

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name: GEORGE KUNABIB

Address: 70 ESTELLE AVE

City: KENTFIELD,

State: CA ZIP: 94904



San Francisco Assessor-Recorder

Carmen Chu, Assessor-Recorder

DOC- 2016-K187327-00

Wednesday, JAN 13, 2016 14:04:49

Ttl Pd \$24.00

Rcpt # 0005296203

ofa/JL/1-4

(Space Above This Line For Recorder's Use)

I (We) 1700 MARKET STREET LLC; 33 HIGHT STREET LLC the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described):

See Exhibit A Attached

BEING ASSESSOR'S BLOCK: 0855, LOT: 016;

COMMONLY KNOWN AS: 1700 MARKET STREET;

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to Variance Application No. 2013.1179V granted by the Zoning Administrator of the City and County of San Francisco on July 27, 2015, to demolish an existing two-story commercial building and construct an 8-story, 31,673 square foot mixed-use building with 42 dwelling units, 1,753 square feet of ground floor commercial space and 48 bicycle parking spaces.

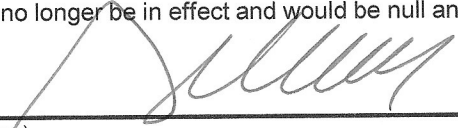
The restrictions and conditions of which notice is hereby given are:

- 1. Any future physical expansion, even in the buildable area, shall be reviewed by the Zoning Administrator to determine if the expansion is compatible with existing neighborhood character and scale. If the Zoning Administrator determines that there would be a significant or extraordinary impact, the Zoning Administrator shall require either notice to adjacent and/or affected property owners or a new application be sought and justified.
2. The proposed project must meet these conditions and all applicable City Codes. In case of conflict, the more restrictive controls apply.

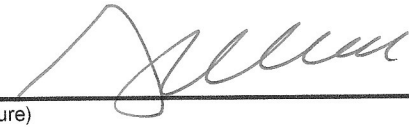
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3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. The owner of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
5. This Decision and the recorded Notice of Special Restrictions for Case No. 2013.1179CV, shall be reproduced on the Index Sheet of any future construction plans submitted with the Site or Building Permit Application for the Project. This Index Sheet of the construction plans shall reference the Case Number.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

 (Signature) 1700 Market Street LLC
GEORGE MENABIS, Manager (Printed Name)

Dated: 01-13, 20 16 at Greenbrae, California.
(Month, Day) (City)

 (Signature) 33 Haight Street LLC
GEORGE MENABIS, Agent (Printed Name)

Dated: 01-13, 20 16 at Greenbrae, California.
(Month, Day) (City)

(Signature) (Printed Name)

Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s).

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Marin

On 11/3/16 before me, Marisela Becerra a Notary Public, personally appeared George McNabb

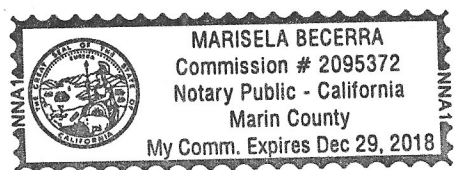
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: 

Name: Marisela Becerra
(typed or printed)



(Seal)

EXHIBIT A

The land referred to is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

Lot 16, as the same is shown and delineated upon that certain Parcel Map filed for record in the Office of the Recorder in and for the City and County of San Francisco, Sacramento, March 17, 1998 in Book 43 of Parcel Maps, Page 147.

Assessor's Lot 016; Block 0855