

1 [Acquisition of Real Property - 493 Sunrise Way - Wei San Deng and Jenny HJ Deng - Total
2 Not to Exceed \$50,000]

3 **Resolution approving and authorizing the Real Estate Division, on behalf of Public**
4 **Works, to acquire a portion of residential real property, located at 493 Sunrise Way,**
5 **from Wei San Deng (50% ownership interest) and Jenny HJ Deng (50% ownership**
6 **interest), at a purchase price of \$25,000 plus associated transaction and closing costs**
7 **not to exceed \$25,000 for a total amount not to exceed \$50,000; adopting Planning**
8 **Department’s findings that the conveyance is consistent with the General Plan, the**
9 **eight priority policies of Planning Code, Section 101.1, and California Environmental**
10 **Quality Act findings; and authorizing the Director of Property to execute documents,**
11 **make certain modifications and take certain actions in furtherance of the Purchase and**
12 **Sale Agreement and this Resolution, as defined herein.**

13
14 WHEREAS, The Sunnydale HOPE SF Master Plan Project (the “Project”) consists of
15 the transformation of the Sunnydale/Velasco public housing complex (the “Existing Complex”)
16 into a new, mixed income housing development with new affordable and market-rate housing
17 as well as new street and utility infrastructure, open spaces and neighborhood facilities; and

18 WHEREAS, The Planning Department by letter dated February 27, 2018, adopted in
19 connection with the Project and related actions necessary to implement said project,
20 California Environmental Quality Act (“CEQA”) Findings including a statement of overriding
21 considerations (pursuant to CEQA Guidelines Section 15060 and Chapter 31 of the City’s
22 Administrative Code) and declared the Project consistent with the General Plan, and the eight
23 priority policies of Planning Code, Section 101.1, which letter is on file with the Clerk of the
24 Board of Supervisors in File No. 190260, and incorporated herein by this reference; and

1 WHEREAS, The Project includes the construction of a street extension from the
2 existing dead end of Sunrise Way into the eastern border of the Existing Complex (the “Street
3 Extension”); and

4 WHEREAS, The Street Extension is part of the first phase of the Project and the design
5 and construction schedule for the Project requires the City to immediately acquire
6 approximately 143 square feet of land currently within the residential real property parcel
7 located at 493 Sunrise Way, San Francisco Assessor’s Parcel Block No. 6374, Lot No. 023
8 (the “Subparcel”); and

9 WHEREAS, The City and Wei San Deng and Jenny HJ Deng (collectively, the
10 “Owners”) of 493 Sunrise Way have negotiated a purchase and sale agreement regarding the
11 Subparcel, a copy of which is on file with the Clerk of the Board of Supervisors in File No.
12 190260 (the “Agreement”), for sale of the Subparcel to the City for \$25,000 plus associated
13 transaction and closing costs not to exceed \$25,000 for a total amount not to exceed \$50,000
14 which funds shall be provided by the Mayor’s Office of Housing and Community Development
15 (“MOHCD”) in order to implement the Street Extension in furtherance of the Project; and

16 WHEREAS, MOHCD shall enter into an agreement with the developer of the Project to
17 provide care and maintenance of the Subparcel until such time as the Director of Public
18 Works deems the Subparcel a dedicated right of way under the care and maintenance of
19 Public Works; and

20 WHEREAS, The Director of Property, after reviewing an independent appraisal and
21 considering the efficacy of avoiding protracted legal proceedings, confirmed that the purchase
22 price is at or below the fair market value of the Subparcel; therefore, be it

23 RESOLVED, That in accordance with the recommendation of the Director of Public
24 Works, the Director of MOHCD, and the Director of Property, the Board of Supervisors
25 approves the Agreement in substantially the form presented to the Board, and authorizes the

1 Director of Public Works, the Director of MOHCD, and the Director of Property to take all
2 actions necessary or appropriate to acquire the Subparcel as set forth in the Agreement; and,
3 be it

4 FURTHER RESOLVED, That the Director of Public Works, and the Director of
5 Property, are hereby authorized and urged to accept the deed to the Subparcel from the
6 Seller upon the closing in accordance with the terms and conditions of the Agreement, and to
7 take any and all steps (including, but not limited to, the execution and delivery of any and all
8 certificates, agreements, notices, consents, escrow instructions, closing documents and other
9 instruments or documents) as the Director of Property deems necessary or appropriate in
10 order to acquire the Subparcel pursuant to the Agreement, or to otherwise effectuate the
11 purpose and intent of this Resolution, such determination to be conclusively evidenced by the
12 execution and delivery by the Director of Property of any such documents; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors finds the proposed Agreement
14 is consistent with the General Plan, and the and the eight priority policies of Planning Code,
15 Section 101.1, and adopts the Planning Department's CEQA findings and hereby incorporates
16 such findings by reference as though fully set forth in this Resolution; and, be it

17 FURTHER RESOLVED, That within thirty (30) days of the contract being fully executed
18 by all parties, the Real Estate Division shall provide the final contract to the Clerk of the Board
19 for inclusion into the official file.

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\$50,000 available
Fund: 10565
Department: 232065
Project: 10023879
Activity: 0005
Authority: 17159
Account: 566990

Ben Rosenfield
Controller

Only Current Fiscal Year 2018-2019 Funds being used

RECOMMENDED:

Andrico Q. Penick
Director of Property

Kate Hartley, Director of the Mayor’s Office of Housing and Community Development

Mohammed Nuru, Director of San Francisco Public Works