

NOT FOR RECORDING
Director of Real Estate
Real Estate Department
City and County of San Francisco
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102

APN: Block 3505, Lot 083
Situs: 30 Otis Street

OFFER OF IMPROVEMENTS

(30 Otis Street-Lot A)

OTIS PROPERTY OWNER, LLC, a Delaware limited liability company (“Otis Property Owner”) does hereby irrevocably offer to the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation (“City”) all of the public sidewalk, public street and roadway improvements, public utility facilities and other ancillary improvements constructed or installed by or on behalf of Otis Property Owner pursuant to the Improvement Plans and Specifications prepared by Sherwood Design Engineers, 30 Otis Street Improvement Plans, dated 12/23/20, on file with San Francisco Public Works for the 30 Otis Street mixed-use project.

The property where the public improvements are located is shown on **Exhibit “A”** and **Exhibit “A1”** hereto, which is located in the City and County of San Francisco.

With respect to this offer of improvements, it is understood and agreed that: (i) upon acceptance of this offer of public improvements, the City shall own and be responsible for the maintenance of the public facilities and improvements, subject to the maintenance obligation of fronting property owners or other permittees pursuant to the Public Works Code, including, but not limited to, Public Works Code Sections 706 and 786, and (ii) the City and its successors and assigns shall incur no liability or obligation whatsoever hereunder with respect to such offer of public improvements, and shall not assume any responsibility for the offered improvements, unless and until such offer has been formally accepted by the Director of Public Works or the Board of Supervisors and subject to any exception that may be provided in a separate instrument, such as a permit under Public Works Code Section 786, or other local law.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, successors, assigns and personal representatives of the respective parties hereto.

(Signatures on following page)

IN WITNESS WHEREOF, the undersigned has executed this instrument as of this ____ day of _____, 2021.

OTIS PROPERTY OWNER, LLC,
a Delaware limited liability company

By: OTIS TOWER HOLDINGS, LLC,
a Delaware limited liability company
Its: Managing Member

By: ALIGN OTIS, LLC,
a California limited liability company
Its: Managing Member

By: ALIGN REAL ESTATE, LLC,
a California limited liability company
Its: Manager

By: _____
Name: David Balducci
Its: Manager

NOTARY ACKNOWLEDGMENT

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)
) ss.
CITY AND COUNTY OF SAN FRANCISCO)

On _____, before me, _____,
personally appeared _____,
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 of Notary Public (Seal)

Exhibit "A"

LOCATION OF PUBLIC IMPROVEMENTS

[Attach Legal Description from Land Surveyor]

Exhibit “A1”

PLAP MAP

[Attach Plat Map]