

Here is an outline of the agreement per my meeting with neighbors followed by Jim Hart regarding 1100 Harrison, Berkeley...amended as of 2 pm, 10/16/06.

1. Builder will be making contribution to 'traffic mitigations' but cannot guarantee placement of barrier or stop signs. This is the responsibility of the City.
2. Builder will leave it up to City regarding eligibility of new residents for any future RPP in the neighborhood.
3. Parking will be a minimum of 44 with a maximum of 56 at discretion of builder.
4. There are no openings in east side of parking structure. It will be fully mechanically ventilated.
5. Garage door will be specified in conjunction with Charles Salter, acoustic engineer, and will be 'state of the art'.
6. Builder will eliminate 2 units (one each at north and south end of top floor of east wing). He will also combine remaining 3 units of top floor into 2 units. Floor plan will remain totally inside existing projected exterior walls per Sept 29 submittal. East elevation shall remain (minus two units and addition of pitched roof on 3rd floor units at north and south ends) identical to Sept 29 submittal.
7. Builder will provide allowance for easterly neighbor up to \$1,500 for window replacement. Neighbor to obtain bid(s) and submit to builder.
8. Pitch of roof for 3rd floor end units will be no greater than 5.75/12 and will be identical material to all other roofing material...metal. Pitch for 2 units on 4th floor (formerly 3 units) will be no greater than 4/12.
9. Builder will provide elevation measurements identifying 4 heights as outlined in Saturday discussion...heights to be from average elevation of eastern property west property line.

Folks, I think I've covered all the points. Please contact me if you see any discrepancies or omissions. Good work.

Laurie

The undersigned hereby agree to the above.

~~Patrick [unclear]~~ 10.16.06
 name date

Esan M. Pinto 10.16.06
 name date

Beth Bernstein 10/16/06
 name date

Kristen Gardner 10/16/06
 name date

Erika Lamm 10.16.06
 name date

Jim Molesky-Poz 10/16/06
 name date

Lucy J. So 10/16/06
 name date

Mary Wypod 21 Oct 06
 name date

Kit Cullinane 10.21.06
 name date

Maudie P. Allen 10/22/06
 name date

Tom [unclear] 10/23/06
 name date

Heather [unclear] 10/24/06
 name date