

File No. 160354

Committee Item No. \_\_\_\_\_

Board Item No. 43

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: April 12, 2016

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

- DPW Order No. 184715 - March 22, 2016
- Planning Decision - March 19, 2015
- Tax Certificate - March 04, 2016
- Final Maps
- \_\_\_\_\_

Prepared by: Brent Jalipa

Date: April 15, 2016

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Final Map 8285 - 399 Fremont Street]

2  
3 **Motion approving Final Map 8285, a 447 residential unit and one commercial unit**  
4 **mixed-use condominium project, located at 399 Fremont Street, being a subdivision of**  
5 **Assessor's Parcel Block No. 3747, Lot No. 320, and adopting findings pursuant to the**  
6 **General Plan, and the eight priority policies of Planning Code, Section 101.1.**

7  
8       MOVED, That the certain map entitled "FINAL MAP 8285," a 447 residential unit and 1  
9 commercial unit mixed-use condominium project, located at 399 Fremont Street, being a  
10 subdivision of Assessor's Parcel Block No. 3747, Lot No. 320, comprising 3 sheets, approved  
11 March 22, 2016, by Department of Public Works Order No. 184715 is hereby approved and  
12 said map is adopted as an Official Final Map 8285; and, be it

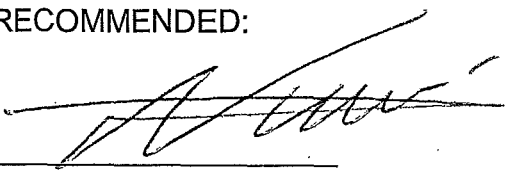
13       FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own  
14 and incorporates by reference herein as though fully set forth the findings made by the City  
15 Planning Department, by its letter dated March 19, 2015, that the proposed subdivision is  
16 consistent with the objectives and policies of the General Plan and the eight priority policies of  
17 Planning Code, Section 101.1; and, be it

18       FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes  
19 the Director of the Department of Public Works to enter all necessary recording information on  
20 the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's  
21 Statement as set forth herein; and, be it

22       FURTHER MOVED, That approval of this map is also conditioned upon compliance by  
23 the subdivider with all applicable provisions of the San Francisco Subdivision Code and  
24 amendments thereto.

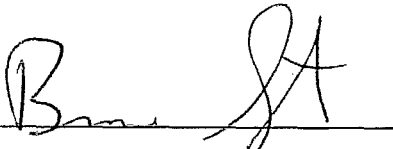
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RECOMMENDED:



Mohammed Nuru  
Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS  
City and County Surveyor



Office of the City and County Surveyor  
1155 Market Street, 3rd Floor  
San Francisco, Ca 94103  
(415) 554-5827 www.sfdpw.org



Edwin M. Lee, Mayor  
Mohammed Nuru, Director

Bruce R. Storrs, City and County Surveyor

**DPW Order No: 184715**

**CITY AND COUNTY OF SAN FRANCISCO  
SAN FRANCISCO PUBLIC WORKS**

APPROVING FINAL MAP 8285, 399 FREMONT STREET, A 447 UNIT RESIDENTIAL AND 1 UNIT COMMERCIAL MIXED-USE CONDOMINIUM PROJECT, BEING A SUBDIVISION OF ASSESSOR'S PARCEL NUMBER 3747-320.

A 447 UNIT RESIDENTIAL AND 1 UNIT COMMERCIAL MIXED USE CONDOMINIUM PROJECT

The City Planning Department in its letter dated March 19, 2015, stated that the subdivision is in conformity with the General Plan and the Priority Policies of City Planning Code Section 101.1.

The Director of Public Works, the Advisory Agency, acting in concurrence with other City agencies, has determined that said Final Map complies with all subdivision requirements related thereto. Pursuant to the California Subdivision Map Act and the San Francisco Subdivision Code, the Director recommends that the Board of Supervisors approve the aforementioned Final Map.

Transmitted herewith are the following:

1. One (1) paper copy of the Motion approving said map – one (1) copy in electronic format.
2. One (1) mylar signature sheet and one (1) paper set of the "Final Map 8285", each comprising 3 sheets.
3. One (1) copy of the Tax Certificate from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
4. One (1) copy of the letter dated March 19, 2015, from the City Planning Department verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.

It is recommended that the Board of Supervisors adopt this legislation.

RECOMMENDED:

APPROVED:

RECEIVED SUPERVISOR  
 STAFF OFFICE  
 2015 APR -8 AM 9:03



City and County of San Francisco



Phone: (415) 554-5827

Fax: (415) 554-5324

<http://www.sfdpw.com>  
[subdivision.mapping@sfdpw.org](mailto:subdivision.mapping@sfdpw.org)

Department of Public Works  
Office of the City and County Surveyor

1155 Market Street, 3rd Floor  
San Francisco, CA 94103

Edwin M. Lee, Mayor  
Mohammed Nuru, Director

Fuad S. Sweiss, PE, PLS,  
City Engineer & Deputy Director of Engineering

Bruce R. Storrs, City and County Surveyor

### TENTATIVE MAP DECISION

*SE*

Date: July 28, 2014

Department of City Planning  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Project ID: 8285			
Project Type: 447 Residential and 1 Commercial Units Mixed Use new Construction Condominium			
Address#	StreetName	Block	Lot
399	FREMONT ST	3747	320
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. The subject referral is exempt from environmental review per Class 1 California Environmental Quality Act Guidelines.

X The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):  
**PLEASE SEE ATTACHED N.C.R.S & CONDITIONS OF APPROVAL**

The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code. Due to the following reasons (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

**Enclosures:**

- Application
- Print of Tentative Map

Sincerely,

Bruce R. Storrs, P.L.S.  
City and County Surveyor

DATE ~~8.21.14~~ 3.19.15

PLANNING DEPARTMENT

  
Mr. Scott F. Sanchez, Zoning Administrator



## SAN FRANCISCO PLANNING DEPARTMENT

---

Per the most recent NSR #2012J475280 for Case No. 2012.0645X, adopted by the Planning Commission of the City and County of San Francisco on July 26, 2012, as set forth in Planning Commission Motion No. 18676, 18129, and 17671, per case numbers 2012.0645X, 2010.0248X, 2008.0711X, respectively to construct a new residential building (up to 452 dwelling units, 258 automobile parking spaces, and 150 bicycle parking spaces).

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

CL: G:\DOCUMENTS\2013\Condos\2175 Market St - Approval Memo.doc

**RECORDING REQUESTED BY:** )  
 )  
**And When Recorded Mail To:** )  
 )  
**Name:** Andrew J. Junius ) **CONFORMED COPY of document recorded**  
 )  
**Address:** Reuben & Junius, LLP ) **08/17/2012, 2012J475280**  
 ) **OR \_\_\_\_\_ with document no \_\_\_\_\_**  
**City:** One Bush St., Ste. 600 ) **This document has not been compared with the original**  
 San Francisco, ) **SAN FRANCISCO ASSESSOR-RECORDER**  
**State:** California 94104 ) **Space Above this Line For Recorder's Use**

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE**

I, (We) OM/UDR SF, 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: (LEGAL DESCRIPTION AS ON DEED).

LOT 320 OF FINAL MAP 4181, FILED JUNE 20, 2007, BOOK 101 OF CONDOMINIUM  
 MAPS, PAGES 67 AND 68, SAN FRANCISCO COUNTY RECORDS.  
 APN: LOT: 3747; BLOCK: 320

BEING Assessor's **Block 3747, Lot 002**, commonly known as **399 Fremont Avenue**,  
 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 (City Planning Code).

Said restrictions consist of conditions attached to the Conditional Use Application No.  
**2012.0645X** approved by the Planning Commission of the City and County of San Francisco on  
**July 26, 2012**, as set forth in Planning Commission Motion No. **18676**.

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

**GENERAL CONDITIONS**

1. Performance. This authorization is valid for a period of 12 months after the date of expiration of the previous extension granted per Motion No. 18411. Specific procedures regarding the performance requirement follow Planning Code Section 309.1(e).
2. Recordation. Prior to the issuance of any building or site permit for the construction of the Project, the Zoning Administrator shall approve and order the recordation of a notice in the Official Records of the Recorder of the City and County of San Francisco, which notice shall state that construction of the Project has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE**

extent to which the conditions of this Motion have been satisfied, and record said writing if requested.


3. The property shall be kept free of weeds, debris, and blight. The Project Sponsor shall install a fence to prevent vagrant camping, unlawful dumping and to minimize the security threat to the neighborhood. The fence shall be kept free of graffiti and postings.

The use of said property contrary to these special restrictions shall constitute a violation of the City 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,

Dated: Aug. 13, 2012 at San Francisco, California

OM/UDR SF LLC,  
a Delaware limited liability company

By: OM Fremont Equity, LLC  
California limited liability company  
its Manager

  
\_\_\_\_\_  
(Signature of owner)

William P. Pensky  
\_\_\_\_\_  
(Printed Name)

CFO  
\_\_\_\_\_  
(Title)

8.13.12  
\_\_\_\_\_  
(Date)

**This signature must be notarized prior to recordation; add Notary Public Certification and Official Notarial Seal below.**

U:\BFu\DOCUMENTS\NSRs\CU\399 Fremont Street=2012.0645X.doc





**CERTIFICATE OF REDEMPTIONS OFFICER  
SHOWING TAXES AND ASSESSMENTS PAID.**

I, David Augustine, Tax Collector of the City and County San Francisco, State of California, do hereby certify, pursuant to the provisions of California Government Code Section 66492 et. seq., that according to the records of my office, there are no liens against the subdivision designated on the map entitled:

Block No.        3747        Lot No.    320

Address:        355 - 375 Fremont St

for unpaid City & County property taxes or special assessments collected as taxes, except taxes or assessments not yet payable.

David Augustine, Tax Collector

The above certificate pertains to taxes and special assessments collected as taxes for the period prior to this current tax year.

**Dated this 4th day of March. This certificate is valid for the earlier of 60 days from this date or December 31, 2016. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.**

Office of the Treasurer & Tax Collector  
City and County of San Francisco

Property Tax Section



José Cisneros, Treasurer

---

**CERTIFICATE SHOWING TAXES A LIEN, BUT NOT YET DUE**

I, David Augustine, Tax Collector of the City and County San Francisco, State of California, do hereby certify, pursuant to the provisions of California Government Code Section 66492 et. seq., that the subdivision designated on the map entitled is subject to the following City & County property taxes and Special Assessments which are a lien on the property but which taxes are not yet due:

Block No.            3747            Lot No. 320

Address:            355 - 375 Fremont St

Estimated probable assessed value of property within the proposed Subdivision/Parcel

Map:                    \$117,000,000

Established or estimated tax rate:                    1.2000%

Estimated taxes liened but not yet due:                    \$1,404,000.00

Amount of Assessments not yet due:                    \$1,281.00

These estimated taxes and special assessments have been paid.

David Augustine, Tax Collector

**Dated this 4th day of March. This certificate is valid for the earlier of 60 days from this date or December 31, 2016. If this certificate is no longer valid please contact the Office of Treasurer and Tax Collector to obtain another certificate.**

**TAX STATEMENT:**

I, ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE SUBDIVIDER HAS FILED A STATEMENT FROM THE TREASURER AND TAX COLLECTOR, OF THE CITY AND COUNTY OF SAN FRANCISCO, SHOWING THAT ACCORDING TO THE RECORD OF HIS OR HER OFFICE THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES.

DATED \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

CLERK OF THE BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**CLERK'S STATEMENT:**

I, ANGELA CALVILLO, CLERK OF THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, HEREBY STATE THAT SAID BOARD OF SUPERVISORS BY ITS MOTION NO. \_\_\_\_\_ ADOPTED \_\_\_\_\_, 20\_\_, APPROVED THIS MAP ENTITLED "FINAL MAP 8285".

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY HAND AND CAUSED THE SEAL OF THIS OFFICE TO BE AFFIXED.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
CLERK OF THE BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**APPROVAL:**  
THIS MAP IS APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
BY ORDER NO. \_\_\_\_\_

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

MOHAMMED NURU  
DIRECTOR OF PUBLIC WORKS AND ADVISORY AGENCY  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA

**APPROVED AS TO FORM:**

DENNIS J. HERRERA, CITY ATTORNEY

BY: \_\_\_\_\_  
DEPUTY CITY ATTORNEY  
CITY AND COUNTY OF SAN FRANCISCO

**BOARD OF SUPERVISOR'S APPROVAL:**

ON \_\_\_\_\_, 20\_\_, THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA APPROVED AND PASSED MOTION NO. \_\_\_\_\_ A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE BOARD OF SUPERVISORS IN FILE NO. \_\_\_\_\_.

**CITY AND COUNTY SURVEYOR'S STATEMENT:**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT I AM SATISFIED THIS MAP IS TECHNICALLY CORRECT.

BRUCE R. STORRS, CITY AND COUNTY SURVEYOR  
CITY AND COUNTY OF SAN FRANCISCO

BY: Benjamin B. Ron DATE: MARCH 22 2016  
BRUCE R. STORRS L.S. 6914

**SURVEYOR'S STATEMENT:**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF 399 FRENCH, LLC ON DECEMBER 12, 2013. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

BY: Benjamin B. Ron DATE: 3-7-16

BENJAMIN B. RON  
PLS No. 5015



**RECORDER'S CERTIFICATE OR STATEMENT:**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
AT \_\_\_\_\_, IN BOOK \_\_\_\_\_ OF CONDOMINIUM MAPS, AT PAGES \_\_\_\_\_  
AT THE REQUEST OF MARTIN M. RON ASSOCIATES.

SIGNED: \_\_\_\_\_  
COUNTY RECORDER  
CITY AND COUNTY OF SAN FRANCISCO  
STATE OF CALIFORNIA



**FINAL MAP 8285**

A 447 RESIDENTIAL AND 1 COMMERCIAL UNIT  
MIXED USE CONDOMINIUM PROJECT  
OF THE LANDS SHOWN ON FINAL MAP 4181  
FILED JUNE 20, 2007, 11  
BOOK 101 OF CONDOMINIUM MAPS, PAGES 67-68  
BEING A PORTION OF 100 VARA BLOCK 337

CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA  
MARTIN M. RON ASSOCIATES, INC.  
Land Surveyors  
859 Harrison Street, Suite 200  
San Francisco California

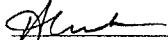
3793

OWNER'S STATEMENT:  
WE HEREBY STATE THAT WE ARE THE ONLY OWNERS OF AND HOLDERS OF RECORD TITLE INTEREST  
IN THE REAL PROPERTY SUBDIVIDED AND SHOWN UPON THIS MAP, AND DO HEREBY CONSENT TO  
THE PREPARATION AND RECORDATION OF SAID MAP.

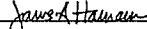
IN WITNESS THEREOF, WE, THE UNDERSIGNED, HAVE CAUSED THIS STATEMENT TO BE EXECUTED.

OWNER: 399 FREMONT LLC,  
A DELAWARE LIMITED LIABILITY COMPANY

BY: UDR, INC.,  
A MARYLAND CORPORATION, ITS MANAGING MEMBER

  
HARRY G. ALCOCK  
SENIOR VICE PRESIDENT

BENEFICIARY: PNC BANK, NATIONAL ASSOCIATION

BY:   
NAME: JAMES A. HARMANN  
ITS: SENIOR VICE PRESIDENT

OWNER'S ACKNOWLEDGEMENT:

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 Colorado  
COUNTY OF Douglas  
ON January 7 2016 BEFORE ME, Lestie E. Green

PERSONALLY APPEARED Harry G. Alcock  
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 Colorado THAT  
THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: 

NOTARY PUBLIC, STATE OF Colorado COMMISSION NO.: N/A

MY COMMISSION EXPIRES: 4-20-16

COUNTY OF PRINCIPAL PLACE OF BUSINESS: Douglas



BENEFICIARY'S ACKNOWLEDGEMENT:

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 Ohio  
COUNTY OF HAMILTON  
ON JANUARY 7 2016 BEFORE ME, KATHY BURNETT

PERSONALLY APPEARED JAMES A. HARMANN, SUP OF PNC BANK NA  
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 Ohio THAT  
THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: 

NOTARY PUBLIC, STATE OF Ohio COMMISSION NO.: N/A

MY COMMISSION EXPIRES: 12-19-17

COUNTY OF PRINCIPAL PLACE OF BUSINESS: HAMILTON



FINAL MAP 8285

A 447 RESIDENTIAL AND 1 COMMERCIAL UNIT  
MIXED USE CONDOMINIUM PROJECT  
OF THE LANDS SHOWN ON FINAL MAP 4181  
FILED JUNE 20, 2007,  
BOOK 101 OF CONDOMINIUM MAPS, PAGES 67-68  
BEING A PORTION OF 100 YARA BLOCK 337

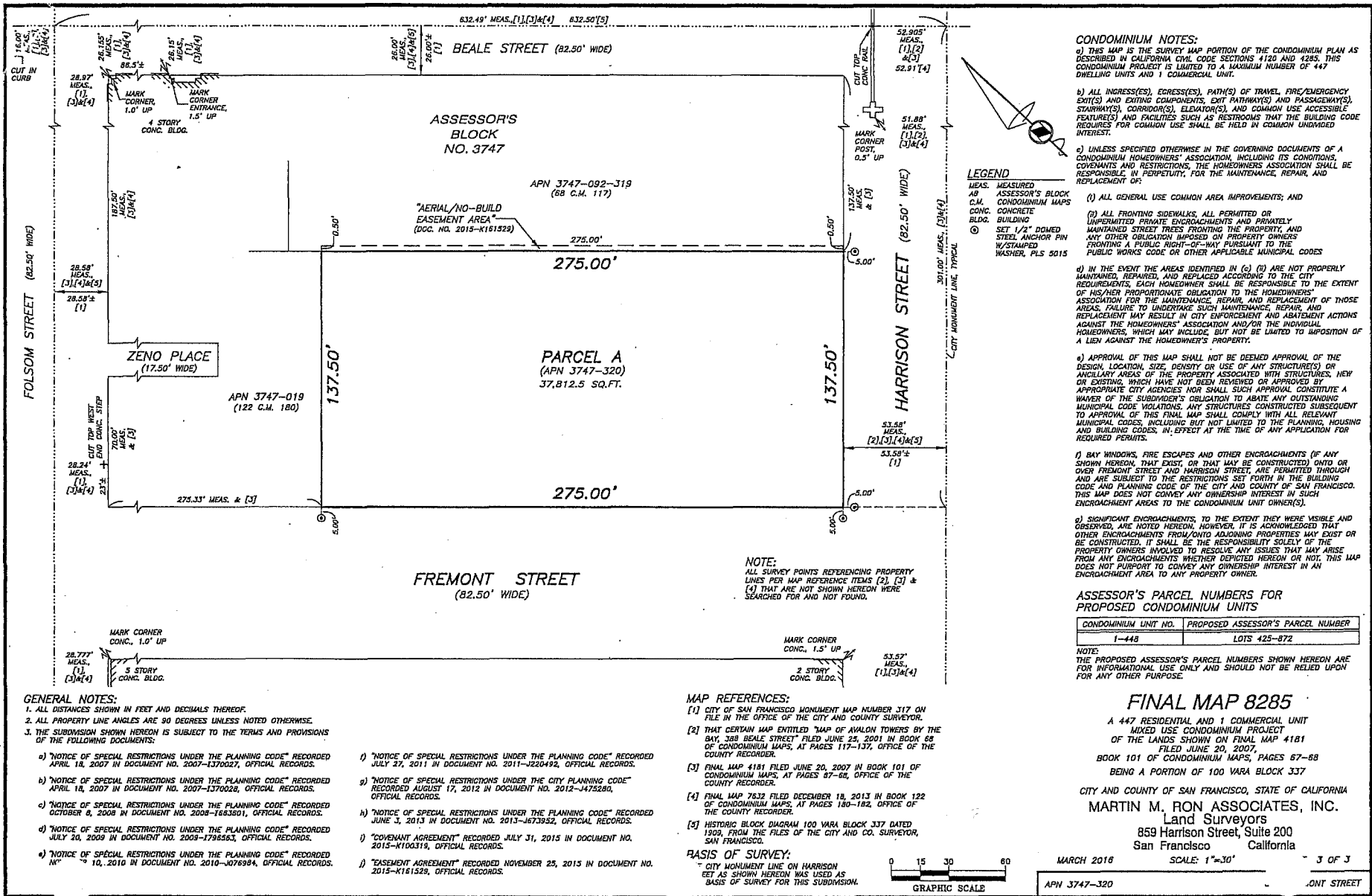
CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA  
MARTIN M. RON ASSOCIATES, INC.  
Land Surveyors  
859 Harrison Street, Suite 200  
San Francisco California

MARCH 2016 SHEET 2 OF 3

APN 3747-320

399 FREMONT STREET

3794



**CONDOMINIUM NOTES:**  
 a) THIS MAP IS THE SURVEY MAP PORTION OF THE CONDOMINIUM PLAN AS DESCRIBED IN CALIFORNIA CIVIL CODE SECTIONS 4120 AND 4285. THIS CONDOMINIUM PROJECT IS LIMITED TO A MAXIMUM NUMBER OF 447 DWELLING UNITS AND 1 COMMERCIAL UNIT.

b) ALL INGRESS(ES), EGRESS(ES), PATH(S) OF TRAVEL, FIRE/EMERGENCY EXIT(S) AND EXITING COMPONENTS, EXIT PATHWAY(S) AND PASSAGEWAY(S), STAIRWAY(S), CORRIDOR(S), ELEVATOR(S), AND COMMON USE ACCESSIBLE FEATURE(S) AND FACILITIES SUCH AS RESTROOMS THAT THE BUILDING CODE REQUIRES FOR COMMON USE SHALL BE HELD IN COMMON UNDIVIDED INTEREST.

c) UNLESS SPECIFIED OTHERWISE IN THE GOVERNING DOCUMENTS OF A CONDOMINIUM HOMEOWNERS' ASSOCIATION, INCLUDING ITS CONDITIONS, COVENANTS AND RESTRICTIONS, THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE, IN RETRIBUTIVE, FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF:

- LEGEND**
- MEAS. MEASURED
  - AP. ASSESSOR'S BLOCK
  - C.M. CONDOMINIUM MAPS
  - CONC. CONCRETE
  - BLDG. BUILDING
  - SET 1/2" DOMED STEEL ANCHOR PIN W/STAMPED WASHER, PLS 5015

- (1) ALL GENERAL USE COMMON AREA IMPROVEMENTS; AND
- (2) ALL FRONTING SIDEWALKS, ALL PERMITTED OR UNPERMITTED PRIVATE ENCROACHMENTS AND PRIVATELY MAINTAINED STREET TREES FRONTING THE PROPERTY; AND ANY OTHER OBLIGATION IMPOSED ON PROPERTY OWNERS FRONTING A PUBLIC RIGHT-OF-WAY PURSUANT TO THE PUBLIC WORKS CODE OR OTHER APPLICABLE MUNICIPAL CODES

d) IN THE EVENT THE AREAS IDENTIFIED IN (c) (1) ARE NOT PROPERLY MAINTAINED, REPAIRED, AND REPLACED ACCORDING TO THE CITY REQUIREMENTS, EACH HOMEOWNER SHALL BE RESPONSIBLE TO THE EXTENT OF HIS/HER PROPORTIONATE OBLIGATION TO THE HOMEOWNERS' ASSOCIATION FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF THOSE AREAS. FAILURE TO UNDERTAKE SUCH MAINTENANCE, REPAIR, AND REPLACEMENT MAY RESULT IN CITY ENFORCEMENT AND ABATEMENT ACTIONS AGAINST THE HOMEOWNERS' ASSOCIATION AND/OR THE INDIVIDUAL HOMEOWNERS, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO IMPOSITION OF A LIEU AGAINST THE HOMEOWNERS' PROPERTY.

e) APPROVAL OF THIS MAP SHALL NOT BE DEEMED APPROVAL OF THE DESIGN, LOCATION, SIZE, DENSITY OR USE OF ANY STRUCTURE(S) OR ANCILLARY AREAS OF THE PROPERTY ASSOCIATED WITH STRUCTURES, NEW OR EXISTING, WHICH HAVE NOT BEEN REVIEWED OR APPROVED BY APPROPRIATE CITY AGENCIES NOR SHALL SUCH APPROVAL CONSTITUTE A WAIVER OF THE SUBDIVIDER'S OBLIGATION TO ABATE ANY OUTSTANDING MUNICIPAL CODE VIOLATIONS. ANY STRUCTURES CONSTRUCTED SUBSEQUENT TO APPROVAL OF THIS FINAL MAP SHALL COMPLY WITH ALL RELEVANT MUNICIPAL CODES, INCLUDING BUT NOT LIMITED TO THE PLANNING, HOUSING AND BUILDING CODES, IN EFFECT AT THE TIME OF ANY APPLICATION FOR REQUIRED PERMITS.

f) BAY WINDOWS, FIRE ESCAPES AND OTHER ENCROACHMENTS (IF ANY SHOWN HEREON THAT EXIST, OR THAT MAY BE CONSTRUCTED) ONTO OR OVER FREMONT STREET AND HARRISON STREET, ARE PERMITTED THROUGH AND ARE SUBJECT TO THE RESTRICTIONS SET FORTH IN THE BUILDING CODE AND PLANNING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO. THIS MAP DOES NOT CONVEY ANY OWNERSHIP INTEREST IN SUCH ENCROACHMENT AREAS TO THE CONDOMINIUM UNIT OWNER(S).

g) SIGNIFICANT ENCROACHMENTS, TO THE EXTENT THEY WERE VISIBLE AND OBSERVED, ARE NOTED HEREON. HOWEVER, IT IS ACKNOWLEDGED THAT OTHER ENCROACHMENTS FROM ADJOINING PROPERTIES MAY EXIST OR BE CONSTRUCTED. IT SHALL BE THE RESPONSIBILITY SOLELY OF THE PROPERTY OWNERS INVOLVED TO RESOLVE ANY ISSUES THAT MAY ARISE FROM ANY ENCROACHMENTS WHETHER DEPICTED HEREON OR NOT. THIS MAP DOES NOT PURPORT TO CONVEY ANY OWNERSHIP INTEREST IN AN ENCROACHMENT AREA TO ANY PROPERTY OWNER.

**ASSESSOR'S PARCEL NUMBERS FOR PROPOSED CONDOMINIUM UNITS**

CONDOMINIUM UNIT NO.	PROPOSED ASSESSOR'S PARCEL NUMBER
1-448	LOTS 425-872

NOTE: THE PROPOSED ASSESSOR'S PARCEL NUMBERS SHOWN HEREON ARE FOR INFORMATIONAL USE ONLY AND SHOULD NOT BE RELIED UPON FOR ANY OTHER PURPOSE.

**FINAL MAP 8285**

A 447 RESIDENTIAL AND 1 COMMERCIAL UNIT MIXED USE CONDOMINIUM PROJECT OF THE LANDS SHOWN ON FINAL MAP 4181 FILED JUNE 20, 2007, BOOK 101 OF CONDOMINIUM MAPS, PAGES 87-88 BEING A PORTION OF 100 VARA BLOCK 337

CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA  
**MARTIN M. RON ASSOCIATES, INC.**  
 Land Surveyors  
 859 Harrison Street, Suite 200  
 San Francisco California

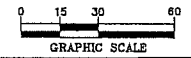
MARCH 2016 SCALE: 1"=30' J OF J  
 APN 3747-320

- GENERAL NOTES:**
- ALL DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.
  - ALL PROPERTY LINE ANGLES ARE 90 DEGREES UNLESS NOTED OTHERWISE.
  - THE SUBDIVISION SHOWN HEREON IS SUBJECT TO THE TERMS AND PROVISIONS OF THE FOLLOWING DOCUMENTS:
    - a) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED APRIL 18, 2007 IN DOCUMENT NO. 2007-1370027, OFFICIAL RECORDS.
    - b) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED APRIL 18, 2007 IN DOCUMENT NO. 2007-1370028, OFFICIAL RECORDS.
    - c) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED OCTOBER 8, 2008 IN DOCUMENT NO. 2008-1683501, OFFICIAL RECORDS.
    - d) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED JULY 20, 2009 IN DOCUMENT NO. 2009-1798563, OFFICIAL RECORDS.
    - e) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED NOV 10, 2010 IN DOCUMENT NO. 2010-1076984, OFFICIAL RECORDS.

- f) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED JULY 27, 2011 IN DOCUMENT NO. 2011-1220492, OFFICIAL RECORDS.
- g) NOTICE OF SPECIAL RESTRICTIONS UNDER THE CITY PLANNING CODE RECORDED AUGUST 17, 2012 IN DOCUMENT NO. 2012-1475280, OFFICIAL RECORDS.
- h) NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE RECORDED JUNE 3, 2013 IN DOCUMENT NO. 2013-1673932, OFFICIAL RECORDS.
- i) COVENANT AGREEMENT RECORDED JULY 31, 2015 IN DOCUMENT NO. 2015-K100319, OFFICIAL RECORDS.
- j) EASEMENT AGREEMENT RECORDED NOVEMBER 25, 2015 IN DOCUMENT NO. 2015-K161529, OFFICIAL RECORDS.

- MAP REFERENCES:**
- (1) CITY OF SAN FRANCISCO MONUMENT MAP NUMBER 317 ON FILE IN THE OFFICE OF THE CITY AND COUNTY SURVEYOR.
  - (2) THAT CERTAIN MAP ENTITLED "MAP OF AVALON TOWERS BY THE BAY, 388 BEALE STREET" FILED JUNE 25, 2001 IN BOOK 88 OF CONDOMINIUM MAPS, AT PAGES 117-137, OFFICE OF THE COUNTY RECORDER.
  - (3) FINAL MAP 4181 FILED JUNE 20, 2007 IN BOOK 101 OF CONDOMINIUM MAPS, AT PAGES 87-88, OFFICE OF THE COUNTY RECORDER.
  - (4) FINAL MAP 7632 FILED DECEMBER 18, 2013 IN BOOK 122 OF CONDOMINIUM MAPS, AT PAGES 180-182, OFFICE OF THE COUNTY RECORDER.
  - (5) HISTORIC BLOCK DIAGRAM 100 VARA BLOCK 337 DATED 1909, FROM THE FILES OF THE CITY AND CO. SURVEYOR, SAN FRANCISCO.

**BASIS OF SURVEY:**  
 CITY MONUMENT LINE ON HARRISON STREET AS SHOWN HEREON WAS USED AS BASIS OF SURVEY FOR THIS SUBDIVISION.



3795

