



# Property I.D.

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# INVOICE

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**Escrow or Title Co.:**

LAURA CUEVAS  
OLD REPUBLIC TITLE  
1900 THE ALAMEDA  
SAN JOSE, CA 95126

**Invoice #: 2624306101****Invoice Date: 4/15/2013****Escrow / File #:** 0613020328**Ordered by:**

SHAHNAWAZ SAIGAL  
REFERRAL REALTY - SANTA CLARA  
3028-A SCOTT BLVD  
SANTA CLARA, CA 95054

**Site Address:**

38364 TIMPANOGAS CIR  
FREMONT, CA 94536  
ALAMEDA COUNTY  
APN: 507-0514-016-00

Product Description	Quantity	Unit Price	Amount
Mandatory Disclosure Report	1	\$114.00	\$114.00
		Adjustments:	\$15.00
		Amount Paid:	\$0.00
		<b>Total Due:</b>	<b>\$99.00</b>

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- Do not staple. Do not send cash

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**Thank You For Your Business**

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**Invoice #:** 2624306101**Invoice Date:** 4/15/2013**Ordered by:**

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**MAIL PAYMENT TO:**

Property I.D.  
1001 Wilshire Blvd., Los Angeles, CA 90017

**Total Due: \$99.00**



**Property I.D.<sup>®</sup>**

## Mandatory Residential Disclosure Report

**PROUDLY MADE IN THE USA**

**SUBJECT PROPERTY:**

38364 TIMPANOGAS CIR  
FREMONT, CA 94536  
APN 507-0514-016-00  
ALAMEDA COUNTY

**A 100% California Jobs Company™**

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**IMPORTANT NOTICE** *For the convenience of real estate agents, escrow officers, sellers and buyers, a disclosure receipt is provided herein. It is important that the recipient of the report acknowledge acceptance of the report by signing the receipt. Thereafter each party to the transaction may retain a copy of the receipt for their records.*

*When Printed by Property I.D. Corporation, three original copies of the report are issued for distribution to the parties involved in the transaction.*

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# NATURAL HAZARD DISCLOSURE STATEMENT AND DISCLOSURE REPORT RECEIPT

This statement applies to the following property: 38364 TIMPANOGAS CIR FREMONT, CA 94536; ALAMEDA COUNTY; APN# 507-0514-016-00 Date: 2013-04-15 17:02:00

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):

1. **A SPECIAL FLOOD HAZARD AREA** (Any type Zone "A" or "V") designated by the Federal Emergency Management Agency. Refer to Report.  
Yes \_\_\_ No X Do not know and information not available from local jurisdiction \_\_\_
2. **AN AREA OF POTENTIAL FLOODING SHOWN ON A DAM FAILURE INUNDATION MAP** pursuant to Section 8589.5 of the Government Code. Refer to Report.  
Yes X No \_\_\_ Do not know and information not available from local jurisdiction \_\_\_
3. **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. Refer to Report.  
Yes \_\_\_ No X
4. **A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS** pursuant to Section 4125 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 4142 of the Public Resources Code. Refer to Report.  
Yes \_\_\_ No X
5. **AN EARTHQUAKE FAULT ZONE** pursuant to Section 2622 of the Public Resources Code. Refer to Report.  
Yes \_\_\_ No X
6. **A SEISMIC HAZARD ZONE** pursuant to Section 2696 of the Public Resources Code. Refer to Report.  
Yes (Landslide Zone) \_\_\_ Yes (Liquefaction Zone) X No \_\_\_ Map not yet released by state \_\_\_

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. TRANSFEEE(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) \_\_\_\_\_ Property I.D. \_\_\_\_\_ Date April 15, 2013

Transferee represents that he or she has read and understands this document. 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.

The items listed below indicate additional statutory disclosures and legal information that may be provided in the report.

7. Additional Reports that are enclosed herein if ordered:  
(A) ENVIRONMENTAL RISK REPORT (Enclosed if ordered). (B) C.L.U.E.® (Comprehensive Loss Underwriting Exchange) REPORT (Enclosed if ordered).
8. Additional Statutory Disclosures:  
(A) INDUSTRIAL USE ZONE DETERMINATION (where available) pursuant to Section 1102.17 of the California Civil Code. Refer to Report. (B) MILITARY ORDNANCE FACILITIES pursuant to California Civil Code Sections 1102.15 and 1940.7. Refer to Report. (C) AIRPORT INFLUENCE AREA pursuant to Civil Code Section 1103.4. Refer to Report. (D) NOTICE OF RIGHT TO FARM pursuant to California Civil Code Section 1103.4. Refer to Report. (E) MELLO-ROOS & SPECIAL ASSESSMENTS pursuant to Section 53311-53365.7 / 53754 of the California Government Code; Refer to Report.
9. Additional Local Jurisdiction Hazards - May include the following:  
Airports, Avalanche, Coastal Protection, Conservation Areas, Critical Habitats, Dam Failure Inundation, Duct Sealing Requirements, Erosion, Fault Zone, Fire, Groundwater, Landslide, Liquefaction, Methane Gas, Mines, Mines, Naturally Occurring Asbestos, Oil and Gas Well Proximity, Petrochemical Contamination, Property Taxes, Radon, Right to Farm, Soil Stability, Tsunami, Williamson Act, Wind Erosion. Refer to Report.
10. General Notices:  
Methamphetamine Contamination, Megan's Law - Sex Offender Database, Abandoned Wells, Carbon Monoxide Devices, Natural Gas and Hazardous Liquid Pipelines, Water Conserving Plumbing Fixtures, Notice of Supplemental Property Tax Bill, California Waterway Setback Requirements. Refer to Report.
11. Governmental Guides enclosed in Buyer's Copy of report and linked on electronically delivered reports (also available at <http://www.propertyid.com/platinum/Download.asp>)  
(A) ENVIRONMENTAL HAZARDS: "A Guide for Homeowners, Buyers, Landlords and Tenants" pursuant to California Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (B) EARTHQUAKE SAFETY: "The Homeowner's Guide To Earthquake Safety" and "Residential Earthquake Hazards Report" form pursuant to California Business and Professions Code Section 10149, and Government Code Sections 8897.1, 8897.2, and 8897.5. Refer to Report. ; (C) RESIDENTIAL EARTHQUAKE HAZARDS REPORT FORM pursuant to California Business and Professions Code Section 10149, and California Government Code Sections 8897.1, 8897.2, and 8897.5. Refer to enclosed "The Homeowner's Guide to Earthquake Safety". ; (D) LEAD-BASED PAINT: "Protect Your Family From Lead In Your Home" pursuant to HUD Mortgage Letter 92-94, Title X of Housing and Com. D.V. Act of 1992. Refer to Report. ; (E). MOLD: Chapter VI re mold, pursuant to Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (F). "What Is Your Home Energy Rating?", pursuant to California Civil Code Section 2079.10. Refer to Report.

This Report contains the Mandatory Natural Hazard Disclosure Report. The Environmental Risk Report is only enclosed if it has been ordered. To order the Environmental Risk Report, please contact Property I.D. Customer Service at 800-626-0106.

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

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



**ORDER ID #:** 2624306  
**ORDER DATE:** 04/15/2013  
**ESCROW / FILE NUMBER:**  
0613020328

**ESCROW AGENT:**  
LAURA CUEVAS  
OLD REPUBLIC TITLE  
1900 THE ALAMEDA  
SAN JOSE, CA  
95126

**SUBJECT PROPERTY:**  
38364 TIMPANOGAS CIR  
FREMONT, CA 94536  
ALAMEDA COUNTY  
APN: 507-0514-016-00

**ORDERED BY:**  
SHAHNAWAZ SAIGAL  
REFERRAL REALTY - SANTA CLARA  
3028-A SCOTT BLVD  
SANTA CLARA, CA 95054

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Safety Guides are included at the end of the Buyer's Copy of reports printed by Property I.D. Links to download the guides are included when reports are delivered electronically. Safety Guides included: "Residential Environmental Hazards", "Homeowner's Guide To Earthquake Safety", including the "Residential Earthquake Hazards Report Form", "Protect Your Family From Lead In Your Home", "Mold in My Home: What Do I Do?", and "What Is Your Home Energy Rating?"

### NOTICE TO BUYER:

This report applies to the property described by the street address and/or county assessor's parcel number as shown above. Please verify this information for accuracy. If this report has been issued in connection with an identified escrow and your escrow transaction number fails to match the escrow number enumerated in this report, then this report is invalid and must be reordered.

This report is issued as of the date shown above and is based upon an examination of maps as published by government agencies. This report does not constitute an opinion as to the advisability of completing the transaction.

## SUMMARY OF RESULTS

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

### STATUTORY DISCLOSURES

DISCLOSURE	DETERMINATION	DISCLOSURE DETAIL
FEMA Flood Zone	NOT IN	SPECIAL FLOOD HAZARD AREA. THE PROPERTY IS IN ZONE X
OES Dam Inundation	IN	DAM INUNDATION AREA (CALAVERAS, DEL VALLE, JAMES H TURNER)
High Fire Severity - State	NOT IN	VERY HIGH FIRE HAZARD SEVERITY ZONE
Wildland Fire Area - State	NOT IN	STATE FIRE RESPONSIBILITY AREA
Alquist-Priolo Fault Zone	NOT IN	EARTHQUAKE FAULT ZONE
Seismic Hazard : Landslides	WITHIN 1/4 MILE	EARTHQUAKE-INDUCED LANDSLIDE HAZARD ZONE
Seismic Hazard : Liquefaction	IN	LIQUEFACTION HAZARD ZONE

### STATE-WIDE DISCLOSURES

DISCLOSURE	DETERMINATION	DISCLOSURE DETAIL
Fire Hazard Rating	IN	AREA WITH LOW FIRE HAZARD SEVERITY RATING
Faults - CalTrans	NOT WITHIN 1/4 MILE	FAULT
Faults - State	NOT WITHIN 1/4 MILE	FAULT
Ground Shaking - State	IN	AREA SUBJECT TO SEVERE GROUND SHAKING AND MODERATE-HEAVY DAMAGE TO PROPERTY(MM VIII) IN POTENTIAL EARTHQUAKE SCENARIOS
Faults - USGS	NOT WITHIN 1/4 MILE	FAULT
Landslide Inventory	NOT IN	IDENTIFIED EARTH MOVEMENT
Landslide Deposits - USGS	NOT IN	LANDSLIDE AREA
Liquefaction	IN	AREA WITH HIGH LIQUEFACTION SUSCEPTIBILITY
Naturally Occuring Asbestos	NOT IN	AREA LIKELY TO CONTAIN NATURALLY OCCURRING ASBESTOS
Radon Gas	IN	ZONE 2 FOR RADON GAS POTENTIAL
Protected Species / Habitats	NOT IN	AREA WITH PROTECTED SPECIES OR HABITATS
Protected Species/Habitats Sightings	IN	AREA WHERE SIGHTINGS OF RARE SPECIES AND/OR NATURAL COMMUNITIES HAVE BEEN RECORDED, INCLUDING THE FOLLOWING... ALAMEDA WHIPSNAKE (THREATENED)
Duct Sealing Requirement	IN	ZONE OFFICIALLY EXEMPTED FROM CALIFORNIA ENERGY COMMISSION DUCT SEALING REQUIREMENTS
Airport Influence Area	NOT IN	AIRPORT INFLUENCE AREA
Airport Vicinity	WITHIN 2 MILES OF	FAA APPROVED LANDING FACILITY... WASHINGTON HOSPITAL HELIPORT
Military Facilities	NOT WITHIN 1 MILE	FORMERLY USED DEFENSE SITE

# SUMMARY OF RESULTS

(continued)

## STATE-WIDE DISCLOSURES

(continued)

DISCLOSURE	DETERMINATION	DISCLOSURE DETAIL
Mining Operations	WITHIN 1 MILE	MINING OPERATIONS, INCLUDING THE FOLLOWING... · FREMONT SITE - CLAY OPEN PIT - CLOSED NO INTENT TO RESUME
Abandoned Mining Operations	NOT WITHIN 1 MILE	ABANDONED MINING OPERATIONS
Mining Operations	WITHIN 1 MILE	MINE SITE(S), INCLUDING THE FOLLOWING... · BELLINI QUARRY - STONE, CRUSHED/BROKEN SURFACE MINE - PRODUCER, · SILVA BROS. - SAND AND GRAVEL, CONSTRUCTION MINE - PAST PRODUCER, · SILVA BROS. - SAND AND GRAVEL, CONSTRUCTION SURFACE MINE - PRODUCER
Oil and Gas Wells	NOT WITHIN 500FT OF	OIL OR GAS WELL, ACTIVE OR ABANDONED
Oil and Gas Field Administrative Boundary	NOT WITHIN	THE ADMINISTRATIVE BOUNDARY OF OIL AND GAS FIELD
Right to Farm	IN	AREA WITHIN ONE MILE OF AGRICULTURAL ACTIVITY
Land Conservation Act	NOT IN	LANDS UNDER CONTRACT PURSUANT TO THE CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT AT THE TIME THE DATA WAS OBTAINED.
Special Tax Assessment District	IN	SPECIAL TAX ASSESSMENT DISTRICT
Rate Based Taxes	SUBJECT TO	AD VALOREM TAXES
Mello-Roos Tax District	DOES NOT	CURRENTLY HAVE MELLO-ROOS TAXES LEVIED AGAINST IT.

## LOCAL DISCLOSURES

DISCLOSURE	DETERMINATION	DISCLOSURE DETAIL
Ground Shaking - Local	IN	AREA SUBJECT TO VIOLENT GROUND SHAKING AND HEAVY DAMAGE TO PROPERTY (MM IX) IN POTENTIAL EARTHQUAKE SCENARIOS
Liquefaction - Local	IN	HIGH LIQUEFACTION POTENTIAL
Landuse - Local	NOT IN	INDUSTRIAL AND/OR COMMERCIAL LAND USE
Landslides - Local	NOT IN	LANDSLIDE DEPOSITS
Fire Hazard - Local	NOT IN	HAZARDOUS FIRE AREA
Landslides - Local	WITHIN 1/4 MILE	AREA WITH POTENTIAL FOR MAJOR LOCALIZED LANDSLIDES
Liquefaction - Local	IN	VARIABLE LIQUEFACTION POTENTIAL

## DISCLOSURE NOTICES

METHAMPHETAMINE CONTAMINATION	see under DISCLOSURE NOTICES
MEGAN'S LAW - SEX OFFENDER DATABASE	see under DISCLOSURE NOTICES
ABANDONED WELLS	see under DISCLOSURE NOTICES
CARBON MONOXIDE DEVICES	see under DISCLOSURE NOTICES
NATURAL GAS AND HAZARDOUS LIQUID PIPELINES	see under DISCLOSURE NOTICES

# SUMMARY OF RESULTS

(continued)

## DISCLOSURE NOTICES

(continued)

WATER CONSERVING PLUMBING FIXTURES	see under DISCLOSURE NOTICES
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THIS "SUMMARY OF RESEARCH RESULTS" MERELY SUMMARIZES THE RESEARCH RESULTS CONTAINED IN THE PROPERTY I.D. MANDATORY DISCLOSURE REPORT AND DOES NOT OBTIATE THE NEED TO READ THE REPORT IN ITS ENTIRETY. THE TRANSFEROR(S) AND TRANSFEREE(S) MUST READ THE REPORT IN ITS ENTIRETY.

# FLOOD HAZARD ZONES

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, the following determination is made:

**SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA. THE PROPERTY IS IN ZONE X**

## EXPLANATION OF FEMA FLOOD ZONE DESIGNATIONS

Any zones type "A" or "V" are Special Flood Hazard Areas, zones "B", "C", "D", "X" are not.

- A** AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- AC\*** AREAS OF FLOODING CONTAINED BY FLOOD CONTROL MEASURES; INCLUDES AREAS OF FLOODING CONTAINED BY CHANNEL OR BASIN. (\* represents a wildcard character)
- AE** AREAS OF FLOODING WHERE THE BASE FLOOD ELEVATION HAS BEEN DETERMINED
- AH** AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATIONS ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.
- AO** AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; AVERAGE DEPTHS OF INUNDATION ARE SHOWN, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED.
- AR** AREAS OF 100-YEAR FLOOD, WHERE RESTORATION OF LEVEE SYSTEM TO LEVEL OF BASE FLOOD IS UNDERWAY (TEMPORARY UNTIL FLOOD PROTECTION SYSTEM IS RESTORED)
- A1-A30** AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.
- A99** AREAS OF 100-YEAR FLOOD TO BE PROTECTED BY FLOOD PROTECTION SYSTEM UNDER CONSTRUCTION; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- B** AREAS BETWEEN THE LIMITS OF THE 100-YEAR FLOOD AND THE 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR PROTECTED BY LEVEES.
- C** AREAS OF MINIMAL FLOODING; AREAS OUTSIDE 100-YEAR FLOODING
- D** AREAS OF UNDETERMINED, BUT POSSIBLE, FLOOD HAZARDS.
- V** AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION); BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
- V1-V30** AREAS OF 100-YEAR COASTAL FLOOD WITH VELOCITY (WAVE ACTION) BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED.
- VE** COASTAL FLOOD WITH VELOCITY HAZARD (WAVE ACTION); BASE FLOOD ELEVATIONS DETERMINED.
- X** AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN.
- X500** AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN ONE (1) FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.
- X\*PL** AREAS PROTECTED FROM 100 YEAR FLOOD BY LEVEE, DIKE, OR OTHER STRUCTURE. OVERTOPPING OR FAILURE OF THIS STRUCTURE IS POSSIBLE. COMMUNITIES SHOULD ISSUE EVACUATION PLANS AND ENCOURAGE PROPERTY OWNERS BEHIND THESE STRUCTURES TO PURCHASE FLOOD INSURANCE. (\* represents a wildcard character)



# DAM FAILURE INUNDATION

For  
38364 TIMPANOOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or information from the Office of Emergency Services, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN A DESIGNATED DAM INUNDATION AREA (CALAVERAS, DEL VALLE, JAMES H TURNER)**

### **DISCUSSION:**

The dam inundation program began in response to the Sylmar earthquake of February 9, 1971, which caused severe damage to the Upper and Lower Van Norman Dams, and threatened to cause extensive damage to life and property had a dam failure occurred. The California legislature added sections 8589.5 to the California Government Code, requiring dam owners to provide the Governor's Office of Emergency Services with an inundation map showing the extent of damage to life and property that would occur, given a complete and sudden dam failure at full capacity, i.e. a worst case scenario, regardless of the likelihood of such an event.

## **FIRE HAZARDS**

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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### **VERY HIGH FIRE HAZARD ZONE**

Based on PROPERTY I.D.'s research of the current maps and information issued by the California Department of Forestry and Fire Protection and Alameda County, The following determination is made:

#### **SUBJECT PROPERTY IS NOT LOCATED IN A VERY HIGH FIRE HAZARD SEVERITY ZONE**

##### **DISCUSSION:**

In an effort to prepare measures to retard the spread of fires, and reduce the potential intensity of uncontrolled fires that could destroy resources, life, or property, the California Department of Forestry and Fire Protection identifies Very High Fire Hazard Severity Zones. These areas are classified as such based upon fuel loading, slope, fire history, weather, and other relevant factors. For an area designated as a very high fire hazard severity zone, vegetation removal or management must be undertaken for fire prevention or suppression purposes. Other measures may be required, such as the maintenance of fire breaks around the property, clearance of brush and other flammable substances, the provision and maintenance of screens on chimneys and stovepipes, and a prescribed fire retardant roof.

### **WILDLAND FIRE (STATE FIRE RESPONSIBILITY AREA)**

Based on PROPERTY I.D.'s research of the current maps issued by the California Department of Forestry and Fire Protection, the following determination is made:

#### **SUBJECT PROPERTY IS NOT LOCATED IN A DESIGNATED STATE FIRE RESPONSIBILITY AREA**

##### **DISCUSSION:**

A State Fire Responsibility Area is defined as lands exclusive of cities and federal lands regardless of ownership, classified by the State Board of Forestry as areas in which the primary financial responsibility for preventing and suppressing fire is that of the State. These are lands covered wholly or in part by timber, brush, undergrowth or grass, whether of commercial value or not, which protect the soil from erosion, retard runoff of water or accelerated percolation, and lands used principally for range or forage purposes. State Fire Responsibility Areas are generally wildland areas, and may require state-imposed additional duties, such as maintaining fire breaks.

Pursuant to the State Responsibility Area Fire Prevention Fund, properties in wildland areas may be subject to a \$150 fire prevention fee per structure used for human occupancy commencing with the 2011-2012 fiscal year, to be assessed by the State Board of Equalization. The fire prevention fees collected would be available, upon appropriation by the Legislature, for certain specified fire prevention activities which would benefit the owners of structures in state responsibility areas. Commencing with the 2012-2013 fiscal year, if there are sufficient amounts of moneys in the State Responsibility Area Fire Prevention Fund to finance the costs of specified fire prevention activities for a fiscal year, the State Board of Equalization would be prohibited from collecting the fee for that fiscal year.

## FIRE HAZARDS

(continued)

### FIRE HAZARD SEVERITY RATING

Based on PROPERTY I.D.'s research of the maps and information from the California Department of Forestry and Fire Protection, the following determination is made:

#### **SUBJECT PROPERTY IS LOCATED IN AN AREA WITH A LOW FIRE HAZARD SEVERITY RATING**

##### **DISCUSSION:**

Fire ratings can be used to estimate the potential for impacts on areas susceptible to fire. Impacts are more likely to occur and/or be of increased severity for the higher rating classes. These fire ratings are modeled based on vegetation fuels, terrain, weather, and fire history. The ratings break-down into four threat classes as follows: *low*, *moderate*, *high*, and *very high*. The fire hazard severity ratings are provided in this report as supplemental information where Very High Fire Hazard Severity Zone and Wildland Fire Zone information, discussed above, do not provide sufficient detail. Additional information regarding the development of fire ratings is available via the CDF-FRAP web site. <http://frap.cdf.ca.gov/projects/hazard/fhz.html>.

### LOCAL FIRE HAZARD DETERMINATION(S)

Based on PROPERTY I.D.'s research of specific maps or data for the City of Fremont, the following determination is made:

#### **SUBJECT PROPERTY IS NOT LOCATED IN A HAZARDOUS FIRE AREA**

##### **DISCUSSION:**

The Director of the California Department of Forestry (CDF) identifies Very High Fire Hazard Severity Zones (VHFHSZ) based on statewide criteria. But at its discretion, a local agency may include or exclude areas from the VHFHSZ following a finding, supported by substantial evidence, that modifications to the fire hazard zones are necessary for effective fire protection.

Note: If the property is located in a State Fire Responsibility area, Seller shall, within the time specified, disclose this fact in writing to Buyer (Public Resources Code Section 4136). Disclosure may be made in the Real Estate Transfer Disclosure Statement (CAR Form TDS-14). Government regulations may impose building restrictions and requirements that may substantially impact and limit construction and any remodeling or improvement.

# EARTHQUAKE FAULT ZONES

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of maps or data obtained from the State of California in accordance with the Alquist-Priolo Earthquake Fault Zone Act, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED IN AN OFFICIAL EARTHQUAKE FAULT ZONE**

### **DISCUSSION:**

If the Subject Property is partially or wholly within an OFFICIAL EARTHQUAKE FAULT ZONE, it may be subject to (city, county, or state) requirements necessitating geologic study prior to any new or additional construction. When a property is located in this zone, it may not mean that a fault line exists on the property. In certain areas, the zones around the faults being studied are more than one-quarter of a mile wide.

Earthquake Fault Zones are delineated and adopted by the State of California as part of the Alquist-Priolo Earthquake Fault Zone Act of 1972 to assure that homes, offices, hospitals, public buildings, and other structures for human occupancy are not built on active faults. Earthquake Fault Zones are areas on both sides of known or suspected active earthquake faults. The State Mining and Geology Board has adopted policies and criteria for implementing the zones.

Based on PROPERTY I.D.'s research of maps or data obtained from the United States Geologic Survey, following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED WITHIN 1/4 MILE OF A MAPPED FAULT**

Based on PROPERTY I.D.'s research of specific maps and/or information from the California Geologic Survey, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED WITHIN 1/4 MILE OF A MAPPED FAULT**

Based on PROPERTY I.D.'s research of specific maps or data from the California Department of Transportation, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED WITHIN 1/4 MILE OF A MAPPED FAULT**

### **DISCUSSION:**

As a part of long-term planning, localities are required to include mapping of known seismic or other geologic hazards on a local level. Information may vary between jurisdictions, and may include information about all locally-known seismic hazard zones, including an area's susceptibility to strong ground shaking, liquefaction, landslides or other ground failure.

The absence of earthquake activity at a particular location does not necessarily mean that earthquakes will not occur there in the future. Moderate to large earthquakes have often been preceded by or followed by long periods of quiescence. The apparent correlation between seismic activity and mapped faults should confine the areas of higher probability of earthquake occurrence to somewhat restricted zones.

## EARTHQUAKE FAULT ZONES

(continued)

Fault rupture can occur during moderate to large earthquakes and is a function of magnitude and the total length of the fault. Fault rupture accounts for only a small percentage of earthquake damage and may be rapid and sudden, as with a major earthquake, or can occur over an extended period of time.

### **DEFINITIONS:**

For fault disclosures that contain fault activity information, the definitions below describe these activity designations.

**Active** - "Active" faults are defined as faults that have been active within the last 0 to 11,000 years.

**Potentially Active** - "Potentially Active" faults are defined as faults that may have been active between 11,000 years and 500,000 years ago.

**Conditionally Active** - "Conditionally Active" faults are defined as faults that may have had activity 750,000 years ago or uncertain activity.

# LANDSLIDE SUSCEPTIBILITY

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the current maps and information issued by the California Geological Survey, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED WITHIN 1/4 MILE OF AN OFFICIALLY DESIGNATED EARTHQUAKE-INDUCED LANDSLIDE HAZARD ZONE**

Note: Additional / local determination(s) below, when listed, may differ from the seismic hazard determination found in the Natural Hazard Disclosure Statement ("NHDS"). Differentiation can occur because the determination made in the NHDS is based on specific maps prepared by the California Geologic Survey (State Seismic Hazard Mapping Act), while the determination(s) below are based on different official maps and/or information.

Based on PROPERTY I.D.'s research of maps and/or information obtained from the United States Geological Survey (USGS), the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED IN A LANDSLIDE AREA**

Based on PROPERTY I.D.'s research of specific maps or data for California, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED IN AN AREA OF IDENTIFIED EARTH MOVEMENT**

Based on PROPERTY I.D.'s research of specific maps or data for Alameda County, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED IN AN AREA OF LANDSLIDE DEPOSITS**

Based on PROPERTY I.D.'s research of specific maps or data for the City of Fremont, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED WITHIN 1/4 MILE OF AN AREA WITH POTENTIAL FOR MAJOR LOCALIZED LANDSLIDES**

### **DISCUSSION:**

Landslides and other ground failures may occur during earthquakes, triggered by the strain induced in soil and rock by the ground shaking vibrations, and during non-earthquake conditions, most frequently during the rainy season. Both natural and man-made factors contribute to these slope failures.

Although landslides due to slope failure are most frequent in "wet years" with above-average rainfall, they can occur at any time. The presence or absence of deep-rooted vegetation; surface and subsurface drainage conditions; thickness and engineering characteristics of soils and underlying weathered, partially-decomposed rock; orientation of bedding or locally-high rainfall can all affect slope stability.

The influence of bedrock lithology, steepness of slope, and rates of erosion, at the very least, must all be considered to generate an accurate susceptibility map. Any slope can be rendered unstable by construction activities and almost any unstable slope can also be mitigated by accepted geotechnical methods.

# LIQUEFACTION SUSCEPTIBILITY

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the current maps and information issued by the California Geological Survey, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN AN OFFICIALLY DESIGNATED LIQUEFACTION HAZARD ZONE**

Note: Additional / local determination(s) below, when listed, may differ from the seismic hazard determination found in the Natural Hazard Disclosure Statement ("NHDS"). Differentiation can occur because the determination made in the NHDS is based on maps prepared by the California Geologic Survey in accordance with the State Seismic Hazard Mapping Act, while the determinations below are based on official maps prepared for another mapping program.

Based on PROPERTY I.D.'s research of the current maps issued by the United States Geological Survey (USGS), the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA WITH HIGH LIQUEFACTION SUSCEPTIBILITY**

Based on PROPERTY I.D.'s research of specific maps or data for the Bay Area, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA OF HIGH LIQUEFACTION POTENTIAL**

Based on PROPERTY I.D.'s research of specific maps or data for the City of Fremont, the following determinations are made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA OF VARIABLE LIQUEFACTION POTENTIAL**

### **DISCUSSION:**

Liquefaction is the sudden loss of soil strength resulting from shaking during an earthquake. The effect on structures and buildings can be devastating, and is a major contributor to urban seismic risk. Areas most susceptible to liquefaction are underlain by non-cohesive soils, such as sand and silt, that are saturated by water.

Mapped liquefaction areas are those where historic occurrence of liquefaction, or local geological, geotechnical conditions indicate a potential for permanent ground displacement such that mitigation as defined in Public Resources Code Section 2693(c) would be required. Section 2693(c) defines "mitigation" to mean those measures that are consistent with established practice and that will reduce seismic risk to acceptable levels.

Note: The map upon which this determination is based may not show all areas that have the potential for liquefaction or other earthquake and geologic hazards. Also, a single earthquake capable of causing liquefaction may not uniformly affect the entire area. Liquefaction zones may also contain areas susceptible to the effects of earthquake induced landslides. This situation typically exists at or near the toe of existing landslides, down slope from rock fall or debris flow source areas, or adjacent to steep stream banks.

# EARTHQUAKE GROUND SHAKING

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of maps and data from the California Integrated Seismic Network (CISN), the following determinations are made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA SUBJECT TO SEVERE GROUND SHAKING AND MODERATE-HEAVY DAMAGE TO PROPERTY(MM VIII) IN POTENTIAL EARTHQUAKE SCENARIOS**

### **MODIFIED MERCALLI (MM) INTENSITY SCALE - POTENTIAL SHAKING AND DAMAGE LEVELS**

- IV. Light Shaking, Minimal Damage:** Hanging objects swing, vibration like heavy trucks passing, windows and doors rattle
- V. Moderate Shaking, Minimal Damage:** Pictures move, liquids disturbed, sleepers awakened
- VI. Strong Shaking, Nonstructural Damage:** Objects fall, felt by all, pictures may fall off walls, shrubbery shakes
- VII. Very Strong Shaking, Moderate Damage:** Difficult to stand, some cracks in plaster, some damage to unreinforced masonry buildings
- VIII. Severe Shaking, Moderate-Heavy Damage:** Critical or extensive damage to stone buildings, steering of cars affected, fall of stucco and some masonry walls, fall of chimneys, homes move if on weak foundations
- IX. Violent Shaking, Heavy Damage:** Potential collapse of masonry buildings, many home shifted off foundations, frames racked, underground pipes broken

Based on PROPERTY I.D.'s research of maps and data from the Association of Bay Area Governments (ABAG), the following determinations are made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA SUBJECT TO VIOLENT GROUND SHAKING AND HEAVY DAMAGE TO PROPERTY (MM IX) IN POTENTIAL EARTHQUAKE SCENARIOS**

### **ABAG: MODIFIED MERCALLI (MM) INTENSITY SCALE - POTENTIAL SHAKING AND DAMAGE LEVELS\***

- V. Light Shaking, Minimal Damage:** Pictures move, liquids disturbed, sleepers awakened
- VI. Moderate Shaking, Minimal Damage:** Objects fall, felt by all, pictures may fall off walls, shrubbery shakes
- VII. Strong Shaking, Nonstructural Damage:** Difficult to stand, some cracks in plaster, some damage to unreinforced masonry buildings
- VIII. Very Strong Shaking, Moderate Damage:** Critical or extensive damage to stone buildings, steering of cars affected, fall of stucco and some masonry walls, fall of chimneys, homes move if on weak foundations
- IX. Violent Shaking, Heavy Damage:** Potential collapse of masonry buildings, homes can shift off foundations, frames damaged, underground pipes broken



# EARTHQUAKE GROUND SHAKING

(continued)

**X. Very Violent Shaking, Extreme Damage:** Most masonry and frame structures destroyed, some bridges destroyed, serious damage to dams and dikes, large landslides occur

(\*Note: These descriptions of shaking and damage levels are specific to the ABAG Groundshaking disclosure, they should not be applied generally to the MMI)

## **DISCUSSION:**

Ground Shaking studies provide a prediction of what may happen in future earthquakes, including what kind of damage can occur and what types of soils will have problems. As a prediction, the information from Ground Shaking studies provide a generalized view of what can occur during a large earthquake, but specific damage to specific buildings cannot be predicted. Loose, soft, recently deposited soils are the most susceptible to ground shaking amplification, and other hazards associated with seismic activity.

Ground shaking hazards exist throughout California. The potential damages in strong earthquake scenarios range from minimal to extreme, with corresponding shaking severity ranging from very weak to very violent. Seismologists modeled various ground shaking scenarios for active faults to highlight the hazards shaking can present in a strong earthquake.

For further information about the CISN: <http://www.cisn.org/> and <http://www.cisn.org/shakemap/sc/shake/about.html#scenario>

For further Information about the ABAG Earthquake and Hazards Program: <http://quake.abag.ca.gov/shaking/>

# NATURALLY OCCURRING ASBESTOS

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of current maps and/or information issued by the California Geological Survey, the following determination is made:

## **SUBJECT PROPERTY IS NOT LOCATED IN AN AREA LIKELY TO CONTAIN NATURALLY OCCURRING ASBESTOS**

### **DISCUSSION:**

Natural asbestos commonly occurs in association with altered ultramafic rocks, including serpentinite or serpentine - the California state rock. State and federal officials consider all types of asbestos to be hazardous because asbestos is a known carcinogen. Wind and water can carry asbestos fibers, and certain human activities such as mining, grading, quarrying operations, construction or driving over unpaved roads or driving on a road paved in part with asbestos-bearing rock, can release dust containing asbestos fibers. As with any other potential environmental hazard, it is recommended that Buyers fully investigate and satisfy themselves as to the existence of exposed naturally occurring asbestos / serpentine rock on the Property or within its vicinity or any serpentine-surfaced roads within the vicinity of the Property and the hazards, if any, posed thereby. That investigation should include consulting with appropriate expert(s) who can identify and test any exposed naturally occurring asbestos / serpentine rock on the Property or within its vicinity to determine whether it may present a health risk to Buyers. Buyers are encouraged to review all relevant information resulting from these studies and other information pertaining to the risk of exposure to harmful forms of naturally occurring asbestos fibers prior to removing their inspection contingency. 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. You should consider the potential risks associated with the Property before you complete your purchase and determine whether they are acceptable to you.

# **RADON GAS POTENTIAL**

For  
38364 TIMPANOOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or data obtained from the U.S. Environmental Protection Agency, the following determination is made:

## **THE ENTIRE COUNTY IN WHICH THE SUBJECT PROPERTY IS LOCATED IS DESIGNATED AS A ZONE 2 FOR RADON GAS POTENTIAL**

### **DEFINITION:**

**Zone 1** - Highest Potential (greater than 4 pCi/L) (picocuries per liter)

**Zone 2** - Moderate Potential (from 2 to 4 pCi/L) (picocuries per liter)

**Zone 3** - Low Potential (less than 2 pCi/L) (picocuries per liter)

### **DISCUSSION:**

Radon is a naturally occurring colorless, odorless radioactive gas formed by the natural disintegration of uranium in soil, rock and ground water as it radioactively transmutes to form stable lead.

Radon gas forms from the decay of radioactive elements at depth. Air pressure inside a building is usually lower than pressure in the soil around the building's foundation. Because of this difference in pressure, buildings can act like a vacuum, drawing radon in through foundation cracks and other openings. As cracks develop in rocks, radon gas can rise into the local ground water and may also be present in well water and can be released into the air in buildings when water is used for showering and other household uses. In most cases, radon entering a building through water is a small risk compared with radon entering a building from the soil. In a small number of homes, the building materials can give off radon, although building materials alone rarely cause radon problems. The Surgeon General has warned that radon is the second leading cause of lung cancer in the United States. Only smoking causes more lung cancer deaths. Smokers that live in homes with high radon levels, are at an especially high risk for developing lung cancer.

The U.S. Environmental Protection Agency's (EPA) action level for indoor radon levels is 4 pCi/L, at which homes should be fixed. Even at lower levels Radon can still be dangerous, so the EPA recommends homeowners consider fixing their homes when the radon levels are between 2 pCi/L and 4 pCi/L.

The only way to determine radon levels for a specific property is by testing. For further information about radon testing and mitigation, contact the California Department of Health Services at <http://www.cdph.ca.gov/HealthInfo/environhealth/Pages/Radon.aspx>, The National Environmental Health Association (NEHA) at <http://www.neha.org>, and the National Environmental Radon Safety Board (NRSB) at <http://www.nrsb.org>.

## PROTECTED SPECIES / HABITATS

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the current maps and/or information obtained from federal, state, county, and local habitat conservation departments, the following determination is made:

### **SUBJECT PROPERTY IS NOT LOCATED IN AN AREA WITH PROTECTED SPECIES OR HABITATS**

Based on PROPERTY I.D.'s research of the California Natural Diversity Database (CNDDDB), the following determination is made:

### **SUBJECT PROPERTY IS LOCATED IN AN AREA WHERE SIGHTINGS OF RARE SPECIES AND/OR NATURAL COMMUNITIES HAVE BEEN RECORDED, INCLUDING THE FOLLOWING...**

- **ALAMEDA WHIPSNAKE (THREATENED)**

#### **DISCUSSION:**

The species and/or habitat(s) listed above, if any, represent rare, sensitive, threatened, endangered, or special status plants, animals, natural communities, or habitats. Some of the species listed may not currently be considered endangered, threatened, sensitive, or protected, at the time of the report, but do have the potential of receiving an upgraded status.

Landowners with property in conservation areas may be subject to development fees at the time a grading permit is obtained, and/or may be required to secure a habitat assessment conducted by a biologist or specialist approved by the United States Fish and Wildlife Service, and/or the California Department of Fish and Wildlife, and/or the local jurisdiction habitat conservation department. Fee revenues are generally expended for land acquisition, biologic research and other conservation and mitigation activities necessary to help implement the applicable species habitat conservation plans. A habitat assessment involves a field survey to ascertain the actual presence of the particular species upon the Subject Property. These habitat preservation measures may also limit the landowner's ability to develop the property. Affected landowners should check the applicable jurisdiction's ordinances, mitigation fees, and local planning jurisdictions.

The CNDDDB provides location and natural history information on special status plants, animals, and natural communities to the public, government agencies, and conservation organizations. The data can help drive conservation decisions, aid in environmental review of projects, and provide baseline data helpful in recovering endangered species. Although the presence of a CNDDDB identified species and/or habitat(s) on the subject property does not necessarily impact the landowner(s) directly, they may wish to check the applicable jurisdiction's ordinances, mitigation fees, and local planning jurisdictions.

Note: A lack of listed species and/or habitats in this report does not necessarily mean that there are no rare species or habitats in this area. Areas that have not been surveyed for rare species will not show results in this report. Land that has not been surveyed for rare plants and animals retains the potential to support rare elements.

# NOTICE OF DUCT SEALING REQUIREMENTS

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the the official climate zone maps issued by the California Energy Commission, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN A ZONE OFFICIALLY EXEMPTED FROM CALIFORNIA ENERGY COMMISSION DUCT SEALING REQUIREMENTS**

### **DISCUSSION:**

The California Energy Commission's ("CEC") duct sealing requirements became effective on October 1, 2005, California Code of Regulations, Title 24. Some areas in specific climate zones as designated by the CEC are exempt from compliance and the requirements do not apply to properties in the exemption zones unless otherwise adopted by local governments. Properties that are not located in the exemption zones must comply with the requirements.

Depending upon certain conditions, if a central air conditioner or furnace was installed or replaced, the ducts may require testing for leakage. If significant leakage is found, repairs may be required to seal the ducts. Additional testing may then be required to verify that the work was done properly. It is strongly recommended that all of this work be done by licensed contractors who should obtain all required permits. These new duct sealing requirements may impact a Seller's disclosure obligations and/or any negotiations between principals regarding replacing heating, ventilating and air conditions (HVAC) systems. These new requirements may increase the costs associated with replacing or installing an HVAC system.

13 SEER - Seasonal Energy Efficiency Ratio is the Federal Government's minimum standard efficiency rating for heating, ventilating, air conditioning and heat pumps. The US Department of Energy requires central air conditioners and heat pumps to meet an efficiency rating of 13 SEER. For further information contact the California Energy Commission at 800-772-3300 or go to [www.energy.ca.gov/title24/changeout](http://www.energy.ca.gov/title24/changeout).

Note: Property I.D. cannot determine the condition, required testing, or sealing needed for the HVAC system of the Subject Property, nor can Property I.D. verify any information provided about the condition of the HVAC system.

## AIRPORT PROXIMITY

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or data obtained from local land use commissions, the following determination is made:

### **SUBJECT PROPERTY IS NOT LOCATED IN AN AIRPORT INFLUENCE AREA**

Based on PROPERTY I.D.'s research of specific maps or data for the Federal Aviation Administration (FAA) and the U.S. Department of Transportation, the following determination is made:

### **SUBJECT PROPERTY IS LOCATED WITHIN 2 MILES OF AN FAA APPROVED LANDING FACILITY...**

- **WASHINGTON HOSPITAL HELIPORT**

#### **DISCUSSION:**

NOTICE OF AIRPORT IN VICINITY - Pursuant to Section 1103.4 of the Civil Code: If the above-referenced property is located in the vicinity of an airport, within what is known as an Airport Influence Area, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

Note: In some instances the location of an airport facility's property line was not made available by the FAA. In those cases the FAA-designated central point of the facility was used as the center for the two mile proximity determination.

**MILITARY ORDNANCE AND DEFENSE SITES**  
For  
38364 TIMPANOOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the current maps or data issued by the U.S. Army Corps of Engineers, in conjunction with the Department of Defense, of former Federal and State Defense Sites, the following determination is made:

**SUBJECT PROPERTY IS NOT LOCATED WITHIN 1 MILE OF A FORMERLY USED  
DEFENSE SITE**

Each site's evaluation is contained within an Inventory Project Report (INPR), which indicates a Risk Assessment Code (RAC) for each site. The RAC score is used to prioritize the remedial action at the site. A one (1) RAC score indicates a high likelihood of hazard severity and/or hazard probability. The five (5) RAC score indicates the least hazardous category.

**RISK ASSESSMENT CODE:**

**RAC 1** Imminent Hazard

**RAC 2** High Priority

**RAC 3** Recommend further action to determine presence of ordnance

**RAC 4** Recommend further action to determine presence of ordnance

**RAC 5** Recommend no further action

**NO RAC** No RAC score available

**DISCUSSION:**

The sites are former locations used by various United States armed forces during the Second World War, and they have been reported and identified as contaminated with ordnance. Some confirmed sites have different kinds of contaminants - not all are artillery/ordnance contaminants.

Many sites are known by the federal and state government as former defense sites, whereupon there is potential for ordnance and similar explosive type contaminants, however this potential may not be confirmed.

Due to national security concerns, the US Army Corps of Engineers has not provided public updates on Formerly Used Defense Sites (FUDS) since January 2003.

Note: The above mentioned determination is made from a list of known Formerly Used Defense Sites in the state of California that are listed in the official government databases. There is a possibility that the database utilized does not include some of the most recently modified Risk Assessment Code (RAC) scores, recently discovered sites and/or information exempt from release.

## AREAS OF INDUSTRIAL / COMMERCIAL USE

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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### LAND USE AND PLANNING

Based on PROPERTY I.D.'s research of specific maps or data for the Bay Area, the following determination is made:

#### **SUBJECT PROPERTY IS NOT LOCATED IN AN AREA OF INDUSTRIAL AND/OR COMMERCIAL LAND USE**

##### **DISCUSSION:**

Industrial or commercial use zones or districts may be established by cities and/or counties wherein certain manufacturing, commercial or airport uses are expressly permitted.

Pursuant to Section 1102.17 of the Civil Code, the seller of residential real property subject to this article who has actual knowledge that the property is affected by, or zoned to allow, an industrial use described in Section 731a of the Code of Civil Procedure, which allows manufacturing, commercial or airport uses in zones that have been established under authority of law for those uses, shall give written notice of that knowledge as soon as practicable before transfer of title.

The existence of various conditions such as traffic, noise, odors, pollution, obstructed views, and other such conditions that are reasonable and necessary in Industrial Use Zones, cannot be enjoined or restrained, nor shall such use be deemed a nuisance as outlined in Section 731a of the Code of Civil Procedure.

*Note: The composition of Planned Developments may not be finalized and may eventually include areas of commercial or industrial use. For more information about a Planned Development in your area, contact the local planning department.*

*Note: Where not specifically identified, determinations may be based on maps or data made for Land Use and Planning purposes, and may not reflect all local zoning. Zoning changes occur often. This report should not be relied upon to provide any specific determination of the current zoning or allowed activities on or near the the Subject Property.*



## NOTICE OF MINING OPERATIONS

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or data from the California Department of Conservation's Office of Mines and Reclamation (OMR), pursuant to Section 2207 of the Public Resources Code, the following determinations are made:

### **SUBJECT PROPERTY IS LOCATED WITHIN 1 MILE OF MINING OPERATIONS, INCLUDING THE FOLLOWING...**

- **FREMONT SITE - CLAY OPEN PIT - CLOSED NO INTENT TO RESUME**

Based on PROPERTY I.D.'s research of specific maps or data from the Office of Mines and Reclamation's Abandoned Mine Lands Unit, the following determinations are made:

### **SUBJECT PROPERTY IS NOT LOCATED WITHIN 1 MILE OF ABANDONED MINING OPERATIONS**

Based on PROPERTY I.D.'s research of specific maps or data from the United States Geological Survey (USGS), the following determinations are made:

### **SUBJECT PROPERTY IS LOCATED WITHIN 1 MILE OF MINE SITE(S), INCLUDING THE FOLLOWING...**

- **BELLINI QUARRY - STONE, CRUSHED/BROKEN SURFACE MINE - PRODUCER,**
- **SILVA BROS. - SAND AND GRAVEL, CONSTRUCTION MINE - PAST PRODUCER,**
- **SILVA BROS. - SAND AND GRAVEL, CONSTRUCTION SURFACE MINE - PRODUCER**

#### **DISCUSSION:**

If 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, then 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.

Mines have been dug and abandoned throughout the State of California. The result is that in the state there are tens of thousands of active and abandoned mines, many unmapped, that can pose inconveniences resulting from mining operations and potential safety, health, and environmental hazards. Sites can possess serious physical safety hazards, such as open shafts or tunnels, and many mines have the potential to contaminate surface water, groundwater.

Further information is available from the following:

Department of Conservation, Office of Mine Reclamation: <http://www.conservation.ca.gov/omr/Pages/Index.aspx>

Department of Conservation, Office of Mine Reclamation, Abandoned Mine Lands Unit (AMLU):  
[http://www.conservation.ca.gov/omr/abandoned\\_mine\\_land/Pages/Index.aspx](http://www.conservation.ca.gov/omr/abandoned_mine_land/Pages/Index.aspx)

U.S. Geological Survey: <http://minerals.usgs.gov>.

# OIL AND GAS WELL PROXIMITY

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or data from the California Dept. of Conservation, the following determination is made:

**SUBJECT PROPERTY IS NOT LOCATED WITHIN THE ADMINISTRATIVE BOUNDARY OF AN OIL AND GAS FIELD**

**SUBJECT PROPERTY IS NOT LOCATED WITHIN 500FT OF AN IDENTIFIED OIL OR GAS WELL, ACTIVE OR ABANDONED**

## **DISCUSSION:**

Abandoned oil and gas wells dot the landscape of California. Identified wells have been mapped and are monitored by the California Department of Conservation; and are generally regulated by State and Local agencies. While abandoned wells that are properly capped and monitored present a low hazard risk, improper capping or plugging of abandoned wells can lead to a variety of problems. Improperly capped wells can release noxious chemicals into the air, or allow chemicals to leach into groundwater. Abandoned oil and gas wells are prone to buildup of methane gas which can create an explosion hazard if not properly monitored and cleaned. Improperly capped wells can lead to sinkhole development. Wells can pose a serious threat to the safety of humans, especially children, and to animals. Administrative field boundaries roughly outline the areal extent of an oil or gas field. Questions of jurisdiction and responsibility in regards to capping and maintenance of abandoned wells may exist.

For more information regarding abandoned oil and gas wells in California, contact the following agencies: State of California Dept. of Conservation - Oil, Gas, and Geothermal Division at <http://www.conservation.ca.gov/dog/Pages/Index.aspx> ; California Environmental Protection Agency <http://www.calepa.ca.gov>

Note: This hazard determination only identifies properties in proximity to abandoned wells that have been mapped by the California Department of Conservation. Unmapped abandoned wells that are not identified in this disclosure could exist on or near the Subject Property. Unmapped and unidentified wells can pose a greater risk to health and safety as they are not monitored and may not have received the appropriate mitigation measures.

# NOTICE OF RIGHT TO FARM

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of the current county-level GIS "Important Farmland Map," issued by the California Department of Conservation, Division of Land Resource Protection, the following determination is made:

## **SUBJECT PROPERTY IS LOCATED IN AN AREA WITHIN ONE MILE OF AGRICULTURAL ACTIVITY**

The following notice applies to properties located within one mile of agricultural activity.

### **NOTICE:**

This property is located within one mile of 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 customs and standards pursuant to Section 3482.5 of the Civil Code or any pertinent local ordinance.

## **ALAMEDA COUNTY, CALIFORNIA**

Alameda County permits operation of properly conducted agricultural operations within the County. You are hereby notified that the property you are acquiring an interest in may be located within 2,000 feet of agricultural land, agricultural operations or agricultural processing facilities or operations. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations. Discomfort and inconvenience may include, but is not limited to, noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents and/or the operation of machinery (including aircraft) during any 24-hour period. Should any dispute arise regarding any inconvenience or discomforts from an agricultural operations the parties may submit the dispute, within 30 days of the date of the occurrence, to the Alameda County Agricultural Advisory Committee created by the Board of Supervisors. This committee will provide mediation assistance for the parties involved. One or more of the inconveniences described above may occur as a result of agricultural operations which are in compliance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector.

Lawful ground rig or aerial application of pesticides (including herbicides, fungicides, rodenticides) and fertilizers occurs in farming operations. Should you be concerned about spraying, you may contact the Alameda County Agricultural Commissioner. Alameda County Right to Farm Ordinance does not exempt farmers, agricultural processors or others from compliance with law. Should a farmer, agricultural processor or other person not comply with appropriate state, federal or local laws, legal recourse may be possible by, among other ways, contacting the appropriate agency.

## NOTICE OF RIGHT TO FARM

(continued)

This notification is given in compliance with the Alameda County Code Section 6.28.080 By initialing below, you are acknowledging receipt of this notification.

### **I HEREBY ACKNOWLEDGE RECEIPT OF THE ALAMEDA COUNTY RIGHT TO FARM ORDINANCE**

Transferor's Initials \_\_\_\_\_

Transferee's Initials \_\_\_\_\_

*The failure to give the notice required by this section shall not invalidate any transfer. (Ord. 2000-61 § 1 (part))*

# LAND CONSERVATION DETERMINATION

For  
38364 TIMPANOGAS CIR, FREMONT, CA 94536  
APN 507-0514-016-00

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Based on PROPERTY I.D.'s research of specific maps or data for the California Department of Conservation, Division of Land Resource Protection and in conjunction with local county agencies, the following determination is made:

**SUBJECT PROPERTY IS NOT / WAS NOT LOCATED IN LANDS UNDER CONTRACT PURSUANT TO THE CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT AT THE TIME THE DATA WAS OBTAINED.**

## DISCUSSION:

The Williamson Act was passed by the California Legislature in 1965 to preserve agricultural and open space lands in Agricultural Preserves by discouraging premature and unnecessary conversion to urban uses. The term "Agricultural Preserve" is an area for which a city or county will enter into contracts with landowners to devote land to agricultural or open-space uses, pursuant to the California Land Conservation (Williamson) Act. Preserves are regulated by rules and restrictions designated in the resolution to ensure that the land within the Preserve is maintained for agricultural or open space use.

The Williamson Act authorizes local governments and property owners to (voluntarily) enter into 10-year rolling term contracts to commit land to specified uses. In return, restricted parcels may be assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value. However, a Williamson Act contract on the property does not by itself necessarily guarantee that the property will be assessed at a reduced value for property tax purposes. A Williamson Act contract runs with the land and is binding on all successors in interest of the landowner. A landowner's failure to meet the conditions of the contract may be considered a breach of the contract, which will allow the local government to sue the landowner and/or not renew the contract.

Additionally, if the Subject Property is located at or near Agricultural Preserves, inconvenience or discomfort may arise from the use of the land for agricultural activity or processing activity in a manner consistent with proper and accepted customs and standards. Agricultural activity, operation, or facility, or appurtenances thereof shall include, but not be limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with those farming operations, including preparation for market, delivery to storage or to market, or delivery to carriers for transportation to market. Agricultural processing activity, operation, facility, or appurtenances thereof includes, but is not limited to, the canning or freezing of agricultural products, the processing of dairy products, the production and bottling of beer and wine, the processing of meat and egg products, the drying of fruits and grains, the packaging and cooling of fruits and vegetables, and the storage or warehousing of any agricultural products, and includes processing for wholesale or retail markets of agricultural products.

**PROPERTY TAX RECORDS**  
 For  
 38364 TIMPANOGAS CIR, FREMONT, CA 94536  
 APN 507-0514-016-00

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Based on Property I.D.'s research of available tax records from Alameda County for the 2012-2013 tax year, the following determinations are made:

**TOTAL ANNUAL TAX \$5,994.32\***

\* This amount represents the total annual tax fees billed for this property, based on the levies and property valuation as listed in the identified tax records as of the beginning of the identified tax year. This amount is subject to change pursuant to the purchase price of the property and/or changes to the assessed value, and does not include supplemental tax bills or penalty fees.

**Mello-Roos Community Facilities District Levies - Details**

**Notice of Special Tax**

**SUBJECT PROPERTY DOES NOT CURRENTLY HAVE MELLO-ROOS TAXES LEVIED AGAINST IT.**

The **Mello-Roos** Community Facilities District Act, enacted in 1982, allows local governments to create tax districts to finance public facility and service improvements such as sewers, electrical upgrades, infrastructure, parks, etc. Mello-Roos taxes must be voted on and approved by a 2/3 majority vote of the property owners in the respective district.

Note: By voter approval new Mello-Roos taxes may be levied against this property in the future.

**Special Assessment and 1915 Bond Act Levies - Details**

**Notice of Special Assessment**

**SUBJECT PROPERTY IS LOCATED IN A SPECIAL TAX ASSESSMENT DISTRICT**

**Special Assessments** are taxes levied against parcels for public projects in which the amount of the charge is based on the benefit of the project to the parcel. Assessments based on the 1915 Bond Act are among special assessments, and are generally used to fund public improvement projects such as streets and sewer systems.

Note: By voter approval new Special Assessment taxes may be levied against this property in the future.

Code	Description	Contact	Phone	Amount
288	UNION SANITARY DISTRICT - SEWER SERVICE	UNION SANITARY DIST	(510)477-7626	\$319.54
416	FREMONT USD MEASURE K PARCEL TAX	FREMONT USD	(510)979-7709	\$53.00
301	COUNTY SERV. AREA E.M. 1983-1 (PARAMEDIC)	FRANCISCO & ASSOCIATES	(800)441-8280	\$27.68
505	ALAMEDA COUNTY FLOOD CONTROL-BENEFIT ASSESSMENT	ALAMEDA COUNTY PUBLIC WORKS	(510)670-5552	\$26.60
308	PARAMEDIC SUPPLEMENT	CITY OF FREMONT FIRE ADMIN	(510)494-4281	\$15.00

## PROPERTY TAX RECORDS

(continued)

836	CLEAN WATER PROTECTION FEE	CITY OF FREMONT ENV SVCS	(510)494-4575	\$13.50
571	ALAMEDA CO. VECTOR CONTROL SVCS DIST - FR	SCI CONSULTING GROUP	(800)273-5167	\$10.00
702	E.B.R.P.D. LANDSCAPING & LIGHTING/E.B. TRAILS	NBS	(800)676-7516	\$5.44
574	ALA. CO. MOSQUITO ABATEMENT DISTRICT	SCI CONSULTING GROUP	(800)273-5167	\$2.50
300	MOSQUITO ABATEMENT	SCI CONSULTING GROUP	(800)273-5167	\$1.74

### Property Value Adjusted (Ad Valorem) Levies - Details

#### SUBJECT PROPERTY IS SUBJECT TO AD VALOREM TAXES

**Ad Valorem** taxes, also known as “Rate-Based Taxes” are charges calculated as a percentage of the total value of real property, including improvement and land values as determined by the county assessor. California’s standard 1% property tax is included among these rate based taxes.

Note: By voter approval new Ad Valorem taxes may be levied against this property in the future.

Code	Description	Contact	Phone	Rate	Amount
1005	PROP. 13 STANDARD 1% TAX	ALAMEDA COUNTY AUDITOR	(510)272-6565	1%	\$4910.00 *
3107	FREMONT UNIF SCH BONDS 3 UP	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0419%	\$205.73 *
3223	OHLONE COM COLL BONDS	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0384%	\$188.54 *
7125	WASHINGTON TWP HOSP	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0181%	\$88.87 *
9010	CITY OF FREMONT	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0094%	\$46.15 *
7185	ALAMEDA CO WATER	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0069%	\$33.88 *
7180	EAST BAY REGIONAL PARK 1	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0051%	\$25.04 *
7165	BAY AREA RAPID TRANSIT	ALAMEDA COUNTY AUDITOR	(510)272-6565	0.0043%	\$21.11 *

\* This amount represents the fees based on the property valuation as listed in the identified tax records as of the beginning of the identified tax year. This amount is subject to change pursuant to the purchase price of the property and/or changes to the assessed value and does not include supplemental tax bills.

#### **Discussion:**

THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY. If this property is within the above-named assessment district(s), the assessment district(s) issued bonds to finance the acquisition or construction of the certain public improvements that are of direct and special benefit to property within the assessment districts. The bonds will be repaid from annual assessment installments on the property within the

# PROPERTY TAX RECORDS

(continued)

assessment districts. If this property is subject to annual assessment installments, the assessment districts will appear on the property tax bills, in addition to the regular property taxes and any other charges and levies that will be listed on the property tax bill. Assessment installments will be collected each year until the assessment bonds are repaid. These facilities may not yet have all been constructed or acquired and it is possible that some may never be constructed or acquired. If you fail to pay this tax when due each year, the property may be foreclosed upon and sold. The tax is used to provide public facilities and/or services that are likely to particularly benefit the property. YOU SHOULD TAKE THIS TAX AND THE BENEFITS FROM THE PUBLIC FACILITIES AND SERVICES FOR WHICH IT PAYS INTO ACCOUNT IN DECIDING WHETHER TO BUY THIS PROPERTY. By signing the NHDS and Disclosure Report Receipt, Buyer(s) ACKNOWLEDGE THAT BUYER(S) HAVE RECEIVED A COPY OF THIS NOTICE. BUYER(S) UNDERSTAND THAT BUYER(S) MAY TERMINATE THE CONTRACT TO PURCHASE OR DEPOSIT RECEIPT AFTER RECEIVING THIS NOTICE FROM THE OWNER OR AGENT SELLING THE PROPERTY. THE CONTRACT MAY BE TERMINATED WITHIN THREE DAYS IF THE NOTICE WAS RECEIVED IN PERSON OR WITHIN FIVE DAYS AFTER IT WAS DEPOSITED IN THE MAIL BY GIVING WRITTEN NOTICE OF THAT TERMINATION TO THE OWNER OR AGENT SELLING THE PROPERTY. This disclosure notice is made pursuant to Government Code Sections 53340.2, 53754 and Civil Code Section 1102.6b and satisfies the 1915 Bond and Special Assessment disclosure requirements.

Note: The applicable county tax assessor/collector and Property I.D. update their Tax Assessment information yearly or quarterly. Only Assessments that were levied against properties at the time Property I.D. obtained the tax records are disclosed. This information is subject to change and Property I.D. is not responsible for any changes that may occur. No study of the public records was made by Property I.D. to determine the presence of any other tax or assessment. The above explanation of Special Assessments is intended to be general in nature and is not a substitute for a tax bill, title report or title insurance. Detailed information may be available by contacting the agency that administers the Special Assessment. If detailed information is desired, Property I.D. recommends that an appropriate professional consultant be retained.

In some cases (including some condos, mobile homes, and new subdivisions), the tax roll data disclosed may represent the entire amount for the main parcel when the individual parcels have not been segregated.

## **NOTICE OF YOUR SUPPLEMENTAL PROPERTY TAX BILL**

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.

Note: This is a notice to you that the County Assessor will revalue the property and you will be responsible for paying the taxes due according to the reassessed value. It is not a disclosure of actual supplemental property taxes.

## **GENERAL NOTICE OF TRANSFER FEE DISCLOSURE**

Some properties may be affected by transfer fees. In the event that the property being transferred is subject to a transfer fee, the transferor is required to make this disclosure. A transferor may request the title company that issued the preliminary title report to provide copies of the documents for review in order for the transferor to determine if the property being transferred is subject to a transfer fee.

A "transfer fee" is any fee payment requirement imposed within a covenant, condition or restriction (CC&R), 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.

If the property being transferred is subject to a transfer fee, the transferor shall provide, at the same time as the transfer disclosure statement is provided, an additional disclosure that includes (1) notice that payment of a transfer fee is required upon transfer of the property; (2) the amount of the fee required for the asking price of the real property and a description of how the fee is calculated; (3) notice that the final amount of the fee may be different if the fee is based upon a percentage of the final sale price; (4) the entity to which funds from the fee will



## PROPERTY TAX RECORDS

(continued)

be paid; (5) the purpose for which the funds from the fee will be used; (6) the date or circumstances under which the obligation to pay the transfer fee expires, if any.

You may wish to investigate and determine whether the imposition of a transfer fee, if any, is acceptable to you and your intended use of the property before you complete your transaction.

### **ACCELERATED FORECLOSURE NOTICE**

It is extremely important that the real property tax bill be paid on time to prevent accelerated foreclosure. If this property is part of a Mello-Roos District (Community Facilities District), a 1915 Act Assessment District, or certain other special financing districts, it may be subject to accelerated foreclosure. Even though the County must wait five years to foreclose on a property because of delinquent taxes, unpaid Mello-Roos and Assessment districts can begin foreclosure proceedings 150-180 days after one of their tax charges becomes delinquent. If the real property is subject to such an assessment and the taxes are not paid promptly, the real property may be foreclosed upon and sold at public auction on an expedited basis.

## GENERAL NOTICES OF REQUIRED DISCLOSURES

### METHAMPHETAMINE CONTAMINATION

Methamphetamine use and production are growing throughout the State of California. Properties may be contaminated by hazardous chemicals used or produced in the manufacture of methamphetamine where those chemicals remain and where the contamination has not been remediated. Once the methamphetamine laboratories have been closed, the public may be harmed by the material and residues that remain.

Because the methamphetamine manufacturing process leads to chemical contamination, the Methamphetamine Contaminated Cleanup Act of 2005 requires a property owner to disclose in writing to a prospective buyer 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 provide the buyer with a copy of the pending order to acknowledge receipt in writing. Property owner(s) must retain a methamphetamine laboratory site remediation firm that is an authorized contractor meeting certain requirements, as defined, to remediate the contamination caused by a methamphetamine laboratory activity. Civil penalties up to \$5,000 can be imposed upon a property owner who does not provide a notice or disclosure required by the act, or upon a person who violates an order issued by the local health officer prohibiting use or occupancy of a property contaminated by a methamphetamine laboratory activity. In addition, local health and law enforcement agencies are required to take specified action, including the filing of a lien against a property for cleanup of the contamination.

Realtors and Property I.D. do not have the requisite expertise to determine the need for testing or cleanup of methamphetamine contamination and cannot verify the information provided about such contamination by others.

### MEGAN'S LAW - SEX OFFENDER DATABASE

Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet website maintained by the Department of Justice at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). This site provides access to information on persons required to register in California as sex offenders. Specific home addresses are displayed for many offenders in the California communities; as to these persons, the site displays the last registered address reported by the offender. Additional offenders are included on the site with listing by ZIP Code, city, and county. Information on other offenders is not included on this site, but is known to law enforcement personnel.

The California Legislature has created this statewide website to enable the public to secure information regarding the location of registered sex offenders. Anyone who is interested in this information should go on-line at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov) prior to removing their inspection contingency. Brokers and Property I.D. cannot and will not verify the information provided by the Government. Neither Brokers nor Property I.D. make any representations or guarantees as to the timeliness or accuracy of the information supplied at this website.

### ABANDONED WELLS

The Department of Water Resources estimates that there are approximately 750,000 water wells scattered throughout the State of California - some of these wells are abandoned. Wells that have been abandoned pose a serious threat to the safety of humans, especially children, and to animals. Section 24400 of the California Health and Safety Code requires that abandoned excavations be fenced, covered, or filled. In addition, abandoned wells may act as conduits for the contamination of groundwater since inadequately constructed wells provide a physical connection between sources of pollution and useable water.

## GENERAL NOTICES OF REQUIRED DISCLOSURES

(continued)

### **CARBON MONOXIDE DEVICES**

Pursuant to the Carbon Monoxide Poisoning Prevention Act of 2010, carbon monoxide detectors must be installed in every dwelling unit intended for human occupancy. Carbon monoxide is a gas produced when any fuel is burned, such as gas, oil, kerosene, wood, or charcoal. Because it is not possible to see, taste, or smell it, carbon monoxide can kill in minutes at high levels. Carbon monoxide detectors are similar to smoke detectors in that they will signal detection of carbon monoxide in the air. These carbon monoxide detectors should be installed outside of each separate sleeping area in the immediate vicinity of bedrooms, on every level including basements within which fuel fired appliances are installed, and in dwellings that have attached garages.

Links to additional information on carbon monoxide:

U.S. EPA, An Introduction to Indoor Air Quality (IAQ), Basic Information on Pollutants and Sources of Indoor Air Pollution, Carbon Monoxide

[www.epa.gov/iaq/co.html](http://www.epa.gov/iaq/co.html)

Center for Disease Control and Prevention (CDC), Carbon Monoxide Poisoning

<http://www.cdc.gov/co/>

American Lung Association, Carbon Monoxide Indoors

<http://www.lungusa.org/healthy-air/home/resources/carbon-monoxide-indoors.html>

Consumer Product Safety Commission (CPSC), Carbon Monoxide Questions and Answers

<http://cpsc.gov/cpscpub/pubs/466.html>

### **NATURAL GAS AND HAZARDOUS LIQUID PIPELINES**

#### 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.

This notice is made pursuant to Section 2079.10.5 to the California Civil Code which provides that upon delivery of this notice to the transferee of the real property, the seller or broker is not required to provide information in addition to that contained in this notice regarding gas and hazardous liquid transmission pipelines. The information in this notice shall be deemed to be adequate to inform the transferee about the existence of a statewide database of the locations of gas and hazardous liquid transmission pipelines and information from the database regarding those locations. Nothing in this section shall alter any existing duty under any other statute or decisional law imposed upon the seller or broker, including, but not limited to, the duties of a seller or broker under this article, or the duties of a seller or broker under Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of Division 2.

## GENERAL NOTICES OF REQUIRED DISCLOSURES

(continued)

### WATER CONSERVING PLUMBING FIXTURES

**For All Real Estate Sales - Residential and Commercial:** On and after January 1, 2017, a seller or transferor of single-family residential real property, multifamily residential real property, or commercial real property shall disclose to a purchaser or transferee, in writing, specified requirements for replacing plumbing fixtures, and whether the real property includes non-compliant plumbing fixtures.

**For All Single Family Residences:** On or before January 1, 2017, all non-compliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water-conserving plumbing fixtures.

**For Commercial and Multifamily Residences:** On or before January 1, 2019, all non-compliant plumbing fixtures in multifamily residential real property and commercial real property, as defined, be replaced with water-conserving plumbing fixtures.

**For Building Alterations - Single Family Residences:** On and after January 1, 2014, for all building alterations or improvements to single-family residential real property, water-conserving plumbing fixtures shall replace other noncompliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department.

**For Building Alterations - Commercial and Multifamily Residences:** On and after January 1, 2014, for specified building alterations or improvements to multifamily residential real property and commercial real property, water-conserving plumbing fixtures shall replace other non-compliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department.

California Civil Code Sections 1101.1 et seq.

### CALIFORNIA WATERWAY SETBACK REQUIREMENTS

Creeks and streams are valuable resources providing pollutant removal, drainage, flood control, and necessary riparian habitats important to several species of plants and animals. With the numerous benefits provided by healthy waterways, regulating development near streams and other waterways in order to reduce the environmental impact has become an important part of watershed management throughout the state.

While the State of California provides its own set of regulations regarding development near streams and other protected waterways, several cities and counties have added their own stream protection ordinances to the local general plan or municipal code. It is important to check with your local regulatory agency to see what types of rules and regulations your property may be subject to regarding development, expansion, or even land use in relation to streams and other watershed features on or near your property.

# RESIDENTIAL GOVERNMENT BOOKLETS, HANDOUTS, AND SAFETY GUIDES FOR RESIDENTIAL PROPERTIES IN CALIFORNIA

The booklets listed below are prepared by governmental entities and are provided in the Buyer's copy of the printed Property I.D. report, or as links in the body of the original email sent by Property I.D. delivering the report electronically. The booklets contain important information about various topics including radon, mold, lead hazards, environmental hazards, earthquake safety, and energy conservation. You can obtain another copy of these important booklets for free by clicking on the links below, or by going to <http://www.propertyid.com/platinum/Download.asp>.

## **Home Energy Rating Guide**

[http://propertyid.com/platinum/Downloadables/Guides/energyrating\\_cec\\_bw.pdf](http://propertyid.com/platinum/Downloadables/Guides/energyrating_cec_bw.pdf)

## **California Homeowner's Guide to Earthquake Safety**

<http://www.propertyid.com/govbooklets/govbookletsearthquake.pdf>

## **Department of Health Services Residential Environmental Hazards**

<http://www.propertyid.com/govbooklets/govenviro.pdf>

## **EPA Lead in Your Home**

<http://www.propertyid.com/govbooklets/govbookletsleadinsert.pdf>

## **Department of Health Services Mold FAQ**

<http://www.propertyid.com/govbooklets/govbookletsmoldfaq.pdf>

## TERMS AND CONDITIONS

The Report is subject to each of the following Terms and Conditions. Each Recipient (as that term is defined below) of the Report hereby acknowledges and agrees that the Report is subject to the following Terms and Conditions, and each Recipient agrees to be bound by such Terms and Conditions. Use of this Report by any Recipient constitutes acceptance of the Terms and Conditions to the Report. The Terms and Conditions below are hereby incorporated by this reference into the Report. This Report is not an insurance policy.

The following persons or entities are deemed "Recipients" of this Report: (1) the seller of the real property that is the subject of the specific transaction for which this Report was issued; (2) that seller's agent and broker; (3) the buyer of the real property that is the subject of the specific transaction for which this Report was issued; (4) that buyer's agent and broker; and (5) the escrow officer and escrow company handling the specific transaction for which this Report was issued. This Report is for the exclusive use of the Recipients. No person or entity, other than the Recipients, shall be entitled to use or rely on the Report. This Report may not be used, referred to, or relied upon by any person or entity other than the Recipients. No person or entity, other than the Recipients, shall be deemed, treated, or considered to be a beneficiary (intended or otherwise) of this Report. Recipients are obligated to make disclosures that are within their actual knowledge. This Report has been issued in connection with a particular transaction for the sale of the real property described in the Report. The Report may only be used in connection with that particular transaction. If an escrow number has been provided to Property I.D., then this Report may only be used in connection with that particular escrow. The Report may not be used for any other transaction or escrow.

The Report may not be used, for any purpose, if the Recipients have not paid for the Report.

This Report is made for the real property specifically described in the Report (the "Subject Property"). The Subject Property shall not include any property beyond the boundaries of the real property described in the Report. The Subject Property shall not include any structures (whether located on the Subject Property, or not), easements, or any right, title, interest, estate, or easement in any abutting streets, roads, alleys, lanes, ways, or waterways.

No determination is made and no opinion is expressed, or intended, by this Report concerning the right, entitlement, or ability to develop or improve the Subject Property. Property I.D. has no information concerning whether the Subject Property can be developed or improved. Property I.D. expresses no opinion or view, and assumes no responsibility, with respect to the development or improvement of the Subject Property.

No determination is made and no opinion is expressed, or intended, by this Report as to title to the Subject Property. No determination is made and no opinion is expressed, or intended, by this Report concerning whether the Subject Property is comprised of legal lots in conformance with the California Subdivision Map Act or local ordinances.

No determination is made and no opinion is expressed, or intended, by this Report concerning architectural, structural, mechanical, engineering, or legal matters. No determination is made and no opinion is expressed, or intended, by this Report concerning structures or soils on or outside of the Subject Property, including, without limitation, habitability of structures or the Subject Property, suitability of the Subject Property for construction or improvement, potential for soil settlement, drainage, soil subsidence, or other soil or site conditions. No determination is made and no opinion is expressed, or intended, by this Report concerning the marketability or value of the Subject Property. Property I.D. has not conducted any testing of the Subject Property. Property I.D. has not conducted any physical or visual examination or inspection of the Subject Property. This Report is not a substitute for a physical or visual examination or inspection of the Subject Property. If detailed on-site information regarding geologic, environmental, engineering, planning, or other professional studies is desired, Property I.D. recommends that an appropriate qualified professional consultant be retained.

No determination is made and no opinion is expressed, or intended, by this Report concerning the existence of hazardous or toxic materials or substances, or any other defects, on or under the Subject Property, unless specifically described in the Report.

No determination is made and no opinion is expressed, or intended, by this Report concerning any condition of the Subject Property, unless that condition is specifically described in the Report. The Report is intended to address only those matters expressly described in the text of the Report. The Report is not intended to address any matter (either expressly or impliedly) not specifically described in the text of the Report.

This Report is issued as of the date identified in the Report. Property I.D. shall have no obligation to advise any Recipient of any information learned or obtained after the date of the Report even if such information would modify or otherwise affect the Report. Subsequent to Property I.D.'s acquisition of Government Records, changes may be made to said Government Records and Property I.D. is not responsible for advising the Recipients of any changes. Property I.D. will update this Report upon request and at no charge during the transaction process for which this Report was issued, but not to exceed one year from the date of the Report. Likewise, Property I.D. is not liable for any impact on the Subject Property that any change to the Government Records may have.

No determination is made and no opinion is expressed, or intended, by this Report concerning the need to purchase earthquake or flood insurance for the Subject Property. In preparing the Report, Property I.D. has accurately reported on information contained in Government Records. Property I.D. has reviewed and relied upon those Government Records specifically identified and described in the Report. Property I.D. has not reviewed or relied upon any Government Records that are not specifically identified in the Report. Property I.D. also has not reviewed any parcel maps, plat maps, survey maps, surveyor maps, assessor maps, assessor parcel maps, developer maps, or engineering maps, whether or not such maps have been recorded. No determination is made and no opinion is expressed, or intended, by the Report concerning any matters identified in Government Records that were not reviewed by Property I.D. If any Recipient has a question concerning the specific Government Records reviewed (or not reviewed) by Property I.D., then the Recipients should contact Property I.D.'s Customer Service Department at (800) 920-5603.

Mapped hazard zones may represent generalized hazard information. If the questionable edge of a hazard zone impacts any portion of the Property, the report will reflect that the Property is "IN" the zone. If the Property is situated in a condominium complex, planned unit development, or mobile home park and any portion of the common areas of the complex in which the Subject Property is located is situated in the specified hazard zone, "IN" will be reported even if the Subject Property/Unit/Lot which is the subject of the transaction for which this report was ordered is itself not in the specified hazard zone. When found in the hazard determination the terms "zone", "area", or "mapped" are words strictly defined as geographic locations delineated by specific boundaries identified in the maps and/or data prepared by the applicable governmental agency.

Property I.D. has relied upon the Government Records specifically identified in the Report without conducting an independent investigation of their accuracy. Property I.D. assumes no responsibility for the accuracy of the Government Records identified in the Report.

To the extent that any Recipient has provided information to Property I.D. (including, without limitation, a legal description of the Subject Property), Property I.D. has relied upon that information in preparing this Report. Property I.D. has not conducted an independent investigation of the accuracy of the information provided by the Recipient. Property I.D. assumes no responsibility for the accuracy of information provided by the Recipient. Property I.D. shall be subrogated to all rights of any claiming party against anyone including, but not limited to, another party who had actual knowledge of a matter and failed to disclose it to the Recipients in writing prior to the close of escrow.

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This Report constitutes the entire, integrated agreement between Property I.D. and Recipients, and supersedes and replaces all prior statements, representations, negotiations, and agreements.

If any provision of the Terms and Conditions to this Report is determined to be invalid or unenforceable for any reason, then such provision shall be treated as severed from the remainder of the Terms and Conditions, and shall not affect the validity and enforceability of all of the other provisions of the Terms and Conditions.

Any dispute, controversy, or claim arising out of, or relating in any way, to the Report, shall be resolved by arbitration in Los Angeles, California, in accordance with the arbitration rules of the Judicial Arbitration and Mediation Service ("JAMS"). The prevailing party in the arbitration shall be entitled to its attorneys' fees and costs, including, without limitation, the fees of the arbitrator.