



## Natural Hazard Disclosure Report

page 1  
report number: 123123D  
date: October 31, 2016  
apn: 0000-0000-000-00  
property address: 123 Any Way  
Hayward, CA 94544  
Alameda County

### HomeGuard NHD acknowledgement of receipt signature page

#### Natural Hazard Disclosure Report

- ☒ statutory natural hazard disclosure statement (*disclosures of: special flood hazard area, area of potential flooding due to dam failure, very high fire hazard severity zone, wildland fire area, earthquake fault zone, and seismic hazard zone*)
- ☒ county-level natural hazard zone disclosure
- ☒ city-level natural hazard zone disclosure
- ☒ airport influence area disclosure
- ☒ military ordnance (formerly used defense sites) disclosure
- ☒ Megan's Law database disclosure
- ☒ tsunami inundation disclosure
- ☒ right to farm disclosure
- ☒ mining operations disclosure
- ☒ San Francisco Bay Conservation and Development (BCDC) disclosure
- ☒ endangered species disclosure
- ☒ radon zone disclosure
- ☒ naturally occurring asbestos disclosure
- ☒ mold addendum
- ☒ methamphetamine contamination disclosure
- ☒ commercial & industrial zoning disclosure
- ☒ California drought advisory
- ☒ water conserving plumbing fixture replacement advisory
- ☒ seasonal energy efficiency rating (SEER) advisory
- ☒ gas and hazardous liquid transmission pipeline disclosure
- ☒ California high-speed rail advisory
- ☒ other local disclosures (if applicable)

#### EDR Environmental Disclosure Report

- ☒ disclosure of certain contaminated sites/landfills within a designated proximity of the subject property
- ☒ disclosure of certain drug labs within a designated proximity of the subject property
- ☒ disclosure of certain oil and gas drilling wells within a designated proximity of the subject property

#### California Tax Disclosure Report

- ☒ Mello-Roos community facilities districts
- ☒ 1915 bond act assessments districts
- ☒ notice of supplemental property tax bill
- ☒ notice of property assessed clean energy (PACE) program
- ☒ private transfer fee disclosure advisory

#### Combined Hazards Booklet

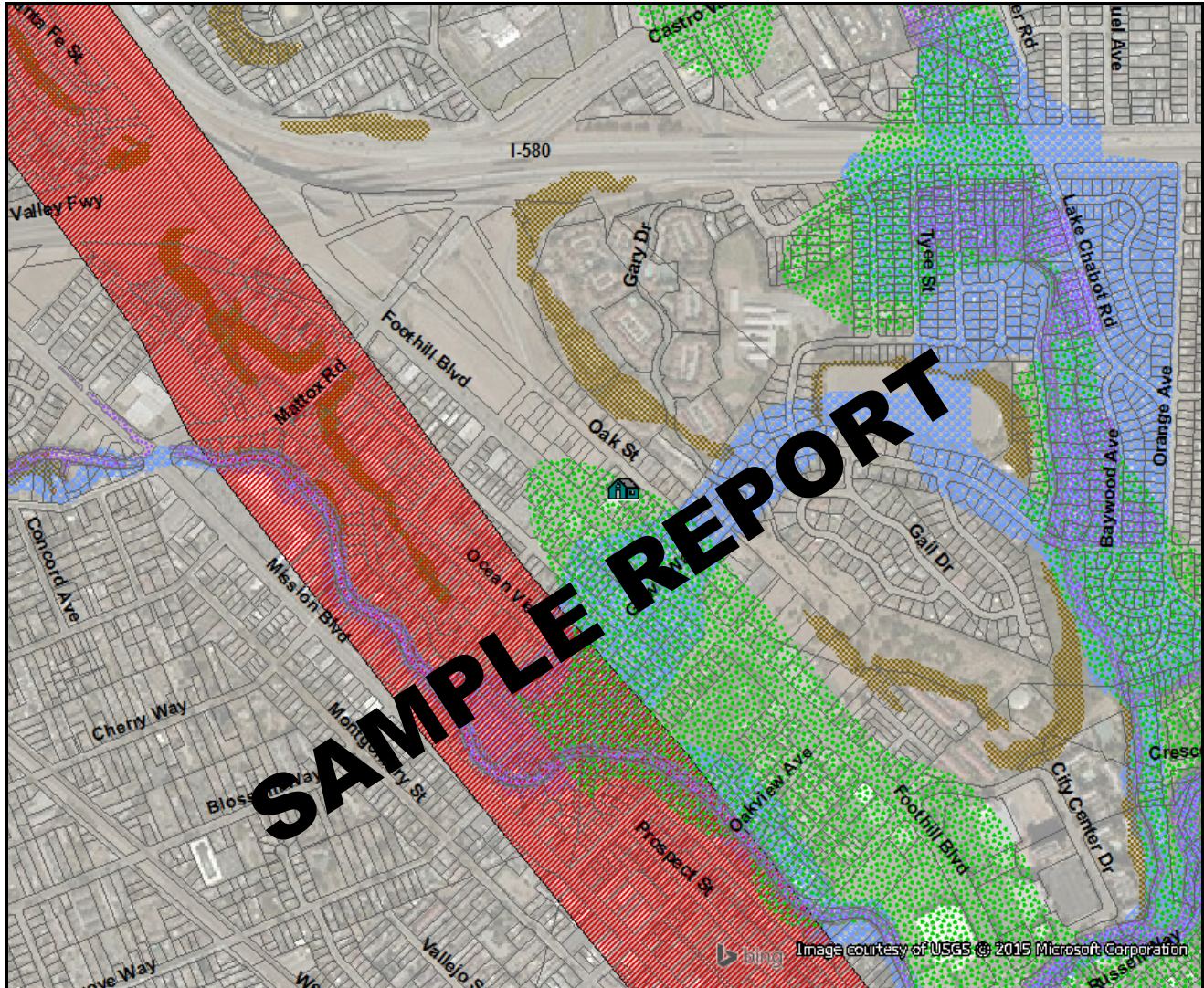
Provided as an email link or can be downloaded at: <http://homeguard.com/CHBooklet>

- ☒ residential environmental hazards
- ☒ protect your family from lead in your home
- ☒ homeowner's guide to earthquake safety
- ☒ home energy rating system (HERS)






*By signing Page 3 of this report, I hereby acknowledge the receipt of the reports with the disclosures, notices, and advisories stated above*



## statutory zones map



### hazard zone legend:

- |                                                                                     |                                     |                                                                                     |                                        |
|-------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------|----------------------------------------|
|  | special flood hazard area           |  | earthquake fault zone                  |
|  | dam failure inundation area         |  | state seismic hazard zone-liquefaction |
|  | very high fire hazard severity zone |  | state seismic hazard zone-landslide    |
|  | state responsibility area           |  | property location                      |

NOTE: The map above represents an approximation of the property location. The map should not be relied upon to determine a final proximity of hazard zones. Other non-statutory zones are not included on this map. The location of the home symbol represents an approximate location of the center of the property and in no way constitutes a location of a structure on the subject property.





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### natural hazard disclosure statement

The transferor and his or her agent(s) or a third-party consultant disclose the following information with the knowledge that even though this is not a warranty, prospective transferees may rely on this information in deciding whether and on what terms to purchase the subject property. Transferor hereby authorizes any agent(s) representing any principal(s) in this action to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the transferor and his or her agent(s) based on their knowledge and maps drawn by the state and federal governments. This information is a disclosure and is not intended to be part of any contract between the transferee and transferor. THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):

**A SPECIAL FLOOD HAZARD AREA** (Any type Zone "A" or "V") designated by the Federal Emergency Management Agency.

Yes ☐ No ☒ Do not know and information not available from local jurisdiction ☐

**AN AREA OF POTENTIAL FLOODING SHOWN ON A DAM FAILURE INUNDATION MAP** pursuant to Section 8589.5 of the Government Code.

Yes ☐ No ☒ Do not know and information not available from local jurisdiction ☐

**A VERY HIGH FIRE HAZARD SEVERITY ZONE** pursuant to Section 51178 or 51179 of the Government Code. The owner of this property is subject to the maintenance requirements of Section 51182 of the Government Code.

Yes ☐ No ☒

**A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS** pursuant to Section 4291 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 4291 of the Public Resources Code. Additionally, it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4150 of the Public Resources Code.

Yes ☐ No ☒

**AN EARTHQUAKE FAULT ZONE** pursuant to Section 2622 of the Public Resources Code.

Yes ☐ No ☒

**A SEISMIC HAZARD ZONE** pursuant to Section 2696 of the Public Resources Code.

Yes (Landslide Zone) ☐ Yes (Liquefaction Zone) ☒

No ☐ Map not yet released by state ☐

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP YOUR REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NEEDED HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. TRANSFEREE(S) AND TRANSFEROR(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

Signature of Transferor(s) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Transferor(s) \_\_\_\_\_ Date \_\_\_\_\_

Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

Check only one of the following:

☐ Transferor(s) and their agent(s) represent that the information herein is true and correct to the best of their knowledge as of the date signed by the transferor(s) and agent(s).

☒ Transferor(s) and their agent(s) acknowledge that they have exercised good faith in the selection of a third-party report provider as required in Civil Code Section 1103.7, and that the representations made in this Natural Hazard Disclosure Statement are based upon information provided by the independent third-party disclosure provider as a substituted disclosure pursuant to Civil Code Section 1103.4. Neither transferor(s) nor their agent(s) (1) has independently verified the information contained in this statement and report or (2) is personally aware of any errors or inaccuracies in the information contained on the statement. This statement was prepared by the provider below:

Third-Party Disclosure Provider(s) \_\_\_\_\_ HomeGuard, Inc. \_\_\_\_\_ Date \_\_\_\_\_ October 31, 2016 \_\_\_\_\_

Transferee represents that he or she has read and understands this document in addition to County-level and City-level, airport influence area, military ordnance, commercial zoning, methamphetamine contamination, asbestos, BCDC, radon, endangered species, right to farm, tsunami inundation, mining, pipeline, and Megan's Law disclosures, in addition to energy, drought, mold, and high-speed rail advisories. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the transferor's or agent's disclosure obligations in this transaction.

Signature of Transferee(s) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Transferee(s) \_\_\_\_\_ Date \_\_\_\_\_

## statutory zones explanation page

On June 1, 1998, Sec. 1103 of the California Civil Code went into effect mandating certain disclosures to be made. This Statutory Zones Explanation Page is designed to supplement "YES/NO" information contained on the previous page of this report by providing specific zone information and/or zone explanation.

### SPECIAL FLOOD HAZARD AREA

The subject property is:

**Located in Zone X (unshaded).**

Copies of Federal Emergency Management Agency (FEMA) maps are usually available from the planning department in the city or county where the property is located. Information about FEMA's floodplain mapping program and the National Flood Insurance Program (NFIP) is available on FEMA's website: [www.fema.gov](http://www.fema.gov)

#### Defining Flood Hazard Areas:

Zones **A**, **A1-A30**, **AE**, **AH**, and **AO** represent Special Flood Hazard Areas, also known as "100-year floodplains", and are defined as portions of a river or stream channel and adjacent lands that are subject to floods with at least a one-percent chance of being exceeded in any given year. Zone **A99** represent areas subject to inundation by the 1-percent-annual-chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. Zones **V**, **V1-V30**, and **VE** represent areas of 100-year coastal flood with velocity (wave action). Typically these are zones in which flood insurance is required if loans are obtained from a federally regulated financial institution or are insured by any agency of the United States Government.

Zones **B** and **X (shaded)** represent the areas between limits of the 100-year flood and 500-year flood or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. Zones **C** and **X (unshaded)**, represent areas of minimal or undetermined, but possible flood hazards. Zone **D** designation is used for areas where there are possible but undetermined flood hazards. No analysis of flood hazards has been conducted.

#### Homeowners Flood Insurance Affordability Act of 2014 Advisory:

In 1968, Congress created the National Flood Insurance Program (NFIP) providing means for property owners to protect themselves financially from flood events. The NFIP offers flood insurance to homeowners, renters and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce floodplain management ordinances that meet or exceed FEMA requirements. The National Flood Insurance Program (NFIP) is in the process of implementing Congressionally mandated reforms required by the Homeowner Flood Insurance Affordability Act of 2014 that amend and modify the Biggert-Waters Flood Insurance Reform Act of 2012. Flood insurance rates are increasing due to many factors. FEMA, which backs flood insurance, has experienced extraordinary expenses dealing with natural disasters. Under 2014 Flood Insurance Affordability amendments, homeowners who are required to carry flood insurance are likely to see premiums costs increase 5% to 25%. Owners of non-residential property are likely to see premiums rise 25%. Policyholders who have questions about their flood insurance policies should contact their insurance agent.

For more information, please visit <https://www.floodsmart.gov/floodsmart/>

#### Flood Disaster Insurance Disclosure

The transferor must notify the transferee, in writing on a document about the requirement to obtain and maintain flood insurance in accordance with applicable Federal law in situations where the owner received Federal flood disaster assistance. Failure to notify the transferee means that in the event the transferee fails to maintain the required flood insurance and the property is damaged by a flood disaster requiring Federal disaster relief, the transferor will be required to reimburse the Federal government.

#### Best Available Maps (BAM) Advisory-California's 200-Year Flood Zone:

The BAM floodplains identify potential flood risks that may warrant further studies or analyses for land use decisions. Senate Bill 5 (SB 5), which was enacted in 2007, authorized the California Department of Water Resources (DWR) to develop the Best Available Maps (BAM) displaying 100-year and 200-year floodplains for areas located within the Sacramento-San Joaquin (SAC-SJ) Valley watershed. SB 5 requires that these maps contain the best available information on flood hazards and be provided to cities and counties in the SAC-SJ Valley watershed. This effort was completed by DWR in 2008. DWR has expanded the BAM to cover all counties in the State and to include 500-year floodplains. The California Department of Water Resources (DWR) has updated the Best Available Maps to display the latest floodplains in a web viewer located at <http://gis.bam.water.ca.gov/bam/>. This additional flood information is included in County and City-level disclosures in this report as local jurisdictions begin to include the zones when their General Plans are updated.

### AREA OF POTENTIAL FLOODING AS SHOWN ON DAM FAILURE INUNDATION MAP

California Civil Code 1103 requires sellers to tell prospective buyers if the residential property lies within an area of potential flooding in the event of the failure of a state-regulated dam. Of the 1,200 dams under the state government's regulatory jurisdiction, about 650 are large enough and close enough to development to require inundation maps. The owner of a state-regulated dam must prepare a draft dam failure inundation map, which the state Office of Emergency Services (OES) then reviews. OES sends the final inundation map to the cities and counties with jurisdiction over the affected territory so that local emergency services officials can prepare evacuation plans.

These zones represent areas that could be inundated by a sudden and total failure of a dam or retaining structure. These maps are based on a worst-case scenario event in that the reservoir is filled to capacity and the dam fails instantaneously. However, dams rarely fail instantaneously and reservoirs are not always filled to capacity. Areas could still be flooded in the event of a partial failure or dam breach.

## statutory zones explanation page (continued)

### VERY HIGH FIRE HAZARD SEVERITY ZONES

Originating as a response to the 1991 Oakland Hills firestorm, these zones contain a high fire risk due to topography, dwelling density, brush coverage, climate, etc. Properties located in a Very High Fire Hazard Severity Zone (VHFHSZ) are subject to certain fire prevention property maintenance requirements. It is important to note that, according to Government Code Section 51179, a "local agency" (defined as a city, county, city and county, or district responsible for fire protection within a VHFHS Zone) may make changes to recommendations made by the Director of the DFFP pursuant to Government Code Section 51178. This provision allows a local agency, at its discretion, to make changes to the boundaries of VHFHS Zones that may not be reflected on maps released by the California Department of Forestry and Fire Protection used in this report. For more information on this provision, please contact your local agency. For more information on State Very High Fire Hazard Severity Zone Maps, please visit <http://frap.fire.ca.gov>.

### A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS (STATE RESPONSIBILITY AREAS)

Section 4102 of the Public Resources Code (PRC) defines "state responsibility areas" as those areas of the state for which the State has the financial responsibility of preventing and suppressing fires. Under PRC Sections 4125 and 4126, these areas roughly correspond to vegetated lands that have watershed value. Lands in incorporated cities or owned by the federal government are excluded. SRA lands cover about 31 million acres in 56 counties. Areas that are not federal or state responsibility are commonly referred to as "Local Responsibility Areas" or "LRA." For more information on State Responsibility Maps, please visit <http://frap.fire.ca.gov>.

### EARTHQUAKE FAULT ZONES

California Public Resources Code Section 2622 requires the delineation and mapping of "Earthquake Fault Zones" along known active faults in California. Affected cities and counties must regulate certain development projects within these zones. Construction or development, including additions, on affected properties may be subject to the findings of a geological report prepared by a registered California geologist. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Alquist-Priolo Earthquake Fault Zone Act was passed in 1972 to mitigate the hazard of surface faulting to structures. This state law was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures.

If a property is within an Earthquake Fault Zone, it means that an active fault is present within the zone and the fault may pose a risk of surface rupture to existing or future structures. For more information about this zone, please visit <http://www.consrv.ca.gov/CGS/rghm/ap/> on the state web.

### SEISMIC HAZARD ZONES

California Public Resources Code Section 2626 requires the delineation and mapping of "Seismic Hazard Zones" in California. Affected cities and counties must regulate certain development projects within these zones. Construction or development, including additions, on affected properties may be subject to the findings of a geological report prepared by a registered California geologist.

Seismic Hazard Zones are regulatory zones that encompass areas prone to liquefaction (failure of water-saturated soil) and earthquake-induced landslides. What does it mean to be located within a Seismic Hazard Zone? It means that the state has determined that it is likely that weak soil and/or rock may be present beneath the property. If present, these weak materials can fail during an earthquake and, unless proper precautions are taken during grading and construction, can cause damage to structures. If a property is undeveloped, a site-specific investigation by a licensed engineering geologist and/or civil engineer may be required before the parcel can be subdivided or before most structures can be permitted. For extensive information about these zones, please visit <http://www.conservation.ca.gov/cgs/shzp/Pages/Index.aspx>.

#### Defining Liquefaction:

Liquefaction occurs when a saturated formation, typically sandy soil, is turned into a liquid. The key ingredient is a formation of loose, saturated sand. A key component of mapping liquefaction hazard is estimating the shaking needed to trigger liquefaction. The answer is largely based on just how susceptible the material is to liquefaction. In areas exposed to moderate shaking, a material that is highly susceptible to liquefaction may liquefy, but adjacent material that is moderately susceptible may not.



## county-level natural hazard zone disclosures

In 1971, the California Legislature made Safety and Seismic Safety Elements mandatory for all Counties and incorporated Cities in the state of California. The requirements were partly a reaction to damaging natural hazards occurring at the time. The purpose of the Safety Element is to reduce deaths, injuries, property damage, and economic and social dislocation resulting from natural hazards including flooding, slope failure, tsunamis, subsidence, earthquakes, avalanches, other geologic phenomena, levee or dam failure, and fires. The Safety Element is the primary vehicle for identifying hazards that municipalities must consider when making land use decisions. Although relatively few Counties and Cities mandate disclosure from their Seismic Safety Elements, it should be considered prudent to disclose information from publicly available maps. Only maps contained in the County or City Seismic Safety Element, or similarly named element, that are of appropriate scale for disclosure are used in this report.

### Alameda County Natural Hazard Zone Disclosure:

The subject property is in the following zones:

**Fault Hazard Zone:** Located within 1/8 of a mapped fault.

**Landslide Zone:** Not in

**Liquefaction Hazard Zone:** Moderate

**Fire Hazard Area:** High

**Tsunami Inundation Zone:** Not in

### County Zone Explanations:

**Fault Hazard Zones:** Faults that have been active during the Holocene period, approximately the last 11,000 years, are considered to be active faults, and those faults that have been active during the Quaternary period, approximately the last 1.8 million years, are considered to be potentially active faults. In addition to faults that have been classified as active or potentially active, there are others whose activity has not been clearly established by presently available information. The County has been the site of numerous seismic events, originating both on faults within the County and in other parts of the region. Six major Bay Area earthquakes have occurred since 1800 that have affected the County, and at least two of the faults that produced them run through or into the County. These earthquakes and the originating faults include the 1836 and 1868 earthquakes on the Hayward-Rogers Creek fault, and the 1861 earthquake on the Calaveras fault. Three earthquakes, in 1838, 1906 and 1899 originated on the San Andreas fault, west of the county near San Francisco or to the south.

**Landslide Zone:** Landslides and slope instability are generally caused by earthquakes, weak materials, stream and coastal erosion, and heavy rainfall. The rate of landsliding is affected by the type and extent of vegetation, the slope angle, the degree of water saturation, the strength of the rocks, and the mass and thickness of the deposits. In addition, certain human activities tend to make the earth materials less stable and increase the chance of ground failure. Activities contributing to instability include extensive irrigation, poor drainage or ground-water withdrawal, removal of stabilizing vegetation, and oversteepening of slopes by undercutting them or overloading them with artificial fill. The causes of failure, which normally produce landslides and differential settlement, are augmented during earthquakes. As a result of these potential risks, construction on slopes steeper than about 15 percent typically requires special grading, special foundation design, or site modification to mitigate slope ground conditions and reduce the potential for slope instability. Threats to structures would be greatest in areas that are close to natural channels and are situated on potentially unstable slopes.

**Liquefaction Hazard Zones:** Liquefaction is the rapid transformation of saturated, loose, fine-grained sediment to a fluid-like state and is typically caused by strong ground shaking during an earthquake. Liquefaction can result in substantial loss of life, injury, and damage to property. In addition, liquefaction increases the hazard of fires because of explosions induced when underground gas lines break, and because the breakage of water mains substantially reduces fire suppression capability. The potential for liquefaction to occur depends on both the susceptibility of near-surface deposits to liquefaction, and the likelihood that ground motions will exceed a specified threshold level. Much of the Planning Area is in the vicinity of an active fault; thus, the immediate area surrounding the earthquake epicenter will be exposed to strong ground shaking should a large earthquake occur. Areas most susceptible to liquefaction are underlain by loose granular sediments and low-lying lands adjacent to creeks and estuaries. Zones are defined as very high, high, moderate, low, and very low susceptibility for liquefaction.

**Fire Hazard Area:** Fire hazards exist in both developed and undeveloped areas. Those occurring in developed areas typically include buildings, rubbish, automobiles, and grass fires on vacant lots. Those in undeveloped areas often include large brush and grass fires. Alameda County is subject to the threat from urban fires, and especially wildland fires, due to its hilly terrain, weather conditions, and the nature of its plant coverage. Due to the intensity of development, the number of the potentially affected populations, and the difficulties of containment, the County must also devote major resources to controlling potential fire hazards in its urban areas. In order to quantify this potential risk, California Department of Forestry (CDF) has developed a Fire Hazard Severity Scale which utilizes three criteria in order to evaluate and designate potential fire hazards in wildland areas. The criteria are fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope).

**Tsunami Inundation Zones:** A major hazard associated with earthquakes is water inundation resulting from a tsunami or seiche. Tsunamis are a series of waves typically produced by an offshore earthquake, volcanic eruption, or landslide. A tsunami with a wave height of 20 feet at the Golden Gate Bridge, which is likely to occur approximately once every 200 years, would result in a runup of less than 10 feet above sea level on lands surrounding the San Francisco Bay.

## city-level natural hazard zone disclosures

In 1971, the California Legislature made Safety and Seismic Safety Elements mandatory for all Counties and incorporated Cities in the state of California. The requirements were partly a reaction to damaging natural hazards occurring at the time. The purpose of the Safety Element is to reduce deaths, injuries, property damage, and economic and social dislocation resulting from natural hazards including flooding, slope failure, tsunamis, subsidence, earthquakes, avalanches, other geologic phenomena, levee or dam failure, and fires. The Safety Element is the primary vehicle for identifying hazards that municipalities must consider when making land use decisions. Although relatively few Counties and Cities mandate disclosure from their Seismic Safety Elements, it should be considered prudent to disclose information from publicly available maps. Only maps contained in the County or City Seismic Safety Element, or similarly named element, that are of appropriate scale for disclosure are used in this report.

### City of Hayward Natural Hazard Zone Disclosure:

The subject property is in the following zones:

Fire Hazard Zone (CAL FIRE): **High**

Fire Hazard Zone (Hayward Fire Department): **Located in a Wildland Urban Interface Area.**

Flood Risk Associated with Sea Level Rise: **Not in**

### City Zone Explanations:

**NOTE:** other City zones adopted into the Safety Element include State of California Geological Survey Earthquake Fault Zones and Seismic Hazard Zones, state dam inundation zones, and FEMA flood zones which are disclosed in other areas of the report.

**Fire Hazard Zone (CAL FIRE/Hayward Fire Department):** Much of Hayward has been developed as urban uses, and most of these areas are not susceptible to risks from wildland fires. Hayward is bordered by the urban areas of San Lorenzo to the north and Union City to the south. However, the eastern planning area boundary is surrounded by regional parkland and open space located in High or Very High Fire Hazard Severity Zones. The outbreak and spread of wildland fires in these areas is a potential danger to the city, particularly during the summer months and even more with offshore wind conditions. Hayward Fire Department (HFD) has defined the areas east of Mission Boulevard from the south side of D Street to the city limits south to Union City as a hazardous fire zone. Similarly, CAL FIRE has designated the area east of Mission Boulevard as a High Fire Hazard Severity Zone. This area is home to more than 43,000 residents and includes \$3.28 billion in assessed property value. Most of the area, which extends outward east in a narrow extension, of land, remains undeveloped east of Garin and out to the Pleasanton Ridge and to the Regional Park boundary. However, California State University East Bay and several subdivisions are located within this zone east of Mission Boulevard. Similarly, the entire community of Fairview, which includes a substantial amount of residential and commercial development, is also designated as a High Fire Hazard Severity Zone.

Wildfire and **wildland/urban interface** fire threats affect about 1,008 acres of land in Hayward, or less than 20 percent of the planning area. About 44,770 people or 24 percent of the population in the Hayward Planning Area live in the wildland and wildland/urban interface fire hazard areas. Fire hazards may also impact 204 miles of road, way, transit, and rail infrastructure, and 86 public facilities.

**Flood Risk Associated with Sea Level Rise:** Increased flood frequency and elevated flood risk are expected in California as a result of sea level rise, more intense storm events, and shifts in the seasonal timing of rainfall and snowpack runoff. Hayward is protected by a system of levees that will be further strained to meet the challenges expected from sea level rise and more extreme storm events. Additionally, more frequent and heavier precipitation may cause flooding and landslides, which would result in considerable costs in damages to property, infrastructure, and even human life.

Typically, hazards addressed within a General Plan are avoidable or manageable. They may only pose a risk to life and property if development is proposed in an area unsuitable for it, such as on an active or potential landslide, or saturated soils. Other hazards, such as earthquake-related hazards, settling, slippage, contraction, expansion, subsidence, and other land movement are inherent to life throughout much of California, and these must be addressed in ways which mitigate but cannot completely eliminate the risks associated with the hazard. The property may be constructed on fill or improperly compacted soil and may have inadequate drainage capability. Any of these issues can cause structural problems to improvements on the property. Civil or geotechnical engineers are best suited to evaluate soil stability, grading, drainage and other soil conditions. Additionally, the property may have unknown mines, mills, caves or wells. California is earthquake country and has experienced earthquakes in the past, and there is always a potential for future earthquakes. Damage caused by an earthquake, natural, or man-made hazard may not be discoverable by the visual inspections or natural hazard disclosure reports prepared during the transaction process. Inspection by a licensed, qualified professional is recommended to determine the development potential and/or the structural integrity and safety of all structures and improvements on the property.





### airport influence area disclosure

An Airport Influence Area represents the area in which current or future airport-related noise, over flight, safety, or airspace protection factors may significantly affect land uses or necessitate on those uses determined by an airport land use commission (ALUC) pursuant to Section 11010 of the Business and Professions Code, or Section 1103.4 or 1353 of the California Civil Code. These areas may also be known as "Airport Referral Areas."

#### Airport Influence Area Disclosure

The subject property is:

**Not located within an Airport Influence Area.**

#### **Zone Explanations:**

Airport Influence Areas (AIA) are determined by County Airport Land Use Commissions (ALUC). Typically, the size of an AIA is dependant on length of a runway, and whether or not larger jet aircraft take off and land at the facility. Certain County ALUC's have not provided Airport Influence Area maps for their jurisdiction. In those situations, California Civil Code 1102.6a requires that a 2-mile airport proximity disclosure be used to satisfy the Airport Influence Area disclosure.

Even though a property may not be within a defined airport influence area, the property may still be subject to airplanes and other aircraft, commercial, private, or military flying overhead. Noise levels and types of noise that bother one person may be acceptable others.

### military ordnance (formerly used defense sites) disclosure

California's military ordnance disclosure is defined by California Civil Code 1102.15 as a requirement to disclose former federal or state locations once used for military training purposes which may contain potentially explosive ordnance within a neighborhood area. A neighborhood area is defined as being within one mile of a property.

#### Military Ordnance Disclosure

The subject property is:

**Not located within one mile of a formerly used defense site.**

#### **Zone Explanations:**

Established by Congress in the mid-1990's, the Formerly Used Defense Sites (FUDS) Program cleans up properties formerly owned, leased, possessed, or used by the military services. Properties included in the program range from privately owned property to National Parks, and can be located in industrial areas, residential developments, and public areas. The type of cleanup required varies from property to property but would likely include conducting building demolition, hazardous waste removal, cleanup of environmental contamination, radioactive waste, other common industrial waste, ordnance and/or other warfare material including chemical weaponry. Active military sites are not included on the FUDS list. Most FUDS do not contain unexploded ordnance. California Civil Code 1102.15 requires the disclosure of those sites containing unexploded ordnance.

For the purpose of this report, only sites that the United States Army Corps of Engineers (USACE) have determined as having hazards potential found (unless stated otherwise in detailed site description) are disclosed. For location purposes, a latitude/longitude coordinate is used unless detailed site boundary descriptions can be obtained. Certain sites that are former sites under the Base Realignment and Closure (BRAC) Act may also be included in this report.



### megan's law database disclosure

California law signed by the Governor on September 24, 2004, provides the public with internet access to detailed information on registered sex offenders. The Sex Offender Tracking Program of the California Department of Justice maintains the database of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.46 of the Penal Code. The online database is updated with data provided by local sheriff and police agencies on an ongoing basis. It presents offender information in thirteen languages; may be searched by a sex offender's specific name, zip code, or city/county; provides access to detailed personal profile information on each registrant; and includes a map of your neighborhood.

**Notice: Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web Site maintained by the Department of Justice at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov).**

**Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.**

#### California Department of Justice Information Sources:

Megan's Law Sex Offender Locator Web Site: <http://www.meganslaw.ca.gov>

California Department of Justice Megan's Law email address: [meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov)

#### Local Information Locations for the Subject Property:

All sheriffs' departments and every police department in jurisdictions with a population of 200,000 or more are required to make a CD-ROM available to the public for viewing. Although not required, many other law enforcement departments in smaller jurisdictions make the CD-ROM available as well. Please call your local law enforcement department to investigate availability.

#### Megan's Law Database Disclosure Contact Information:

The following law enforcement departments in your County that are required to make information available to the public are:

Alameda County Sheriffs Department: (510) 272-6878

City of Fremont: (510) 790-6800 City of Oakland: (510) 238-2189

#### Other Contact Information:

City of Hayward Police Department: (510) 293-7272

City of Hayward Police Department website: <http://www.ci.hayward.ca.us/page.do?menu=police/cpolice.shtm>

#### Explanation and How to Obtain Information:

For over 50 years, California has required certain sex offenders to register with their local law enforcement agencies. However, information on the whereabouts of the sex offenders was not available to the public until the implementation of the Child Molester Identification Line in July 1995. The available information was expanded by California's "Megan's Law" in 1996 (Chapter 908, Stats. of 1996). Megan's Law provides certain information on the whereabouts of "violent" and "high-risk" sex offenders. The law specifically prohibits using the information to harass or commit any crime against a sex offender. The information on a registered sex offender includes: name and known aliases; age and sex; physical description, including scars, marks and tattoos; photograph, if available; crimes resulting in registration; county of residence; and zip code (from last registration). Accessing the online database requires your agreement with the DOJ's terms of use web page.

### tsunami inundation disclosure

A tsunami is a wave, or series of waves, generated by an earthquake, landslide, volcanic eruption, or even large meteor hitting the ocean (The Japanese word *tsu* means "harbor"; *nami* means "wave"). What typically happens is a large, submarine earthquake (magnitude 8 or higher) creates a significant up ward movement of the sea floor resulting in a rise or mounding of water at the ocean surface. This mound of water moves away from this center in all directions as a tsunami. A tsunami can travel across the open ocean at about 500-miles per hour, the speed of a jet airliner. As the wave approaches land and as the ocean shallows, the wave slows down to about 30 miles-per-hour and grows significantly in height (amplitude).

Although most people think a tsunami looks like a tall breaking wave, it actually resembles a flood or surge. Tsunamis can cause great loss of life and damage to property, as learned in the 2004 Indian Ocean Tsunami which killed over 200,000 people in eleven different countries. The key to surviving a tsunami is to know what the warning signs are, and know what to do and where to go if you think a tsunami is about to strike.

More than eighty tsunamis have been observed or recorded in California in historic times. Fortunately, almost all of these were small and did little or no damage. Though damaging tsunamis have occurred infrequently in California, they are a possibility that must be considered in coastal communities.

#### Tsunami Inundation disclosure:

The subject property is:

**Not located within a tsunami inundation area.**

#### Zone Explanations:

The tsunami inundation line represents the maximum considered tsunami runup from a number of extreme, yet realistic, tsunami sources. Tsunami inundation line boundaries may reflect updated digital orthophotographic and topographic data that can differ significantly from contours shown on the base map.

The maps used for this disclosure were produced by the State of California in 2009 by the California Emergency Management Agency, California Geological Survey, and University of Southern California Tsunami Research Center, mapped at 1:24,000 scale. Maps, education material, and additional information can be viewed online at:

[http://www.consrv.ca.gov/cgs/geologic\\_hazards/Tsunami/Inundation\\_Maps/Pages/Index.aspx](http://www.consrv.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Pages/Index.aspx)

### alameda county right to farm disclosure

Effective January 1, 2009, sellers must disclose to buyers if their property is located within one mile of farmland or ranch land as mandated by Civil Code Section 1103.4.

#### Right to Farm Disclosure:

The subject property is:

**Located within one mile of farmland or ranchland designated as important Farmland.**

#### Zone Explanations:

Important farmlands are defined as "Prime Farmland," "Farmland of Statewide Importance," "Unique Farmland," "Farmland of Local Importance," or "Grazing Land" on the most current "Important Farmland Map" issued by the California Department of Conservation, Division of Land Resource Protection, utilizing solely the county-level GIS map data, if any, available on the Farmland Mapping and Monitoring Program website.

Most counties and many cities in California have adopted Right to Farm ordinances which may discuss Right to Farm issues in greater detail. Note that properties more than one mile from designated farm or ranchland may also be adversely affected by agricultural activities. If the residential property is within one mile of a designated farmland area, the following notice is required to be disclosed:

#### NOTICE OF RIGHT TO FARM:

(if) This property is located within one mile of a farm or ranch land designated on the current county-level GIS "Important Farmland Map," issued by the California Department of Conservation, Division of Land Resource Protection. Accordingly, the property may be subject to inconveniences or discomforts resulting from agricultural operations that are a normal and necessary aspect of living in a community with a strong rural character and a healthy agricultural sector. Customary agricultural practices in farm operations may include, but are not limited to, noise, odors, dust, light, insects, the operation of pumps and machinery, the storage and disposal of manure, bee pollination, and the ground or aerial application of fertilizers, pesticides, and herbicides. These agricultural practices may occur at any time during the 24-hour day. Individual sensitivities to those practices can vary from person to person. You may wish to consider the impacts of such agricultural practices before you complete your purchase. Please be advised that you may be barred from obtaining legal remedies against agricultural practices conducted in a manner consistent with proper and accepted custom and standards pursuant to Section 3482.5 of the Civil Code or any pertinent local ordinance.

### mining operations disclosure

Effective January 1, 2012, sellers must disclose to buyers if their property is located within one mile of a mine operation as mandated by Civil Code Section 1103.4.

#### Mining Operation Disclosure:

The subject property is:

**Not located within one mile of a mine operation.**

#### Zone Explanations:

The California Department of Conservation Office of Mine Reclamation is required to provide mine information to the general public. The data includes the mine name, point coordinate location, commodity sold, and if the mine is active. Mine owners and operators are expected to provide this information to the Office of Mine Reclamation but it can not be guaranteed they have. If the property is within one mile of a designated mine operation, the following notice is required to be disclosed:

#### NOTICE OF MINING OPERATIONS:

This property is located within one mile of a mine operation for which the mine owner or operator has reported mine location data to the Department of Conservation pursuant to Section 2207 of the Public Resources Code. Accordingly, the property may be subject to inconveniences resulting from mining operations. You may wish to consider the impacts of these practices before you complete your transaction.

The California Department of Conservation Office of Mine Reclamation also maintains information on abandoned mines in California. The Abandoned Mine Lands Unit (AMLU) was created in 1997 to deal with the abandoned mines issue in California. The AMLU estimates that about 47,000 abandoned mines exist statewide with most presenting a physical safety or environmental hazard. For more information, please visit [http://www.conservation.ca.gov/omr/abandoned\\_mine\\_land/Pages/Index.aspx](http://www.conservation.ca.gov/omr/abandoned_mine_land/Pages/Index.aspx).

The California Department of Conservation Division of Oil, Gas and Geothermal Resources (DOGGR) oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. For more information, please visit <http://www.conservation.ca.gov/dog/Pages/index.aspx>.

### san francisco bay conservation and development (BCDC) disclosure

Effective July 1, 2005, sellers must disclose to buyers if their property is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC) as mandated by Civil Code Section 1103.4. The BCDC has issued maps outlining most of their jurisdiction which includes tidal areas, certain waterways that empty into the bay, salt ponds, and the Suisun Marsh wetlands. Areas within 100-feet of mean high tide are also part of the BCDC jurisdiction, but are not included on the maps. Due to the inadequate scale of available maps, there is some uncertainty regarding this disclosure. Based on a February 2005 memo circulated by the BCDC, the recommendation was made to indicate that a property "could be within" in borderline cases, and that the BCDC be consulted to make a location-specific determination.

#### BCDC Disclosure:

The subject property is:

**Not in the jurisdiction of the San Francisco Bay Conservation and Development Commission.**

#### Zone Explanations:

The BCDC is the federally-designated state coastal management agency for San Francisco Bay and has jurisdiction in the greater San Francisco Bay Area to administer the State's McAttee-Petris Act (the key legal provision under California state law to preserve San Francisco Bay from indiscriminate filling), the San Francisco Bay Plan, and the Suisun Marsh Preservation Act. The BCDC's primary roles in wetlands management in the Bay are planning the protection, enhancement, and restoration of wetlands, and balancing the protection of wetlands against other often high priority objectives. All projects proposed in tidal wetlands within the BCDC's jurisdiction require an approved BCDC permit before proceeding.

### endangered species disclosure

The California Endangered Species Act (CESA) (Fish and Games Code Sections 2050 to 2070) is administered by the California Department of Fish and Game and prohibits the take of plant and animal species designated by the Fish and Game Commission as either threatened or endangered in the state of California. "Take" in the context of the CESA means to hunt, pursue, kill, or capture a listed species, as well as any other actions that may result in adverse impacts when attempting to deal in individuals of a listed species.

Compliance with the CESA may be required for proposed development projects. Listed species change from time to time and the species listed may not represent a current comprehensive list of all protected species. Significant civil and criminal penalties, including fines and jail sentences, may be imposed upon individuals who "take" state-listed species without appropriate permits and without California Department of Fish and Games approval.

Due to the large numbers of birds, reptiles, amphibians, fish, invertebrates, mammals, and plants that are considered endangered, threatened or proposed and their complex and constantly changing habitat areas, it is prudent for individuals to consult with the U.S. Fish and Wildlife Service to investigate the possibility of endangered species in your area. Information for Northern California can be found on the internet at [http://www.fws.gov/sacramento/consists/auto\\_list\\_form.cfm](http://www.fws.gov/sacramento/consists/auto_list_form.cfm) and for Southern California at [http://www.fws.gov/carlsbad/CFWO/species\\_list.htm](http://www.fws.gov/carlsbad/CFWO/species_list.htm).

### radon zone disclosure

Radon is a naturally occurring radioactive gas which comes from the natural breakdown of uranium in soil, rock and water and gets into the air one breathes. Radon is odorless, tasteless, and colorless, and could be a potential problem in any home. Radon is regarded as the second leading cause of lung cancer following smoking. Radon can be found throughout the United States and can get into any type of building-homes, offices, and schools-and result in a high indoor radon level. For additional information, please visit the U.S. Environmental Protection Agency (EPA) Indoor Air Quality website at [www.epa.gov/iaq/whereyoulive.html](http://www.epa.gov/iaq/whereyoulive.html). The California Department of Health Services provides a radon message line at (800)745-7326. For information for California, please visit <http://www.dhs.ca.gov/radon/default.htm>. Links to purchase radon test kits are available on the site.

The United States EPA and the United States Geological Survey (USGS) have evaluated the radon potential in the United States and have developed a County-specific map to assist local organizations to target their resources and to assist building code officials in deciding whether radon-resistant features are applicable in new construction.

#### Radon disclosure:

**Alameda County is located in Radon Zone 2: Moderate Potential.**

#### Zone Explanations:

Radon levels are measures in picocuries per liter (pCi/L) of air, a measurement of radioactivity. The U.S. EPA and the Centers for Disease Control and Prevention recommend that homes with radon levels 4 pCi/L or greater, be mitigated. The map is not intended to be used to determine if an individual home is in a particular zone, but is intended to show which zone designation a particular County is located in:

**Zone 1: Highest Potential (greater than 4 pCi/L)**

**Zone 2: Moderate Potential (from 2 to 4 pCi/L)**

**Zone 3: Low Potential (less than 2 pCi/L)**

### naturally occurring asbestos disclosure

Exposure to asbestos may create a significant health risk, and the presence of asbestos-bearing minerals may result in restrictions on the use or development of the property. Asbestos is classified as a known human carcinogen by state, federal, and international agencies and was identified by the Air Resources Board (ARB) as a toxic air contaminant in 1986. Naturally occurring asbestos minerals belong to either the serpentine mineral group or the amphibole mineral group. The most common type of asbestos found in California is chrysotile, a serpentine mineral.

The risk of disease depends upon the intensity and duration of exposure. Exposure to low levels of asbestos for short periods of time likely poses minimal risk. Asbestos fibers can penetrate body tissues and remain in the lungs and the tissue lining of the lungs and abdominal cavity. The fibers that remain in the body are thought to be responsible for asbestos-related disease. The illnesses caused by asbestos may not be observed for twenty or more years. The most common serious diseases caused by asbestos are asbestosis (a non-cancerous lung disease), lung cancer, and mesothelioma (cancer of the thin membranes lining the lungs, chest, and abdominal cavity).

#### Naturally Occurring Asbestos Disclosure:

The subject property is:

**Not located in a zone of ultramafic rock more likely to contain naturally occurring asbestos.**

#### Zone Explanations:

Ultramafic rocks are dunite, peridotite, pyroxenite, and less common in California, hornblendite. Ultramafic rocks form in high temperature environments well below the surface of the earth. By the time they are exposed at the surface by uplift and erosion, ultramafic rocks may be partially to completely altered to serpentinite, a type of metamorphic rock. Sometimes the metamorphic conditions are right for the formation of chrysotile asbestos or tremolite-actinolite asbestos in bodies of ultramafic rock or along their boundaries. The State has produced detailed maps of naturally occurring asbestos for western El Dorado, Placer, and eastern Sacramento Counties. Reports prepared by HomeGuard for those counties make use of the referenced maps. For other counties in California, HomeGuard uses Open File Report 2005-1305, preliminary integrated geologic map database to disclose serpentinite and peridotite rock outcrops.

### mold addendum

The buyer and seller are advised that the presence of mold, fungi, mildew, and other organisms, sometimes referred to as "toxic mold" (collectively "mold") may adversely affect the property and the health of individuals who live on or work at the property as well as pets. Mold does not affect all people the same way and may not affect some people at all. Mold may be caused by water leaks or other sources of moisture such as, but not limited to, flooding, and leaks in windows, pipes, and roof. The seller is advised to disclose the existence of any such condition of which he or she is aware. The buyer should carefully review all of the seller's disclosures for any indication that any of the conditions exist. It is, however, possible that mold may be hidden and that the seller is completely unaware of its existence. In addition, mold is often undetectable from a visual inspection, and a professional property inspection and even a structural pest control inspection. Brokers do not have expertise in this area. If the buyer wants further information, it may be necessary to have the property tested for mold by an environmental hygienist or other appropriate professional during the buyer's inspection contingency period. Not all inspectors are licensed and licenses are not available for all types of inspection facilities.

Additional information regarding mold can be found in Chapter VI of the booklet *Environmental Hazards: A Guide for Homeowners, Buyers, Landlords and Tenants*. Additional information is available from the California Department of Health Services Indoor Air Quality Section fact sheet entitled "Mold in My Home: What Do I Do?" The fact sheet is available at [www.cal-iaq.org](http://www.cal-iaq.org) or calling (510) 540-2476.

### methamphetamine contamination disclosure

Due to the passage of Assembly Bill 1025 (Methamphetamine Contaminated Property Cleanup Act of 2005), it is now required for a property owner to disclose in writing to a prospective buyer or tenant if local health officials have issued an order prohibiting the use or occupancy of a property contaminated by methamphetamine laboratory activity. The owner must also give a copy of the pending order to the buyer to acknowledge receipt in writing. The bill also establishes remediation and re-occupancy standard for determining when a property, contaminated as a result of methamphetamine activity, is safe for human occupancy. Local health officials, after conducting an investigation, are also required to issue an order prohibiting the use or occupancy and to post the order on the property, in addition to the property owner to take specific actions. Failure to comply with these, and all requirements of AB 1025, may subject an owner to, among other things, a civil penalty up to \$5000. Aside from disclosure requirements, AB 1025 also outlines procedures for local authorities to deal with methamphetamine contaminated properties, including filing of a lien against a property until the owner cleans up contamination or pays for cleanup costs.

### commercial & industrial zoning disclosure

California Civil Code Section 1102.17 states the seller of residential real property who has actual knowledge that the property is adjacent to, or zoned to allow, an industrial use as described in Section 731a of the Code of Civil Procedure) or affected by a nuisance created by such a use, shall give written notice of that knowledge before transfer of title. Section 731a of the Code of Civil Procedure states that any city, county, or county shall have established zones or districts under authority of law wherein certain manufacturing or commercial or airport uses are expressly permitted. The commercial/industrial zoning disclosure is designed as a seller's "actual knowledge" disclosure and is part of the residential purchase agreement contract. For most residential properties, there are various forms of commercial or industrially zoned property within a nearby proximity including gas stations, shopping centers, restaurants, golf courses, grocery stores, etc. that could adversely affect or possibly enhance a particular desirability of a property.



**california drought advisory**

A drought is a period of drier-than-normal conditions that results in water-related problems. When rainfall is less than normal for several weeks, months, or years, the flow of streams and rivers can decline. Water levels in lakes and reservoirs could fall, and the depth to water in wells can increase. If dry weather persists and water-supply problems develop, the dry period can become a drought. California is prone to droughts which can have profound effects to the economy and lifestyles. Prolonged drought could increase the cost of living and have negative impacts on daily life. Other impacts include lower groundwater tables and land subsidence. Land subsidence is a gradual settling or sudden sinking of the Earth's surface owing to subsurface movement of earth materials. Excessive groundwater pumping and aquifer depletion can cause land to sink, which can cause permanent loss of groundwater storage in the aquifer system and infrastructure damage. In coastal communities, the reversal of natural groundwater flows to the ocean as a result of groundwater pumping can cause seawater to enter the aquifer system. Seawater intrusion compromises groundwater quality and can be a costly problem to manage.

For more information, please follow the links provided below:

California Water Conservation: <http://saveourwater.com/>

Where Does My Water Come From?: <http://www.watereducation.org/where-does-my-water-come>

Groundwater Information Center: [http://www.water.ca.gov/groundwater/MAP\\_APP/](http://www.water.ca.gov/groundwater/MAP_APP/)

Reservoir Storage Information: <http://cdec.water.ca.gov/cgi-progs/reservoirs/RES>

**water conserving plumbing fixture replacement advisory**

Senate Bill 407 establishes requirements for residential and commercial real property built and available for use on or before January 1, 1994, for replacing plumbing fixtures that are not water conserving. The law requires all single-family homes to have all noncompliant plumbing fixtures retrofitted with more efficient models by 2017, and applies for any current remodels or home alterations. The law also requires, beginning Jan. 1, 2017, that a seller or transferor of most types of real property disclose to a purchaser or transferee, in writing, the requirements for replacing plumbing fixtures and whether their real property includes noncompliant plumbing. This law also applies to commercial property beginning in 2019. For more information, please visit: <http://saveourwater.com/>

**seasonal energy efficiency rating (SEER) advisory**

Replacement or repairs of certain systems, or remodels of portions of the subject property, may trigger requirements that homeowners comply with laws and regulations that come into effect after closing of escrow or are not required to be complied with until the replacement, resulting in increasing costs to repair existing features. In particular, changes to state and federal energy efficiency regulations impact the installation, replacement and some repairs of heating and air conditioning units (HVAC). State regulations now require that when installing or replacing HVAC units, with some exceptions, ductwork must be tested for leaks. Duct work leaking more than 15% must be repaired to reduce leaks. More information is available on the California Energy Commission's website [www.energy.ca.gov/title24/changeout](http://www.energy.ca.gov/title24/changeout).

**gas and hazardous liquid transmission pipeline disclosure**

Effective July 1, 2013, sellers must disclose to buyers a specific notice pertaining to gas and hazardous liquid transmission pipelines as mandated by Civil Code Section 2079.10.5.

**NOTICE REGARDING GAS AND HAZARDOUS LIQUID TRANSMISSION PIPELINES:**

This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public via the National Pipeline Mapping System (NPMS) Internet Web site maintained by the United States Department of Transportation at <http://www.npms.phmsa.dot.gov/>. To seek further information about possible transmission pipelines near the property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP Code and county on the NPMS Internet Web site.

Mapped information and data through the National Pipeline Mapping System (NPMS) consists of gas transmission pipelines, hazardous liquid trunklines, liquefied natural gas (LNG) plants, and breakout tanks (tanks used to relieve surges in hazardous liquid pipelines). The NPMS does not contain information on interconnects, pump and compressor stations, valves, direction of flow, capacity, throughput, operating pressure, or gathering or distribution pipelines, such as lines which deliver gas to a customer's home. Therefore, not all pipelines in an area will be visible in the Public Map Viewer. Distribution of detailed NPMS data is handled for the Pipeline and Hazardous Materials Safety Administration (PHMSA) by the National and repository and is limited to pipeline operators and local, state, and federal government officials. Neither the United States Government nor any party involved in the creation and compilation of NPMS data and maps guarantees the accuracy or completeness of the products. NPMS data has a target accuracy of +/- 500 feet and resides in geographic coordinates. NPMS data must never be used as a substitute for contacting the appropriate local one-call center prior to digging. Please call 811 before any digging occurs.



## Natural Hazard Disclosure Report

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report number: 123123D  
date: October 31, 2016  
apn: 0000-0000-000-00  
property address: 123 Any Way  
Hayward, CA 94544  
Alameda County

### california high-speed rail advisory

The approval by California voters of Proposition 1A in 2008 authorized the funding of a high-speed rail system in California and the creation of the California High-Speed Rail Authority, the entity responsible for planning, constructing and operating this Rail System, intended to link various cities up and down the state.

The exact route that the proposed Rail System would take and how its construction and operation might affect surrounding communities have been the subject of considerable concern and debate. Along with its benefits, possible negative impacts of the Rail System could include, without limitation, noise, dust, traffic interruption, street closures and/or configurations, visual impacts, possible diminution of property values and other consequences on a particular neighborhood. Precisely what impact, if any, the Rail System would have on any particular piece of real property either before, during or after construction and placement in operation is unknown; certainly it will affect people and properties differently.

Real estate agents are not experts regarding the Rail System, and prospective buyers are advised to investigate and satisfy themselves in regard thereto during property inspection contingency periods. Important information about the Rail System may be obtained by contacting the Authority directly or by visiting the website <http://www.cahighspeedrail.ca.gov>.

### residential fireplace disclosure (bay area air quality management district)

Effective June 1, 2016, the Bay Area Air Quality Management District (BAAQMD) will require a Residential Fireplace Disclosure to be provided in the sale, rent or lease of property with a Wood-Burning Device. The Disclosure (this report) must be signed and dated by the buyer or renter upon receipt. Wood-Burning Devices are any wood heater, fireplace or any indoor permanently installed device used to burn any solid fuel for space-heating or aesthetic purposes.

Residential wood burning is the leading source of wintertime air pollution in the Bay Area and studies have confirmed there are significant health impacts from exposure to fine particulate matter found in wood smoke. The Bay Area Air Quality Management District ("BAAQMD") established the Wood Burning Devices (Wood Smoke Rule), Regulation 6, Rule 2 to reduce wintertime smoke pollution and protect public health. The Wood Smoke Rule requires anyone selling, renting or leasing a property in the Bay Area to disclose the potential health impacts from air pollution caused from burning wood. Fine particulate matter, also known as PM2.5, can travel deep into the respiratory system, bypass the lungs and enter the blood stream. Exposure may cause short and long term health effects, including eye, nose and throat irritation, reduced lung function, asthma, heart attacks, chronic bronchitis, cancer and premature deaths. Exposure to fine particulates can worsen existing respiratory conditions. High PM2.5 levels are associated with increased respiratory and cardiovascular hospital admissions, emergency department visits, and even deaths. Children, the elderly and those with pre-existing respiratory or heart conditions are most at risk from negative health effects of PM2.5 exposure. Buyers should consult with a licensed professional to inspect, properly maintain, and operate a wood burning stove or fireplace insert according to manufacturer's specifications to help reduce wood smoke pollution. The Air District encourages the use of cleaner and more efficient, non-wood burning heating options such as gas-fueled or electric fireplace inserts to help reduce emissions and exposure to fine particulates.

When the BAAQMD issues a Winter Spare the Air Alert during the winter season from November 1 through the end of February, it is illegal to burn wood, manufactured fire logs, pellets or any solid fuels in fireplaces, wood stoves or outdoor fire pits. To check when a Winter Spare the Air Alert is issued and it is illegal to burn wood, please call 1-877-4NO-BURN or visit [www.baaqmd.gov](http://www.baaqmd.gov) or [www.sparetheair.org](http://www.sparetheair.org).

▲ ▲ ▲ END OF NATURAL HAZARD DISCLOSURES ▲ ▲ ▲





## Natural Hazard Disclosure Report

page 15

report number: 123123D  
date: October 31, 2016  
apn: 0000-0000-000-00  
property address: 123 Any Way  
Hayward, CA 94544  
Alameda County

### HomeGuard terms and conditions

This report prepared by HomeGuard, Inc. provides a service intended for the individual use of the property seller, property buyer, and real estate professionals involved in this transaction. This report is not designed to act as an insurance policy or intended to act as an evaluation of how the structure or property will react in the event of a flood, fire, earthquake, or any other disaster, natural or otherwise. If any party related to the transaction has concerns regarding the structural integrity, stability, or condition of the structure and/or property, an appropriate professional is recommended to be retained to evaluate the condition. This report is not based on an on-site inspection of the property of any type and is not designed as a substitute for an agent/broker property inspection, required seller actual knowledge disclosures, or any other type of inspection by a qualified professional. No visual inspection or examination was conducted at the subject property nor was any research done above and beyond the usage of referenced maps or ordinances used in this report.

This report can only be relied upon for the property in which it is intended for since it is entirely possible that an adjacent property may lie in different zones. Also, the report can not be used for future transactions of the same property since due to changes in mapped information, data, assessors parcel number, lot line adjustments, and laws, the information provided in this report may change after the date this report was prepared. HomeGuard, Inc. is not responsible for notifying parties of changes in information after the date of this report. As a courtesy, HomeGuard, Inc. will provide an update at no cost to the appropriate parties during the transaction process. Reproduction of this report is permitted by parties of the transaction only for the purpose of fulfilling duties for the real estate transaction. Any other alteration, reproduction, delivery, or republication of this report is prohibited. HomeGuard, Inc. will assume no liability unless this report is paid for in full by close of escrow.

This report can only be prepared for multiple legal parcels if all of the following conditions are met: (1) the properties are contiguous, (2) the properties are all within the same zones, (3) if no California Tax Data Report is included, (4) if no Environmental Report is included, and (5) are part of the same real estate transaction by the same seller and buyer.

If the required maps used in this report are not of sufficient accuracy or scale in which a confident determination can be made, it is advised by state legislation that the property be considered "in" the relative hazard zone. HomeGuard, Inc. uses current assessor's maps, street maps, tract maps, plat maps, topographic maps, and digital street and cadastral maps to assist in determining the location and coordinates of the subject property. Any errors in these referenced sources may affect the determination procedure. HomeGuard, Inc. uses the following maps and/or digital data for the purpose of this report: California Geological Survey (CGS) Seismic Hazard Maps; CGS Alquist-Priolo Earthquake Fault Zone Maps; Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) and Letters of Map Revisions or Amendments where reasonably available; Office of Emergency Services (OES) Dam Inundation Maps; California Department of Conservation Important Farmland Maps; California Department of Conservation Mining Operations data; California Department of Forestry (CDF) real estate disclosure fire maps showing State Responsibility Areas and Very High Fire Hazard Severity Zones; CGS Tsunami Inundation Maps; Airport Influence Area Maps from County Airport Land Use Commissions; certain mapped and/or located Formerly Used Defense Sites from the US Army Corps of Engineers; CGS Naturally Occurring Ash Deposits Maps; Environmental Protection Agency Radon Zone Map; San Francisco Bay Conservation and Development Commission maps; and various maps from local City and County jurisdictions that are adopted as part of their Seismic Safety (or similar) Element General Plans.

▲ ▲ ▲ END OF REPORT ▲ ▲ ▲

**EDR REPORT FOR:**

123 ANY WAY  
HAYWARD, CA 94546

Inquiry Number: 4582090.1s  
April 04, 2016

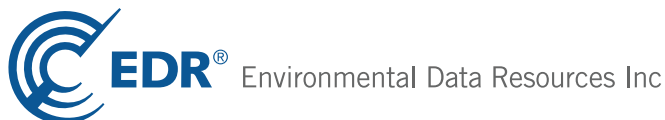
Provided by  
Homeguard Disclosure Services

## The EDR Environmental Disclosure Report™

Provided by:



and



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)



# EDR Environmental Disclosure Report

April 4, 2016

## Property Information:

### EDR REPORT FOR:

**123 ANY WAY**

**HAYWARD, CA 94546**

APN#: 000 -0000-00-00

Escrow#: NA

## Provided by:



and  **EDR**® Environmental Data Resources Inc

The EDR Environmental Disclosure Report provides a search of certain databases of environmental information. Search distances and database descriptions are listed in the back of this report. The search is based on the property location provided to EDR.

## Summary

Environmental Summary for **123 ANY WAY**. Detailed information is contained in the following report.

	Found	Not Found	Database Category
1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SITES INVESTIGATED FOR CONTAMINATION
2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LANDFILLS AND WASTE PROCESSING SITES
3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CLANDESTINE DRUG LAB SITES
4)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OIL AND GAS DRILLING WELLS

### Disclaimer

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## 1

## SITES INVESTIGATED FOR CONTAMINATION

Sites investigated for contamination are tracked by the government in a variety of databases. Database descriptions can be found in the back of this report.

Found   Not Found

☐ ☒ No **EPA Final Superfund Sites** were identified within 1 mile.

☐ ☒ No **Superfund Enterprise Mgmt System (SEMS) Sites** were identified within 1/2 mile.

☐ ☒ No **State Response Sites (RESPONSE)** were identified within 1 mile.

☒ ☐ 2 **Confirmed Hazardous Substance Releases (ENVIROSTOR)** were identified within 1 mile.

LOCATION	Distance from Property	MAP #
DISCOUNT AUTO SALES.....21153 FOOTHILL BLVD.....HAYWARD..... Status: Refer: Other Agency	0.1 mile WNW.....	# 2
MONTGOMERY STREET.....21659 MISSION BOULEVARD.....HAYWARD..... PROJECT Status: Inactive - Needs Evaluation	0.4 mile South.....	# B

☐ ☒ No **RCRA Corrective Action Sites** were identified within 1 mile.

☒ ☐ 20 **Leaking Underground Tanks** were identified within 1/2 mile.

LOCATION	Distance from Property	MAP #
BP OIL CO FACILITY.....21494 FOOTHILL BLVD.....HAYWARD..... SITE #11131 Status: Completed - Case Closed	0.1 mile SSE.....	# 1
BOUSSINA TEXACO.....21501 FOOTHILL BLVD.....HAYWARD..... Status: Open - Remediation	0.1 mile SSE.....	# A
JERI'S TEXACO FOOTHILL.....21501 FOOTHILL BLVD.....HAYWARD..... INVESTMENT PROPERTIES	0.1 mile SSE.....	# A
BREITENBACH, ROY R.....21065 FOOTHILL BLVD.....HAYWARD..... Status: Completed - Case Closed	0.2 mile WNW.....	# 5
HAYWARD TOOL.....21732 FOOTHILL BLVD.....HAYWARD..... Status: Completed - Case Closed	0.3 mile SE.....	# 6
FOREIGN AUTO.....21799 FOOTHILL BLVD.....HAYWARD..... Status: Completed - Case Closed	0.3 mile SE.....	# 7
BLOOMERS FLOWERS.....21305 MISSION BLVD.....HAYWARD..... Status: Completed - Case Closed	0.4 mile SW.....	# 8
HAYWARD MOTORS.....21450 MISSION BLVD.....HAYWARD..... Status: Completed - Case Closed	0.4 mile SSW.....	# 9
HOP SINH RESTAURANT /.....21101 MISSION BLVD.....HAYWARD..... SPEED-O-METER ELECTRIC Status: Completed - Case Closed	0.4 mile WSW.....	# 10

CALTRANS MAINTENANCE STATION - SITE 2	UNKNOWN HWY 238 INTERCHANGE AT CASTRO VALLEY BLVD	CASTRO VALLEY	0.4 mile NW..... # 11
Status: Completed - Case Closed			
CHEVRON STATION #90260	21995 FOOTHILL BLVD	HAYWARD	0.4 mile SE..... # 12
Status: Open - Verification Monitoring			
SK TOYOTA	21715 MISSION BLVD	HAYWARD	0.5 mile South..... # B
S & K TOYOTA	21715 MISSION BLVD	HAYWARD	0.5 mile South..... # B
Status: Completed - Case Closed			
BRIDGES PONTIAC & GMC	21854 MISSION BLVD	HAYWARD	0.5 mile South..... # 16
Status: Completed - Case Closed			
CLARKS WOODWORKING	2620 NORBRIDGE AVE	CASTRO VALLEY	0.5 mile NNE..... # C
Status: Completed - Case Closed			
SBC (P5200) CTVYCA60	2610 NORBRIDGE AVE	CASTRO VALLEY	0.5 mile NNE..... # C
Status: Completed - Case Closed			
Status: Completed - Case Closed			
PACIFIC BELL	2610 NORBRIDGE AVE	CASTRO VALLEY	0.5 mile NNE..... # C
WORLD OIL #76	22253 FOOTHILL BLVD	HAYWARD	0.5 mile SE..... # D
UNOCAL SS #7319	22253 FOOTHILL BLVD	HAYWARD	0.5 mile SE..... # D
Status: Completed - Case Closed			
Status: Completed - Case Closed			
UNOCAL SERVICE STATION #3072	2445 CASTRO VALLEY	CASTRO VALLEY	0.5 mile North..... # 22
Status: Completed - Case Closed			
Status: Completed - Case Closed			

## 2

### LANDFILLS AND WASTE PROCESSING SITES

Landfills and waste processing sites handle hazardous or municipal and industrial wastes. These sites may be associated with contamination, odors, and noise. Database descriptions can be found in the back of this report.

Found   Not Found

☐ ☒ No [Landfills and/or Waste Transfer Stations \(SWIS\)](#) were identified within 1/2 mile.

## 3

### CLANDESTINE DRUG LAB SITES

Contaminants at clandestine labs range from highly volatile organic solvents and semi-volatile organic solvents and semi-volatile organic compounds, to highly corrosive inorganic acids and bases. Database descriptions can be found in the back of this report.

Found   Not Found

☐ ☒ No [Clandestine Drug Lab Sites from Federal Sources](#) were identified within 1/8 mile.

☐ ☒ No [Clandestine Drug Lab Sites from State Sources](#) were identified within 1/8 mile.

## 4

**OIL AND GAS DRILLING WELLS**

Current and former oil and gas drilling wells may continue to leak petroleum and/or other residue related to drilling operations. Database descriptions can be found in the back of this report.

Found   Not Found



No Oil and Gas Drilling Wells were identified within 1/4 mile.

## 5

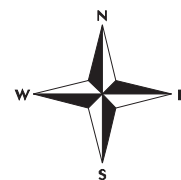
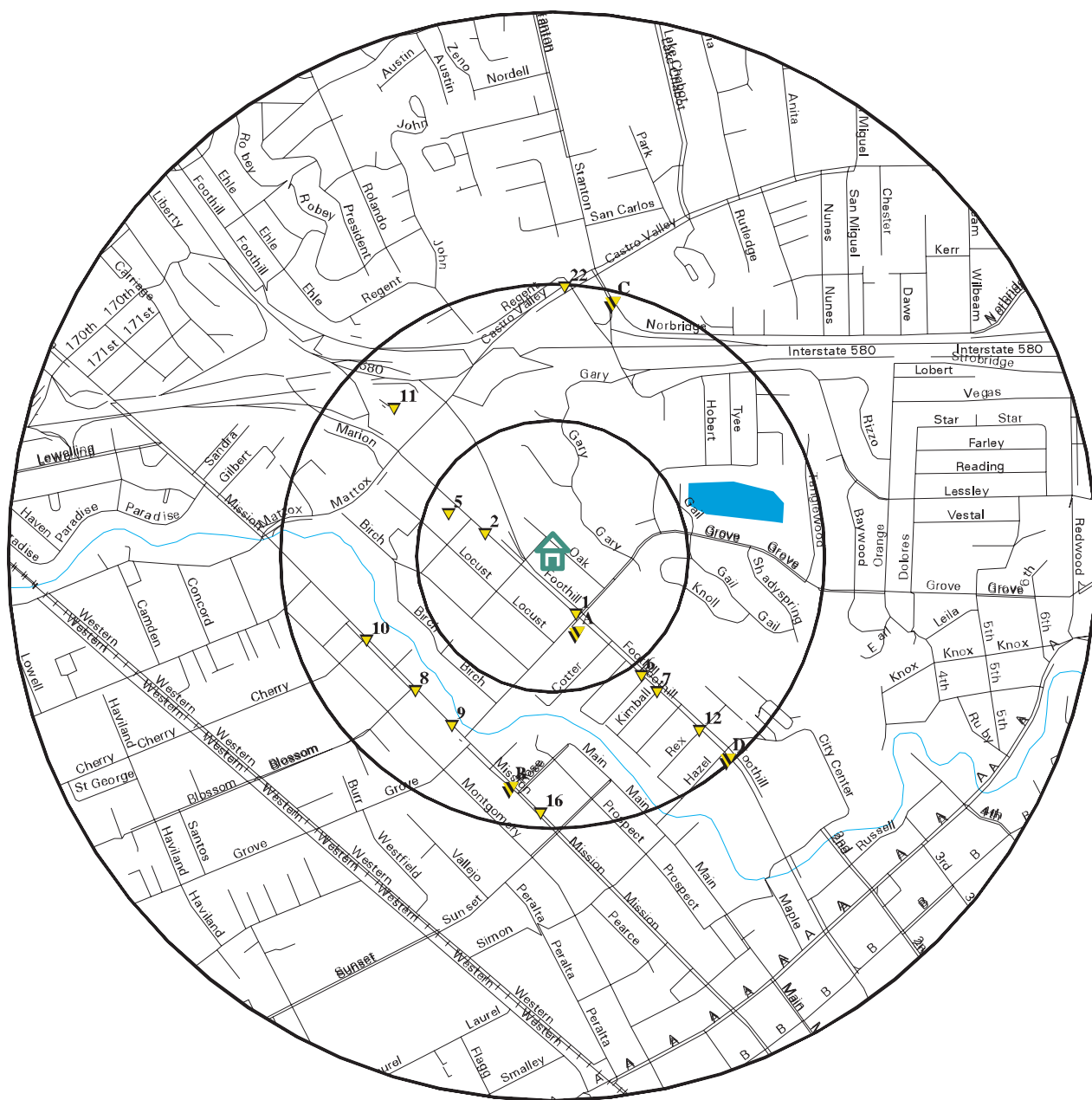
**UNLOCATED SITES**

Government records occasionally lack sufficient address information for some sites to be accurately plotted to an exact location. The following site(s) may or may not be in a close proximity to the target property. Records where EDR can identify the site status as "closed" or "no further action" are not included in the following list.

Location	Database(s)	EDR ID #
BRANN STREET MERCURY.....6408 BRANN STREET.....ALAMEDA COUNTY..	CERCLIS.....	1015730668
HAYWARD MITSUBISHI.....22196 MISSION ST.....HAYWARD.....	CA FID UST,.....	1000597899
DOWNSTAIRS	SWEEPS UST, RCRA-SQG, HIST CORTESE, NA, FINDS, LUST	
no data.....2445 GROVE WAY (PUBLIC.....CASTRO VALLEY.....	CDL.....	S107531638
STORAGE #B81)		
no data.....CALAVERAS RD/MI MARKER.....ALAMEDA COUNTY..	CDL.....	S107537953
5.70 @ HWY 680		



## ENVIRONMENTAL MAP



ADDRESS: 123 ANY WAY  
HAYWARD CA 94546  
LAT/LONG: 37.685232 / 122.091111

INQUIRY #: 4582090.1s  
DATE: April 4, 2016

## EXPLANATION AND FOLLOW-UP DISCUSSION

Information in the EDR Environmental Disclosure Report is gathered from certain Government agencies and other sources. For each of the databases searched, the following section provides a:

- description of the database
- contact number and web site for more information (where available)
- distance on a map the data was searched



### EXPLANATION: SITES INVESTIGATED FOR CONTAMINATION

#### EPA Final Superfund Sites Database (NPL)

The NPL is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation.

Superfund is the Federal government's program to clean up the nation's uncontrolled hazardous waste sites. Under the Superfund program, abandoned, accidentally spilled, or illegally dumped hazardous waste that pose a current or future threat to human health or the environment are cleaned up. To accomplish its mission, EPA works closely with communities, Potentially Responsible Parties (PRPs), scientists, researchers, contractors, and state, local, tribal, and Federal authorities. Together with these groups, EPA identifies hazardous waste sites, tests the conditions of the sites, formulates cleanup plans, and cleans up the sites.

For information about Superfund Sites in this report, contact the: Environmental Protection Agency, Superfund Hotline, 800-424-9346 or 703-412-9810, <http://www.epa.gov/superfund/sites/npl/index.htm>.

Source: Environmental Protection Agency

Date of Government Version: 10/30/2015

Search Distance in this report: 1 mile from Target Property

#### EPA Proposed Superfund Sites Database (CERCLIS)

CERCLIS contains information on hazardous waste sites, potential hazardous waste sites, and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL.

Superfund is the Federal government's program to clean up the nation's uncontrolled hazardous waste sites. Under the Superfund program, abandoned, accidentally spilled, or illegally dumped hazardous waste that pose a current or future threat to human health or the environment are cleaned up. To accomplish its mission, EPA works closely with communities, Potentially Responsible Parties (PRPs), scientists, researchers, contractors, and state, local, tribal, and Federal authorities. Together with these groups, EPA identifies hazardous waste sites, tests the conditions of the sites, formulates cleanup plans, and cleans up the sites.

For information about Superfund Sites in this report, contact the: Environmental Protection Agency, Superfund Hotline, 800-424-9346 or 703-412-9810, <http://www.epa.gov/superfund/action/law/cercla.htm>.

Source: Environmental Protection Agency

Date of Government Version: 01/11/2016

Search Distance in this report: 1/2 mile from Target Property

#### State Response Sites Database (ENVIROSTOR)

State response sites are sites where the California Department of Toxic Substance Control (DTSC) is actively working to remediate, either in a lead role or support capacity. These sites are also known as the State Superfund sites. These sites are considered to pose the greatest threat to the public and the environment. These confirmed sites are generally high priority, high potential risk, and include military facilities, state "funded" or Responsible Party (RP) lead, and National Priorities List (NPL) sites.

For information about the EnviroStor database in this report, contact the: Department of Toxic Substances Control, 916-323-3400, <http://www.dtsc.ca.gov>

Source: California Environmental Protection Agency  
Date of Government Version: 02/01/2016  
Search Distance in this report: 1 mile from Target Property

### **Confirmed Hazardous Substance Release Database (ENVIROSTOR)**

The Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Reuse Program's (SMBRP's) EnviroStor database identifies sites that have known contamination or sites for which there may be reasons to investigate further.

EnviroStor provides similar information to the information that was available in CalSites, and provides additional site information, including, but not limited to, identification of formerly-contaminated properties that have been released for reuse, properties where environmental deed restrictions have been recorded to prevent inappropriate land uses, and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

#### **Status Field Definitions:**

**- Active**

Identifies that a site investigation and/or remediation is currently in progress and that DTSC is actively involved, either in a lead or support capacity.

**- Backlog**

Identifies non-active sites in which DTSC is not currently investigating or remediating.

**- Border Zone/Haz Waste Property (BZP/HWP)**

Potential Border Zone properties are located within 2,000 feet of a significant disposal of hazardous waste, and hazardous waste property sites have a significant disposal of hazardous waste.

**- Certified**

Identifies completed sites with previously confirmed release that are subsequently certified by DTSC as having been remediated satisfactorily under DTSC oversight.

**- Certified O&M**

Identifies sites that have certified cleanups in place but require on-going Operation and Maintenance (O&M) activities.

**- Hazardous Waste Disp Land Use (NOT BZP/HWP)**

This status identifies sites that went through the Hazardous Waste or Border Zone Property determination process and entered into voluntary deed restrictions, but were not formally designated as either a "border zone" or "hazardous waste property."

**- Inactive**

Action Required: Identifies non-active sites where, through a Preliminary Endangerment Assessment or other evaluation, DTSC has determined that a removal or remedial action or further extensive investigation is required.

**- Inactive**

Needs Evaluation: Identifies non-active sites where DTSC has determined a Preliminary Endangerment Assessment (PEA) or other evaluation is required.

**- No Action Required**

Identifies sites where a Phase I Environmental Assessment was completed and resulted in a no action required determination.

**- No Further Action**

Identifies completed sites where DTSC determined after investigation, generally a PEA (an initial assessment), that the property does not pose a problem to the public health or the environment.

**- Referred: 1248 Local Agency**

Identifies sites that were referred to a local agency (through the SB 1248 determination process) to supervise the cleanup of a simple waste release.

**- Referred: EPA**

Identifies sites that, based on limited information available to DTSC, appear to be more appropriately addressed by U.S. EPA.

**- Referred: IWMB**

Identifies sites that, based on limited information available to DTSC, appear to be more appropriately addressed by the California Integrated Waste Management Board (IWMB).

- Referred: Other Agency

Identifies sites that, based on limited information available to DTSC, appear to be more appropriately addressed by another state or local environmental regulatory agency.

- Referred: RCRA

Identifies sites that, based on limited information available to DTSC, appear to be more appropriately addressed by the Department of Toxic Substances Control's Hazardous Waste Management Program and are identified as Resource Conservation Recovery Act (RCRA).

- Referred: RWQCB

Identifies sites that, based on limited information available to DTSC, appear to be more appropriately addressed by the California Regional Water Quality Control Boards (RWQCB).

For information about the EnviroStor database in this report, contact the: Department of Toxic Substances Control, 916-323-3400, <http://www.dtsc.ca.gov>

Source: Department of Toxic Substances Control

Date of Government Version: 02/01/2016

Search Distance in this report: 1 mile from Target Property

### **EPA Resource Conservation and Recovery Act Database (RCRAInfo)**

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

For more information about RCRA Corrective Action sites in this report, contact the Environmental Protection Agency at <http://www.epa.gov/osw/>

Source: Environmental Protection Agency

Date of Government Version: 06/09/2015

Search Distance in this report: 1 mile from Target Property

### **Leaking Underground Tanks Database (LUST)**

Leaking underground storage tanks are a significant source of petroleum impacts to groundwater and may pose the following potential threats to health and safety:

- Exposure from impacts to soil and/or groundwater;
- Contamination of drinking water aquifers;
- Contamination of public or private drinking water wells;
- Inhalation of vapors;

If a leak occurs, the owner or operator of the tank must report the leak to the local regulatory agency. Soil and/or groundwater assessment may be required by the lead regulatory agency.

Status field definitions:

- No Action

No action has been taken by the responsible party after the initial report of the leak.

- Leak Being Confirmed

A leak is suspected at a site (i.e. poor inventory records, water in the tank, vadose monitoring system in alarm, etc.) but has not been confirmed. Includes inspection of the excavation, and tank and appurtenant plumbing to determine existence of leak. May also include taking samples from the excavation (or from borings for in-place closures) for analysis.

- Preliminary Site Assessment Workplan Submitted

A workplan/proposal has been requested of, or submitted by, the responsible party in order to determine whether groundwater has been, or will be, impacted as a result of a release from any underground tanks or associated piping. This phase of work usually includes plans for the installation and sampling of up to three monitoring wells with one monitoring well placed in a verified down gradient location from the suspected point of a discharge. It may also include soil boring sampling, additional soil excavation, and disposal or treatment of contaminated soil.

- Preliminary Site Assessment Underway

Implementation of a workplan addressing the above described tasks.

- Pollution Characterization

Responsible party is in the process of installing additional monitoring wells and/or borings in order to fully define the lateral and vertical extent of contamination in soil and ground water and assess the hydrogeology of the area. This phase of work may also include performing aquifer tests, soil gas surveys, continued ground water gradient determinations and monitoring, and assessing impacts on surface and/or ground water.

- Remediation Plan

A remediation plan has been submitted evaluating long term remediation options (or corrective actions). A proposal and implementation schedule for an appropriate remediation option has also been submitted. This phase of work may also include preparing and submitting the necessary information for any permits needed prior to implementation of the plan (NPDES or WDR).

- Remedial Action

Implementation of corrective action plan.

- Post Remedial Action Monitoring

Periodic ground water or other monitoring at the site, as necessary, in order to verify and/or evaluate the effectiveness of remedial activities.

- Case Closed

The Regional Board and the Local Agency are in concurrence that no further work is necessary at the site.

For information about Leaking Underground Tanks in this report, contact the: State Water Resources Control Board, 916-341-5700, <http://www.swrcb.ca.gov/ust/cleanup/index.html#intro>.

Source: State Water Resources Control Board

Date of Government Version: 12/14/2015

Search Distance in this report: 1/2 mile from Target Property

**2**

## **EXPLANATION: LANDFILLS AND WASTE PROCESSING SITES**

### **Landfills and/or Waste Transfer Stations Database (SWIS)**

The Solid Waste Information System (SWIS) database contains information on solid waste facilities, operations, and disposal sites throughout the State of California. The types of facilities found in this database include landfills, transfer stations, material recovery facilities, composting sites, transformation facilities, waste tire sites, and closed disposal sites.

For information about Landfills and/or Waste Transfer Stations in this report, contact the: Integrated Waste Management Board, 916-341-6000, <http://www.ciwmb.ca.gov/SWIS/>.

Source: Integrated Waste Management Board

Date of Government Version: 02/15/2016

Search Distance in this report: 1/2 mile from Target Property

**3**

## **EXPLANATION: CLANDESTINE DRUG LAB SITES**

### **Clandestine Drug Labs Sites from Federal Sources (US CDL)**

Clandestine Drug Labs Sites from Federal Sources is a listing of drug lab location from the U.S. Department of Justice ("the Department"). It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.



For more information about Clandestine Drug Labs from Federal Sources in this report, contact the Drug Enforcement Administration, 202-307-1000

Source: Drug Enforcement Agency  
Date of Government Version: 09/17/2015  
Search Distance in this report: 1/8 mile from Target Property

### **Clandestine Drug Lab Sites from State Sources (CDL)**

Health and Safety code section 25354.5 requires DTSC removal and disposal of hazardous substances discovered by law enforcement officials while investigating clandestine drug laboratories. The illegal manufacture of psychoactive drugs, primarily methamphetamine, has escalated dramatically since 1980. California leads the nation in the number of illicit drug laboratory seizures. Contaminants at clandestine labs range from highly volatile organic solvents and semi-volatile organic compounds, to highly corrosive inorganic acids and bases, the illicit drug itself, and other by-products. The DTSC Clandestine Drug Lab Removal Program has funded and coordinated removal and disposal actions at more than 12,000 illegal drug labs and drug lab waste abandonments in the last five years.

For more information about Clandestine Drug Lab Sites in this report, contact the: California Department of Toxic Substances Control, 800-260-3972 or [http://www.dtsc.ca.gov/SiteCleanup/ERP/Drug\\_Lab\\_Removal.cfm](http://www.dtsc.ca.gov/SiteCleanup/ERP/Drug_Lab_Removal.cfm)

Source: California Department of Toxic Substances Control  
Date of Government Version: 09/30/2015  
Search Distance in this report: 1/8 mile from Target Property

## **4**

## **EXPLANATION: OIL AND GAS DRILLING WELLS**

### **California Oil and Gas Well Locations for District 2, 3, 5 and 6 Database**

The Division of Oil, Gas, and Geothermal Resources was formed in 1915 to address the needs of the state, local governments, and industry by regulating statewide oil and gas activities with uniform laws and regulations. The Division supervises the drilling, operation, maintenance, and plugging and abandonment of onshore and offshore oil, gas, and geothermal wells, preventing damage to: (1) life, health, property, and natural resources; (2) underground and surface waters suitable for irrigation or domestic use; and (3) oil, gas, and geothermal reservoirs. Division requirements encourage wise development of California's oil, gas, and geothermal resources while protecting the environment.

For information about California Oil and Gas Well Locations in this report, contact the: Department of Conservation, 916-445-9686.

Source: Department of Conservation  
Search Distance in this report: 1/4 mile from Target Property

### **STREET AND ADDRESS INFORMATION**

2008 Tiger Map, produced by U.S. Census Bureau.

## TERMS AND CONDITIONS - LIMITATIONS

### *Terms, Conditions and Limitations of Liability*

*This Report contains certain information described herein pertaining solely to the exterior of the target property, which information was obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. Environmental Data Resources, Inc. has assumed, without independent investigation, that the information in such sources is accurate and complete. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources.*

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*Any analyses, estimates, ratings or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. This Report is not a replacement for a home inspection. This Report provides no information pertaining to the interior of the target property such as, but not limited to: mold, asbestos, lead, radon or other issues. Additionally, the information provided in this Report is not to be construed as legal advice.*

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# California Tax Disclosure Report

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*This report satisfies  
the seller's obligation, pursuant  
to Civil Code Section 1102.6b, to  
disclose all special tax and/or  
assessment districts affecting  
the subject property*

**California Tax Data**  
[www.californiataxdata.com](http://www.californiataxdata.com)

**This Report Prepared Especially For:**



**Address : 7556 BALMORAL WAY, SAN RAMON**

***Your #1 Source for Property Tax Information***  
***(Including Mello-Roos and 1915 Act Disclosures)***

**California Tax Data.** 32332 Camino Capistrano, Suite 206 San Juan Capistrano, CA 92675  
Tel 949-240-1520 | [info@californiataxdata.com](mailto:info@californiataxdata.com)  
[www.californiataxdata.com](http://www.californiataxdata.com)

# PROPERTY TAX DISCLOSURE REPORT FOR:

Property Address: 7556 BALMORAL WAY, SAN RAMON

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# NOTICE OF SPECIAL TAX AND ASSESSMENT

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

**THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY.**

## 1. MELLO-ROOS COMMUNITY FACILITIES DISTRICTS

Mello-Roos Community Facilities Districts ("CFD") provide a method of financing certain public capital facilities and services especially in developing areas and areas undergoing rehabilitation. Public improvements funded by Mello-Roos CFDs may include, but are not limited to, roads, schools, water, sewer and storm drain facilities. Public services funded by Mello-Roos CFDs may include, but are not limited to, police and fire protection services, recreation program services, and flood or storm protection services. Mello-Roos CFDs commonly fund the construction of public improvements through the issuance of bonds. A special tax lien is placed on property within the district for the annual payment of principal and interest as well as administrative expenses. Typically, the annual special tax continues until the bonds are repaid, or until special taxes are no longer needed. In most instances but not all, the special tax is collected with regular property taxes.

This property is within the Mello-Roos CFD(s) listed below and is subject to a special tax, that will appear on your property tax bill. This special tax is in addition to the regular property taxes and any other charges and benefit assessments that will be listed on the property tax bill. This special tax may not be imposed on all parcels within the city or county where the property is located. This special tax is used to provide public facilities or services that are likely to particularly benefit the property.

The maximum tax rate, the maximum tax rate escalator, and the authorized facilities which are being paid for by the special taxes and by the money received from the sale of bonds which are being repaid by the special taxes, and any authorized services are indicated below. These facilities may not yet have all been constructed or acquired and it is possible that some may never be constructed or acquired.

**THIS PROPERTY IS SUBJECT TO MELLO-ROOS COMMUNITY FACILITIES DISTRICT SPECIAL TAX LIEN(S).**

### 1.1 Association of Bay Area Governments ▪ (800) 676-7516 ▪ Community Facilities District No. 2004-2 (Windemere Ranch)

**Current Levy.** \$1,715.32      **Maximum Tax Rate.** \$1,970.00

**Alternate Maximum Tax Rate.** Please contact the bond administrator

**Ending Year.** The Special Tax shall be levied for the period necessary to fully satisfy the special tax requirement, but in no event shall it be levied after fiscal year 2040-41.

**Maximum Tax Rate Escalator.** The Maximum Tax Rate amount is fixed and cannot increase without voter approval unless additional improvements are constructed or the use of the parcel changes.

**Authorized Facilities.** Proceeds from the special tax will be used to finance of the acquisition and construction of certain public infrastructure improvements and any other incidental costs associated with the improvements.

**Authorized Services.** The special taxes may be used to pay for costs of the following services: None

**This Notice of Special Tax and Assessment for the above referenced Mello-Roos Community Facilities District is for informational purposes only.** We believe that the public information and data contained in this report is correct; however, we do not guarantee the accuracy or accept liability for future tax payments in the event the information is inaccurate, incomplete or outdated. Information is updated annually and if your decision to purchase this property is based in part on information contained in this report you should contact the Bond Administrator to verify that it is correct.



## NOTICE OF SPECIAL TAX AND ASSESSMENT (continued)

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

### 2. 1915 BOND ACT ASSESSMENT DISTRICTS

1915 Bond Act Assessment Districts ("AD") provide a method of financing certain public capital facilities. Public improvements funded by 1915 Bond Act Assessment Districts may include, but are not limited to, roads, sewer, water and storm drain systems, and street lighting. 1915 Bond Act Assessment Districts commonly fund the construction of public improvements through the issuance of bonds. A special assessment lien is placed on property within the Assessment District. The lien amount is calculated according to the specific benefit that an individual property receives from the improvements and is amortized over a period of years. 1915 Bond Act Assessments Districts can be prepaid at any time. In most instances but not all, the assessment is collected with regular property taxes.

This property is within the 1915 Bond Act Assessment District(s) named below and is subject to annual assessment installments levied by the assessment district that will appear on the property tax bill. The annual assessments are in addition to the regular property taxes and any other charges and benefit assessments that will be listed on the property tax bill. The assessment district(s) has issued bonds to finance the acquisition or construction of certain public improvements that are of direct and special benefit to property within the assessment district. The bonds will be repaid from annual assessment installments on property within the assessment district. The special assessment is used to provide public facilities that are likely to particularly benefit the property.

The annual assessment installment and public facilities that are being paid for by the money received from the sale of bonds that are being repaid by the assessments are indicated below. These facilities may not yet have all been constructed or acquired and it is possible that some may never be constructed or acquired.

**THIS PROPERTY IS SUBJECT TO IMPROVEMENT BOND ACT OF 1915 SPECIAL ASSESSMENT LIEN(S).**

#### 2.1 Association of Bay Area Governments • (800) 676-7516 • Assessment District No. 99-1 (Windemere Ranch)

**Annual Assessment Installment.** \$4,767.00.

**Ending Year.** Assessment installments will be collected each year until the assessment bonds are repaid, but in any case not after the 2030-2031 tax year.

**Authorized Facilities.** Proceeds from the sales of the bonds will be used to pay the cost and expense of the acquisition and construction of public improvements and any other incidental costs associated with the improvements.

**Authorized Services.** 1915 Bond Act Assessment Districts are not authorized to pay for ongoing public services.

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**MELLO-ROOS COMMUNITY FACILITIES DISTRICT SPECIAL TAXES AND THE 1915 BOND ACT ASSESSMENT DISTRICT ANNUAL ASSESSMENT INSTALLMENTS ARE HEREINAFTER COLLECTIVELY REFERRED TO AS "SPECIAL LIENS." IF SPECIAL LIENS DESCRIBED ABOVE ARE NOT PAID WHEN DUE, FORECLOSURE PROCEEDINGS MAY BE INITIATED AT ANY TIME, AFTER PROPERTY TAXES BECOME DELINQUENT. YOUR PROPERTY MAY BE SOLD FOR THE DELINQUENT AMOUNTS, EARLIER THAN WITH REGULAR PROPERTY TAXES.**

**YOU SHOULD TAKE THE SPECIAL LIENS DESCRIBED ABOVE AND THE BENEFITS RECEIVED FROM THE PUBLIC FACILITIES AND PUBLIC SERVICES (IF APPLICABLE) FOR WHICH IT PAYS INTO ACCOUNT IN DECIDING WHETHER TO BUY THIS PROPERTY.**

## NOTICE OF SPECIAL TAX AND ASSESSMENT (continued)

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

THE INFORMATION PROVIDED IN THIS REPORT WAS PREPARED BY CALIFORNIA TAX DATA ("CTD") AND IS SUBJECT TO THE TERMS AND CONDITIONS CONTAINED HEREIN. THE PURPOSE OF THIS REPORT IS TO ASSIST THE SELLER IN FULFILLING HIS OR HER LEGAL DISCLOSURE REQUIREMENT PURSUANT TO CALIFORNIA CIVIL CODE § 1102.6B. THIS REPORT WAS COMPILED USING INFORMATION OBTAINED FROM THE COUNTY, VARIOUS GOVERNMENTAL AGENCIES AND THIRD PARTIES. CTD IS NOT RESPONSIBLE FOR ANY INACCURACIES OR OMISSION IN THE PUBLIC RECORDS OF THE COUNTY, VARIOUS GOVERNMENTAL AGENCIES OR FOR INFORMATION PROVIDED BY THIRD PARTIES. **THIS REPORT IS NOT A SUBSTITUTE FOR A TITLE REPORT OR TITLE INSURANCE AND MAY NOT BE RELIED UPON AS SUCH.**

YOU MAY OBTAIN ADDITIONAL INFORMATION OR DOCUMENTATION REGARDING THE CREATION OF THE DISTRICT(S) LISTED ABOVE, AND MORE PRECISELY HOW THE CHARGES ARE COMPUTED, AND HOW THE PROCEEDS WILL BE USED, BY CALLING THE CONTACT PHONE NUMBER LISTED ABOVE. THERE MAY BE A CHARGE FOR THE DOCUMENTS NOT TO EXCEED THE ESTIMATED REASONABLE COST OF PROVIDING THE DOCUMENTS.

## NOTICE OF FIRE PREVENTION FEE (ABx1 29)

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

**THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY.**

### **FIRE PREVENTION FEE**

The State of California authorized a new State Responsibility Fire Prevention Fee (FPF) to be assessed on each habitable structures located within **State Responsibility Areas (SRA)**. The FPF will be collected in order to pay for fire prevention activities and to protect structures that fall within the SRA. The State Board of Forestry and Fire Protection (State Board) has established the FPF in an amount not to exceed \$152.33 to be assessed on each habitable structure located within the SRA. The FPF will be adjusted annually by the State Board, beginning July 1, 2013, to reflect the percentage of change in the average annual value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services. The State Board is currently working on regulations to implement the FPF and set the rate for 2011-12 fiscal year. The legislation requires the State Board to adopt these regulations by September 1, 2011.

**Fire Prevention Maximum Fee** *(per each habitable structure located within State Responsibility Areas)*..... **\$152.33\***

Commencing with the 2011-12 fiscal year, the Board of Equalization (BOE) is required to annually assess and collect the FPF on behalf of the Department of Forestry and Fire Protection (CAL FIRE) in accordance with the Fee Collection Procedures Law. CAL FIRE is responsible for providing the BOE with a list identifying the names and addresses of persons who are liable for the FPF and the amount of the fee(s) to be assessed. In addition to assessing the FPF, the BOE is responsible for registering and maintaining fee payer accounts, issuing refunds, adjusting liabilities and performing fee collection duties. CAL FIRE is responsible for evaluating all petitions and claims for refunds submitted in regard to the FPF assessed. CAL FIRE is currently working on preliminary development of the list of fee-payers, but will not be able to finalize the list until the State Board adopts the implementing regulations.

(Fire Prevention Fee (ABx1 29), 2011, California State Board of Equalization, 1 September 2011, [www.boe.ca.gov](http://www.boe.ca.gov).)

\*If the habitable structure is within the boundaries of a local agency that provides fire protection services, the owner will receive a \$35.00 reduction for each habitable structure.

**THIS PROPERTY IS NOT SUBJECT TO FIRE PREVENTION FEE (ABx1 29).**

# NOTICE OF SUPPLEMENTAL TAX BILL

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

## THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY.

On July 1, 1983, California State law was changed to require the reassessment of property following a change of ownership or the completion of new construction. This reassessment may result in one or more supplemental tax bills being mailed to the assessed owner, **in addition** to the annual property tax bill. The calculator below is provided to be an **estimate** of the potential amount of supplemental taxes to be billed on the listed property.

## SUPPLEMENTAL TAX CALCULATOR

1. Estimated Sale Price.....	\$	
2. Estimated Current Assessed Value.....	\$	\$1,157,807.00
3. Increase / Decrease (Subtract line #2 from line #1) Estimated Supplemental Assessed Value.....	\$	
4. Ad Valorem Tax Rate.....		
5. Multiply line #3 by line #4 Estimated Supplemental Tax Amount Obligation.....	\$	

If a supplemental event occurs between **June 1 and December 31**, only **one** supplemental tax bill or refund check is issued. This bill or refund accounts for the property's change in value for the period between the first day of the month following the event date and the end of the current fiscal year (i.e., the following June 30). If, however, a supplemental event occurs between **January 1 and May 31**, **two** supplemental tax bills or refund checks are issued. The second bill or refund accounts for the property's change in value for the entire 12 months of the coming fiscal year, beginning on the following July 1.

### IF SALE DATE FOR THE RESIDENTIAL PROPERTY IS BETWEEN THE MONTHS OF JANUARY THROUGH MAY:

6. Enter Proration Month Factor (See table below).....	
7. Multiply line #5 by line #6 Estimated Supplemental Tax Bill #1.....	\$
8. Enter the amount from line #5 Estimated Supplemental Tax Bill #2.....	\$
9. Add lines #7 and line #8. Total Estimated Supplemental Tax Bill.....	\$

### IF SALE DATE FOR THE RESIDENTIAL PROPERTY IS BETWEEN THE MONTHS OF JUNE THROUGH DECEMBER:

10. Enter Proration Month Factor (See Table below).....	
11. Multiply line #5 by line #10 Total Estimated Supplemental Tax Bill.....	\$

### Proration Month Factor Table

Sale Month	Factor	Sale Month	Factor
January	0.4170	June	1.0000
February	0.3333	July	0.9167
March	0.2500	August	0.8333
April	0.1667	September	0.7500
May	0.0866	October	0.6670
		November	0.5830
		December	0.5000

# NOTICE OF PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

TO: THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY KNOWN AS:

Assessor's Parcel Number: 2237500091  
Property Address or Legal Description: 7556 BALMORAL WAY, SAN RAMON  
Report Date: 4/1/2016

**THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY.**



Property Assessed Clean Energy (PACE) programs are a means of financing energy efficiency upgrades or renewable energy installations for your home. PACE partners with local governments to make energy efficient, water efficient and renewable energy products more affordable for homeowners. These programs allow homeowners to finance energy improvements for their homes, and to repay the financing through special assessments on their property taxes.

**Property Assessed Clean Energy (PACE) Tax Amount..... \$ 0.00**

PACE programs finances 100% of the cost to purchase and install eligible products. It offers low-fixed interest rates, flexible payment terms including 5, 10, 15, or 20 years for most products. The repayment of PACE is included in your property tax bill, which is delivered and collected by the County. If your property was enrolled into a PACE program after the annual tax bill has been issued, the PACE program will not appear on your annual tax bill until the following fiscal year. You will see a line item titled with the name of the PACE program you are participating in on your property tax bill. If you make property tax payments through an impound escrow account, your lender will adjust your monthly payment to include the amount due for PACE Financing. Just like a mortgage, interest paid on the principal balance is tax deductible. A property owner's initial payments will be comprised of more interest and less principle. Over time, payments will be comprised of more principle and less interest. Therefore, the amount that is tax deductible will vary over the term of the financing, just like it would be with a mortgage. Property taxes typically stay with the property when it is sold. Under the PACE programs, when you sell or refinance your property, your remaining payments may stay with the property. However, your lender may require you to pay off the remaining balance when you refinance or sell your home.

**THIS PROPERTY IS NOT PARTICIPATING IN A PACE PROGRAM.**



## NOTICE OF SUPPLEMENTAL PROPERTY TAX BILL

In accordance with Section 1102.6(c) of the California Civil Code, it is the sole responsibility of the seller of any real property, or his or her agent, to deliver to the prospective purchaser a disclosure notice of the following:

**California property tax law requires the Assessor to revalue real property at the time the ownership of the property changes. Because of this law, you may receive one or two supplemental tax bills, depending on when your loan closes.**

**The supplemental tax bills are not mailed to your lender. If you have arranged for your property tax payments to be paid through an impound account, the supplemental tax bills will not be paid by your lender. It is your responsibility to pay these supplemental bills directly to the Tax Collector.**

**If you have any question concerning this matter, please call your local Tax Collector's Office.**

As stated above, California law requires that the Assessor re-appraise property upon a change of ownership or the completion of new construction. This re-appraisal results in a supplemental tax assessment which is based on the difference between the new value and the old value of the property, multiplied by the property's Ad Valorem tax rate. The resulting Supplemental Tax amount is then pro-rated, based upon the number of months remaining in the fiscal year in which the event occurred.

The number of tax bills which will be issued also depends on the date the event occurred. If the change of ownership or new construction is completed between January 1<sup>st</sup> and May 31<sup>st</sup>, the result will be two supplemental assessments levied on two supplemental tax bills. If the event occurs between June 1<sup>st</sup> and December 31<sup>st</sup>, then only one supplemental bill will be issued.

For a complete explanation and estimation of the supplemental tax bills affecting this parcel you can go to [www.californiataxdata.com](http://www.californiataxdata.com) and order a complete Notice of Supplemental Tax Report.

## **SPECIAL ALERT**

### **New Mandatory Transfer Fee Disclosure Required 1/1/08**

#### **1. Private Transfer Fee**

This is commonly known as a "Private Transfer Tax". It is a fee imposed by a private entity such as a property developer, home builder, or homeowner association, when a property within a certain type of subdivision is sold or transferred. A private transfer fee may also be imposed by an individual property owner. Private transfer fees are different from city or county Documentary Transfer Taxes. Private Transfer Fees may apply in addition to government Documentary Transfer Taxes that are due upon sale or transfer of the property.

California Civil Code Section 1098 defines a "Transfer Fee" as "any fee payment requirement imposed within a covenant, restriction, or condition contained in any deed, contract, security instrument, or other document affecting the transfer or sale of, or any interest in, real property that requires a fee be paid upon transfer of the real property." Certain existing fees such as governmental fees, court ordered fees, mechanic lien fees, common interest development fees, etc. are specially excluded from the definition of "Transfer Fee"

**To determine if the property is subject to a Transfer Fee, OBTAIN COPIES OF ALL THE EXCEPTIONS LISTED ON THE PRELIMINARY (TITLE) REPORT FROM THE TITLE COMPANY AND READ THEM TO DETERMINE IF ANY TRANSFER FEES ARE APPLICABLE. Please be aware that private transfer fees may be difficult to identify by simply reading the title report.**

**Effective January 1, 2008, Civil Code Section 1102.6e requires the Seller to notify the Buyer of whether a private transfer fee applies and if present, to disclose certain specific information about the fee.**

**Content of Disclosure.** Civil Code Section 1102.6e requires the Seller to disclose specific information about any Transfer Fee that may affect the property. Please refer to the legal code or to the C.A.R Form NTF (11/07), provided by the California Association of Realtors, for a standard format to use in making the Transfer Fee Disclosure if you elect to investigate and make this disclosure personally.

**How to Determine the Existence of a Transfer Fee.** If a Transfer Fee does exist affecting the property, the document creating the fee may be on file with the County Recorder as a notice recorded against the property and should be disclosed in the preliminary (title) report on the property. However, the preliminary (title) report will merely disclose the existence of the documents affecting title, not the content of the documents. The title of a document may also not be sufficient to disclose that a transfer fee is included in its terms. Accordingly Seller should (a) request the title company which issued the preliminary (title) report to provide copies of the documents shown as "exceptions," and (b) review each document to determine if it contains a transfer fee.

#### **2. Documentary Transfer Taxes**

This is a government tax imposed by a city or county when a property within the jurisdiction is sold or transferred. (It is commonly known as a "Real Estate Transfer Tax".) It is NOT the same as a private transfer fee, which may be imposed by a private entity such as a property developer, home builder, or homeowner association. However, it is a similar fee due upon closing, calculated based on a percentage of the purchase price.

**Transfer Tax Defined.** Under California Revenue and Taxation Code Sections 11911-11929, counties and cities are authorized to impose a tax on the transfer of property located within their jurisdiction. The tax is commonly known by various names, including the Documentary Transfer Tax, or Real Property Transfer Tax, or Real Estate Transfer Tax (hereinafter, the "Transfer Tax").

**How Much?** The tax is due at closing and payable through escrow. This tax does not expire. All future sales of this property will be charged this tax at close of escrow. The amount of the transfer tax is based on the value or sale prices of the property that is transferred. The county rate is one dollar and ten cents (\$1.10) for each one thousand dollars (\$1.000) of value. The rate for non-charter ("general law") cities is one-half of the county rate and is credited against the county tax due. Charter cities may impose a transfer tax at a rate higher than the county rate.

For any city or county in California, the Transfer Tax rate ("Tax Rate Table") is available at no charge from many sources, most conveniently on the website of the California Local Government Finance Almanac (sponsored by the California League of Cities): <http://www.californiacityfinance.com/PropTransfTaxRates.pdf>

To estimate the transfer tax for the property, multiply the Property's estimated sales price (in thousands of dollars) by the amount shown in the Tax Rate Table for the city and county in which the property is located.

**Who Pays?** The law states that, "the Transfer Tax must be paid by the person who makes, signs or issues any document subject to the tax, or for whose use or benefit the document is made, signed or issued." In practice, this means that the payment of the Transfer Tax is customarily made by the Seller or the Buyer, or shared by both, depending on the jurisdiction in which the transferred property is located.

**Are there any exemptions?** The California Revenue and Taxation Code, which provides the statutory authority for counties to impose the transfer tax, specifically exempts from the transfer tax the following transactions:

1. Instruments in writing given to secure a debt.
2. Transfers whereby the federal or any state government, or agency, instrumentality or political subdivision thereof, acquires title to realty.
3. Transfers made to effect a plan of reorganization or adjustment (i) confirmed under the Federal Bankruptcy Act, (ii) approved in certain equity receivership proceedings or (iii) whereby a mere change in identity, form or place of organization is effected.
4. Certain transfers made to effect an order of the Securities and Exchange Commission relating to the Public Utility Holding Company Act of 1935.
5. Transfers of an interest in a partnership (or, beginning January 1, 2000, an entity treated as a partnership for federal income tax purposes) that holds realty, if (i) the partnership is treated as continuing under IRC § 708 and (ii) the continuing partnership continues to hold the realty.
6. Certain transfers in lieu of foreclosure.
7. Transfers, divisions or allocations of community, quasi-community or quasi-marital property between spouses pursuant to, or in contemplation of, a judgment under the Family Code.
8. Transfers by the State of California, or any political subdivision, agency or instrumentality thereof, pursuant to an agreement whereby the purchaser agrees to immediately reconvey the realty to the exempt agency.
9. Transfers by the State of California, or any political subdivision, agency or instrumentality thereof, to certain nonprofit corporations.
10. Transfers pursuant to certain *inter vivos* gifts or inheritances.

**DESCRIPTION OF MELLO-ROOS COMMUNITY FACILITIES DISTRICT(S)**  
**Community Facilities District No. 2004-2**  
**Association of Bay Area Governments**  
**\$45,000,000.00**

► **Summary**

Community Facilities District No. 2004-2 was established pursuant to the Mello-Roos Community Facilities Act of 1982. Qualified electors authorized the district in 2004 along with the issuance of up to \$45,000,000.00 in bonded indebtedness. Bonds were issued to pay for certain public facilities and/or services that benefit the district. A special tax is levied on properties in the district to pay the interest and principal on the bonds as well as administrative expenses.

► **What facilities does it pay for?**

Proceeds from the special tax will be used to finance of the acquisition and construction of certain public infrastructure improvements and any other incidental costs associated with the improvements.

► **What services does this pay for?**

The special taxes may be used to pay for costs of the following services: None

► **How is the annual levy calculated?**

Each parcel is assigned a maximum special tax, which is typically based on development status, property use, and/or size of improvements. The actual annual special tax is based on the interest and principal due on the bonds for the current fiscal year, services costs, if any, and administrative expenses. However, the actual annual special tax cannot exceed the applicable maximum special tax.

► **Can the annual levy increase?**

When the property is classified it is assigned a maximum special tax rate, and the current year's special tax is computed based on a percentage of the maximum special tax rate. The actual special tax may rise from year to year, but not above the maximum special tax rate. In most cases, the maximum special tax rate automatically increases each year, which could result in higher rates from year to year. Since the annual Mello-Roos Special Tax is not a fixed amount, prepayment formulas are often extremely complicated and many Districts do not allow prepayment at all. If additional bonds are issued, it may affect your property taxes.

► **How long will it be on the tax bill?**

The Special Tax shall be levied for the period necessary to fully satisfy the special tax requirement, but in no event shall it be levied after fiscal year 2040-41.

► **Foreclosure Proceedings**

The CFD has the right (and if bonds are issued, the obligation) to foreclose on property when the special taxes are delinquent for more than 90 days. Additionally, any costs of collection and penalties must be paid by the delinquent property owner.

► **Contact Information**

NBS  
32605 Highway 79 South, Suite #100  
Temecula, CA 92592  
phone: (800) 676-7516  
fax: (951) 296-1998

**DESCRIPTION OF 1915 BOND ACT ASSESSMENT DISTRICT(S)**  
**Assessment District No. 99-1**  
**Association of Bay Area Governments**  
**\$125,000,000.00**

► **Summary**

Assessment District 99-1 was authorized by qualified electors in 1999 along with the issuance of up to \$100,000,000.00 in bonded indebtedness. The bonds were issued pursuant to the Improvement Bond Act of 1915 to pay for the acquisition and/or construction of certain public facilities benefiting the properties in the district. The assessment lien is collected in annual installments to pay the interest and principal on the bonds and administrative expenses.

► **What facilities does it pay for?**

Proceeds from the sales of the bonds will be used to pay the cost and expense of the acquisition and construction of public improvements and any other incidental costs associated with the improvements.

► **How is the annual levy calculated?**

The principal amount of the bonds is allocated to each parcel in the district in proportion to the benefit received from the public facilities. The annual assessment installments represent each parcel's share of the interest and principal on the bonds. Administrative expenses are allocated to each parcel.

► **Can the annual levy increase?**

To the extent that the annual interest and principal payments on the bonds are not perfectly level, the annual installment payment amount may increase. Installment payment amounts may also increase if additional bonds are authorized and issued.

► **How long will it be on the tax bill?**

The annual installments will be collected until the final payment on the bonds is made in 2030.

► **Foreclosure Proceedings**

The Assessment District has the right (and if bonds are issued, the obligation) to foreclose on property when the special taxes are delinquent for more than 90 days. Additionally, any costs of collection and penalties must be paid by the delinquent property owner.

► **Contact Information**

NBS  
32605 Highway 79 South, Suite #100  
Temecula, CA 92592  
phone: (800) 676-7516  
fax: (951) 296-1998



## BREAKDOWN OF THE 2015-2016 PROPERTY TAX BILL

This report is an estimate of the original secured property tax bill charges for the above-mentioned property using information obtained from the County on a given date. Changes made by the County or the underlying public agencies levying charges against this property after the date of this report may not be reflected in this report.

### Basic Prop 13 Levy

<b>1. Basic 1% Levy</b>	<b>Prop 13</b>	<b>\$11,508.07</b>
County of Contra Costa (925) 335-1080	General Service	

### Voter Approved Ad Valorem Taxes

<b>2. Ad Valorem Taxes</b>	<b>Ad Valorem Tax</b>	<b>\$1,052.97</b>
County of Contra Costa (925) 335-1080	Ad Valorem Taxes	

**Basic Prop 13 Levy & Voter Approved Ad Valorem Taxes: \$12,561.04**  
**Estimated Tax Rate: 1.091%**

### Direct Assessments

<b>3. Assessment District No. 99-1</b>	<b>1915 Bond Act Assessment District</b>	<b>\$4,767.00</b>
Association of Bay Area Governments (800) 676-7516	Sewer and Water	
<b>4. Community Facilities District No. 2004-2</b>	<b>Mello-Roos Community Facilities District</b>	<b>\$1,715.32</b>
Association of Bay Area Governments (800) 676-7516	Capital Facilities	
<b>5. County Service Area M-29 (Dougherty Valley)</b>	<b>County Service Area</b>	<b>\$1,270.52</b>
County of Contra Costa (925) 335-1080	Services	
<b>6. Sewer Charge</b>	<b>Sewer or Water Charge</b>	<b>\$471.00</b>
Central Contra Costa Sanitary District (510) 689-3890	Sewer	
<b>7. Dougherty Valley District No. 2001-1</b>	<b>Sewer Assessment</b>	<b>\$170.74</b>
Dublin San Ramon Services District (925) 551-7230	Sewer Service	
<b>8. West Branch Geological Hazard Abatement District</b>	<b>Geologic Hazard Abatement District</b>	<b>\$146.64</b>
City of San Ramon (925) 973-2500	Hazard Abatement	
<b>9. School Parcel Tax</b>	<b>2/3 Voter Approved Special Tax</b>	<b>\$144.00</b>
San Ramon Valley Unified School District (925) 552-5500	School Facilities	
<b>10. Federal Stormwater Fee Zone A-15</b>	<b>Flood Control/Storm Drainage Assessment</b>	<b>\$35.00</b>
County of Contra Costa (925) 335-1080	Storm Drainage	
<b>11. Eastbay Trails Landscape Lighting District</b>	<b>Landscaping &amp; Lighting Maintenance District</b>	<b>\$5.44</b>
East Bay Regional Park District (510) 562-7275	Landscape and Lighting	
<b>12. Mosquito Abatement</b>	<b>Vector Control District</b>	<b>\$4.74</b>
County of Contra Costa (925) 335-1080	Mosquito Abatement	
<b>13. Emergency Medical Services 1 Zone A</b>	<b>Police, Fire or Emergency Medical Services</b>	<b>\$3.94</b>
County of Contra Costa (925) 335-1080	Emergency Medical	

**Total Direct Assessment Charges: \$8,734.34**

**Total 2015-2016 Amount: \$21,295.38**

## DESCRIPTION OF PROPERTY TAX CHARGES

### **Basic 1% Levy**

The Basic 1% Levy is the primary property tax charge levied by the County on behalf of government agencies. As a result of the passage of Proposition 13 in 1978 (Article XIII A of the California State Constitution), the basic levy is limited to 1% of the property's net assessed value. Proceeds from this tax are divided by the County and used to help fund nearly every function the state, county, city and other local municipal agencies provide. All other charges that appear on the tax bill vary by district and county.

### **Ad Valorem Tax**

An Ad Valorem Tax is a tax levied on a parcel that is calculated based on the assessed value of the parcel. Ad valorem taxes may include those taxes that were approved by voters before that passage of Proposition 13 in 1978, General Obligation Bonds or Special Taxes that are based on assessed value as opposed to some other method. Taxes that were established before 1978 may be used for various services and improvements and may or may not be associated with public indebtedness (the issuance of municipal bonds). A General Obligation Bond is a municipal bond that may be issued by a city, county or school district in order to finance the acquisition and construction of public capital facilities and real property. Equipment purchases and the cost of operation and maintenance cannot be financed with a General Obligation Bond. Special Taxes are created pursuant to various California Code Sections and require 2/3 majority approval of the qualified voters for approval. A special tax is may be formed by a local government (a city, county, special district, etc...) in order to finance specific facilities and/or services and cannot be used for general purposes.

### **1915 Bond Act Assessment District**

A 1915 Bond Act Assessment District is a special assessment district created pursuant to the Improvement Act of 1911 (Streets and Highways Code Section 5000 et seq.) or the Municipal Improvement Act of 1913 (Streets and Highways Code Section 10000 et seq.) upon majority approval of the property owners during an assessment balloting procedure. A 1915 Act Assessment District may be formed by a local government (a city, county, special district, etc...) in order to finance certain designated facilities that benefit the properties within the district. A 1915 Act Assessment District must provide special benefit to the properties within the district in order to levy special assessments. A 1915 Act Assessment District will include the ability to issue municipal bonds to finance facilities pursuant to the Improvement Bond Act of 1915 (Streets and Highways Code Section 8500 et seq.) and the debt is paid over time from the levy of the special assessments.

### **Mello-Roos Community Facilities District**

A Mello-Roos Community Facilities District, known as a CFD, is a special tax district formed by a local government (a city, county, special district, etc...) in order to finance certain designated facilities and/or services which benefit the properties within the CFD. Often, a CFD will include the ability to issue municipal bonds to finance facilities and the debt is paid over time from the levy of the special tax. The levy of the special tax may also be used to directly finance facilities and/or services.

### **County Service Area**

A County Service Area, known as a CSA, is a multi-purpose special district created pursuant to Government Code Section 25210.1 et seq. upon majority approval of the qualified voters during an election procedure. A CSA may include all or part of the unincorporated area of a county that provides wide variety of facilities and services within the CSA. A CSA is used to identify areas that desire a higher level of specific services than those already provided within the entire county. A CSA must provide special benefit to the properties within the CSA in order to levy special assessments and/or fees/charges may provide general benefit and/or special benefit to the properties within the CSA in order to levy special taxes and/or ad valorem taxes. A Community Services District will include the ability to issue municipal bonds to finance facilities. The debt is paid over time from the levy of the assessments.

### **Sewer or Water Charge**

A Sewer Use Fee or a Water Use Fee is a fee created pursuant to the Health and Safety Code Section 5470 et seq. upon majority approval of the property owners during an assessment balloting procedure. A fee may be created by a local government (a city, county, special district, etc...) in order to finance to pay for sewer and/or water maintenance and operation. The fees may be billed directly, but in some cases are collected annually as a separate line item on the County property tax bills for each of the parcels within the service area.

### **Sewer Assessment**

A Sewer Assessment is a special assessment created pursuant to the Health and Safety Code Section 5470 et seq. upon majority approval of the property owners during an assessment balloting procedure. A Sewer Assessment may be created by a local government (a city, county, special district, etc...) in order to finance sewer facilities and services. A Sewer Assessment must provide special benefit to the properties within the service area in order to be levied.

### **Geologic Hazard Abatement District**

An abatement district is created to finance the prevention, mitigation, abatement or control of some type of pest, nuisance or geologic hazard. Pursuant to California Health and Safety Code Section 2200 et seq, a district is created to finance the prevention, mitigation, abatement or control of mosquitos and/or vectors. In addition to mosquito and vector control abatement districts, California law allows counties and cities to create weed and rubbish abatement districts pursuant to Government Code Section 39501-39588 as well as general nuisance abatement district pursuant to Government Code Section 38771-38775 on individual properties at the owner's expense. A geologic hazard abatement District is authorized by the Public Resources Code Section 26500 et seq .It can be used by a City or County to assist property owners in areas where geologic hazards become a threat to property.

### **2/3 Voter Approved Special Tax**

A Special Tax is created pursuant to the Government Code Section 50075 et. Seq. upon and requires the approval of at least 2/3rds majority of the qualified voters in the servicing area, which is usually the jurisdictional area of the local government agency. Special Taxes finance various public improvements and services for public libraries, hospitals, schools, fire and police protection. A Special Tax is not a fee, charge or special assessment, therefore, the amount of the special tax is not limited to the relative benefit it provides to property owners or taxpayers. Typically, they are levied on a per parcels basis either according to the square footage of the parcel or on a flat charge.

### **Flood Control/Storm Drainage Assessment**

A Flood Control/Storm Drainage Assessment is a special assessment created pursuant to the Health and Safety Code Section 5470 et seq. upon majority approval of the property owners during an assessment balloting procedure. A Flood Control/Storm Drain Assessment may be created by a local government (a city, county, special district, etc...) in order to finance flood control/storm drainage facilities and services. A Flood Control/Storm Drain Assessment must provide special benefit to the properties within the service area in order to be levied.

### **Landscaping & Lighting Maintenance District**

A Lighting and Landscape Maintenance District is a special assessment district created pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Section 22500 et seq.) upon majority approval of the property owners during an assessment balloting procedure. These Districts may be formed by a local government (a city, county, special district, etc...) in order to finance certain services that benefit the properties within the district. The District must provide special benefit to the properties within the district in order to levy special assessments. The District will include the ability to issue municipal bonds to finance improvements pursuant to the Improvement Bond Act of 1915 (Streets and Highways Code Section 8500 et seq.) however this is not common.

### **Vector Control District**

A Vector Control District is a special assessment district created pursuant to the Health and Safety Code Section 2270 et seq., in order to collect costs of a local government (a city, county, special district, etc...) related to vector control. One-time abatements include a notice to the property owner prior to abatement followed by a public hearing. Upon abatement, if the amount owing remains delinquent, a recorded lien is placed on the parcel for the abatement amount, which may include a surcharge that is usually 10% of the amount or is an administrative charge based on actual administrative costs. Ongoing abatements are established upon majority approval of the property owners during an assessment balloting procedure.

### **Police, Fire or Emergency Medical Services**

A Special Tax for hospitals is created pursuant to the Government Code Section 53970 upon 2/3 majority approval of the qualified voters. A municipal bond may be issued in order to finance police protection, fire protection and emergency medical facilities and/or services. The debt is paid over time from the levy of the special tax. The levy of the special tax may also be used to directly finance facilities and/or services.

## Terms, Conditions and Limitations

This property tax disclosure report ("Report") was prepared by a California Tax Data ("CTD") on behalf of the Seller and the Seller's Agent (collectively, the "Seller") to assist the Seller in providing information to the Buyer and the Buyer's Agent (collectively, the "Buyer") as directed by Section 1102.6b of the Civil Code and Sections 53340.2 and 53754 of the Government Code, as amended. The Seller and Buyer are hereinafter collectively referred to as the "Parties". This Report is used to determine whether the subject property is located in one or more special taxing districts and is subject to annual assessments levied pursuant to the Improvement Bond Act of 1915 ("1915 Act") and/or annual special taxes levied pursuant to The Mello-Roos Community Facilities District Act of 1982 ("Mello-Roos"). If the subject property is located in a 1915 Act or Mello-Roos District this Report will provide the additional required information as set forth in the code sections referenced above on the prescribed "Notice of Special Tax and Assessment" form to the prospective Buyer in addition to the other information included in this Report.

**Report Preparation.** This Report is prepared using data obtained from (a) governmental agencies that have created, or have authorized and intend to create new 1915 Act and/or Mello-Roos Districts ("District Data"), from (b) public property tax information and records ("Property Tax Data") and, from (c) a proprietary database created by CTD for the purpose of creating these reports ("CTD Database"), referred to individually as the "Database" and collectively as the "Databases".

**Database Updates.** The Property Tax Data used in this Report is created by the applicable governmental agencies between September 1st and November 30<sup>th</sup> of each year and incorporated into the CTD Database ("Update Period"). It is obtained by CTD as soon as reasonably possible after becoming publicly available which in some cases may be after it is available on public websites. Due to the detailed nature of obtaining, processing and adapting the data into a usable format for preparing this Report there will be some delay once the updated information is obtained by CTD. The information in this Report can and may vary from year to year and can only be relied upon for the fiscal year being reported. The Property Tax Data can and will change throughout the year as determined by the agency having responsibility for that Database and may be made at any time and without notice. Generally these updates do not impact or alter the 1915 Act or Mello-Roos District information provided in the Report and for that reason the updates may not be obtained by CTD. This Report is current as of the date the CTD Database was last updated by CTD for the fiscal year being reported. CTD is under no obligation to update this Report for the subsequent tax year when and if it becomes available.

**Report and Database Limitations.** CTD assumes that the District Data and the Property Tax Data is reliable and accurate and has not conducted any independent audit to verify the reliability, authenticity, or veracity of the data. CTD is not liable or responsible for any errors, inaccuracies or omissions in the District or Property Tax Data supplied by the various governmental and private agencies used to produce this Report. The Report is valid for the current fiscal year only and cannot be relied upon for subsequent fiscal years. The Databases may not be accurate, current, fully detailed, or complete. It is possible that a parcel of real property may be within a Mello-Roos or 1915 Act District that has been authorized and created but not yet appears within the Databases. There may be other governmental databases with relevant information which are not included in this report. This Report does not contain any information related to any other tax bills that may be issued for any reason including but not limited to corrections, changes in ownership, escaped or prior years, supplemental or unsecured property taxes.

**Seller Responsibilities and Prohibitions.** It is the responsibility of the Seller to enter the correct assessor's parcel number ("APN"), in the proper format for the County in which the subject property is located and to verify that the address is correct. Regardless of the Report's content the Seller must disclose to the prospective Buyer all material facts known to the Seller relating to the subject property being within a 1915 Act or Mello-Roos District. The Seller must immediately notify CTD if they suspect information on the Report is out-of-date or otherwise inaccurate for any reason. During the Update Period a new Report will be issued if requested by the Seller, in writing within 14 days of new information becoming publicly available.

**Only the Parties May Rely on this Report.** This Report is for the exclusive, non-transferrable benefit of the Parties to the transaction for which it has been purchased. This Report cannot be relied upon by (a) any persons other than the Seller and Buyer and their respective Agents, or (b) for any other real property, or (c) for any future transactions involving the subject property for which this report has been purchased. The purchase price paid for this Report does not include any amount for protection of any other properties, parties or future transactions.

**Limited Liability.** This Report is not an insurance policy and does not claim to provide the same protections as an insurance policy and has been priced accordingly. This report is not a substitute for a title report or title insurance and may not be relied upon as such. It does not obligate CTD to defend any Party against any claims, and CTD shall not have any duty to defend against any claims that may be brought. The price of this Report is not based upon any responsibility for defense costs, or for the assumption of unpaid future tax liability. The premium for an insurance product would be significantly higher than the cost of this report. Therefore, in order to induce CTD to provide this Report for the price charged, and to help streamline the process of resolving any disputes that may arise, the Parties agree that if there is a material error or omission in this Report:

- The Party who suffers damages as a result of such error or omission shall be entitled to recover from CTD the actual proved damages not to exceed the total tax amount under-reported payable for a five (5) year period or ten thousand dollars whichever is less.
- CTD shall not be liable for indirect, consequential, or punitive damages (including, but not limited to, emotional distress or pain and suffering).
- CTD shall not be liable to a Party for any matters known to that Party or its Agent (including errors in this Report) and not disclosed in writing to both the other Parties and CTD prior to the date the subject property is sold by the Seller to Buyer.
- CTD is not responsible for inaccurate APN or address information provided by the person who ordered this report for the subject property.

**Other Agreements** This Report sets forth the complete and integrated agreement between CTD and the Parties. Evidence of prior statements, representations, promises or agreements shall not be admissible to vary the terms of this written agreement. This agreement may not be changed or amended except by a written document signed by an authorized representative of CTD and the Parties. In the event that any dispute arises between CTD and any Parties relating to this Report or its subject matter, or any act or omission of CTD, the prevailing party shall be entitled to recover their reasonable costs, including attorneys' fees, from the losing party and will be resolved in the applicable Federal or state court in the County of Orange, State of California, United States of America. If any provision of this Report, or its application to any circumstance, is held to be invalid, unenforceable, or void, the remainder of this Report shall remain in full force and effect and enforced to the fullest extent possible. This Report is deemed valid only upon receipt of payment of the full price of the report within 30 days after the close of Escrow. Upon receipt of Payment by CTD the Parties may rely on the Report and its representations and a contract is formed with CTD.

BY ACCEPTING OR USING THIS REPORT, THE PARTIES HEREBY AGREE TO BE BOUND BY ALL OF THE TERMS, CONDITIONS, AND LIMITATIONS STATED HEREIN.