

**FREE RECORDING PURSUANT TO  
GOVERNMENT CODE SECTION 27383  
REQUEST BY AND WHEN RECORDED  
RETURN TO:**

Mayor's Office of Housing and Community Development  
City and County of San Francisco  
One South Van Ness Avenue, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Property Address:  
30 Van Ness Avenue,  
San Francisco, CA 94102

(Space Above This Line For Recorder's Use)

APN 0835/004

**NOTICE OF SPECIAL RESTRICTIONS UNDER PLANNING CODE**

The undersigned, 30 VAN NESS DEVELOPMENT LLC, a Delaware limited liability company ("Owner"), the owner of that certain real property situated in the City and County of San Francisco, State of California ("City") more particularly described on the attached sheet marked 'Schedule A' (the "Property")

**BEING ASSESSOR'S BLOCK 0835, LOT 004  
COMMONLY KNOWN AS: 30 VAN NESS AVENUE**

hereby gives notice (this "Notice") that there are special restrictions on the use of the Property under Part II, Chapter II of the San Francisco Municipal Code ("Planning Code").

Said restrictions consist of provisions included in Ordinance No. \_\_\_\_\_, creating Planning Code Section 249.\_\_\_\_ (the "30 Van Ness Avenue SUD"), and supersede and replace in their entirety the restrictions set forth in that certain Notice of Special Restrictions Under Planning Code recorded in the Official Records of the City on May 5, 2017 as Document No. 2017447789 (the "Prior Notice"). For the avoidance of doubt, Exhibit I of that certain Agreement for Sale of Real Estate dated February 21, 2017, between the City and Lendlease Development Inc., a Delaware corporation, is hereby deleted in its entirety and replaced with this Notice.

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

1. Exemption from Inclusionary Housing Obligations. Owner, on behalf of itself and its successors and assigns, its and their tenants and licensees, and all persons claiming by and through them (the "Owner Parties"), agrees and covenants with the City, its successors and assigns, and for the benefit of the City, that for so long as the Owner Parties comply with the 30 Van Ness Avenue SUD, the provisions of Planning Code Section 415 *et seq.*, as amended or replaced from time to time, shall not apply to any project at the Property meeting the applicability requirements of Planning Code

Section 249.\_\_(b); provided, however, that any on-site affordable units provided in a project at the Property under any other state or local program, including those programs set forth in Planning Code Section 206 *et seq.*, shall be subject to the requirements of Planning Code Section 249.\_\_(d).

2. Inclusionary Housing Obligations in Event of Site Permit Withdrawal, Abandonment, or Expiration. Should the site permit or First Construction Document for a project at the Project described in Section 249.\_\_(b)(1) be affirmatively abandoned by the Owner Parties without an intent to resume work thereunder, expire, or be withdrawn, cancelled, or otherwise terminated by the Owner Parties or the Department of Building Inspection, then the then-applicable requirements of Planning Code Section 415 *et seq.* shall apply to the Property, notwithstanding any provision of the Prior Notice.

The use of the 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 in the Official Records by the Zoning Administrator of the City; except that in the event that the zoning standards above are modified so as to be less restrictive and any uses herein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this Notice would no longer be in effect and would be null and void.

**(Signature page and notary acknowledgements follow)**

**30 VAN NESS DEVELOPMENT LLC,  
a Delaware limited liability company**

**By: Lendlease Development Inc.,  
a Delaware corporation,  
its sole member**

**By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_**



**SCHEDULE A**

**Legal Description of Property**

[attached]