

File No. 111025

Committee Item No. 6

Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 10/20/11

Board of Supervisors Meeting

Date 11/8/11

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Youth Commission Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- * Stipulation for Entry of Judgment in Condemnation
- _____
- _____
- _____

Completed by: Linda Wong

Date 10/14/11

Completed by: Alisa Miller

Date 10/25/11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Settlement of Lawsuit – City to Pay \$500 for Sub-Surface Easement in San Mateo County]

2
3 **Ordinance authorizing settlement of a lawsuit filed by the City and County of San**
4 **Francisco against San Mateo County Transit District; Union Pacific Railroad Company;**
5 **State of California, Department of Transportation; and Does 1 through 100, to condemn**
6 **and take by right of eminent domain a permanent sub-surface easement of**
7 **approximately 27,829 square feet in property owned by San Mateo County Transit**
8 **District, located in Menlo Park, California, commonly known as SBE 872-41-20P; filed**
9 **June 3, 2010, in San Mateo County Superior Court, Case No. CIV 495644; entitled City**
10 **and County of San Francisco v. San Mateo County Transit District; Union Pacific**
11 **Railroad Company; State of California, Department of Transportation; and Does 1**
12 **through 100.**

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

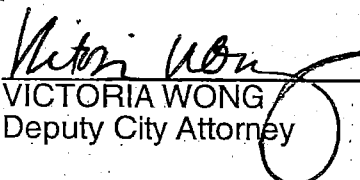
14 Section 1. The City Attorney is hereby authorized to settle the action entitled City and
15 County of San Francisco v. San Mateo County Transit District; Union Pacific Railroad
16 Company; State of California, Department of Transportation; and Does 1 through 100, San
17 Mateo County Superior Court, Case No. CIV 495644 by the payment by the City and County
18 of San Francisco ("City") to Defendant State of California, Department of Transportation of
19 \$500 for a permanent subsurface easement of approximately 27,829 square feet on property
20 owned by San Mateo County Transit District, located in Menlo Park, California, commonly
21 known as SBE 872-41-20P, and in accordance with other material terms as set forth in the
22 Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors File No.
23 111025, or such amended terms as do not materially increase the City's obligations or
24 decrease the City's benefits, for the purpose of constructing the San Francisco Public Utilities
25 Commission's Water System Improvement Program-Funded Project CUW36801, Bay Division

1 Pipeline Reliability Upgrade—Tunnel. The payment of \$500 to Defendant State of California,
2 Department of Transportation shall be made from the appropriation in Water System
3 Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability
4 Upgrade—Tunnel.

5
6 Section 2. The above-named action was filed in San Mateo County Superior Court on
7 June 3, 2010, and the following defendants were named in the lawsuit: San Mateo County
8 Transit District; Union Pacific Railroad Company; State of California, Department of
9 Transportation; and Does 1 through 100.

10
11 APPROVED AS TO FORM AND
12 RECOMMENDED:

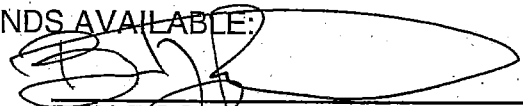
13 DENNIS J. HERRERA, City Attorney

14 By: 
15 VICTORIA WONG
16 Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO REAL ESTATE DIVISION

17 By: 
18 JOHN UPDIKE
19 Director

20 FUNDS AVAILABLE:
21 
22 BEN ROSENFELD
23 Controller
24 Index Code: 736846
25 Sub-object Code: 05314



Exempt from Filing Fees per
Government Code § 6103

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CITY AND COUNTY OF SAN FRANCISCO

15
16
17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 FOR THE COUNTY OF SAN MATEO

19
20 CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation,

21 Plaintiff,

22 vs.

23
24 SAN MATEO COUNTY TRANSIT DISTRICT,
a public agency; UNION PACIFIC RAILROAD
25 COMPANY, a Delaware Corporation; STATE
OF CALIFORNIA, DEPARTMENT OF
26 TRANSPORTATION; and DOES 1 through
100, inclusive,

27 Defendants.
28

Case No.: CIV 495644

SBE No.: 872-41-20P

STIPULATION FOR ENTRY OF
JUDGMENT IN CONDEMNATION