

San Francisco Assessor-Recorder
Habel S. Teng, Assessor-Recorder

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SFDC Redevelopment Agency
Free Issue

Total fee \$0.00
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as No. 11/21/2003, 2003H595997

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DECLARATION OF RESTRICTIONS

HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

This Declaration of Restrictions ("Declaration") is executed by the Redevelopment Agency of the City and County of San Francisco, a public body corporate and politic under the laws of the State of California ("Redevelopment Agency") in reference to the facts and circumstances set forth below.

1. **Property Subject to this Declaration.** The Board of the Supervisors of the City and County of San Francisco ("Board of Supervisors") established the Redevelopment Project Area described in the Hunters Point Shipyard Redevelopment Plan ("Redevelopment Plan") by the adoption of Ordinance No. 285-97 on July 14, 1997, which was recorded with the Redevelopment Plan in the Office of the Recorder of the City and County of San Francisco ("Recorder") on November 21, 2003 as Document No. 2003-H595997 and is incorporated by this reference as a part of this Declaration. The real property subject to this Declaration is the Hunters Point Shipyard Redevelopment Project Area located in the City and County of San Francisco, and is more particularly described in Attachment I of the Redevelopment Plan or pursuant to any Redevelopment Plan amendment hereafter approved ("Plan Area").

2. **Notice of Restrictions.** The Community Redevelopment Law, codified as California Health & Safety Code §§ 33000 et seq. (the "CRL"), requires adequate safeguards to be imposed so that redevelopment will be carried out in accordance with the Redevelopment

Plan and the retention of controls and the establishment of restrictions and covenants running with the land. This Declaration provides record notice that properties in the Project Area are subject to the Redevelopment Plan and the restrictions, reservations and covenants set forth below (the "Restrictions") for the benefit of the Project Area and the Redevelopment Plan, to ensure that each parcel of real property in the Project Area is held, transferred, sold, conveyed and developed subject to the Restrictions.

3. **Nondiscrimination Provisions.** There shall be no discrimination or segregation based upon race, color, creed, religion, sex, gender identity, sexual orientation, age, marital or domestic partner status, national origin or ancestry, or disability, including HIV/AIDS status, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any property in the Project Area.

4. **Duration of Restrictions.** Except for **Section 3** which will remain in effect in perpetuity, these Restrictions run with the land and apply to and bind all real properties in the Project Area as well as their owners and their successors-in-interest and assignees until the latest of the following: the termination on July 15, 2096 of the Redevelopment Plan adopted on July 14, 1997 by Ordinance No. 285-97, or any later date to which the Redevelopment Plan is extended by the Board of Supervisors; provided, however these Restrictions shall be deemed automatically extended for a term of ten (10) years after the termination of the Redevelopment Plan unless an instrument signed by a majority of the owners of real property in the Project Area agreeing to modify these Restrictions has been first submitted to and approved by the Redevelopment Agency and recorded with the Recorder.

5. **Foreclosure and Enforcement of Liens.** The provisions of this Declaration do not create, limit or expand the right of any mortgagee or obligee ("Obligee") to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance upon property in the Project Area or the right of an Obligee to pursue any remedies for the enforcement of any pledge or lien upon real property in the Project Area; *provided, however*, that in the event of a foreclosure sale under any mortgage, deed of trust or other lien or encumbrance, or a sale pursuant to any power of sale contained in any mortgage or deed of trust, the purchaser or purchasers, their successors and assigns and the property will continue to be subject to all of the Restrictions and the Redevelopment Plan.

6. **Amendments.** If the Redevelopment Plan is amended in any manner permitted by the CRL after the date on which this Declaration is recorded with the Recorder, this Declaration will be deemed to be automatically amended to incorporate the amended Redevelopment Plan on the effective date of the amendment to the Redevelopment Plan, whether or not such amendment or amended Redevelopment Plan is recorded with the Recorder.

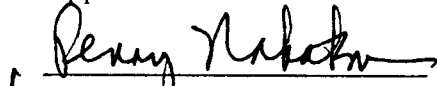
7. **Dissolution.** If the Redevelopment Agency is dissolved or its designation changed by or pursuant to law before completing the Redevelopment Plan, its powers, duties, rights, and functions under this Declaration will be transferred by or pursuant to any applicable provisions of law.

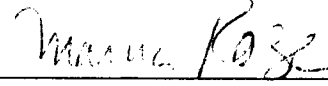
8. **Severability of Provisions.** If any provision of this Declaration or the application of any provision to any real property, real property owner(s) is held invalid by a final judgment of any court, the remainder of this Declaration will remain valid and continue to apply to real properties and property owners in the Project Area.

IN WITNESS WHEREOF, the undersigned has executed this instrument on behalf of the Redevelopment Agency of the City and County of San Francisco as of November 21, 2003.


REDEVELOPMENT AGENCY OF THE
CITY AND COUNTY OF SAN FRANCISCO, a
public body, corporate and politic

Approved as to Form:


for James B. Morales
Agency General Counsel

By: 
Marcia Rosen
Executive Director

Attest:

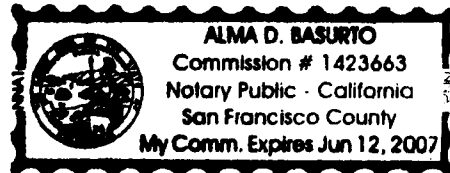
By: 
Erwin R. Tanjuaquio
Agency Secretary

STATE OF CALIFORNIA }
 } ss.
COUNTY OF SAN FRANCISCO }

On November 21, 2003, before me, Alma D. Basurto, Notary Public, personally appeared Marcia Rosen and Erwin R. Tanjuaquio, personally known to me (or 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.

WITNESS my hand and official seal

Signature Alma D Basurto



OPTIONAL

Description of Attached Document (HPSY)

Title or Type of Document: Declaration of Restrictions Hunters Point Shipyard and Redevelopment Project Area .

Document Date: November 21, 2003 Number of Pages: 3

Signer(s) Other Than Named Above: N / A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Marcia Rosen

Signer's Name: Erwin R. Tanjuaquio

Title: Executive Director

Title: Agency ^{MS} Assistant Secretary

Signer is Representing:

S.F.R.A

Right Thumb
Print

Signer Is Representing:

S.F.R.A.

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