

## RESOLUTION NO. 126-2002

Adopted June 25, 2002

### **AUTHORIZING A LEASE AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO MUNICIPAL RAILWAY FOR AGENCY-OWNED PROPERTY LOCATED AT 4800 THIRD STREET FOR ITS THIRD STREET LIGHT RAIL PROJECT PUBLIC INFORMATION OFFICE; BAYVIEW HUNTERS POINT REDEVELOPMENT SURVEY AREA**

#### **BASIS FOR RESOLUTION**

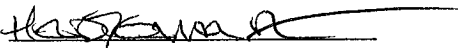
1. On November 27, 2001, the Redevelopment Agency of the City and County of San Francisco ("Agency") authorized the Assignment of the Purchase and Sale Agreement from the San Francisco Housing Development Corporation ("SFHDC") to the Agency for real property located at 4800 Third Street (the "Site") in the Bayview Hunters Point Redevelopment Survey Area, an Exclusive Negotiations Agreement with SFHDC and predevelopment funds to SFHDC for the purpose of developing very low and low income rental housing and ground floor commercial space (the "Project") at the Site.
2. The Site contains a 1,584 square foot building along with 10 surface parking spaces all of which were leased to Ace Cash Express, Inc. ("Tenant") prior to the Agency's Acquisition of the Site ("Lease"). The Lease was subject to termination by the Agency, once the Agency purchased the Site. Any relocation costs associated with the termination of the Lease would be subject to the agreement SFHDC negotiated and executed with the Tenant which provides for the waiver of relocation benefits by the Tenant in return for a fixed payment of \$100,000.
3. In December 2001, pursuant to the Purchase and Sale Agreement, the Agency acquired the Site for future development of the Project. Upon acquiring the Site, the Agency assumed the Lease.
4. Agency staff negotiated an early termination of the Lease and pursuant to the terms and conditions of that termination, the Tenant vacated the premises on May 20, 2002.
5. Since vacation by the Tenant, the Agency installed a fence around the perimeter of the Site. Pursuant to Agency Resolution No. 90-2002 dated May 28, 2002, the Agency has contracted with McCoy's Patrol Service to provide security services for the Site.
6. On May 28, 2002, the Commission approved Agency staff to negotiate a lease agreement with the San Francisco Municipal Railway ("Muni") for the Site for its Third Street Light Rail Project Public Information Office for the interim period until the Site is needed for development of the Project.

7. Agency staff and Muni now desire to enter into a lease for the Site for an initial term of eighteen months with three (3) six-month extensions for a maximum term of thirty-six months, commencing July 1, 2002, for the operation of Muni's Third Street Light Rail Project Public Information Office.

### RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to enter into a Lease Agreement with the City and County of San Francisco Municipal Railway for Agency-owned property located at 4800 Third Street in the Bayview Hunters Point Redevelopment Survey Area, for a maximum term of thirty-six months commencing July 1, 2002, substantially in the form lodged with Agency General Counsel.

**APPROVED AS TO FORM:**

  
Bertha A. Ontiveros  
Agency General Counsel