

19900 STEVENS CREEK BOULEVARD, LLC

November 11, 2016

Gian Paolo Martire
City of Cupertino
10300 Torre Avenue
Cupertino, CA 95014-3255

**RE: Use Modification, 19900 Stevens Creek Boulevard, Cupertino California
("Property") – Deed Restriction Removal**

Dear Ms. Paolo Martire:

Please accept this letter as our request for a Land Use Modification for the above addressed Property as it specifically relates to the removal of deed restriction "*Covenant for Compliance with Conditions*" Instrument 8605849 Book J529 at Page 147 in the Officials Records.

As you are aware, as a component of a 1985 Use Modification approval, in conjunction with a 1700 square foot addition application, a restriction was placed on the Property whereby "*In order to compensate for a lack of parking [due to the 1700 square foot addition] for General Commercial or office activities, the property owner agrees to restrict the building to use as a retail furniture store only.*" To memorialize this restriction (Instrument 8605849 Book J529 at Page 147) was recorded against the Property (Instrument 8605849 attached).

As you are also aware, on November 10th, 2016 the Administrative Hearing Officer approved our request for an Architectural and Site Approval Permit (ASA-2016-13) to (among other things) "*Permit Parking Lot Modification and Increase Parking Count to Conform to Retail Standards*".

Therefore by receiving Architectural and Site Approval Permit approval bringing the parking count to "conform to retail standards" please accept this correspondence as our Use Modification application to eliminate deed restriction 8605849 for 19900 Stevens Creek Boulevard, Cupertino California.

Sincerely,



Keith Fichtner