

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name: Byron Hing, et al.,

Address: 1353 9th Avenue

**City: San Francisco
State: California, Zip: 94122**



**San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC- 2017-K405649-00**

Check Number 0105

Tuesday, FEB 07, 2017 09:25:44

Ttl Pd \$63.00 Rcpt # 0005549321

dm2/DM/1-17

(Space Above This Line For Recorder's Use)

We, Melvin Jay Rabeck and Pamela Fern Rabeck, Trustees of the Rabeck Living Trust, dated 05/07/2010; Danny Tan, a single man; Chi Nicolas Nhan, a single man; Vi Nhan, a single man; Tony Kong and Daisy Chan Kong, Trustees of the Tony and Daisy Kong Family Trust, dated October 10, 2004; Byron Hing and Liza Hing, Trustees of the Byron and Liza Hing Revocable Trust, dated June 24, 2008; and Julie Alonso, an unmarried woman; the owners 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).

BEING ASSESSOR'S BLOCK: 1764, LOT: 010;

COMMONLY KNOWN AS: 1353 9TH 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 (Planning Code)

Said Restrictions consist of conditions attached to the approval of Condominium Conversion Application No **2016-010889CND** by the Planning Department as a referral from the Department of Public Works, Bureau of Street-Use and Mapping, Project ID 9109

The tentative map filed with the present application indicates that the subject building at 1353 9th Avenue is a six-unit building located in the Inner Sunset NCD (Neighborhood Commercial District) Zoning District. The subject lot is approximately 3,000 square feet in area. On lot of this size within the Inner Sunset NCD Zoning District, a maximum of four dwelling units can be considered legal and conforming to the Planning Code. Therefore, the remaining two units must be considered legal, nonconforming dwelling units.

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

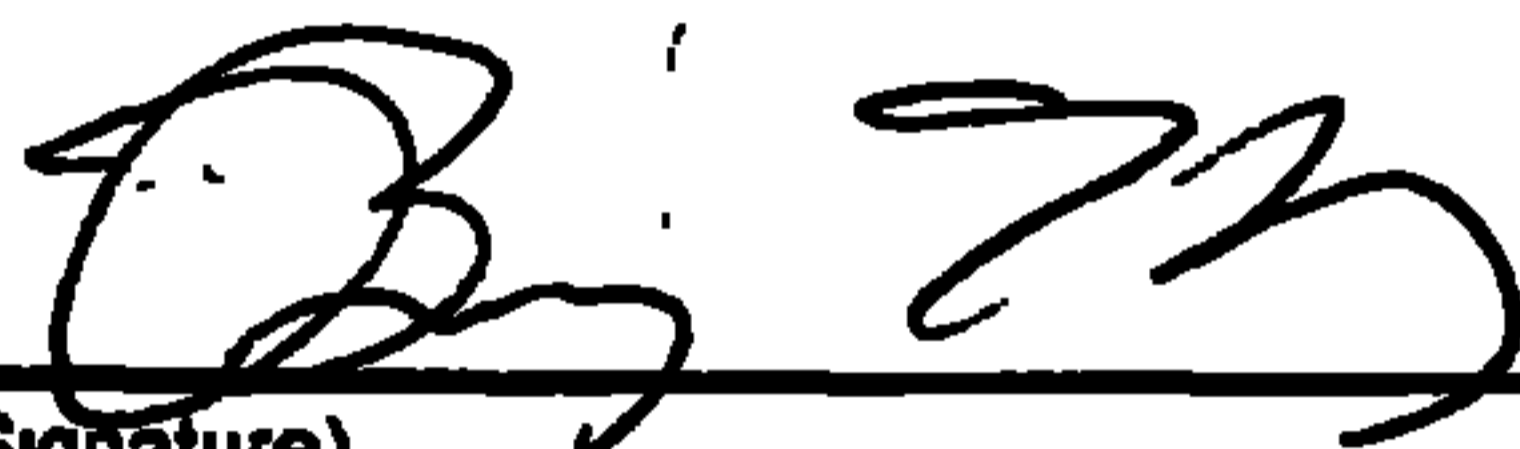
- 1 That two of the dwelling units shall be designated as nonconforming dwelling units if and

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

when any future expansion occurs Section 181 of the Planning Code provides that a nonconforming use, and any structure occupied by such a use shall not be enlarged, intensified, extended or moved to another location, unless the result will be the elimination of the non-conforming use with exceptions outlined under Section 181(b) of the Code

2. That the remaining four dwelling units shall remain legal and conforming, subject to all of the restrictions of the Code, and any other applicable City Codes. In case of conflict, the more restrictive City Code shall apply
3. Minor modifications as determined by the Zoning Administrator may be permitted
4. The property owners shall record a copy of these conditions with the Office of the Recorder of the City and County of San Francisco as part of the property records for the block and lot identified above

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) _____ Byron Hing, Trustee
(Printed Name) _____
Dated: January 30, 2017 at San Francisco, California.
(Month, Day) (City)

(Signature) _____ Liza Hing, Trustee
(Printed Name) _____
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature) _____ Tony Kong, Trustee
(Printed Name) _____
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature) _____ Daisy Chan Kong, Trustee
(Printed Name) _____
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

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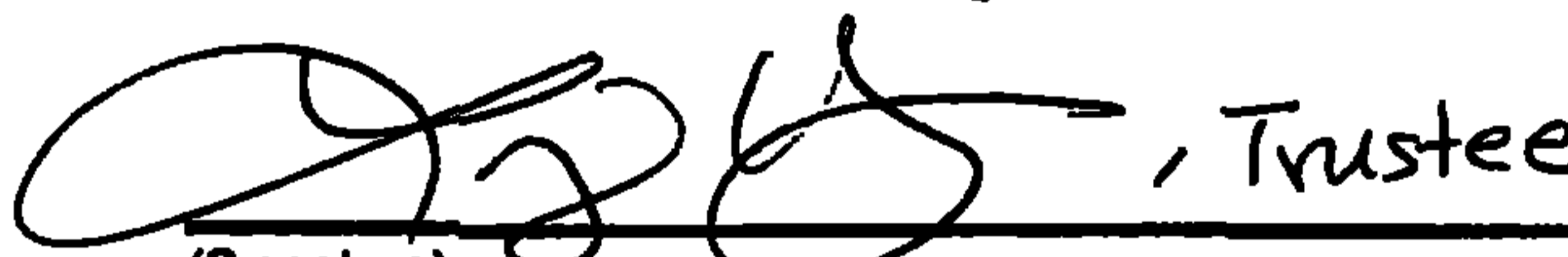
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(Signature) Byron Hing, Trustee

(Printed Name)

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

 _____, Trustee
(Signature) Liza Hing, Trustee

(Printed Name)

Dated: January 23, 2017 at San Francisco, California.
(Month, Day) (City)

(Signature) Tony Kong, Trustee

(Printed Name)

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

(Signature) Daisy Chan Kong, Trustee

(Printed Name)

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

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- 3. Minor modifications as determined by the Zoning Administrator may be permitted.
- 4. The property owners shall record a copy of these conditions with the Office of the Recorder of the City and County of San Francisco as part of the property records for the block and lot identified above.


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 (Signature) Byron Hing, Trustee
(Printed Name)


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

 (Signature) Liza Hing, Trustee
(Printed Name)

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


 (Signature) Tony Kong, Trustee *aka Anthony*
(Printed Name)

Dated: *Jan 11*, 20 *17* at *Granite Bay*, California.
(Month, Day) (City) *see attached for Notarization*


 (Signature) Daisy Chan Kong, Trustee
(Printed Name)

Dated: *Jan 11*, 20 *17* at *Granite Bay*, California.
(Month, Day) (City) *see attached for Notarization*



NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE


(Signature)

Chi Nicholas Nhan
(Printed Name)

Dated: December 30, 2016 at San Francisco, California.
(Month, Day) (City)

Notary's Acknowledgment is attached.


(Signature)

Vi Nhan
(Printed Name)

Dated: 12-30-2016, 2016 at San Francisco, California.
(Month, Day) (City)

(Signature)

Julie Alonso
(Printed Name)

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

(Signature)

Danny Tan
(Printed Name)

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

(Signature)

Melvin Jay Rabeck, Trustee
(Printed Name)

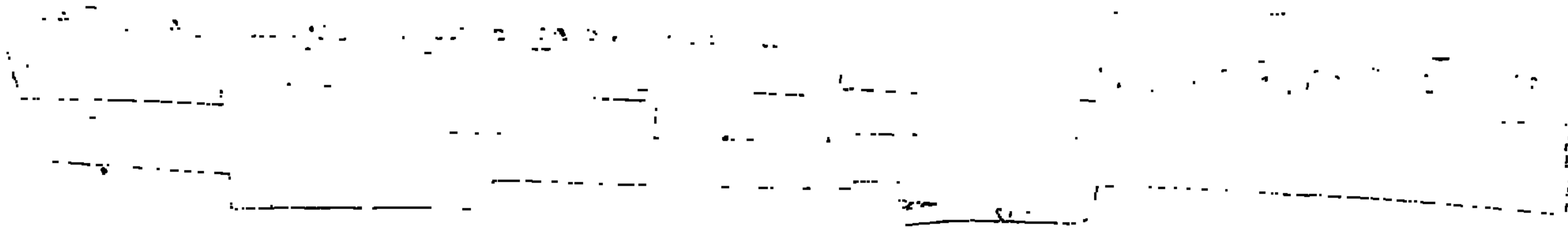
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature)

Pamela Fern Rabeck, Trustee
(Printed Name)

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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE



(Signature) **Chi Nicholas Nhan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) **Vi Nhan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

Julie Alonso
(Signature) **Julie Alonso**
(Printed Name)
Dated: *Jan 31*, **2017** at *San Francisco*, **California.**
(Month, Day) (City)

(Signature) **Danny Tan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) **Melvin Jay Rabeck, Trustee**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)


(Signature) **Pamela Fern Rabeck, Trustee**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

(Signature) Chi Nicholas Nhan
(Printed Name)
Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)

(Signature) Vi Nhan
(Printed Name)
Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)

(Signature) Julie Alonso
(Printed Name)
Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)


(Signature) Danny Tan
(Printed Name)
Dated: 12/28, 20 16 at San Francisco, California.
(Month, Day) (City)

(Signature) Melvin Jay Rabeck, Trustee
(Printed Name)
Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)

(Signature) Pamela Fern Rabeck, Trustee
(Printed Name)
Dated: _____, 20 _____ at _____, California.
(Month, Day) (City)

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

(Signature) **Chi Nicholas Nhan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) **Vi Nhan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) **Julie Alonso**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) **Danny Tan**
(Printed Name)
Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

Melvin Jay Rabeck, Trustee
(Signature) **Melvin Jay Rabeck, Trustee**
(Printed Name)
Dated: 12/17, **2016** at San Jose, **California.**
(Month, Day) (City)

Pamela Fern Rabeck, Trustee
(Signature) **Pamela Fern Rabeck, Trustee**
(Printed Name)
Dated: 12/17, **2016** at San Jose, **California.**
(Month, Day) (City)

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 San Francisco)

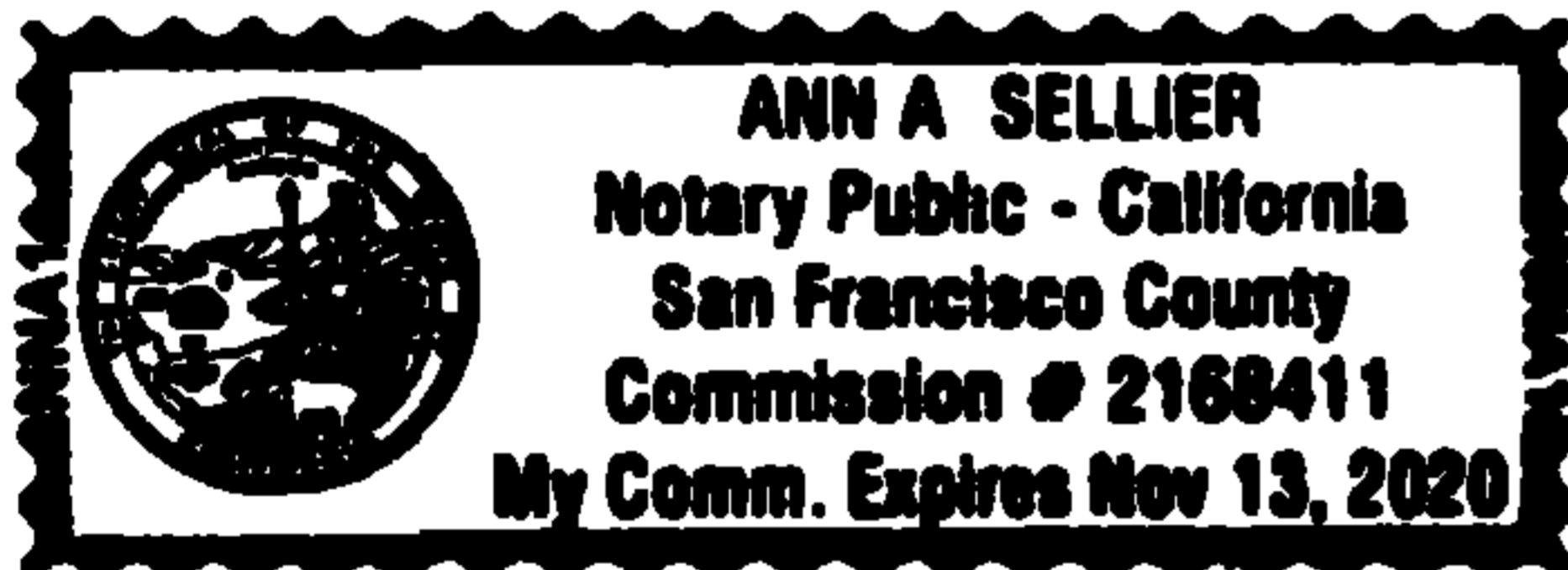
On January 30, 2017 before me, Ann A. Sellier, notary public
Date Here Insert Name and Title of the Officer

personally appeared Byron Hing
Name(s) of Signer(s)

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 Ann A. Sellier
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Notice of Special Restrictions under the planning code Document Date: 1/30/17

Number of Pages: 4 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

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 San Francisco

On 1/23/17 before me, Connie Ho, Notary Public,
(here insert name and title of the officer)

personally appeared - Liza Hing -
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) is 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

[Handwritten Signature]
Signature

(Seal)



California All-Purpose 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.

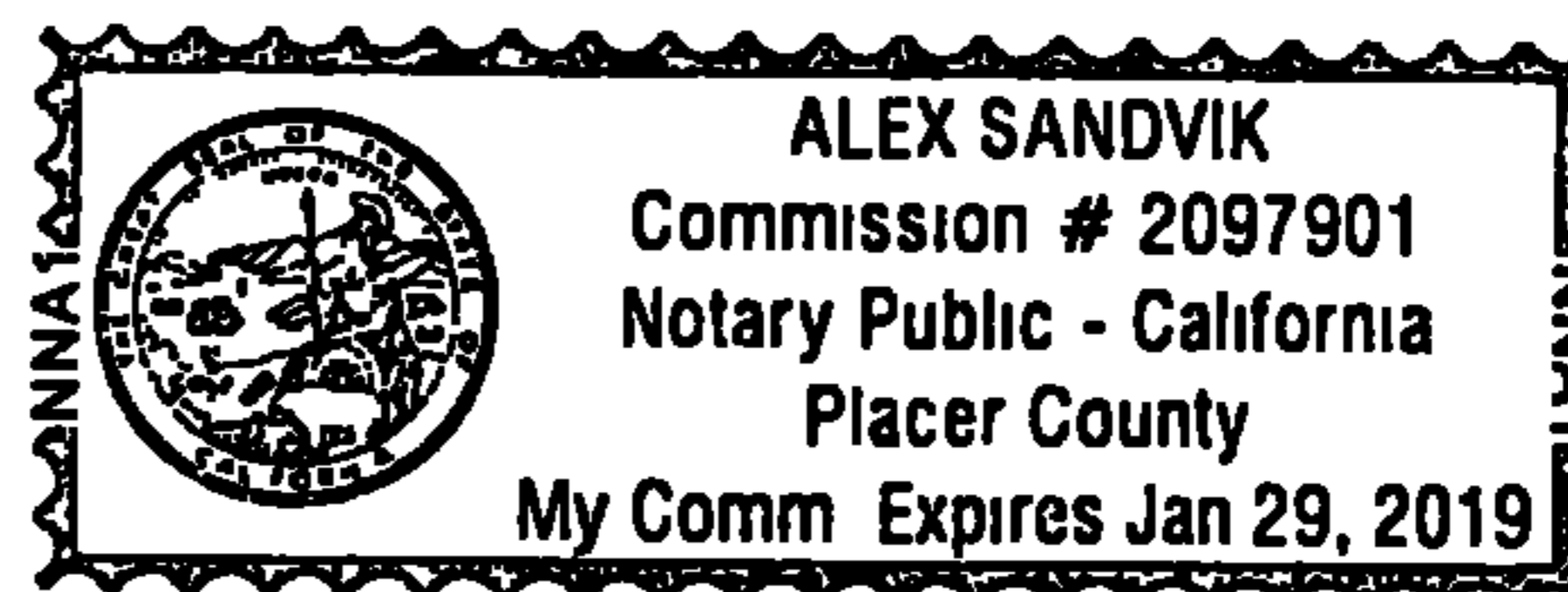
State of California

County of Placer

On January 11, 2017 before me, Alex Sandvik, Notary Public, personally appeared ANTHONY KONG and DAISY CHAN KONG who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) 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 *Alex Sandvik*

Alex Sandvik

My Commission Expires: Jan. 29, 2019

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 San Francisco)
On Dec. 30, 2016 before me, PRITI PARIKH, notary public
Date Here Insert Name and Title of the Officer
personally appeared Vi Nhan and Chi Nhan
Name(s) of Signer(s)

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 Priti Parikh
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document Notice of Special Restrictions Under Planning Code Document Date: 12/30/16
Number of Pages: 4 plus Acknowledgment Signer(s) Other Than Named Above: _____
Capacity(ies) Claimed by Signer(s)
Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

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
County of San Francisco)

On January 31, 2017 before me, Allen Beard, Notary Public
(insert name and title of the officer)

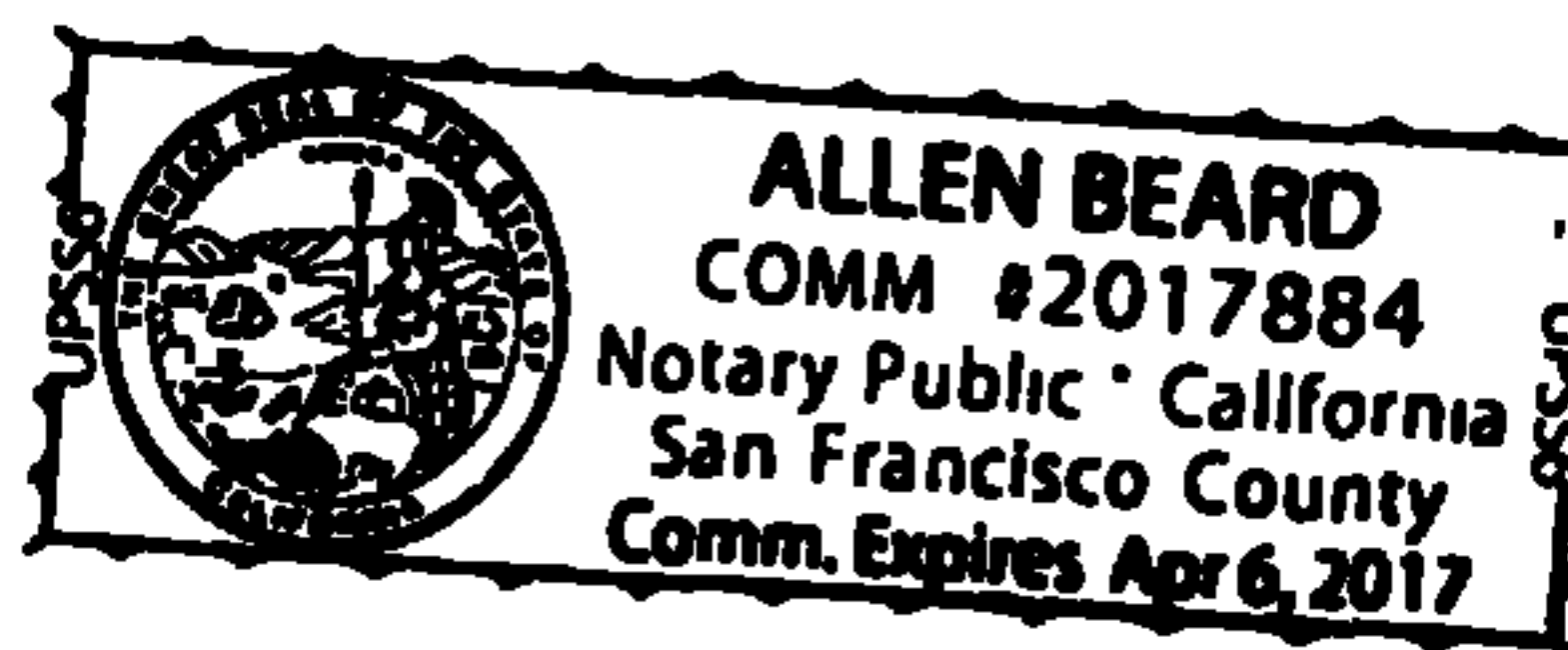
personally appeared Julie Ann Alonso -----
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their 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 Allen Beard

(Seal)



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

County of San Francisco

On Dec. 27, 2016 before me, Zhouyang Wang Notary Public
(insert name and title of the officer)

personally appeared Danny Tan
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

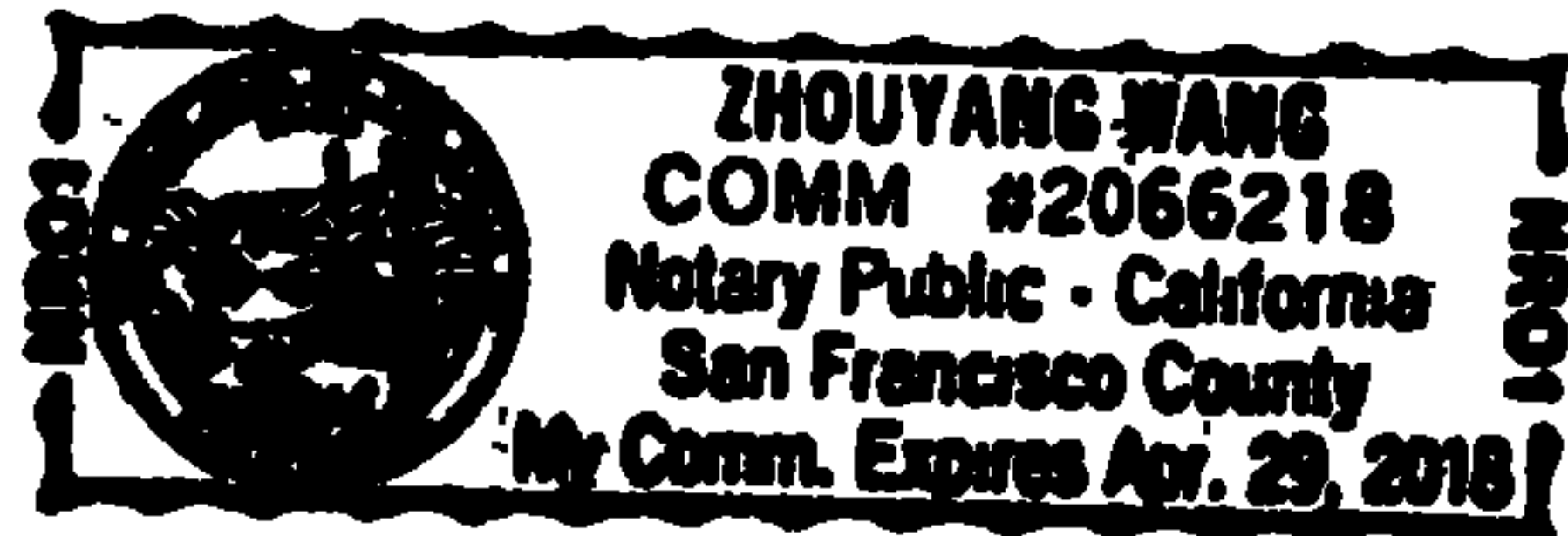
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature

Zhouyang

(Seal)



All-purpose Acknowledgment California only

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.

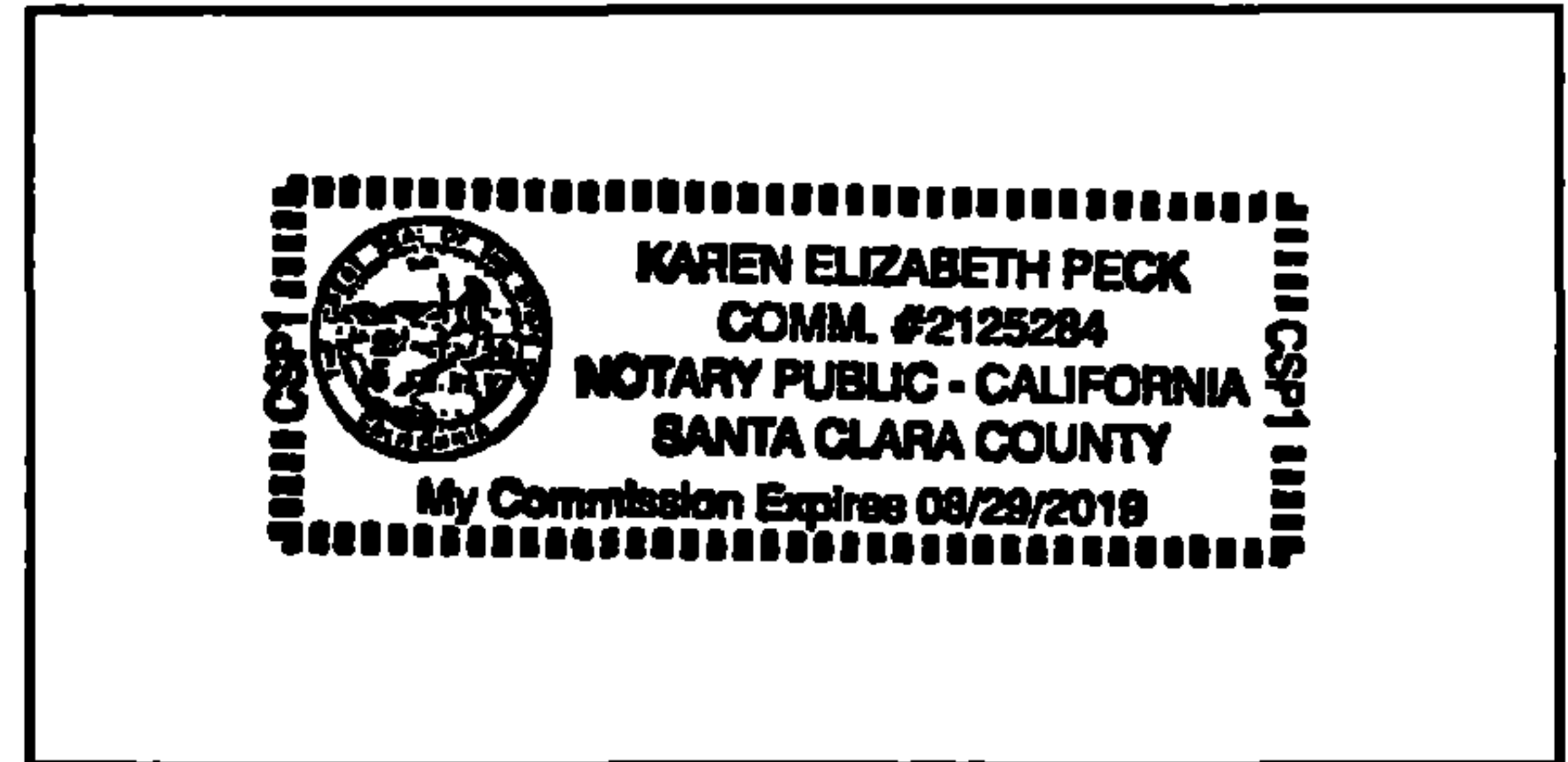
State of California

County of SANTA CLARA

On 12/17/16 before me, KAREN E. PECK (here insert name and title of the officer),

personally appeared MELVIN RABECK AND PAMELA RABECK

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.



Notary Seal

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 Karen E. Peck

Description of Attached Document

Type or Title of Document NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Document Date 12/17/16 Number of Pages 4

Signer(s) Other Than Named Above _____

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:

Beginning at a point on the Westerly line of 9th Avenue, distant thereon 250 feet Northerly from the Northerly line of Judah Street; running thence Northerly along the Westerly line of 9th Avenue 25 feet; thence at a right angle Westerly 120 feet; thence at a right angle Southerly 25 feet; thence at a right angle Easterly 120 feet to the point of beginning.

Being a portion of Outside Land Block No. 681.

Assessor's Lot 010; Block 1764