

**Caltrans Statement Pursuant To  
Mello- Roos Community Facilities Act of 1982**

The California Department of Transportation ("Caltrans"), on this 8 day of September 2014, submits this Statement, for the sole and limited purpose of making the Statement contemplated by Government Code Section 53317(f)(3), to the City and County of San Francisco ("City") pursuant to the Mello-Roos Community Facilities Act of 1982 in California Government Code sections 53311 and following:

1. Caltrans is the owner of the parcels of land identified by the following Assessor Parcel Numbers, and collectively referred to as "The Properties":

APN: 3736-120; 3737-005; 3737-012; 3737-027

2. The Properties, or portions thereof, are intended to be transferred to private ownership. Caltrans agrees that the transferred property, subject to the conditions noted below, will be subject to the special tax on the same basis as private property within the proposed City and County Community Facilities District No. 2014-1 - Transbay Transit Center ("the CFD"). Caltrans waives, subject to the conditions noted below, any defense based on the fact of public ownership, to any action to foreclose on The Properties in the event of nonpayment of the special tax.

3. No assessment shall be made, or special tax imposed, on any or all of the Caltrans Properties, or portions thereof, referred to in Paragraph 1 above, until such time as each of The Properties is transferred to private ownership.

4. Nothing in this Statement shall constitute a waiver of any rights accorded to Caltrans pursuant to that certain Cooperative Agreement dated July 11, 2003 between Caltrans, the City and the Transbay Joint Powers Authority. At no time, before or after transfer of title to any parcel of The Properties, shall Caltrans be responsible for the payment of any assessment or special tax for any portion of The Properties that does not transfer to private ownership, including but not limited to rights of way retained by Caltrans under the Cooperative Agreement.

5. This Statement, including the waiver provided in paragraph 2 above, is conditioned on a resolution and finding by the Board of Supervisors of the City and County of San Francisco ("Board") confirming the terms and conditions set forth above.

6. Caltrans is authorized to sign this Statement on behalf of the State of California.

**State of California  
Department of Transportation**

By: 

**Mark L. Weaver,  
Deputy District Director for Right of Way**