

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas**
4 **and Electric Company against the City and County of San Francisco et al., San Mateo**
5 **Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of**
6 **San Francisco, et al.; other material terms of said settlement are set forth in the**
7 **Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors'**
8 **File No. 090998.**

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

10
11 Section 1. The City Attorney is hereby authorized to settle the eminent domain action
12 entitled Pacific Gas and Electric v. City and County of San Francisco, et al., San Mateo
13 Superior Court No. 449100, for the sum of \$112,000, plus statutory interest, in exchange for
14 perpetual, nonexclusive surface and subsurface utility easements and related access through
15 property owned in fee by the City and County of San Francisco under the jurisdiction of the
16 San Francisco Public Utilities Commission and in which the Mills Estate Incorporated, the
17 State of California and the California Transportation Department were alleged to hold or have
18 held an easement interest, other material terms as set forth in the Stipulation for Entry of
19 Judgment in Condemnation contained in Board of Supervisors File No. 090998, and on such
20 other terms as shall be negotiated and approved by the City Attorney's Office.

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22 Section 2. The above-named action was filed in San Mateo Superior Court on August
23 19, 2005, and the following parties were named in the lawsuit: County of San Francisco; Mills
24 Estate Incorporated, the State of California and the California Transportation Department.

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APPROVED AS TO FORM AND
RECOMMENDED:

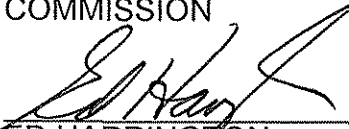
DENNIS J. HERRERA
City Attorney



KRISTEN A. JENSEN
Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION



ED HARRINGTON
General Manager



City and County of San Francisco
Tails
Ordinance

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

File Number: 090998

Date Passed: November 24, 2009

Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas and Electric Company against the City and County of San Francisco et al., San Mateo Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors' File No. 090998.

November 17, 2009 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

November 24, 2009 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/24/2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

Date

12-3-09