,088,000.00 and
15 on such other material terms as are set forth in the Stipulation for Entry of Judgment in
16 Condemnation ("the Stipulation") and the Judgment in Condemnation ("the Judgment"),
17 contained in Board of Supervisors File No. 071612, and on such other terms as shall be
18 negotiated and approved by the City Attorney's Office.

19 Section 2. The above-named action was filed in San Francisco Superior Court on June
20 6, 2006, and the following parties were named in the lawsuit: City and County of San
21 Francisco ("the City").

22 Section 3. The action was brought by PG&E seeking a fee interest in a portion of the
23 former Michigan Street at 22nd Street ("the Property") in the City and County of San
24 Francisco. The Property is more particularly described and is depicted in documents labeled
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1 Exhibit A and Exhibit A1 to the Stipulation, contained within Board of Supervisors File No.
2 071612 and incorporated herein by reference. The Property is presently owned by the City.

3 Section 4. Plaintiff PG&E has agreed to settle this action by payment to the City of
4 \$1,088,000 for acquisition of fee ownership of the Property. Those terms are reflected in the
5 Stipulation and the Judgment, contained within Board of Supervisors File No. 071612 and
6 incorporated herein by reference.

7 Section 5. PG&E desires to acquire the Property as part of the construction, operation
8 and maintenance of electronic transmission facilities as part of the Potrero Switching Station
9 Project.

10 APPROVED AS TO FORM AND
11 RECOMMENDED:
12 DENNIS J. HERRERA, City Attorney

RECOMMENDED:
San Francisco Real Estate Division

13 By: _____
14 CHRISTINE VAN AKEN
15 Deputy City Attorney

By: _____
AMY L. BROWN
Director of Real Estate

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