

## PRESERVATION COVENANT

### **220 Park Road, Burlingame, CA PRESERVATION COVENANT LANGUAGE**

In consideration of the conveyance of certain real property, located at 220 Park Road in the City of Burlingame, the County of San Mateo, State of California.

- (1) The grantee hereby covenants on behalf of itself, its heirs, successors and assigns at all times to restore, maintain, preserve or rehabilitate the historic character defining features of this property as described in Paragraph 2 in accordance with the recommended approaches of the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings" (National Park Service, 1995), in order to preserve those qualities that make the property eligible for listing on the National Register of Historic Places.
- (2) No construction, alteration or rehabilitation shall be undertaken or permitted to be undertaken that would affect the historic features of the property without prior consultation with, and the express permission of the California Office of Historic Preservation, Department of Parks and Recreation ("SHPO") or a fully authorized representative of the City of Burlingame ("City"). For purposes of this section, the "main" façade of the Post Office building shall be that portion of the building exterior that faces Park Road, including the exterior stair massing, building entry elements and the non-public, administrative wing that extends southerly along the frontage of the property on Park Road. "Secondary" façade shall mean that portion of the building exterior that faces Lorton Avenue, including the exterior stair massing, building entry elements and the non-public administrative wing that extends southerly along the frontage of the property on Lorton Avenue. The historic exterior features of the property are determined to be the following: overall mass and plan of the main (Park Road) façade of the post office; poured concrete exterior siding and smooth stucco wall cladding; original metal frame windows; original bronze doors; red clay tile roof; cast stone Art Deco relief sculptures over the main entrances and under the windows; and bronze relief of a woman over the entrance doors. Though the same exterior features on the main façade exist on the secondary (Lorton Avenue) façade, the historic primary entry to the building is from Park Road. For this reason, proposals for construction, alteration or rehabilitation of the property that affect the historic features of the Park Road façade are to be viewed with a more critical eye (pursuant to the Secretary of Interior Standards). There may be greater latitude for modifications to the Lorton Avenue façade that still retain the essence of the historic exterior features (e.g. modification of spatial relationships among identified character defining features or relative to the street frontage, relocation of features, replication, or similar design approaches that are consistent with the Secretary of Interior Standards). The historic character defining interior features of the property are determined to be the following: original hanging ceiling light fixtures; marble

wainscoting, including marble on vestibule walls; metal trim used throughout the interior: including metal grill work on the northwesterly wall of the lobby near the tall tables used by post office patrons (but not including non-metallic grillwork above the service windows); original tall tables used for post office patrons; original service windows; original bronze bulletin board; Federal star motifs; terrazzo flooring; original windows and doors to and within lobby; cantilevered service desks; original post office boxes; and original built-in lobby furniture, such as tables. Historic character defining interior features shall not include: the plasterboard "carousel" located near the Lorton Avenue entry, across from the post office boxes; the acoustic tiles placed in areas above the wainscoting and in the ceiling area of the public lobby area; the plaster finish applied to the ceiling within the public lobby area; fluorescent light fixtures installed above the tall tables used by post office patrons; interior finishes and detailing within non-public areas of the building interior (i.e. sorting area, administrative office area and other "back-of-house" functions of the post office.

- (3) Authorized representatives of the SHPO and the City shall be permitted at all reasonable times to inspect the property in order to ascertain if the above conditions are being met.
- (4) In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the SHPO and/or the City or any resident of the City of Burlingame having an interest in the historic character defining features of the property identified in Paragraph 2 above may, following reasonable notice to the grantee, institute suit against the property owner and/or developer to enjoin said violation or to require the restoration of the property. Such suit must be instituted within any applicable statute of limitations for the action or approval being challenged.
- (5) This covenant is binding on the grantee, its heirs, successors and assigns in perpetuity. All stipulations and covenants contained herein shall be inserted by the grantee verbatim or by express reference in any deed or other legal instrument by which the grantee divests itself of any interest in the property or any part thereof.
- (6) The failure of any person or entity permitted by the terms hereof to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or use of such right or remedy at any other time.
- (7) This covenant shall be a binding servitude upon the property and shall be deemed to run with the land. Execution of this covenant shall constitute conclusive evidence that the grantee agrees to be bound by the foregoing conditions and restrictions and to perform to obligations herein set forth.
- (8) The SHPO or the City may, for good cause, and following notice to the public, modify or cancel any or all of the foregoing restrictions upon application of the grantee, its heirs, successors or assigns.