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[Real Property Acquisition]

APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE ACQUISITION OF RIGHT OF WAYS TO CERTAIN PORTIONS OF ROUTE 101 (THE FORMER CENTRAL FREEWAY), LOCATED GENERALLY BETWEEN MARKET STREET AND TURK STREET PURSUANT TO AND CONSISTENT WITH THE INTENT OF SB798; ADOPTING FINDINGS THAT SUCH ACQUISITION IS CONSISTENT WITH THE CITY'S GENERAL PLAN AND EIGHT PRIORITY POLICIES OF THE CITY PLANNING CODE SECTION 101.1; AND PLACING THE PROPERTY UNDER THE DEPARTMENT OF PUBLIC WORKS' JURISDICTION.

WHEREAS, Senate Bill No. 798 added Section 72.1 to the California Streets and Highway Code and requires the State of California, acting by and through its Department of Transportation ("Caltrans") to relinquish to the City and County of San Francisco ("City"), those portions of Route 101 no longer required for right-of-way purposes; and,

WHEREAS, Section 72.1 declares that those portions of the Route 101 right-of-way (commonly known as the Central Freeway) between Market and Turk Streets are no longer a state highway; and,

WHEREAS, Caltrans has not completed the demolition and removal of the old Central Freeway structure from those portions of Route 101 to be relinquished and is agreeable to relinquishing the right of ways in two separate phases; and,

(Real Estate)

Supervisor Leno

1           WHEREAS, City and Caltrans have discussed entering an Agreement which would require  
2 Caltrans to relinquish those portions of the Central Freeway where demolition has been completed  
3 within 30 days following approval of the transfer by the California Transportation Commission and  
4 the remainder of the Central Freeway upon completion of demolition; and,

5           WHEREAS, By letter dated March 28, 2000, a copy of which is on file with the Clerk of the  
6 Board of Supervisors in File No. 000667, the Department of City Planning reported its findings that  
7 the proposed acquisition of the Caltrans Property and any other portions of Route 101 from the State  
8 of California is consistent with the City's General Plan and with the Eight Priority Policies of City  
9 Planning Code Section 101.1; now, therefore, be it  
10

11           RESOLVED, That the Board of Supervisors adopts as its own and incorporates by reference  
12 herein as though fully set forth, the findings in the Department of City Planning's letter dated March  
13 28, 2000 that the acquisition of the Caltrans Property and any other portions of Route 101 from the  
14 State of California are (i) in conformity with General Plan, (ii) categorically exempt from  
15 Environmental Review under the California Environmental Quality Act (CEQA) because such an  
16 action does not constitute a "project" under CEQA Guidelines Section 15379 and would not result in  
17 physical environmental impacts, and (iii) consistent with the Eight Priority Policies of City Planning  
18 Code Section 101.1; and, be it  
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20           FURTHER RESOLVED, That in accordance with the recommendation of the Director of  
21 Public Works and the Director of Property, the Board of Supervisors hereby authorizes the Mayor to  
22 enter into an Agreement with the State of California for the acquisition of right of ways for certain  
23 portions of Route 101 (including any waivers and indemnities of the State that are determined to be  
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25

1 appropriate by the Real Estate Division in consultation with the City Attorney's Office in a form  
2 approved by the City Attorney's Office); and, be it

3 FURTHER RESOLVED, That all actions heretofore taken by offices of the City with respect  
4 to the acquisition of the Caltrans Property are hereby approved, confirmed and ratified by this Board  
5 of Supervisors; and, be it

6 FURTHER RESOLVED, That upon approval of the Agreement by the California  
7 Transportation Commission, the Director of Property is hereby authorized and urged in the name and  
8 on behalf of the City to accept and have recorded by the County Clerk one or more relinquishment  
9 maps for the relinquishment of portions of the Central Freeway to the City in accordance with the  
10 terms and conditions of the Agreement, and to take any and all steps (including, but not limited to,  
11 the execution and delivery of Assignments of Leases and any and all other certificates, notices,  
12 consents, instructions and documents) as the Director of Property deems necessary or appropriate in  
13 order to consummate the relinquishment of such portions of the Central Freeway to the City pursuant  
14 to SB798; and, be it

15 FURTHER RESOLVED, That City shall use any proceeds from the disposition of such  
16 portions of the Central Freeway first for designing, constructing, developing, and maintaining the  
17 Octavia Street Project and thereafter for transportation and related purposes, all as set forth in Section  
18 72.1 (f)(1) of the California Streets and Highways Code.

19 RECOMMENDED:

20 (See File)

21 \_\_\_\_\_  
22 Director of Public Works

23 (See File)

24 \_\_\_\_\_  
25 Director of Property



# City and County of San Francisco

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

## Tails

## Resolution

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**File Number:** 000667

**Date Passed:**

Resolution approving and authorizing the Mayor to enter into an agreement with the State of California for the acquisition of right of ways to certain portions of Route 101 (the former Central Freeway), located generally between Market Street and Turk Street pursuant to and consistent with the intent of SB798; adopting findings that such acquisition is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and placing the property under the Department of Public Works' jurisdiction.

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May 3, 2000 Board of Supervisors — SUBSTITUTED

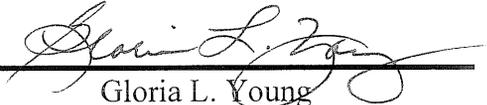
May 22, 2000 Board of Supervisors — ADOPTED

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

Absent: 1 - Newsom

File No. 000667

I hereby certify that the foregoing Resolution was ADOPTED on May 22, 2000 by the Board of Supervisors of the City and County of San Francisco.



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Gloria L. Young  
Clerk of the Board

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JUN - 2 2000

Date Approved



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Mayor Willie L. Brown Jr.