

1 [Sale of City Property]

2
3 **Ordinance ordering the sale at public auction of City-owned property located at 425**
4 **Mason Street; adopting findings pursuant to the California Environmental Quality Act;**
5 **adopting findings that the sale is consistent with the City's General Plan and Eight**
6 **Priority Policies of City Planning Code Section 101.1; and authorizing other actions in**
7 **furtherance of this ordinance.**

8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are ~~*strikethrough italics Times New Roman*~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~

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

13 Section 1. In accordance with the recommendation of the San Francisco Public
14 Utilities Commission (PUC Resolution Number 05-0007), General Manager, Public Utilities
15 Commission, and the Director of Property, the Board of Supervisors ("Board") hereby declares
16 that the public interest or necessity will not be inconvenienced by the sale at public auction of
17 425 Mason Street (the "Property") owned by the City, located within the City and County of
18 San Francisco, as shown on the attached aerial photograph, copies of which are both on file
19 with the Clerk of the Board of Supervisors in File No. 061272 :

20 Assessor's Block 0306, Lot 002, 425 Mason Street, located on the west side of Mason
21 Street, between Geary Street and Post Street.

22 Section 2. The Property is under the jurisdiction of the Public Utilities Commission and
23 is no longer needed for the efficient and proper operation of its water enterprise.

24 Section 3. On June 16, 2005, at a duly noticed public hearing, the Planning
25 Commission in Motion No. 17035, found that the sale of the Property was consistent with the
City's General Plan and with Planning Code Section 101.1(b). A copy of the Motion is on file
with the Clerk of the Board of Supervisors in File No. 061272 and is incorporated
herein by reference. The Board finds that the proposed sale is consistent with the City's

1 General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said
2 Motion.

3 Section 4. Pursuant to the California Environmental Quality Act ("CEQA"), State CEQA
4 Guidelines and Chapter 31 of the San Francisco Administrative Code, the Planning
5 Department determined that the sale of the Property would have no significant effect on the
6 environment. A copy of such determination is on file with the Clerk of the Board of
7 Supervisors in File No. 061272 and is incorporated herein by reference.

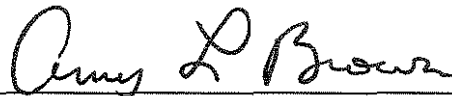
8 Section 5. The Board of Supervisors hereby authorizes the Director of Property, on
9 behalf of the City and County of San Francisco, to request and receive bids at public auction
10 for the sale of the Property. Notwithstanding Section 23.3 of the San Francisco Administrative
11 Code, the Director of Property is hereby authorized to sell the Property at public auction
12 without subsequent approval or confirmation by the Board of Supervisors, ~~on the condition~~
13 ~~that the sales price is equal to or greater than the fair market value of~~ The minimum bid for
14 the Property shall be Four Million Eight Four Hundred Fifty Thousand Dollars (\$4,85400,000),
15 which represents ninety percent (90%) of the independently appraised fair market value of
16 Five Million Three Hundred Eighty-Six Thousand Five Hundred Dollars (\$5,386,500) ~~value has~~
17 ~~been determined by an independent appraisal.~~ Subsequent to the public auction sale, the
18 Director of Property shall deposit the proceeds from such sale in a separate fund for the water
19 utility of the Public Utilities Commission and report the results of the public auction sale to the
20 Clerk of the Board of Supervisors.

21 Section 6. ~~The deed transferring the Property to the successful bidder shall state that~~
22 ~~the building currently located on the Property has a "3S" National Register of Historic Places~~
23 ~~designation and a Category IV rating under Article 11 of the San Francisco Planning Code~~ The
24 successful bidder must agree to convey a conservation easement to the San Francisco
25 Architectural Heritage, which easement shall be recorded immediately after the recordation of

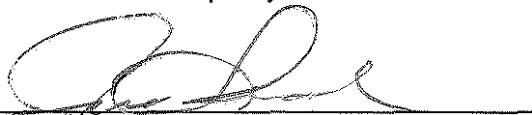
1 the deed transferring title to such bidder. The conservation easement shall obligate the
2 successful bidder, and its successors and assigns, to retain and preserve the architectural
3 features of the Property described in the easement, all pursuant to the terms of such
4 easement. A copy of the easement is on file with the Clerk of the Board of Supervisors in File
5 No. 061272 and is incorporated herein by reference.

6
7 Section 7. The Mayor, Clerk of the Board, Controller, and Director of Property are
8 hereby authorized and directed to take any and all actions which they or the City Attorney may
9 deem necessary or advisable in order to effectuate the purpose and intent of this ordinance.

10
11 RECOMMENDED:

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13 Director of Property

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15 General Manager
16 Public Utilities Commission

17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: 
21 Carol Wong
22 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 061272

Date Passed:

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

September 26, 2006 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

October 3, 2006 Board of Supervisors — FINALLY PASSED

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

File No. 061272

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 3, 2006
by the Board of Supervisors of the City and
County of San Francisco.

Kay Lullengro

for Gloria L. Young
Clerk of the Board

10/11/2006

Date Approved

[Signature]
Mayor Gavin Newsom