

1 [Public Hearing – Eminent Domain]  
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3 **Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003,**  
4 **at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed**  
5 **acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in**  
6 **San Francisco.**  
7

8 WHEREAS, The Director of Planning in his letter dated August 15, 2003 found that the  
9 acquisition of the Property is categorically exempt from environmental review under CEQA  
10 and is consistent with the City's General Plan and with the Eight Priority Policies of City  
11 Planning Code Section 101.1; and, now, therefore, be it

12 MOVED, That it is the intention of the Board of Supervisors to hold a public hearing in  
13 accordance with Section 1245.235 of the California Code of Civil Procedure by all of its  
14 members to consider adopting a Resolution of Necessity (the "Resolution") to acquire the  
15 Property by eminent domain, and entitled "Authorizing acquisition of Lot 001 in Assessor's  
16 Block 0074, in San Francisco, by eminent domain for open space, and adopting findings  
17 under Planning Code Section 101.1"; and, be it

18 FURTHER MOVED, That the public hearing will be set in such a manner that each  
19 person whose name and address appears for the Property on the City's last equalized tax  
20 assessment roll of the City shall receive by first-class mail fifteen (15) days' notice of the  
21 public hearing, at which each person may appear and be heard on whether: (1) the public  
22 interest and necessity require the acquisition of the Property by eminent domain; (2) the  
23 acquisition of the Property by eminent domain is planned or located in the manner that will be  
24 most compatible with the greatest public good and least private injury; (3) the Property is  
25

1 necessary for open space ; and (4) the City has made the offers to the owners of record of  
2 the Property as required by California Government Code Section 7267.2; and, be it

3 FURTHER MOVED, That notice is hereby given that the Board will hold the public  
4 hearing on the 7th day of October, 2003, beginning at 4:00 p.m., in the Legislative Chamber,  
5 City Hall, Second Floor, 1 Dr. Carlton B. Goodlett Place, in the City; and, be it

6 FURTHER MOVED, That at the public hearing, each person whose name and address  
7 appears for the Property on the City's last equalized tax assessment roll, and who, within  
8 fifteen (15) days after the Notice was mailed, has filed with the Clerk of the Board a written  
9 request to appear and be heard at the public hearing on the matters identified above, may do  
10 so; and, be it

11 FURTHER MOVED, That the Resolution must be adopted by a two-thirds vote of all of  
12 the members of the Board; and, be it

13 FURTHER MOVED, That at the close of the public hearing, the Board will vote to  
14 decide whether to adopt or not to adopt the Resolution.



City and County of San Francisco

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

Tails  
Motion

**File Number:** 031550

**Date Passed:** September 23, 2003

Motion directing the Board of Supervisors to hold a public hearing on October 7, 2003, at 4:00 p.m. to consider adopting a resolution of necessity for the City's proposed acquisition by eminent domain for open space of Lot 001 in Assessor's Block 0074, in San Francisco.

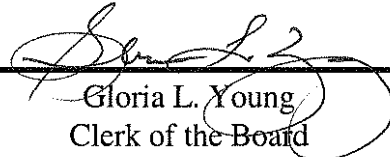
September 23, 2003 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin,  
Sandoval

Noes: 2 - Dufty, Hall

File No. 031550

I hereby certify that the foregoing Motion was APPROVED on September 23, 2003 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board