

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY: )  
And When Recorded Mail To: )  
Name: *Thomas Loyue* )  
Address: )  
City: )  
State: California )

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05/17/2011, 2011J181841  
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SAN FRANCISCO ASSESSOR-RECORDER

Space Above this Line For Recorder's Use

I (We) Thomas F. Loyue Galaxy Propert. g. 11 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:

(PLEASE ATTACH THE LEGAL DESCRIPTION AS ON DEED)

BEING ASSESSOR'S BLOCK: 1417 LOT: 031  
COMMONLY KNOWN AS: 5495-5499 CALIFORNIA 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 a variance granted by the Zoning Administrator of the City and County of San Francisco on May 4, 2011 (Case No. 2009.0175V, demolition of a 2-story, 1-unit residential building facing 17th Avenue; the demolition of the last 23' of the commercial buildings on the corner of California Street and 17th Avenue; subdividing the subject lot into two lots; the construction of a 4-story, 3-unit residential building; and the construction of a vertical addition that will contain one residential unit above the existing commercial building at the corner of California St. and 17th Avenue.

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

GRANTED, in general conformity with the plans on file with this application, shown as EXHIBIT A, to allow the construction of a 4-story, 3-unit residential building that will encroach into the rear yard and will not have an active street frontage; and to allow the construction of a vertical addition that will contain one residential unit above the existing commercial building at the corner of California Street and 17th Avenue that will encroach into the rear yard subject to the following conditions:

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

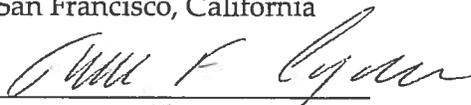
# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

either notice to adjacent and/or affected property owners or a new Variance 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.
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 Variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.
5. This Variance Decision and the recorded Notice of Special Restrictions, Case No. 2009.0175V, shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Variance 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.

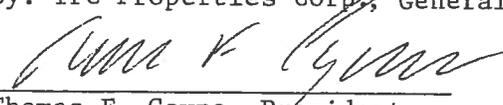
Dated: 5/16/11 at San Francisco, California

  
\_\_\_\_\_  
(Owner's Signature) Thomas F. Coyne

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

Galway Properties II, a Limited Partnership  
By: TFC Properties Corp., General Partner

AS/jms/5495-5499 California Street/NSR

  
\_\_\_\_\_  
Thomas F. Coyne, President

**ACKNOWLEDGMENT**

State of California  
County of San Francisco

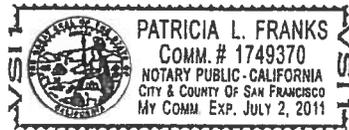
On May 16, 2011 before me, Patricia L. Franks, Notary Public  
(insert name and title of the officer)

personally appeared Thomas F. Coyne,  
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(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 Patricia L. Franks (Seal)



G981676

The property in the City and County of San Francisco, State of California, described as follows:

BEGINNING at the point of intersection of the southerly line of California Street and the easterly line of 17th Avenue; running thence easterly along said line of California Street 53 feet 4 inches; thence at a right angle southerly 96 feet 1 inch; thence at a right angle westerly 53 feet 4 inches to the easterly line of 17th Avenue; thence northerly and along said last mentioned line 96 feet 1 inch to the point of beginning.

BEING a portion of Outside Land Block No. 166.

EXHIBIT "A"