



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Historic Landmarks
Commission

SUBJECT: SEE BELOW

DATE: May 11, 2012

COUNCIL DISTRICT: 6

SUBJECT: HL11-198 & MA11-003, HISTORIC LANDMARK NOMINATION (HL) AND MILLS ACT HISTORICAL PROPERTY CONTRACT (MA) FOR 795 COE AVENUE, THE GEER HOUSE

RECOMMENDATION

The Historic Landmarks Commission recommends that the City Council approve: (1) the proposed Landmark Designation and (2) recommends that the City Council approve the proposed Historic Property Contract with modifications to Exhibit C (4-0-1, Commissioner Colombe absent).

ANALYSIS

On May 2, 2012, the Historic Landmarks Commission held a public hearing on the proposed Landmark Designation and Historic Property Contract for the Geer House located at 795 Coe Avenue. No one from the public gave testimony on these items.

The Commission expressed appreciation to the property owner for nominating the property as a Historic Landmark. The Commission suggested that Exhibit C of the contract be modified to replace "tree pruning, interior lighting and plumbing" with work items that are more appropriate for restoration and to list the year within which each work item will occur.

The Commissioners present unanimously voted to recommend the Landmark designation and the Historic Property Contract. The staff report containing an analysis of this proposal has been distributed to the Council under separate cover.

/s/
JOSEPH HORWEDEL, SECRETARY
Historic Landmarks Commission

STAFF REPORT
HISTORIC LANDMARKS COMMISSION

FILE NO.: **HL11-198 & MA11-003, 795 Coe Avenue, Geer House**

APPLICATION TYPE:

Historic Landmark Nomination (HL) and
Mills Act Historical Property Contract (MA)

PROJECT DESCRIPTION:

1. Nomination of the subject building as a designated City Landmark Structure
2. Historical Property Contract (Mills Act) to allow partial property tax relief to rehabilitate and maintain the subject building and related features

Existing Zoning	R-1-8 Residence District
General Plan	Residential Neighborhood
Council District	6
Annexation Date	Original City
Historic Classification	Eligible for California and National Registers
Historic Area	Palm Haven
SNI	N/A
Redevelopment Area	N/A
Specific Plan	N/A



Palm Haven Conservation Area



OWNERS/APPLICANTS

Ruthann and Robert Eaton, 795 Coe Avenue, San José, CA 95112

BACKGROUND

On October 5, 2011, the property owners of the single-family house at 795 Coe Avenue, Ruthann and Robert Eaton, submitted an application for City Landmark designation. The Geer House, a distinctive Folk Victorian residence within the Palm Haven neighborhood, has a multi-generational association with the Geer family. The family lived in the house, built circa 1890, until the 1990's.

The Geer House, an extremely fine example of a Victorian-era residence built during San José's Period of Horticultural Expansion (1870-1918), is individually eligible as a San José City Landmark. The property has long been recognized for its historical value to the community. The Geer family's touring vaudeville company from the early twentieth century places them within a unique part of San José's rich cultural history.

If the Geer House is designated as a City Landmark District, any exterior changes proposed to the structure would require the issuance of Historic Preservation (HP) permits. Designation of the residence as a City Landmark would enable the owner to apply for a Historical Property Contract property tax reduction under the Mills Act. A Mills Act Contract is being considered concurrently with the Landmark designation. If so designated, the property would also be eligible for an exemption from the Building and Structure construction tax and the Commercial-Residential-Mobile Home Park (CRMP) building tax for work approved with HP permits.

A Historical Property Contract is an incentive for ownership of designated City Landmark structures. It allows the owner of a landmark structure to enjoy a reduced property tax rate in exchange for the preservation, and in some cases restoration and rehabilitation, of the owner's historic property (see attached article). Please refer to the Analysis section, below, for additional discussion of Historical Property Contracts.

ANALYSIS

I. Historic Landmark Designation (HL11-198)

In accordance with Section 13.48.110 of the San José Municipal Code regarding the procedure for designating a landmark, prior to recommending approval or modified approval of a proposed designation as a city landmark, the Historic Landmarks Commission shall find that said proposed landmark has special historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature, and that its designation as a landmark conforms with the goals and policies of the general plan.

Based on the information in the historical evaluation prepared by Archives and Architecture for the property, the Geer House at 795 Coe Avenue clearly merits designation as a City of San Jose Historic Landmark Structure in conformance with San José's Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code) based on its historical, cultural and architectural significance. The building qualifies for City Landmark status primarily based on Criteria 1, 6, and 7 of the Historic Preservation Ordinance as discussed below. Please refer to the attached evaluation form for

a more detailed discussion and analysis of the building. Consistent with the National Register of Historic Places eligibility findings, the building qualifies for City Landmark status based on the following criteria:

Criterion 1: Its character, interest or value as part of the local, regional, state or national history, heritage or culture as a distinctive building within the Palm Haven Conservation Area.

Criterion 6: Embodiment of distinguishing characteristics of an architectural type or specimen. The Geer House embodies distinguishing characteristics of the Folk Victorian residential type within the late nineteenth century era of residential architectural design.

Criterion 7: Identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José. The house was apparently built by Jeremiah Wolfe and probably his sons, who are important builders associated with the development of North Willow Glen and the Palm Haven neighborhoods. They are considered to be master builders in San José during the late nineteenth-century.

The National Register of Historic Places (NR) and California Register (CR)

The house at 795 Coe Avenue maintains its historic integrity per the National Register's seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. The house maintains its original location on Coe Avenue, in the Palm Haven Conservation Area.

The house appears eligible under CR Criterion 3, (embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values). The Geer House is distinctive within this setting along Coe Avenue; a two-story, highly detailed Folk Victorian residence. The designer has not been identified, but the house was apparently built by Jeremiah Wolfe and probably his sons, who are important builders associated with the development of North Willow Glen and the Palm Haven neighborhoods. They are considered to be master builders in San José during the late nineteenth-century. The building is distinguished among local residential architecture from San Jose's period of *Horticultural Expansion*.

Summary.

The residential property at 795 Coe Avenue, San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of the Palm Haven Conservation Area and for the distinctive design of the residence, which is an extremely fine example of late nineteenth century Folk Victorian residential architecture.

II. Mills Act Historical Property Contract (MA11-003)

The Historic Landmark Preservation Agreement is an incentive for ownership and rehabilitation of City Landmarks. It is a contract between the City of San Jose and the owner of a designated City Landmark, which allows the owner to enjoy a reduced property tax rate from the County Assessor in exchange for the preservation, and in some cases restoration and rehabilitation, of the owner's historic property. The purpose of the agreement is to provide greater protection for

the City Landmark property than is otherwise provided by the historic preservation regulations in the City Municipal Code. The County Assessor sets the property tax rate based on an appraisal of the market value of the land and improvements. A property under contract will receive a property tax reduction based on an appraisal of the rental value of the land and improvements.

Required Provisions of Historical Property Contracts

Municipal Code Chapter 13.48 requires provisions of Historical Property Contracts as follows:

- A. A description of the Landmark Property subject to the Contract;
- B. A provision that the term of the Contract is a minimum period of ten years;
- C. Specific conditions requiring preservation of the Landmark Property and, where appropriate, restoration and rehabilitation of the Landmark Property to conform to the requirements of the City, and the rules and regulations of the Office of Historic Preservation of the State of California Department of Parks and Recreation;
- D. Provision for the periodic examination of the interior and exterior of the Landmark Property by the City of San Jose, Santa Clara County Assessor, and the State Board of Equalization as may be necessary to determine the owner's compliance with the Contract.
- E. A requirement that the property owner annually expend an amount equal to a minimum of 10% of the tax savings attributed to the Contract to the preservation and maintenance of the Landmark Property; and
- F. A provision that the Contract is binding upon, and shall inure to the benefit of, all successors in interest of the owners; and that a successor in interest shall have the same rights and obligations under the Contract as the original owners who entered into the Contract.

In addition to the Municipal Code provisions above, State legislation requires the City Clerk to record a Historic Property Contract with the County Recorder by December 31st of any calendar year in order to be effective during the following calendar year.

The Mills Act Historical Property Contract is a standardized form document, the majority of which is the same for each individual property. The proposed year-by-year repairs, upgrades, and maintenance are described in the Preservation Plan (Exhibit "C" of the contract). The Preservation Plan differs from property to property, based on the specific needs of each individual historical building and situation. Exhibit C with the proposed Preservation Plan is attached to this report.

The Preservation Plan (Exhibit "C") includes an itemized list of proposed upgrades, maintenance, and repair tasks for the first ten years of the Historical Property Contract. Each of the Preservation Plans identifies specific work that is planned to be performed. However, the

Preservation Plan should be viewed as an outline of anticipated work which will be done to preserve and enhance the historic resource based on the annual tax savings in accordance with the Historical Property Contract. For any given year, other preservation work that would represent a similar expenditure may be substituted as different site-specific needs arise over time. All work being done to meet the requirements of the Contract remains subject to approval of any applicable permits, including Historic Preservation Permits, Amendments, and Adjustments and building permits. Any work being reviewed under a Historic Preservation Permit process undergoes design review to ensure compatibility with the guidelines.

Required Findings of Historic Property Contracts

In accordance with Municipal Code Chapter 13.48, the City Council may approve a Historic Property Contract only if the following findings are made. Planning staff recommends that the Historic Landmarks Commission recommend the City Council make the following findings and approve the proposed Historical Property Contract, based on the text added in italics.

A. *The proposed Contract is consistent with the General Plan.*

Preservation of specific structures or special areas is a part of the San Jose 2040 General Plan *Policy LU-13.13* to foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

B. *The proposed Contract would provide greater protection for the Landmark property than is otherwise provided by the provisions of Municipal Code Chapter 13.48;*

The proposed Contract provides greater protection for the proposed Landmark property than is otherwise provided by the provisions of Municipal Code because the owner, in partnership with the City, may use property tax relief to rehabilitate and maintain the property in accordance with the preservation plan, Exhibit "C".

C. *The proposed Contract complies with the required provisions of Historical Property Contracts listed above.*

The proposed Contracts incorporate the required provisions for Historical Property Contracts listed in Section 13.48.520 of the San José Municipal Code. Furthermore, the Historic Property Contract incorporates the required provisions of State law requiring the City to inspect the landmark property prior to bringing a contract to Council for consideration and to inspect the landmark property at least every 5 years thereafter for compliance with the contract.

GENERAL PLAN CONFORMANCE

The Landmark Designation for the Geer House conforms to, and furthers, the Envision San Jose

2040 General Plan. Historic sites and structures provide an educational link to San José's past and foster a sense of place and community identity for San José. The preservation of appropriate remnants of a city's past provides multiple benefits important to the health and progress of the city. Historical resources:

- Are instructive, telling the story of a community's past;
- Provide a sense of civic identity and unique character;
- Are typically an interesting and pleasing aesthetic in the urban environment;
- Can generate economic advantage for a property or neighborhood;
- Give a community a sense of permanency. A place with a clear past can expect to also have a definite future;
- Once lost, cannot be recovered.

Staff considers the project consistent with the applicable goals and policies of the General Plan; in particular:

Goal LU-13 – Landmarks and Districts. Preserve and enhance historic landmarks and districts in order to promote a greater sense of historic awareness and community identity and contribute toward a sense of place.

Policy LU-13.6 Ensure modifications to candidate or designated landmark buildings or structures conform to the Secretary of the Interior's Standards for Treatment of Historic Properties and/or appropriate State of California requirements regarding historic buildings and/or structures, including the California Historical Building Code.

Policy LU -13.12 Develop and encourage public/public and public/private partnerships as a means to support, expand, and promote historic preservation.

Policy LU -13.13 Foster the rehabilitation of buildings, structures, areas, places, and districts of historic significance. Utilize incentives permitting flexibility as to their uses; transfer of development rights; tax relief for designated landmarks and districts; easements; alternative building code provisions for the reuse of historic structures; and financial incentives.

Goal LU-16 – Sustainable Practices. Preserve, conserve, and/or rehabilitate historic structures as a means to achieve the City of San José's environmental, economic, and fiscal sustainability goals.

Policy LU -16.5 Utilize the aesthetic and cultural qualities of historic resources of all types as means of promoting San José as a place to live, work and visit consistent with the City's economic development goals.

The landmark designation process of the Historic Preservation Ordinance promotes and enhances the preservation of historically or architecturally significant sites and structures. In addition, the proposed historical property contracts specifically further the objectives.

CEQA

The environmental impacts of the project will not have an unacceptable negative effect on adjacent property or properties in that the project has been determined exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331. The project is limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

COMMUNITY OUTREACH

The proposed Landmark nomination and Historical Property Contract was initiated by the property owner. A public hearing notice for the project was published in a local newspaper, posted at the site, and mailed to all property owners and tenants within 500 feet of the subject site. Information about the proposed projects and the associated public hearings has been made available through the Planning Division web site, and staff has been available to answer questions.

RECOMMENDATIONS

HL11-198 – Landmark Designation

Planning Staff recommends that the Commission, after holding a public hearing on the subject proposal, recommend that the City Council approve the proposed Landmark Designation of the Geer House at 795 Coe Avenue as Historical Landmark No. 198 at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

MA11-003 – Mills Act Historical Property Contract

Planning staff recommends that the Historic Landmarks Commission, after holding a public hearing on the subject proposal, recommend that the City Council make the following findings and approve the Historic Property Contract of the Geer House at 795 Coe Avenue at the City Council hearing scheduled for May 22, 2012 at 1:30 PM.

- The proposed contract is consistent with the San José 2040 General Plan;
- The proposed contract would provide greater protection for the landmark property than is otherwise provided by the provisions of Chapter 13.48 of the Municipal Code; and
- The proposed contract complies with the requirements of Section 13.48.520 of the San José Municipal Code.

Project Manager: Lori Moniz

Approved by: Samuel Powell

Date: 4-24-12

Attachments: Department of Parks and Recreation (DPR) form
Article regarding Mills Act
Draft Proposed Preservation Plan (Exhibit "C")

ARCHIVES & ARCHITECTURE, LLC

PO Box 1332
San José CA 95109-1332
408.297-2684
408.228.0762 FAX

August 15, 2011

RuthAnn and Robert Eaton
795 Coe Ave.
San José CA 95126

RE: City Landmark Nomination -- Geer House

Dear Mr. & Mrs. Eaton:

Please find enclosed DPR523 forms prepared for your property at 795 Coe Ave. in San José. These forms were prepared for your use in submitting an application to the City of San José for City Landmark status for your residential property.

We believe your house to be a distinctive representative of late nineteenth century Folk Victorian residential architecture in San José. It is located in the historically recognized Palm Haven neighborhood, an area that is presently designated as a conservation area. The forms that are attached to this letter provide a history of the building and a detailed visual description of the architectural features of the house. Although we were unable to confirm the architect, we noted that the house was constructed during the early years of the Geer family ownership around 1888.

We reviewed your house using the City of San José landmark designation criteria, which is used to consider historical significance for properties within the San José city jurisdiction. The actual nomination process and decision by the San José City Council is based on the requirements of Chapter 13 of the San José Municipal Code (Section 13.48.110 / *Procedure for designation of a landmark*). We believe the property is eligible for individual designation as a San José City Historic Landmark.

The property currently is listed on the City of San José Historic Resources Inventory as a Contributing Structure (CS). We noted that the house, although recently expanded to the rear has sufficient integrity to its period of significance to be considered a historic resource. The period of significance is 1890-1991.

Nomination for City Historic Landmark status can be made by a property owner. Following notification from the Director of Planning, Building and Code Enforcement that your application is complete, the procedure for the designation for your property is initiated. A public hearing before the Historic Landmarks Commission will take place, and following that hearing, a report with recommendations will be submitted to the City Council, who will then hold a public hearing to formally consider the designation.

Geer House / City Historic Landmark nomination
San José

In order for the designation to take place, the San José City Council must make findings that the property has historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature, and that its designation as an individual city landmark conforms to the goals and policies of the San José General Plan. In reviewing the possible historical values associated with the property at 795 Coe Ave., we consider the following statement applicable:

The residential property at 795 Coe Ave., San José, has special historical, architectural and aesthetic interest and value to the community, for its contribution to the setting of the Palm Haven Conservation Area, and for the distinctive design of the residence, which is an extremely fine example of late nineteenth century Folk Victorian residential architecture.

The City of San José could reasonably make the following findings in designating your property a city historic landmark:

- *It has character, interest and value as a part of local and regional history and heritage and is a distinctive building within the Palm Haven Conservation Area;*
- *It is the embodiment of elements of architectural design, detail, and craftsmanship which represents a significant architectural innovation in San José;*
- *It exemplifies aspects of the cultural heritage of San José in its association with a family that had a unique role in the history of the arts of San José; and*
- *It embodies distinguishing characteristics of the Folk Victorian residential type within the late nineteenth century era of residential architectural design.*

Sincerely,



Franklin Maggi, Architectural Historian
Archives & Architecture

Enclosures

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
HRI #
Trinomlal
NRHP Status Code 7N

Other Listings
Review Code Reviewer Date

Page 1 of 18 *Resource Name or #: (Assigned by recorder) Geer House

P1. Other Identifier: None

*P2. Location: Not for Publication Unrestricted *a. County Santa Clara
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad San Jose West Date 1980 photorevised T.7S. ; R.1E. ; Mount Diablo B.M.

c. Address 795 Coe Ave. City San Jose Zip 95125

d. UTM: (Give more than one for large and/or linear resources) Zone 10S; 597360mE/ 4130277mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

Assessor's Parcel Number: 264-52-048,
north side of Coe Avenue between Plaza Drive and Riverside Drive.

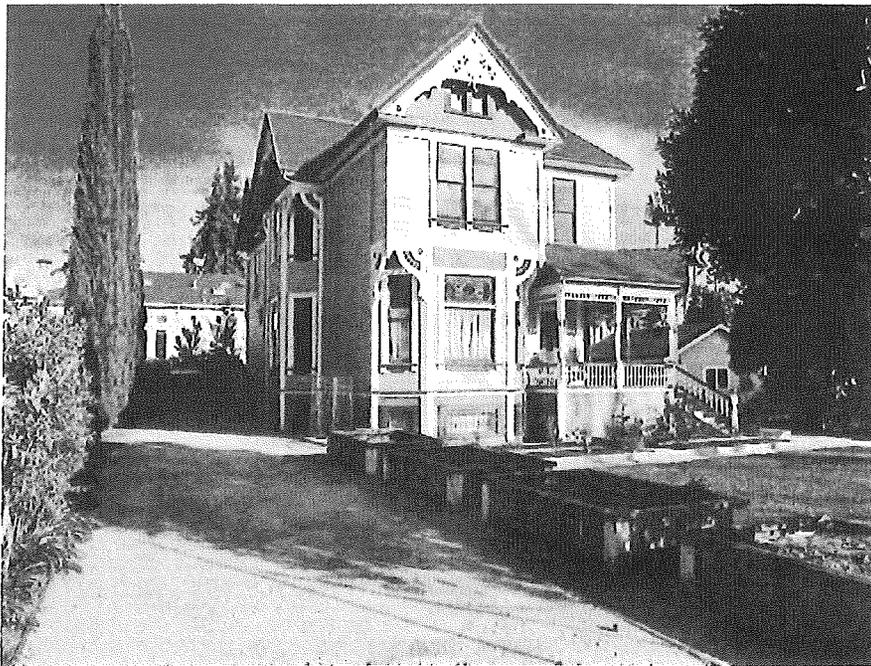
*P3a Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

This Victorian-era house embodies, through its form and detailing, a distinctive Folk Victorian design with Eastlake and Queen Anne-style influences. A unique composition of form, materials, and detailing distinguishes this house from others in the Palm Haven and greater Willow Glen neighborhoods in San José. Folk Victorians houses, associated with the 1880s in San José, can be recognized for their raised, asymmetrical forms, their verticality of detailing, and their use of decorative elements. The property is surrounded by the Palm Haven Historic Conservation Area, and although the house itself differs from others of mostly later vintage that area found within the area, it signifies the early development of Palm Haven prior to the establishment of the Riverside Park Subdivision, when the area was rural in character and unincorporated.

(Continued on page 2. DPR523A)

*P3b. Resource Attributes: (List attributes and codes) Hp2. Single family property

*P4 Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo: (View, date, accession #)

View facing north, February 2011.

*P6. Date Constructed/Age & Sources:
 Historic Prehistoric Both

Circa 1890, 121 years old,
family informant.

*P7. Owner and Address:

Robert E.
& Ruthann L. Eaton
795 Coe Ave.
San Jose, CA 95125

*P8. Recorded by: (Name, affiliation, and address)

F. Maggi & S. Winder
Archives & Architecture, LLC
PO Box 1332
San Jose CA 95109-1332

*P9. Date Recorded: 8/15/2011

*P10. Survey Type: (Describe)
Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none")

None

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure and Object Record Archaeological Record
 District Record Linear Feature Record Milling Slate Record Rock Art Record Artifact Record Photograph Record Other (List)

(Continued from page 1, DPR523a, P3a Description)

The original house has recently been remodeled and expanded to the rear, but has retained its original detailing and character as well as prominent presence along Coe Avenue. The surrounding neighborhood underwent a transition from agricultural farming community to turn-of-century suburban community in the early part of the twentieth century, and now is a recognized and distinguished inner-city neighborhood. It is an extremely fine example of a residence built during San Jose's Period of Horticultural Expansion (1870-1918).

Victorian architecture refers to designs roughly associated with the period of the reign of Queen Victoria of Great Britain—approximately the last quarter of the nineteenth century. Within this catchphrase are a number of specific styles that have some commonality and some differences. The common traits include a sense of verticality expressed in the proportions of the massing, trim, windows and doors. Asymmetry is also an attribute of Victorian architecture; in particular, most houses from this era have asymmetrical towers, bay windows, gables, porches, cantilevers and other projecting objects that interrupt the basic, underlying house form. Much of this era of design focuses on elaborate decorative elements such as brackets, spindlework, Eastlake carved trim, and complex shingled window surrounds. The various styles are built of wood frame construction. The earlier Italianate and Folk Victorian buildings are balloon framed, and the later Stick, Queen Anne, and Shingle Style houses are more often platform-framed for differentiation between the first and second floor plans. This lightweight or "western" construction method replaced "balloon frame" construction in the late-1880s.

The Geer House reflects a period during the late-nineteenth century when large two-story Victorian houses were built both in San Jose's urban center as well as on ranches at a distant from the valley's urban centers. They were mostly architect-designed and are recognized by their central pyramidal-shaped roof and hipped roof gables projecting outward at the front and sides. The siding is usually horizontal channel rustic, or later v-groove board siding became popular from the late-1880s to mid-1890s. The windows are vertically-shaped double sash or fixed with transoms. The façade of this house is notable for its two-story protruding wing with a gable-end apex of jig-sawn ornament, with an inset angled bay at the first level. The adjacent wrap-around entrance porch hugs the building with its shed roof and pedimented, skewed outer entry. The grounds are very extensive with large mature plantings, and formal garden arrangement.

Detailed Description

The immediate setting of the southwest-facing Geer House includes a large front yard that is landscaped primarily as lawn with a dirt-packed driveway along the westerly side along the property line. The driveway wraps around the rear and leads to a replacement double-car garage at the northeast corner of the property. The area between the house and garage has been finished with various types of modern pavers. Along the east property line is an enclosed pool area of recent construction that is set to the front of the building.

This extensively detailed house has a raised, two-story, generally rectangular original main mass covered by a steeply pitched hipped roof. The house is accented by a front-facing gable over a two-story angled bay and by a shed shaped, pedimented, one-story front porch that wraps the southeast corner of the building. A angled bay projects to the west side as well, protected by another accent gable. The east side mirrors the bay of the west side, but is now adjacent to a new side entry that fills the space between the older and newer (rear) portions of the house. The rear matches the original portions of the house in form and siding detailing, but was designed to be distinguished from the original with muted trimwork and jogs in plan. An early shed addition to the main house was demolished as a part of the building expansion and remodeling project. The roofline of the new addition drops in elevation from the original roof, an additional detail to distinguish the new work from the old. The frame house is raised on a pony wall above a new concrete foundation and appears to be consistent with the original height of the building.

(Continued on next page)

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary #
HRI #
Trinomial

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*Resource Name or # (Assigned by recorder) Geer House

*Recorded by Franklin Maggi and Sarah Winder

*Date 8/15/2011

Continuation Update

(Continued from previous page)

Typical of the late-nineteenth century, the house eaves are moderately shallow in depth and boxed. The eaves are edged with both original and recent redwood gutters in an ogee profile, and the roof is covered with composition shingles. The soffits are flat boards, and under the eaves is a flat board frieze that also serves as the architrave trim for the upper windows. The siding is v-groove which extends unsegregated from the watertable to frieze, a design form that is more characteristic of the vertically of earlier Italianate designs. Corner trim at the horizontal siding consists of flat-board trim. The upper gable ends are clad with notched shingles that flare out at the bottom; the porch gable end is filled with a grid of bull's-eye paneling. Original fenestration consists primarily of wood 1/1 double-hung windows. There are also a number of stained-glass accent windows; all appear to be in original openings. The transom of the front bay is a unique patterning of two half circles framing a central diamond with stacked squares to the sides.

The front elevation is asymmetrical; it features extensive Victorian-era forms and detailing. Entry is through a distinctive projecting porch. The porch has turned columns with matching engaged columns against the walls. The porch columns frame rows of turned pickets under a handrail. The porch eaves feature a series of Eastlake-style long narrow corbels, and knob and tube grill under the eaves. The front entry consists of an original front door with multi-lite stained glass upper panes. The full-height front bay is distinctive in its ornamentation. Separating the upper and lower halves of the bay is a basketweave panel above the transom. The bay is framed by fan corbels with a focal pendant. The corbels have cut-out knobs and a single bull's-eye at the upper corner. At the base of the doubled window set above, as well as other upper windows, is apron trim framed by jamb trim that drops below the sills. The main fixed window is flanked by 1/1 angled side windows. A doubled attic window set is centered in the gable end. The trim of the rakes at the second level include scroll-cut flowers that fill the triangles above a beam and cross apex, beaded rakes framed by sets of three applied half-ball ornaments, and bull's-eye surrounded by half-balls at the top of the apex and bottom of the rakes. The wide flat eaves curve down into horizontal returns. The stem wall contains windows that have been added as a part of the basement construction.

The west and east side elevations continue the detailing found in the front wing within the original part of the building. The bump out on the west elevation consists of a full-height angled bay with single double-hung windows placed in all three sides under the ornate gable above. The east elevation original square wing extends out further than the similar bay on the west elevation, and contains a cantilevered bay window that with a shed roof. This projection is original to the building. The new side entry contains Victorian-era ornament that is consistent in style with the original, but in different sizes and lengths that distinguish the new work from the old.

The detached two-car garage represents a vernacular design from the first decade of the twentieth-first century. The original 1920s garage was demolished as a part of the renovation of the site. The one-story building is approximately square in footprint and covered by a moderately pitched gable roof, composition shingles, and solar panels. The garage is clad in horizontal v-groove wood siding. The wood window design is a 1/1 double-hung window. The garage doors are a modern multi-panel and windows lites.

State of California – The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
LOCATION MAP

Primary #
 HRI #
 Trinomial

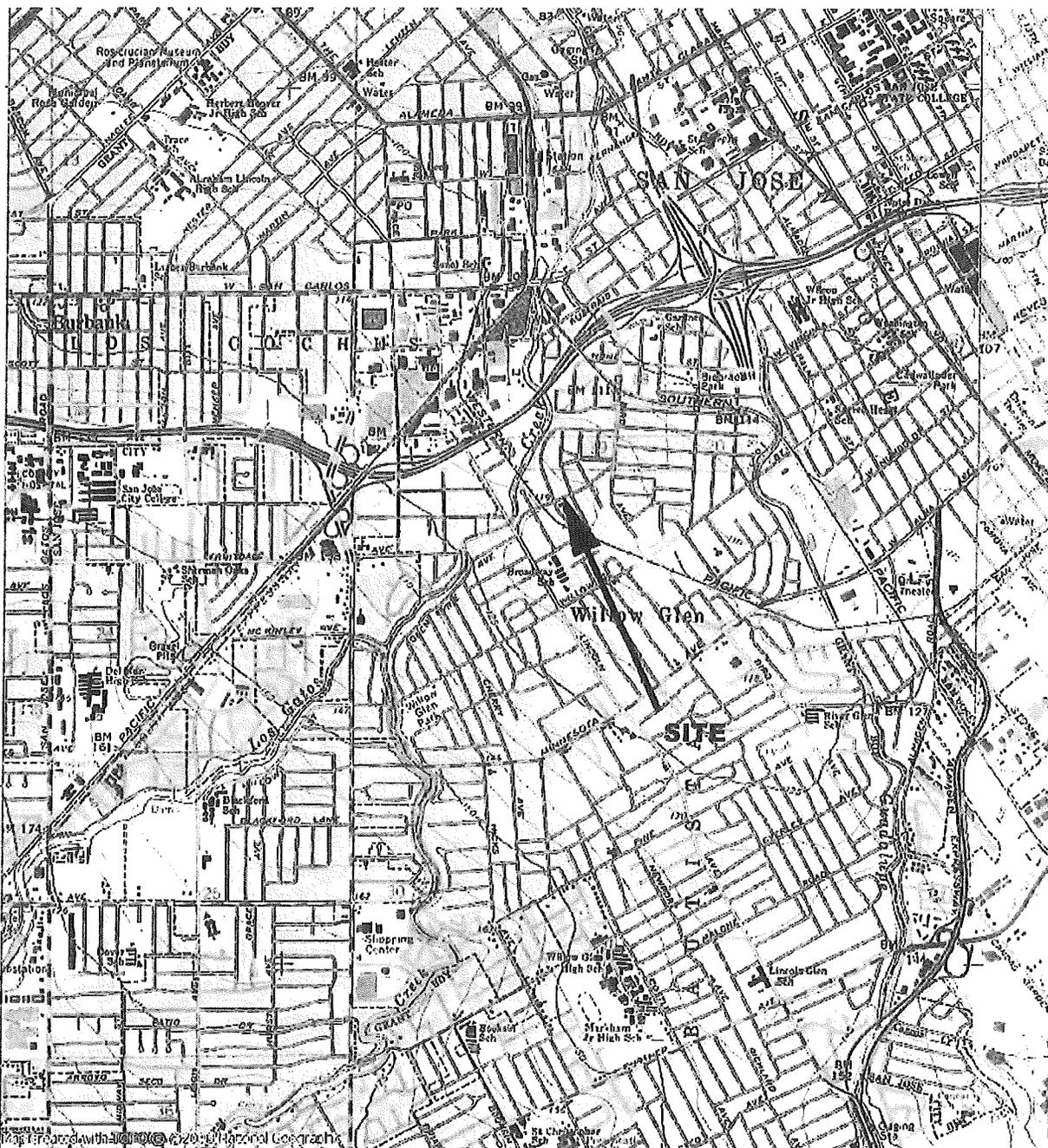
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*Resource Name or # (Assigned by recorder) Geer House

*Map Name: USGS San Jose West

*Scale: n.t.s.

*Date of Map: 1980 photorevised



121°56,000' W

121°55,000' W

121°54,000' W

WGS84 121°53,000' W

**NATIONAL
 GEOGRAPHIC**



IN 14°

01/25/11

State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary #
HRI #

Page 5 of 18

*NRHP Status Code 3CS

*Resource Name or # (Assigned by recorder)

B1. Historic Name: Geer House
B2. Common Name: None
B3. Original use: Single family residential B4. Present Use: Single family residential
*B5. Architectural Style: Folk Victorian
*B6. Construction History: (Construction date, alterations, and date of alterations)
Constructed circa 1890. Rear expanded and 1924 garage replaced 2006-2007.

*B7. Moved? No Yes Unknown Date: n/a Original Location: n/a

*B8. Related Features:

Recently constructed garage.

B9a Architect: Unknown b. Builder: Jeremiah Wolfe

*B10. Significance: Theme Architecture and Shelter Area Palm Haven Conservation Area
Period of Significance 1890 - 1991 Property Type Residential Applicable Criteria 3

(Discuss Importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The distinctive Folk Victorian residence located at 795 Coe Ave. within the Palm Haven neighborhood has a long-time multi-generational association with the Geer family who built the house about 1890, and whose family members resided at this property for over 100 years. A large Victorian farmhouse, it was recently renovated and expanded to the rear. The renovation retained the original detailing and character of the design, and the building today continues to be prominent along Coe Avenue. The neighborhood has undergone transition from a rural agricultural farming community outside of the Downtown San Jose core, to turn-of-century suburban community, and then finally to its characterization today as an inner-city neighborhood of Greater San Jose.

The house is an extremely fine example of a Victorian-era residence built during San Jose's Period of Horticultural Expansion (1870-1918). The Geer family's residence in the same house in Willow Glen's Palm Haven neighborhood from 1890 to the 1990s, and their touring vaudeville company from the early twentieth century; places them within a unique part of San Jose's rich cultural history. The property has long been recognized for its historic value to the community, and appears to qualify for designation as a San Jose City Landmark.

(Continued on next page, DPR523L)

B11. Additional Resource Attributes: (List attributes and codes) None

*B12. References:

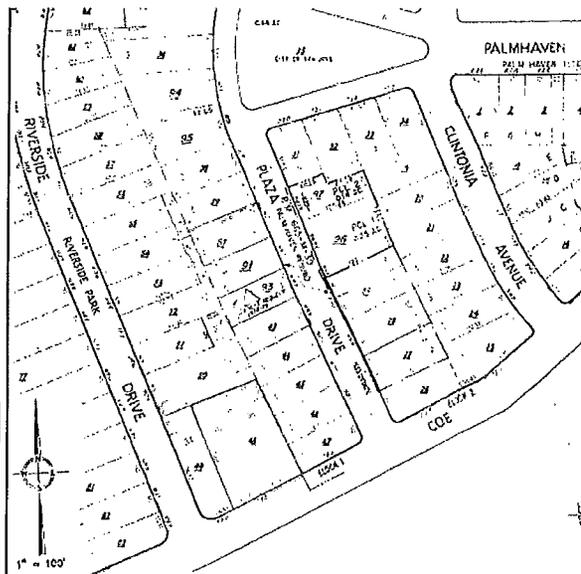
(See page 10)

B13. Remarks: Proposed landmark nomination

*B14. Evaluator: Franklin Maggi

*Date of Evaluation: 8/15/2011

(This space reserved for official comments.)



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*Date 8/15/2011

Continuation Update

(Continued from previous page, DPR523b, B10 Significance)

The property is located in what was historically known as The Willows area of Santa Clara Valley, and was purchased in what was likely an undeveloped state in 1880 by Albert A. Geer. The house appears to have been constructed about 1890, based on the style and type of Queen Anne detailing that was evolving locally during the late-1880s in San Jose and environs. Albert Geer, age 39 is listed as living in the Washington Colony of Fresno County by the 1880 Census, along with his wife Hannah, age 36, and children Minnie, age 14, and Albert, age 8. His occupation in Fresno County is given as that of farmer. Albert, Hannah, and both children are all listed as having been born in Ohio. The Washington Colony was located directly south of the city of Fresno, one of the many experimental agricultural co-ops located in Central California during the latter half of the nineteenth century.

According to a deed dated January 5, 1880, Edward and Mary Ann Doty of Santa Clara County sold what was then a 13.52-acre parcel to Albert Geer of Fresno County (Santa Clara County Deeds Book 55, Page 93) for \$2,600. The land is described as a triangular parcel, bordered by Lincoln Avenue (now Coe Avenue) to the south and the Los Gatos Creek in the west. It is unknown when the Doty's purchased the property, however, a map of San Jose's Fourth Ward found in the 1876 *Thompson & West Historical Atlas* depicts a silk factory located above the northerly-most corner of the property along the Los Gatos Creek, as well as an orchard belonging to Sylvester Newhall directly adjacent to the east, and an orchard owned by O. Cottle across then-Lincoln Avenue to the south.

In the 1880 census, a Mr. W.P. Higginbotham ran the silk factory located adjacent to the northerly corner of the subject property, and a few ethnic Chinese workers labored and lived nearby. The earlier industrial (agricultural) uses of the land associated with both the hops and silk industries had buildings and structures associated with those industrials and their workers, but no evidence remains within the neighborhoods of these early uses.

Albert Geer does not appear in the San Jose City Directories until 1884, despite having bought the land early in 1880. The 1884-1890 City Directories list A.A. Geer as being an orchardist and residing in the Willows. A wedding invitation, inviting guests to attend the wedding of Minnie, daughter of Mr. and Mrs. A.A. Geer, to James Cramer at their home on Lincoln Avenue on November 25, 1886, has been preserved by the current owners of the house. Minnie died only four years later, on March 1, 1890, leaving behind one child, Gladys, born in 1888. Gladys is listed as residing with her grandparents at 795 Coe Ave. in the 1900 Census.

It is likely that Albert began the construction of the extant residence shortly after the larger Odd Fellows Savings Bank Tract to the east was being subdivided. Based upon the style and detail of the Queen Anne house he built, Geer must have replaced an earlier first residence his family occupied beginning around 1882 with the residence still extant today, around 1890.

In 1973 as a part of San Jose's King Survey, Cyril Geer was interviewed and identified the builder as "Wolfe," and that the house had been built for his family about 1885-1890. As Jeremiah Wolfe had not arrived in San Jose until 1888 with his two son carpenters Frank and Lynn, it can be construed from this secondary information that the house was built sometime between 1888-1890. The Wolfe family are a distinguished family of builders, and their mark is pervasive in the North Willow Glen and Palm Haven neighborhoods where Jeremiah settled and built his house (1060 Bird) and where his son Frank Delos Wolfe would later live (on Bird Avenue and in Palm Haven) after designing many houses in the Palm Haven neighborhood and nearby. Cyril Geer also confirmed that the rear of the property had originally contained a silk factory.

Formerly known as Lincoln and/or Bird Avenues, the 1892 City Directory was the first to identify residents as living on Coe Avenue, which had been the southwestern section of Lincoln Avenue from Bird Avenue to the Los Gatos Creek. The later 1892-1897 City Directories lists both Albert A. Geer, orchardist, and Albert W. Geer (his son), a mechanic, residing on Coe Avenue near Lincoln, which by then would be the house that exists today.

(Continued on next page)

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The 1898 City Directory still lists both Alberts as occupying the residence on Coe Avenue, but the 1900 Census places the younger Albert W. in San Francisco. Albert W. and Jessie Young had married in San Jose on February 14, 1895, and their son Cyril was born a few years later. The 1900 Census lists an Albert W. Geer, age 27, and Jessie Geer (his wife of five years), age 23, residing in a boarding house at 1189 Valencia St. in San Francisco, along with their son, Cyril Edison, age 3. By 1902, the couple was undergoing divorce proceedings, and Albert retained custody of Cyril. The sensational divorce of Albert Warren and Maggie Jessie Young Geer in 1902 made newspaper headlines for weeks, as the court proceedings dragged on.

The 1910 Census lists Hannah (age 65, widowed, with two children, one living) and Albert W. Geer (age 38, divorced) residing at 795 Coe Avenue. Albert's occupation is given as that of electrician, as it had been throughout the early 1900s city directories. Two grandchildren are listed also, Cyril, age 13, a Vaudeville performer, and Gladys, age 22. City directories give Albert's occupation as that of actor beginning in 1911. Despite Albert A. Geer's humble occupation as a farmer/orchardist, his family would go on to become one of the most unique and well-traveled families in San Jose during the first half of the twentieth century. Albert W. was the owner and a performer of a Vaudeville circus act called the Frances Dainty Company, based out of the residence at 795 Coe Avenue.

Gladys Geer Cramer married a Melvin Adam Nicoll of Honolulu, Hawaii, and had three children, Barbara, Beatrice, and Melvin. The family resided in Hawaii. Cyril married a Fern D. Keesling on March 27, 1916. Fern, the daughter of C.F. Keesling (developer of the nearby Keesling Cherry Court Subdivision), and Cyril left the next day for Hawaii aboard a steamship on their honeymoon, and then continued from there to tour the East and the Pacific for the next six years with the Francis Dainty Vaudeville Company. Fern performed with trick horses, while Cyril continued to be a high-wire and unicycle stunt performer. They traveled in the Philippines, Japan, China, the Malay Peninsula, Australian, and the South Sea Islands. While touring, their son, Francis Cyril Geer, was born in Shanghai in 1917. They returned to the States in the early 1920s, where their second child, Betty Fern Geer was born in 1925. Fern and Cyril divorced in the late 1920s, and Fern retained custody of Betty and Cyril retained custody of Francis. Fern remarried and had four other children, while Cyril remarried and had no other children.

On March 28, 1923, the Riverside Park Subdivision (part of the Palm Haven Conservation Area) was established (SCC Recorded Maps Book R, Page 27). The Geer family still retained the residence at 795 Coe Ave. at this time, and were granted the deed for a "portion of lots 33, 34, 35, and all of lot 36", a parcel of 0.453 acres, considerably less than the 13.52 acres Albert Geer had started with.

Cyril and Fern resided at 795 Coe Ave. when they returned from the East, along with Cyril's grandmother, Hannah. Hannah Greer died on October 27, 1926, at the age of 82. Cyril is listed on a 1924 San Jose Building Permit to build a detached garage for the residence. Cyril continued to live in the home after him and his wife divorced, and directories from the 1960s list him as a house painter. Advertisements in *Billboard* magazine for the Francis Dainty Company suggest that Cyril and the company were still performing into at least the mid-1950s. He also filed a Building Permit in 1978 to update the home's plumbing. Cyril died in 1981, still living at 795 Coe Ave.

Francis Cyril Geer married Dorothy Behrino of Los Gatos in the late-1930s, and they had two children: John Francis (born September 17, 1942) and Suzanne Dorothy (born April 29, 1944). Francis and Dorothy also resided at 795 Coe Ave. until they passed away in 1992 and 1997, respectively. Suzanne was the last Geer to own the family home on Coe Ave., when she, along with her husband Dennis Johnson, sold the residence in 1999, having retained partial ownership since 1996 (according to a service change permit).

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In 2005, at the newly-built San Jose City Hall, artifacts and ephemera (including original bicycles, wires and promotional fliers) from the Frances Dainty Company were displayed. One of the old advertisements explains it this way: "The World's Greatest Cyclists in Extraordinary Feats of Cycling Riding and Balancing: Whirling, twirling, twisting, turning, circling cyclists in a whirlwind of thrills, quicker than shots fired from a rapid fire gun." Dainty (the stage name of Cyril Geer) "defied all power of gravitation" and performed bicycle stunts on a slack wire, which is different than a tightrope in the sense that it has slack, i.e., no tension. He would alternate the spellings of his name between Francis and Frances because he would occasionally do the act in drag, as he believed that audiences would rather see a female cyclist instead.

In 2005, at the newly-built San Jose City Hall, artifacts and ephemera (including original bicycles, wires and promotional fliers) from the Frances Dainty Company were displayed. One of the old advertisements explains it this way: "The World's Greatest Cyclists in Extraordinary Feats of Cycling Riding and Balancing: Whirling, twirling, twisting, turning, circling cyclists in a whirlwind of thrills, quicker than shots fired from a rapid fire gun." Dainty (the stage name of Cyril Geer) "defied all power of gravitation" and performed bicycle

Beginning in 2006, subsequent owners of the property, the Eaton family, filed a number of permits with the City of San Jose to make alterations to the property. In 2006, they filed a two-phase residential permit that included: demolishing the 1924 525 square foot garage, the removal of a California Black Walnut tree, repositioning the residence nine feet towards the front of the property line on Coe Avenue and replacing the foundation, constructing a new 649 square foot two-car detached garage with solar panels on its roof, removing a previous one-story addition to the rear of the house and constructing a new two-story addition in its place. Permits filed since 2006 are extensions of work proposed in the 2006 permit. The permits were processed under the Single Family House Permit ordinance, as the property is listed on the San Jose Historic Resources Inventory both individually and as a contributor to the Palm Haven Conservation Area.

Integrity:

The house at 795 Coe Ave. maintains sufficient historic integrity as per the National Register's seven aspects of integrity to represent its original design and form. The house maintains its original location on Coe Avenue, in the historically significant Palm Haven Conservation Area. The property no longer is a part of a larger ranch, but has been surrounded by a traditional residential setting since the 1920s – for over ninety years. The subject property is larger than most of those surrounding, which helps retain its late nineteenth-century residential scale and feeling and continues, through its distinctive form and detailing, to illustrate a distinguished Folk Victorian design of the period. Changes to the building at the rear have enhanced the long-term viability of the house, and were done under the Single Family House permit process according to City of San Jose guidelines in order to maintain the character of the historic building. This building has a distinctive character and composition that is expressed through its preserved materials, workmanship, and eclectic Victorian design.

Survey Status

The property at 795 Coe Ave. was first identified for its architectural distinction in 1973 as a part of the King Survey. At that time, Cyril Geer identified the builder as "Wolfe," and that the house had been built for his family about 1885-1890. The property was recorded again in 1977-1978 by Urban/Rural Conservation for the City of San Jose, who evaluated the property and determined that it was a "Contributing Site." The property was included as a Contributor to the Palm Haven Conservation Area in the 1980s.

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EVALUATION

This house, a contributor to the Palm Haven Conservation Area sits in a mature residential area that possesses a significant concentration of houses that are unified by their aesthetically pleasing plans and characteristics. The City of San Jose has recognized the historic context within the Palm Haven Conservation Area. As a contributor to the historic neighborhood, this property continues to qualify for eligibility for the City's Historic Resources Inventory. The recognized pattern of development however has not been evaluated for National Register of California Register listing. The property itself is associated with nineteenth century rural development, but no longer is located within a rural context that is reflected in its setting. The property would therefore not appear to be eligible for the National for the National or California registers under Criterion A and (1) for historic patterns of development.

The original family associated historically with the early use of this building, the Geer family, is notable in the context of early San Jose personages who provided a unique contribution to the arts during the early twentieth century. The association of this house with the Geer family is important to understanding and appreciating the history of this house, but the association in itself would not enable eligibility to the National or California Registers under Criterion B or (2).

The house is distinctive within this setting along Coe Avenue; a two-story, highly detailed Folk Victorian residence. The designer has not been identified, but the house was apparently built by Jeremiah Wolfe and probably his sons, who are important builders associated with the development of North Willow Glen and the Palm Haven neighborhoods. They are considered to be master builders in San Jose during the late nineteenth and early twentieth centuries. The building is distinguished among local residential architecture from San Jose's period of *Horticultural Expansion*. Due to the recent changes to the building to the rear, the property does not appear eligible for the National Register under Criterion C. However, under the guidelines for evaluating and listing properties on the California Register, some reducing in integrity is considered acceptable. It appears that the property would qualify for listing on the California Register under Criterion (3).

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References

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South elevation, viewed facing north.

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West elevation, viewed facing north.

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North elevation, viewed facing west.

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East elevation, viewed facing west.

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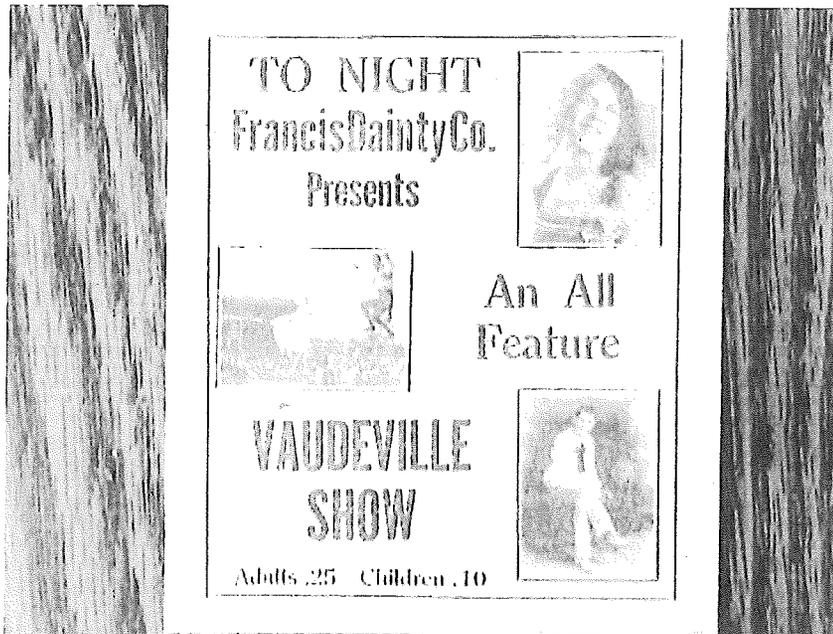
Rear garage, viewed facing northeast



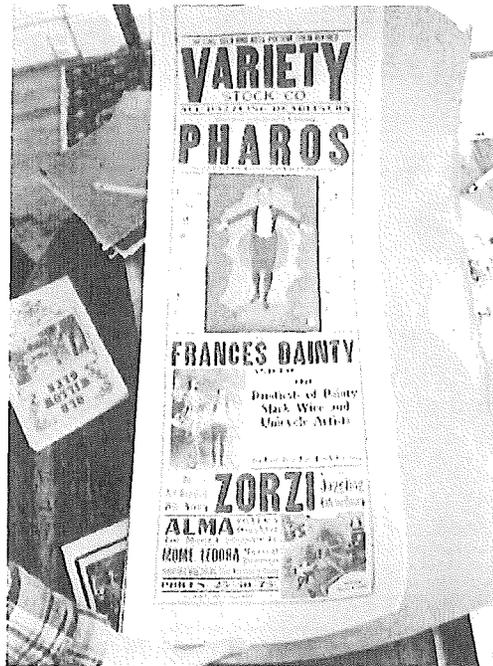
Detail view of front gable, viewed facing north



Detail view of front bay, viewed facing north



Ephemera of Francis Dainty Co., courtesy Eaton family



Ephemera of Francis Dainty Co., courtesy Eaton family



Ephemera of Francis Dainty Co., courtesy Eaton family



- Gable end
- Beaded bargeboards
- Scroll-cut panels within beam and post apex
- Soffit
- Frieze
- Apron sill trim
- Eastlake grill
- Turned columns
- basketweave panel
- Fan corbels
- Engaged columns
- Turned pickets

- Stem wall with new windows
- V-groove siding
- Eave return

Annotated photo of front facade

APN# 264-52-048
795 Coe Ave.

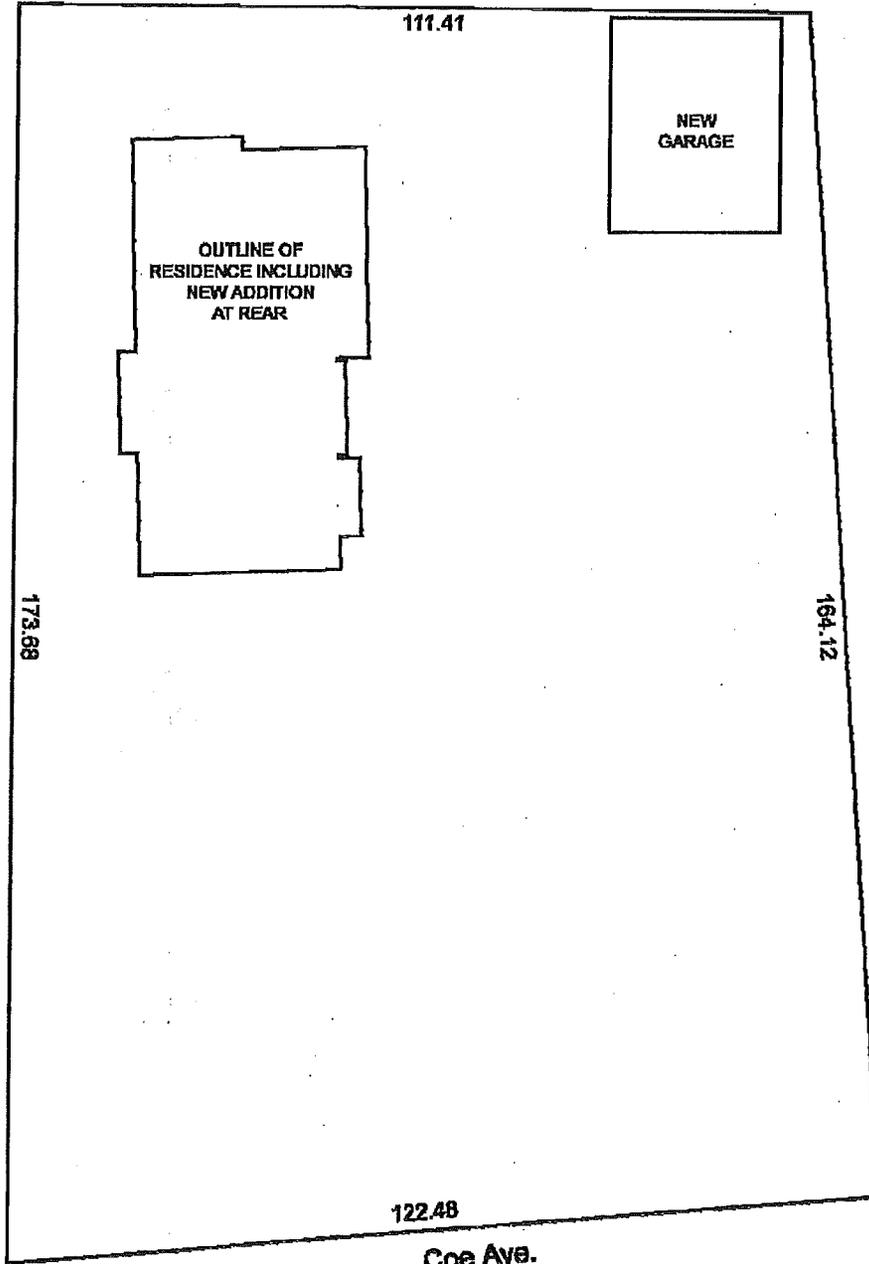


Diagram not to scale.



Reducing Property Taxes with the Mills Act

By Ken Fowler

Anyone who owns an older home would love to have more money available to maintain and restore it. The good news is that the state Mills Act can help free up those funds by reducing your real estate taxes. If you promise to use those tax savings to preserve your property's historic character, your recalculated property taxes using the special Mills Act assessment method can be reduced 50% or more!

What Property Is Eligible and How It Works

The City of San Jose has adopted the Mills Act and will enter into contracts only with property owners of designated city landmarks. The landmarking process must be completed before a Mills Act contract is initiated. See the accompanying story for how PAC**SJ* member Rusty Lutz just obtained city landmark status for his North Second Street apartment building. (If you outside San Jose, check with your local planning office for what they have deemed a qualified historic property. Property owners in unincorporated Santa Clara County should contact the County Historical Heritage Commission.)

A Mills Act contract runs for 10 years and renews itself automatically. If the city or property owner chooses not to renew, the contract

will terminate at the end of the current 10-year term. The city or property owner may also cancel the contract, but a penalty may be assessed.

How the Reduced Property Tax Is Computed

Mills Act contracts are available for income property and for owner-occupied property. Property valuation is determined by the "income" method. Generally, the income, or projected income, less certain expenses, is divided by a capitalization rate to determine the assessed value of the property. When a property is owner occupied, the determination of "income" is based on what a property could reasonably be expected to yield in rental income. In the case of income-producing property, the income amount is based on rent actually received and on typical rents received for similar property in similar use.

Here's an example of how much money would be saved on a historic residence assessed at \$800,000. At a 1% property tax rate, current taxes would be \$8,000. Let's say the property does or could generate a \$5,000 monthly income, or a \$60,000 annual gross. Let's say expenses (things like insurance, repairs, and utilities) run \$10,000 a year. That would be a net income of \$50,000. To determine the



capitalization rate, we add up four components:

1. Your mortgage rate (for this example, let's say 4%)
2. A historical property risk component (4% for owner-occupied single-family residences, 2% for other cases)
3. Amortization (for this example, let's say 5%)
4. Your property tax rate (for this example, 1%)

These four components add up to 14%. Divide \$50,000 by 0.14, and you get the new assessed value of the residence, \$357,143. Instead of the original \$8,000 in property taxes, the new taxes would be \$3,571. That's a yearly savings of \$4,429.

EXHIBIT C

OWNER shall annually expend an amount equal to a minimum of 10% of the tax savings attributed to this Agreement for the preservation and maintenance of the Historic Landmark. The rehabilitation of the Historic Landmark shall be completed on or before the 10th anniversary of the Effective Date of this Agreement, and such rehabilitation shall include all of the following tasks.

- Repair and repaint downspouts
- Clean, restore, repaint wooden gutters
- Reglaze attic windows and repair wooden sashes
- Repoint damaged mortar in brick pillars at driveway
- Tent house for termites
- Repair sash weights in windows
- Replace missing window screens
- Repair beadboard porch ceiling and repaint
- Prune 100+ year old walnut street tree
- Repair and repaint wooden porch floor and steps
- Repair/replace as necessary interior plumbing fixtures
- Repair/replace as necessary interior lighting in kitchen

After the 10th Anniversary date of the Effective Date of this Agreement, Owner shall expend an amount to a minimum of 10% of the tax savings attributed to this Agreement for the continued preservation and maintenance of the Historic Landmark and more specifically shall perform and complete but without limitation the following tasks each year:

- Maintenance
- Painting
- Repairs