

Make check payable to:



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## DEMAND

Order Number: 140115-00055  
Escrow Number:  
Demand Date: 1/15/2014

**Bill To:** **Amount Due: \$129.00**

ROGER A CLARK  
LIFESTYLE REAL ESTATE SERVICE  
4101 DUBLIN BLVD STE F  
DUBLIN, CA 94568-4603

Please include the Order Number on  
check to receive proper credit.

**THE LIABILITY PROVISIONS OF THE REPORT DO NOT APPLY UNTIL FULL PAYMENT IS RECEIVED**

### Ordering Party/Agent                      Escrow                      Order Details

ROGER A CLARK  
LIFESTYLE REAL ESTATE SERVICE  
4101 DUBLIN BLVD STE F  
DUBLIN, CA 94568-4603  
(925) 230-8375

Property Address:  
TURIAF RONNY M  
4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

Quantity	Description	Amount	Total
1	Premium	\$129.00	\$129.00

**Subtotal:** \$129.00  
**Paid:** \$0.00  
**Amount Due:** \$129.00

#### Important Ordering Agent Payment Instructions:

- When escrow opens for this transaction please do the following:
1. Fill out the escrow information above.
  2. Fax a copy of this demand to Disclosure Source at (800) 287-8673.
  3. Have this demand placed into the escrow file for payment.
  4. **Should the escrow we were instructed to bill not close, please forward this demand to the next escrow, and inform Disclosure Source of the new pertinent data.** Disclosure Source will provide the new escrow with an updated demand and a copy of the report.

**In the event demands are unpaid after closing, the Ordering Agent will be responsible for payment.**

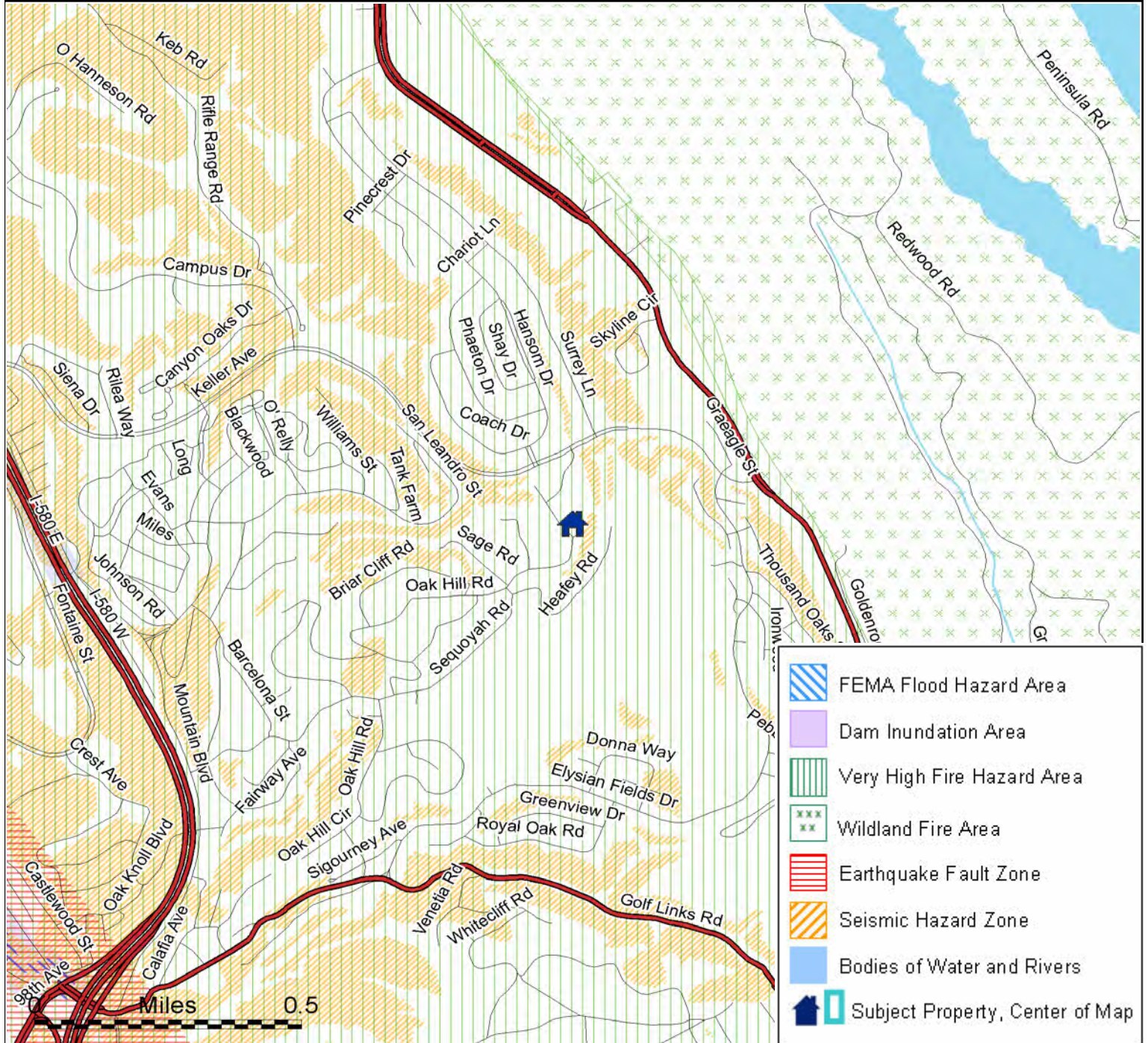
#### Escrow Instructions:

If the escrow documents are being transferred to a new escrow, please notify Disclosure Source Customer Service at (800) 880-9123 to update changes and transfer this demand along with the Disclosure Source Report to the new escrow. If the escrow fails to close, please notify the Disclosure Source Accounting Dept. at (800) 880-9123.

Property Address: 4650 SEQUOYAH RD  
 OAKLAND, CA 94605-4653  
 Parcel Number: 48-6818-8

Date: 1/15/2014  
 Order Number: 140115-00055

**Mandatory State Natural Hazard Disclosures**



- IS  IS NOT  Located in a FEMA Special Flood Hazard Area.
- IS  IS NOT  Located in a Dam Inundation Area.
- \* IS  IS NOT  Located in a Very High Fire Hazard Area.
- IS  IS NOT  Located in a Wildland Fire Area.
- IS  IS NOT  Located in an Alquist-Priolo Earthquake Fault Zone.
- IS  IS NOT  Located in a Seismic Hazard Area.

This map is for your aid in locating natural hazard areas in relation to the subject property described above. Please verify street address and/or assessor's parcel number for accuracy. The map is intended for informational purposes only. The company assumes no liability (express or implied) for any loss occurring by reference, misinterpretation, misuse, or sole reliance thereon. **This map is not intended for use as a substitute disclosure under California Civil Code § 1103.2**

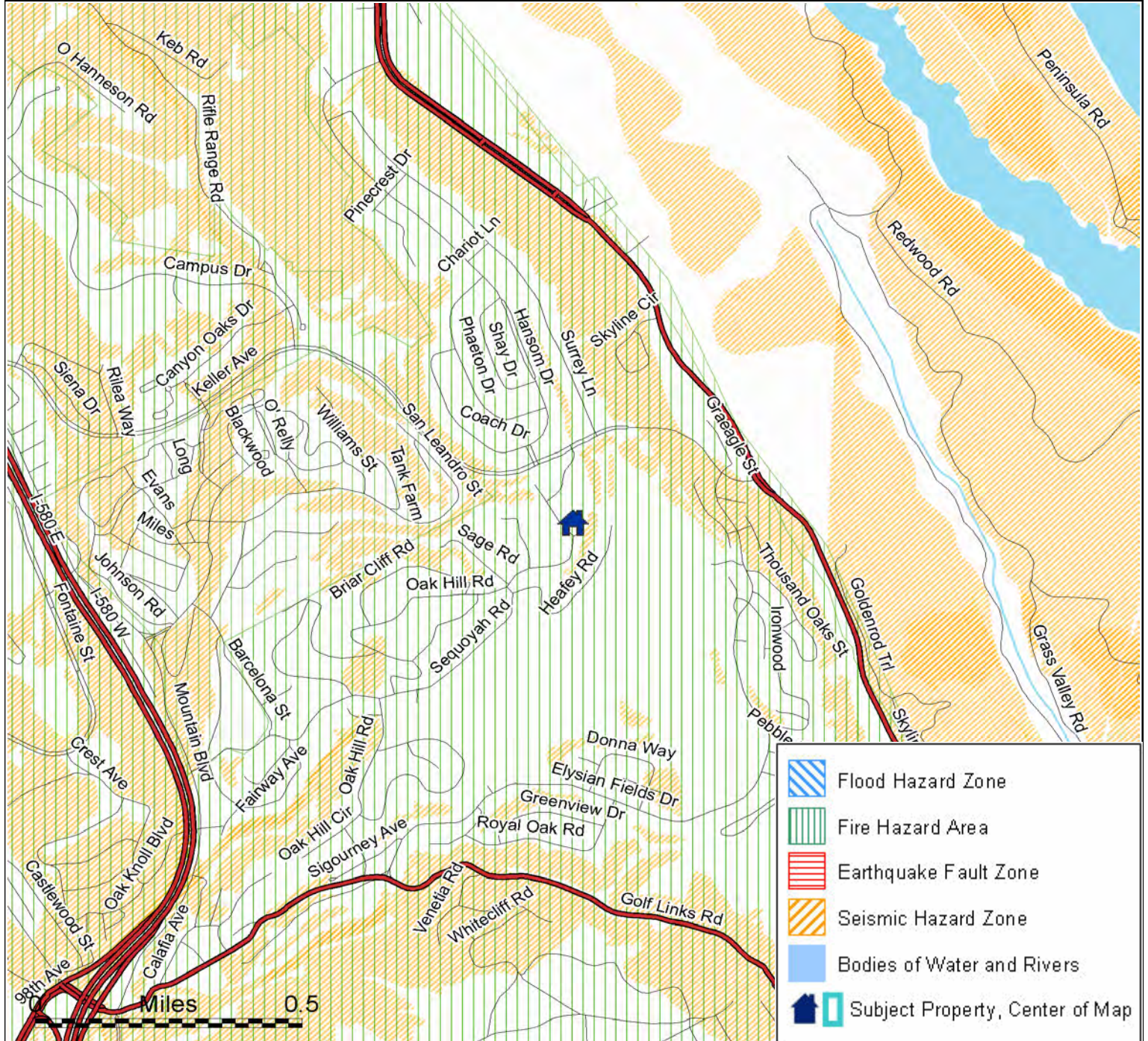
\* Please read the report for further information



Property Address: 4650 SEQUOYAH RD  
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**Local/Supplemental Natural Hazard Disclosures**



- IS  IS NOT  located in a Supplemental Flood Hazard Zone.
- \* IS  IS NOT  in a Supplemental Fire Hazard Zone.
- \* IS  IS NOT  in a Supplemental Fault Special Studies Zone.
- IS  IS NOT  in a Supplemental Seismic/Geologic Hazard Zone.

This map is for your aid in locating natural hazard areas in relation to the subject property described above. Please verify street address and/or assessor's parcel number for accuracy. The map is intended for informational purposes only. The company assumes no liability (express or implied) for any loss occurring by reference, misinterpretation, misuse, or sole reliance thereon. **This map is not intended for use as a substitute disclosure under California Civil Code § 1103.2**

\* Please read the report for further information



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**NATURAL HAZARD DISCLOSURE STATEMENT**

This statement applies to the following property: **4650 SEQUOYAH RD, OAKLAND, CA, 94605-4653 APN: 48-6818-8**

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

**THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):**

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

Yes \_\_\_\_\_ No **X** Do not know and information not available from local jurisdiction \_\_\_\_\_

AN AREA OF POTENTIAL FLOODING shown on a dam failure inundation map pursuant to Section 8589.5 of the Government Code.

Yes \_\_\_\_\_ No **X** Do not know and information not available from local jurisdiction \_\_\_\_\_

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

Yes **X** No \_\_\_\_\_

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.

Yes \_\_\_\_\_ No **X**

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

Yes \_\_\_\_\_ No **X**

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

Yes (Landslide Zone) \_\_\_\_\_ Yes (Liquefaction Zone) \_\_\_\_\_ No **X** 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. TRANSFEREE(S) AND TRANSFEROR(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

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

Signature of Transferor (Seller) \_\_\_\_\_ 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)  Date **1/15/2014**

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.

By signing below, the transferee(s), also acknowledge they have read and understand the additional disclosures, advisories, and disclaimers provided in this report including, but not limited to, supplemental natural hazards, toxic mold, methamphetamine contaminated property, Megan's law, flood insurance, energy efficiency standards, commercial/industrial zoning, airport influence area and airport proximity, Williamson Act, right to farm, mining operations, gas and hazardous liquid transmission pipelines, military ordnance location, habitat sensitivity area/endangered species, oil and gas wells, naturally occurring asbestos, radon, additional local disclosures, tax information, Mello-Roos and 1915 special tax and assessments notice, tax summary, notice of your supplemental property tax bill, transfer fee, environmental hazards, and links to download Governmental Guides referred to in the Report (additional signatures may be required):

1. "Residential Environmental Hazards: A Guide for Homeowners, Homebuyers, Landlords and Tenants";
2. "Protect Your Family From Lead In Your Home";
3. "Homeowners Guide to Earthquake Safety" and "Residential Earthquake Hazards Report" form; 4. "What is your Home Energy Rating?"

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

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

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

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THE RECIPIENT(S) SHOULD CAREFULLY READ THE EXPLANATION OF SERVICES, LIMITATIONS & DISCLAIMERS CONTAINED IN THIS REPORT.

**PAYMENT POLICY:** FULL PAYMENT FOR THIS REPORT IS DUE UPON CLOSE OF ESCROW. THE LIABILITY PROVISIONS OF THE REPORT DO NOT APPLY UNTIL FULL PAYMENT IS RECEIVED.

**CANCELLATION POLICY:** OUR REPORT CAN ONLY BE CANCELLED IF ESCROW IS CANCELLED, OR THE TRANSFEROR/SELLER TAKES THE PROPERTY OFF THE MARKET. SIGNED ESCROW CANCELLATION INSTRUCTIONS ARE REQUIRED.

## NATURAL HAZARD REFERENCE MAPS

	<b>Page</b>
Mandatory State Natural Hazard Disclosures	i
Local/Supplemental Natural Hazard Disclosures	ii

## NATURAL HAZARD DISCLOSURE STATEMENT

NHDS

### SECTION I: MANDATORY STATE NATURAL HAZARD DISCLOSURES

Special Flood Hazard Area (Any Type Zone "A" or "V") and Area of Potential Flooding	1
Very High Fire Hazard Severity and Wildland Area Forest Fire Risks Zones	1
Earthquake Fault and Seismic Hazard Zones	2

### SECTION II: LOCAL/SUPPLEMENTAL NATURAL HAZARD DISCLOSURES

Supplemental Flood and Supplemental Fire Hazards	3
Supplemental Earthquake Fault Hazard and Supplemental Seismic/Geologic Hazards	4

### SECTION III: ADDITIONAL DISCLOSURES AND ADVISORIES

Toxic Mold, Methamphetamine Contaminated Property, Megan's Law Notice	5
Flood Insurance Disclosure, Energy Efficiency Standards and Duct Sealing Requirements	6
Commercial/Industrial Zoning, Airport Influence Area and Airport Proximity	7
Williamson Act, Right to Farm Disclosure	8
Mining Operations Disclosure, Gas and Hazardous Liquid Transmission Pipelines Notice	9
San Francisco Bay Conservation and Development Commission Jurisdiction	10
Military Ordnance Location	11
Habitat Sensitivity Area/Endangered Species, Oil & Gas Wells Advisories	12
Naturally Occurring Asbestos, Radon Advisory	13

### SECTION IV: TAX INFORMATION

Notice of Special Tax and Assessment, Mello-Roos Communities Facilities District	14
Improvement Bond Act of 1915 Assessment District	15
Other Special Liens/Financing and Other Direct Assessments	16
Tax Summary	17
Future Taxes	19
Supplemental Property Tax Bill and Transfer Fee Disclosure	20
Supplemental Tax Worksheet	21
Property Tax Estimator Worksheet	22

### SECTION V: ENVIRONMENTAL INFORMATION

Site Distribution	23
Environmental Sites Map	24
Databases Researched	26

### SECTION VI: DISCLAIMERS

Explanation of Services, Conditions and Limitations - <b>Read Carefully</b>	31
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**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
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**SECTION I: MANDATORY STATE NATURAL HAZARD DISCLOSURES****SPECIAL FLOOD HAZARD AREA DETERMINATION**

Pursuant to federal law, The Federal Emergency Management Agency (FEMA) is required to identify and designate areas that are subject to flooding as part of the National Flood Insurance Program. A "Special Flood Hazard Area" as determined by FEMA is an area where all or a portion of the property has a 1% chance each year of being inundated by flood waters. If a property is located in a special flood hazard area, the cost and availability of flood insurance may be affected. Properties not located in a Special Flood Hazard Area are not relieved from the possibility of sustaining flood damage. A few areas are not covered by official Flood Insurance Rate maps. If information is not available, Disclosure Source recommends that the transferee contact the local jurisdiction's planning and building department to determine the potential for flooding at the subject property .

**Source(s) of data:** Government agencies and/or their appointed designate(s). Title 42 United States Code Section 4101

Based on a review of flood insurance map(s) published by the Director of the Federal Emergency Management Agency , the Subject Property:

IS  IS NOT located in a Special Flood Hazard Area  Do not know and information not available

**DAM INUNDATION / AREA OF POTENTIAL FLOODING DETERMINATION**

By this act, the California State Legislature intended to establish procedures for the emergency evacuation and control of populated area (s) near/below dams. Pursuant to Government Code Section 8589.4, The State of California Office of Emergency Services is required to review, approve and maintain copies of the maps that have been prepared and submitted to them by local governmental organizations, utilities or other owners of any dam in the state. The maps delineate areas of potential inundation and flooding that could result from a sudden, partial or total dam failure. Dams in many parts of the world have failed during significant earthquakes, causing flooding of those areas in the pathway of the released water. The actual risk of dam failure is not defined by the map(s). This legislation also requires, appropriate public safety agencies of any city, county, or territory of which is located in such an area, to adopt/implement adequate emergency procedures for the evacuation and control of populated areas near/below such dams.

**Source(s) of data:** Government agencies and/or their appointed designate(s). Government Code Section 8589.4 Et Seq.

Based on a review of the official map(s), available through The State of California Office of Emergency Services , the Subject Property:

IS  IS NOT located in a Dam Inundation Zone  Do not know and information not available

**VERY HIGH FIRE SEVERITY ZONE DETERMINATION**

The California Legislature has declared that space and structure defensibility is essential to diligent fire prevention. Further, the Director of Forestry and Fire Prevention has identified areas in the state as Very High Fire Hazard Severity Zones based on consistent statewide criteria, and based on the severity of fire hazard that is expected to prevail in those areas. Determining information includes, but is not limited to: Fuel loading, terrain (slope), fire weather conditions and other relevant factors.

**Source(s) of data:** Government agencies or their appointed designate(s). California Government Code Section 51178 and 51179

Based on a review of the official map(s) issued by the Director of Forestry and Fire Protection for the State of California, the Subject Property:

IS  IS NOT located in a Very High Fire Hazard Severity Zone

**STATE FIRE RESPONSIBILITY AREA / WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS DETERMINATION**

The State of California Department of Forestry and Fire Prevention designates State Fire Responsibility Areas (SRA). This means the California Department of Forestry bears the primary financial responsibility for the prevention and/or suppression of fires in these areas. A transferor of real property located within a SRA must disclose the fact that there may be a forest fire risk and hazard on the property, and the fact that the property owner may be subject to the imposition of fire mitigation measures as set forth in Public Resources Code Section 4291. However the degree of hazard is not indicated within the official State Fire Responsibility Area maps. It may range from Low to Very High. The State of California may collect an annual "fire prevention fee" from these owners. The collected monies will go toward a fund that will finance fire prevention activities benefiting these owners. The fee may vary and will be charged on each structure intended for human habitation. More information about this fee may be found at [http://www.firepreventionfee.org/sra\\_faqs.php](http://www.firepreventionfee.org/sra_faqs.php).

**Source(s) of data:** California Public Resources Code Section 4125

Based on a review of the official map(s) issued by the California Department of Forestry and Fire Protection, the Subject Property:

IS  IS NOT located in a State Fire Responsibility Area

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE DETERMINATION

Earthquake Fault Zone maps are delineated and compiled by the California State Geologist pursuant to the Alquist-Priolo Earthquake Fault Zoning Act. During an earthquake, structures located directly over fault zones (surface fault traces) could sustain damage as a result of a seismic event resulting from ground fault rupture (surface cracking). For the purposes of this report, an Earthquake Fault Zone is generally defined as an area approximately 1/4 mile in total width (1,320 feet) located along a known active earthquake fault. An "active" fault as defined by the State of California, Department of Conservation, Division of Mines and Geology is an earthquake fault that has produced ground surface displacement (ground surface rupture) within the last eleven thousand years.

**Source(s) of data:** State of California Department of Conservation Division of Mines and Geology. California Public Resources Code Section 2621 ET SEQ

Based on a review of the official Earthquake Fault Zone Map(s), issued by the California State Geologist the Subject Property:

IS  IS NOT located in an Alquist-Priolo Fault Zone

## SEISMIC HAZARD ZONE DETERMINATION

The intent of the Seismic Hazards Mapping Act of 1990 is to provide for a statewide seismic hazard mapping and technical advisory program to assist cities and counties in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction (failure of water-saturated soil), landslides and other seismic hazards caused by earthquakes. Under this act, The California Department of Conservation is mandated to identify and map the state's most prominent earthquake hazards. Information produced by these maps is utilized (in part) by cities and counties to regulate future development. Development/Construction permits may be withheld until adequate geologic or soils investigations are conducted for specific sites, and mitigation measures are incorporated into development plans.

**Source(s) of data:** California Public Resources Code Section 2696

Seismic Hazard Zone maps delineate areas subject to earthquake hazards. New development in a Seismic Hazard Zone is only permitted if it can be shown that mitigation makes the site acceptably safe. Maps are only available for limited areas now, but will eventually cover all of California.

Earthquake-Induced Landslide Hazard Zones are areas where there has been a recent landslide, or where the local slope, geological, geotechnical, and ground moisture conditions indicate a potential for landslides as a result of earthquake shaking. Landslides zones are described as areas in which masses of rock, soil or debris have been displaced down slope by flowing, sliding or falling. The severity of a landslide depends on the underlying geology, slope and soil in the area.

Liquefaction Hazard Zones are areas where there is a potential for, or an historic occurrence of liquefaction. Liquefaction is a liquid-like condition of soil which sometimes occurs during strong earthquake shaking where the groundwater is shallow and soils are loose and granular (sands for example). These factors can combine to produce liquefaction in localized areas. When liquefaction occurs the soil temporarily becomes liquid-like and structures may settle unevenly. This condition can cause lateral spreading of level ground, and ground failure and sliding on slopes. Liquefaction can cause structural damage under certain geologic conditions. The type of sedimentary deposit, penetration resistance, and depth to ground water are the key factors that govern an area's susceptibility to liquefaction.

Based on a review of the official map(s) issued by the State of California, Department of Conservation, Division of Mines and Geology, the Subject Property:

IS  IS NOT located in a Landslide Hazard Zone  Map not released by state

IS  IS NOT located in a Liquefaction Hazard Zone  Map not released by state

## GOVERNMENTAL GUIDES: "HOMEOWNER'S [COMMERCIAL PROPERTY OWNER'S] GUIDE TO EARTHQUAKE SAFETY"

PUBLISHED BY THE CALIFORNIA SEISMIC SAFETY COMMISSION CONTAINING IMPORTANT INFORMATION REGARDING EARTHQUAKE AND GEOLOGIC HAZARDS. THEY ARE AVAILABLE FOR DOWNLOAD AT [HTTPS://WWW.DISCLOSURESOURCE.COM/DOWNLOADS/QUAKE.ASPX](https://www.disclosuresource.com/downloads/quake.aspx)

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
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**SECTION II: LOCAL/SUPPLEMENTAL NATURAL HAZARD DISCLOSURES****NOTICE REGARDING SUPPLEMENTAL NATURAL HAZARDS DISCLOSURES**

The company is providing information on locally identified natural hazards set forth below as an additional service because their disclosure to purchasers is either required by ordinance or the information is readily available. The purpose of this document is to disclose whether the Subject Property lies within any of the hazard areas described below. The company has obtained maps that are both official and publicly available from city, county, state and federal sources which supplement the natural hazard information required by the California Civil Code 1103. The company has only reviewed maps that are available in a usable format and at an appropriate scale to delineate where hazards may exist on a single parcel basis. Disclosure Source recommends that the transferee contact the local building and planning departments to help ascertain what, if any, special requirements there might be for construction or renovation, and building code requirements for this property. The foregoing statement should be considered a part of the Explanation of Services, Limitations & Disclaimers of this Disclosure Report and those Limitations and Disclaimers apply to this Statement. Please refer to them for further information.

**SUPPLEMENTAL FLOOD HAZARD DISCLOSURE**

Supplemental flood zones include information in addition to, or different from, the areas mapped on Flood Insurance Rate Maps by the Federal Emergency Management Agency or Dam Inundation zones as reported by the California State Office of Emergency Services. These can include tsunamis, seiches (inland lake tsunamis), runoff hazards, historical flood data and additional dike failure hazards.

If a portion or all of the property is located within one of these hazard areas, the lending institution may require flood insurance. Disclosure Source recommends that the transferee: 1) contact the lending institution to ascertain any additional requirements for flood insurance, 2) contact the insurance company to ascertain the availability and cost of the flood insurance.

Based on the maps acquired and reviewed by the company, the subject property:

IS  IS NOT located in a supplemental Flood Hazard Zone  Do not know OR information is not available

**ADDITIONAL INFORMATION:**

NONE

**SUPPLEMENTAL FIRE HAZARD DISCLOSURE**

Local agencies may, at their discretion, include or exclude certain areas from the requirements of California Government Code Section 51182 (imposition of fire prevention measures on property owners), following a finding supported by substantial evidence in the record that the requirements of Section 51182 either are, or are not adequate or necessary for effective fire protection within the area. Any additions to these maps that the company has been able to identify and substantiate are included in this search.

There may be maps of other substantial fire hazards such as brush fires that are not subject to Section 51182. We have included these maps in this search. The State required fire hazard disclosures only indicate areas of extremely high risk.

Fire hazard zones disclosed here are areas which contain the condition and type of topography, weather, vegetation and structure density to increase the susceptibility to fires. In these areas, the City or County may impose strategies to enforce fire mitigation measures, including fire or fuel breaks, brush clearance, and fuel load management measures. For example, emphasis on roof type and fire-resistive materials may be necessary for new construction or roof replacement. In addition, other fire defense improvements may be demanded, including special weed abatement, brush management, and minimum clearance around structures. In most cases, if the Property is in a Fire Hazard Area, insurance rates may be affected.

Based on the maps acquired and reviewed by the company, the subject property:

IS  IS NOT located in a supplemental Fire Hazard Zone  Do not know OR information is not available

**ADDITIONAL INFORMATION:**

In an area of Very High Potential for Fire Hazard.  
In a Fire Hazard Zone.



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**Date:** 1/15/2014  
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---

**SUPPLEMENTAL EARTHQUAKE FAULT HAZARD DISCLOSURE**

Many local jurisdictions have different or higher standards than the state for the identification of earthquake faults. These jurisdictions have created their own maps which indicate the active faults according to these standards. Some jurisdictions also recommend or require the disclosure of potentially active faults. We have included both types of maps in our search.

Many cities and counties require geologic studies before any significant construction if the subject property is in or near an earthquake fault zone known to them and certain types of construction may be restricted in these areas. We have included official and publicly available maps indicating earthquake faults known by these jurisdictions. In some cases the company has used the description of an Earthquake Fault Zone established by the Alquist-Priolo Earthquake Fault Zone Act of approximately 1,320 feet wide to define a supplemental Fault Hazard Zone.

Based on the maps acquired and reviewed by the company, the subject property:

IS  IS NOT located in a supplemental Fault Hazard Zone  Do not know OR information is not available

**ADDITIONAL INFORMATION:**  
NONE

**SUPPLEMENTAL SEISMIC/GEOLOGIC HAZARD DISCLOSURE**

The California Division of Mines and Geology (DMG) has not completed the project assigned by Section 2696 of the California Public Resources Code to identify areas of potential seismic hazard within the State of California. The DMG and the US Geologic Survey (USGS) have performed many valuable studies that supplement the Section 2696 maps and fill in many missing areas. These maps are included in this search. Also included in this search are maps that indicate many hazards that may or may not be seismically related, including, but not limited to, liquefaction, landslides, debris flows, mudslides, coastal cliff instability, volcanic hazards and avalanches. A number of various geologic factors may influence the types of geologic hazards present: rainfall amounts, removal of vegetation, erosion, seismic activity, or even human activity. The severity of a geologic hazard depends on the underlying geology, slope, proximity to earthquake faults, and soil type in the area. Many cities and counties require geologic studies before any significant construction if the subject property is in or near a geologic hazard known to them and certain types of construction may be prohibited.

Based on the maps acquired and reviewed by the company, the subject property:

IS  IS NOT located in a supplemental Geologic Hazard Zone  Do not know OR information is not available

**ADDITIONAL INFORMATION:**  
NONE

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
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**Date:** 1/15/2014  
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## SECTION III: ADDITIONAL DISCLOSURES AND ADVISORIES

### TOXIC MOLD DISCLOSURE (PURSUANT TO THE "TOXIC MOLD PROTECTION ACT OF 2001")

The seller, transferor, or lessor of residential, commercial or industrial property; or a public entity that owns, leases, or operates a building should provide a written disclosure to prospective purchasers, prospective tenants, renters, or occupants if the seller, transferor, lessor or public entity has knowledge of mold conditions or in specified instances has reasonable cause to believe, that mold (visible or hidden) that exceeds permissible exposure limits is present that affects the unit or building. The State Department of Health Services is designated as the lead agency for identifying, adopting, and determining permissible exposure limits to mold in indoor environments, mold identification and remediation efforts.

#### PUBLICATIONS PROVIDING INFORMATION ON TOXIC MOLD AVAILABLE ON THE INTERNET:

- Molds, Toxic Molds, and Indoor Air Quality
- Mold in My Home: What Do I Do?
- Stachybotrys Chartarum (atra) - A mold that may be found in water-damaged homes
- Fungi - and Indoor Air Quality
- Health Effects of Toxin-Producing Molds In California
- Mold Remediation in Schools and Commercial Buildings
- Biological Pollutants in Your Home

[www.library.ca.gov/crb/01/notes/v8n1.pdf](http://www.library.ca.gov/crb/01/notes/v8n1.pdf); [www.cdph.ca.gov/programs/IAQ/Pages/IndoorMold.aspx](http://www.cdph.ca.gov/programs/IAQ/Pages/IndoorMold.aspx); [www.ehib.org/topic.jsp?topic\\_key=15](http://www.ehib.org/topic.jsp?topic_key=15)  
[www.cpsc.gov/en/Safety-Education/Safety-Guides/Home/Biological-Pollutants-in-Your-Home/](http://www.cpsc.gov/en/Safety-Education/Safety-Guides/Home/Biological-Pollutants-in-Your-Home/)  
[www.cal-iaq.org/separator/mold-and-dampness/about-mold](http://www.cal-iaq.org/separator/mold-and-dampness/about-mold); [www.epa.gov/mold/](http://www.epa.gov/mold/)

### METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE

California law (Health and Safety Code Section 25400.28) requires property owners to notify prospective buyers in writing of any pending order that would prevent the use or occupancy of a property because of methamphetamine laboratory activity, and to provide the prospective buyer with a copy of the pending order. Receipt of a copy of the pending order shall be acknowledged in writing by the prospective buyer.

The "Methamphetamine Contaminated Property Cleanup Act of 2005," chapter 6.9.1 specifies human occupancy standards for property that is subject to the act. These standards will be replaced by any that are devised by the Department of Toxic Substances Control, in consultation with the Office of Environmental Substances Control. In addition, this Act outlines procedures for local authorities in dealing with methamphetamine contaminated properties, including the use of a property lien. This disclosure is meant to inform prospective buyers of California disclosure law regarding meth lab activity, and does not indicate or imply that a particular property is or has been contaminated according to this law.

### REGISTERED SEX OFFENDER DATABASE NOTICE ALSO KNOWN AS "MEGAN'S LAW"

For more than 50 years, California has required sex offenders to register with their local law enforcement agencies. However, information on the whereabouts of these sex offenders was not available to the public until the implementation of the Child Molester Identification Line in July 1995. The information available was further expanded by California's Megan's Law in 1996 (Chapter 908, Stats. of 1996).

Section 2079.10a of the California Civil Code specifies notice be provided to transferee(s) of real property of the existence of a registered sex offender database:

Notice: Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.

The public, excluding those who have registered as sex offenders pursuant to Section 290 of the Penal Code, may search this database by a sex offender's specific name, obtain ZIP Code and city/county listings, obtain detailed personal profile information on each registrant, and use the map application to search a neighborhood or anywhere throughout the State to determine the specific location of any of those registrants on whom the law allows the State of California to display a home address.

In addition, the public may also contact the California Department of Justice, Sex Offender Tracking Program, for information on making an inquiry with the Department concerning at least six individuals as to whether any are required to register as a sex offender and subject to public notification. A fee is assessed for such inquiries, which will be deposited into the Sexual Predator Public Information Account within the Department of Justice. The contact number for the Sex Offender Tracking Program is (916) 227-4974.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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**FLOOD INSURANCE DISCLOSURE**

Floods can have a devastating effect on communities, causing loss of life, property damage, and loss of income, and can have an adverse effect on government functioning. As such, the federal government has designed measures that are intended to aid disaster assistance by encouraging insurance coverage for those properties in flood disaster areas.

In addition to the flood disclosure in the Natural Hazard Disclosure Statement, Federal law {U.S. Code Title 42, Chapter 68, subchapter III, § 5154a(b)(1)} requires a transferor, no later than the date on which a property is to be transferred, to notify a transferee of the requirement to purchase and maintain flood insurance, if disaster relief assistance (including a loan assistance payment) has been previously provided on that property and such assistance was conditioned on obtaining flood insurance according to Federal law. If a transferee fails to obtain and maintain flood insurance on a property disclosed to have been in a previous federal disaster area and that received disaster relief assistance, then no Federal disaster relief assistance will be made available should that property subsequently be in a flood disaster area. If a transferor fails to notify a transferee of the requirement to purchase and maintain flood insurance because of said property's inclusion in a Federal disaster area and Federal disaster relief assistance was received for that property, and the transferee does not obtain and maintain flood insurance, then should that property be damaged by a flood disaster and receive Federal disaster relief assistance, the transferor will be required to reimburse the Federal Government for the amount of that assistance for that property.

State law (SBX1 7, Chaptered October 10, 1995) also prohibits "state disaster assistance from being provided to a person required to maintain flood insurance by state or federal law, who has canceled or failed to maintain that coverage."

The information contained here is not intended to indicate whether a property has been in a Federal disaster area and has received Federal disaster relief assistance, but merely to indicate an additional flood insurance disclosure requirement related to future disaster relief assistance availability.

**ENERGY EFFICIENCY STANDARDS AND DUCT SEALING REQUIREMENTS DISCLOSURE**

The Energy Policy and Conservation Act directs the Department of Energy (DOE) to establish minimum efficiency standards for various products, including central air conditioners and heat pumps. The DOE has amended the energy conservation standards for residential central air conditioners and heat pumps manufactured for sale in the United States. As of January 23, 2006, these products are required to be manufactured with an energy rating of 13 SEER (SEER, Seasonal Energy Efficiency Ratio, is the measurement of energy efficiency for the cooling performance of central air conditioners and heat pumps). This amended SEER rating is 30 percent more efficient than 10 SEER, the previous standard. This new standard applies to split system air conditioners and heat pumps and small duct, high velocity systems manufactured after January 23, 2006. Products manufactured prior to this date with a SEER rating of less than 13 may still be sold and installed. Homeowners are not required to replace or upgrade existing central air conditioning units or heat pumps to comply with the new standards. Disclosure Source recommends that the potential transferee of the subject property verify the SEER rating of the central air conditioning or heat pump system through a professional such as a home inspector or through the California Home Energy Efficiency Rating Services. This agency, a home energy rating provider, is a non-profit organization that promotes energy efficiency through comprehensive analyses of homes. Additional information may be found at [http://www.eere.energy.gov/buildings/appliance\\_standards/residential/central\\_ac\\_hp.html](http://www.eere.energy.gov/buildings/appliance_standards/residential/central_ac_hp.html) or at [www.cheers.org](http://www.cheers.org)

The California Energy Commission outlines the new duct sealing requirements in a letter to homeowners, which states:

"Beginning October 1, 2005, you must have your home's ducts tested for leaks when you have a central air conditioner or furnace installed or replaced. Ducts that leak 15 percent or more must be repaired to reduce the leaks. After your contractor tests and fixes the ducts, you choose whether to have an approved third-party field verifier check to make sure the duct testing and sealing was done properly or to have your house included in a random sample where one in seven duct systems are checked. Duct sealing is not required in the following situations: 1) when homes are in specific coastal climates; 2) when systems have less than 40 feet of ductwork in unconditioned spaces like attics, garages, crawlspaces, basements or outside the building, or 3) when ducts are constructed, insulated or sealed with asbestos. There also are specific alternatives that allow high efficiency equipment and added duct insulation to be installed instead of fixing duct leaks. You also should know that any contractor failing to obtain a required building permit and failing to test and repair your ducts is violating the law and exposing you to additional costs and liability. Real estate law requires you to disclose to potential buyers and appraisers whether or not you obtained required permits for work done on your house. If you do not obtain a permit, you may be required to bring your home into compliance with code requirements for that work and you may have to pay penalty permit fees and fines prior to selling your home."

According to the California Energy Commission, these duct sealing requirements apply when the following are replaced: the air handler, the outdoor condensing unit of a split system air conditioner or heat pump, the cooling or heating coil, or the furnace heat exchanger.

More information may be found at [www.energy.ca.gov/title24/2005standards/changeout](http://www.energy.ca.gov/title24/2005standards/changeout).

Several cities and counties have adopted more stringent building energy standards. You can find a list of the cities and counties and a link to the modified standards on The California Energy Commission's Local Ordinances page:

[http://www.energy.ca.gov/title24/2005standards/ordinances\\_exceeding\\_2005\\_building\\_standards.html](http://www.energy.ca.gov/title24/2005standards/ordinances_exceeding_2005_building_standards.html)

<http://www.energy.ca.gov/title24/2008standards/ordinances/index.html>

Based on climate zone maps issued by the California Energy Commission, the subject property:

IS  IS NOT located in a designated climate zone in which properties are subject to duct sealing and testing requirements set forth by the California Energy Commission.

**GOVERNMENTAL GUIDE: "WHAT IS YOUR HOME ENERGY RATING?"**

**PUBLISHED BY THE CALIFORNIA ENERGY COMMISSION CONTAINING IMPORTANT INFORMATION REGARDING THE CALIFORNIA HOME ENERGY RATING SYSTEM (HERS) PROGRAM. IT IS AVAILABLE FOR DOWNLOAD AT**

**[HTTPS://WWW.DISCLOSURESOURCE.COM/DOWNLOADS\\_HOMEENERGYRATING.ASPX](https://www.disclosuresource.com/downloads/homeenergyrating.aspx)**



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## COMMERCIAL / INDUSTRIAL ZONING DISCLOSURE

Pursuant to California Civil Code Section §1102.17, the transferor of residential real property subject to this article who has actual knowledge that the property is adjacent to, or zoned to allow, an industrial use described in Section 731a of the Code of Civil Procedure, or affected by a nuisance created by such a use, shall give written notice of that knowledge as soon as practicable before transfer of title.

Additional Source Information: California Code of Civil Procedure Section §731a.

"Whenever any city, city and county, or county shall have established zones or districts under authority of law wherein certain manufacturing or commercial or airport uses are expressly permitted, except in an action to abate a public nuisance brought in the name of the people of the State of California, no person or persons, firm or corporation shall be enjoined or restrained by the injunctive process from the reasonable and necessary operation in any such industrial or commercial zone or airport of any use expressly permitted therein, nor shall such use be deemed a nuisance without evidence of the employment of unnecessary and injurious methods of operation. Nothing in this act shall be deemed to apply to the regulation and working hours of canneries, fertilizing plants, refineries and other similar establishments whose operation may produce offensive odors."

Based on the county tax assessment roles, the company reports the following information affecting this property :

IS  IS NOT located within one mile of a property zoned for commercial or industrial use.

## AIRPORT INFLUENCE AREA DISCLOSURE

Section 1103.4 of the California Civil Code requires notice if a property is encompassed within an airport influence area. According to Section 11010 of the Business and Professions Code, an airport influence area is defined as "an area in which current or future airport related noise, overflight, safety or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses." Where publicly available at the time of the report, Disclosure Source has utilized airport influence area maps from county Airport Land Use Commissions (ALUC). Airport influence area maps can be found within a county Airport Land Use Comprehensive Plan, available to the public through most county planning departments. Some airports have not published influence area maps and the property may still be subject to some of the annoyances or inconveniences associated with proximity to airport operations.

According to airport influence maps available, the subject property:

IS  IS NOT located in a mapped airport influence area.

If the subject property is located in an airport influence area, the following statement applies - NOTICE OF AIRPORT IN VICINITY This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, 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.

## AIRPORT PROXIMITY DISCLOSURE

California Civil Code §1102.17 states: "The seller of residential real property subject to this article who has actual knowledge that the property is adjacent to, or zoned to allow, an industrial use described in Section 731a of the Code of Civil Procedure, or affected by a nuisance created by such a use, shall give written notice of that knowledge as soon as practicable before transfer of title."

Industrial use identified in Section 731a includes but is not limited to airport uses. Aircraft landing facilities disclosed herein consists of those owned by the United States Federal Government (Military aviation), public and privately owned civil and commercial aviation facilities; except private landing facilities (restricted public access), glider ports, and facilities that have not been assigned a current location identifier by the Federal Aviation Administration (FAA).

According to information available from the FAA the company reports the following aircraft landing facilities within the estimated distance of the subject property. The calculated distance can be dependent upon the size of the airport influence area, if any.

ID#	FACILITY NAME	TYPE	DISTANCE
55CA	NAVAL HOSPITAL	HELIPORT	0.89 miles

For further information regarding any of the public aircraft landing facilities identified within this disclosure, please contact the following agency:

**Western Pacific Region Airports Division, 15000 Aviation Blvd, #3012, Lawndale, CA 90261, (310) 725-3600**

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

**CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT DISCLOSURE**

The purpose of the California Land Conservation Act of 1965 (Williamson Act) is to allow local governments and private landowners to enter voluntarily into contracts to restrict the use of parcels of land of no less than 100 acres to agricultural and open space use. The landowner receives compensation for the land use restrictions in the form of reduced property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

A Williamson Act contract is initially for a minimum term of ten years but local jurisdictions have the option to increase the initial term up to twenty years. Williamson Act contracts run with the land and are binding on all subsequent landowners. The contract is automatically extended by one year after the tenth and subsequent years unless a request for non-renewal is filed by either party. A request for non-renewal begins a 9 year term during which the tax assessments gradually increase to the full fair market value at which time the contract is terminated. The use of the property will then be controlled by the local jurisdiction's use and zoning laws.

Williamson Act contracts can be canceled only by the landowner's petition; however the minimum penalty for canceling a contract is 12.5 percent of the unrestricted, fair market value of the property. To approve a tentative contract cancellation, a county or city must make specific findings that are supported by substantial evidence. The existence of an opportunity for another use of the property or the uneconomic character of an existing agricultural use shall not, by itself, be a sufficient reason to cancel a contract.

There are penalties for breach of a contract, caused by the owner intentionally using the land for other than agriculture or making the land unusable for the contracted purposes. The penalties for breach of contract are as much as 25% of the unrestricted fair market value of the land rendered incompatible, plus 25% of the value of any building and any related improvements on the contracted land that cause the breach of contract. If a local jurisdiction allows a contract to be canceled and the State determines that there is a breach of contract, the penalties may be reduced, but not to less than 12.5% of the value of the land.

Contact the planning department to obtain information on requirements for entering into a Williamson Act contract and the uses allowed. Local government uniform rules and the specific Williamson Act contract can be more restrictive than the Williamson Act Government Code provisions.

Disclosure Source obtains maps from the California Department of Conservation on a quarterly basis. The county assessor's office also maintains information on parcels affected by the Williamson Act. For more information contact the Department of Conservation, Division of Land Resource Protection at 916-324-0850 or visit its website <http://www.conservation.ca.gov/dlrp/lca>.

According to available maps from The California Department of Conservation, the subject property:

IS.  IS NOT in a Williamson Act Zone as depicted on the map.

**RIGHT TO FARM DISCLOSURE**

California Civil Code section 1103.4 requires notice if a property is presently located within one mile of a parcel of real property designated as "Prime Farmland," "Farmland of Statewide Importance," "Unique Farmland," "Farmland of Local Importance," or "Grazing Land" on the most current county-level GIS "Important Farmland Map" issued by the California Department of Conservation, Division of Land Resource Protection, and if so, accompanied by the following notice:

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

According to the current county-level GIS "Important Farmland Map," issued by the California Department of Conservation, Division of Land Resource Protection, the subject property:

IS  IS NOT located within one mile of a farm or ranch land.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

**MINING OPERATIONS DISCLOSURE**

The California Department of Conservation, Office of Mine Reclamation, maintains a database of information submitted annually by mine operators in the State. Section 1103.4 of the California Civil Code requires notice if a property is within one mile of a mine operation for which the mine owner or operator has reported map coordinate data to the Office of Mine Reclamation, pursuant to Section 2207 of the Public Resources Code. Not all mine operators have provided map coordinate data to the Department.

According to the database maintained by the California Department of Conservation, Office of Mine Reclamation, the subject property:

IS  IS NOT located within one mile of a mine operation.

If the subject property is within one mile of a mine, the following statement applies - NOTICE OF MINING OPERATIONS:

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

In addition to active mines, California's landscape contains tens of thousands of abandoned mine sites. Many of these mines were immediately abandoned when insufficient minerals were found or when poor economics of the commodity made mining unprofitable. It is estimated that the majority of abandoned mines possess serious physical safety hazards, such as open shafts or adits (mine tunnel), while many others pose environmental hazards. Thousands of sites have the potential to contaminate surface water, groundwater, or air quality. Some are such massive problems as to earn a spot on the Federal Superfund list.

In the interest of environmental and public health and safety, the Department of Conservation (DOC) undertook a three-year effort to determine "the magnitude and scope of the abandoned mine problem in California." An inventory of abandoned mines was accomplished, culminating in a report to the Governor and Legislature. Prior to that effort, the number of abandoned mines reported was based solely on legacy databases and ranged from a low of 7,000 to a high of 20,000 abandoned mines. The DOC shows there are more than 47,000 abandoned mines statewide.

The reports, maps, and additional information on abandoned mines are available at the California Department of Conservation, Office of Mine Reclamation [http://www.conservation.ca.gov/OMR/abandoned\\_mine\\_lands/](http://www.conservation.ca.gov/OMR/abandoned_mine_lands/). The State of California, Department of Conservation makes no warranty, express or implied, as to the accuracy of these data or the suitability of the data for any particular use. Distribution of these data is intended for informational purposes and should not be considered authoritative or relied upon for navigation, engineering, legal, or other site-specific uses, including but not limited to the obligations of transferees of real property and their disclosure obligations under California law.

Parties with concerns about the existence or impact of abandoned mines in the vicinity of the property should contact the State Office of Mine Reclamation at: <http://www.conservation.ca.gov/OMR> and/or the local Engineering, Planning or Building Departments in the county where the property is located.

**GAS AND HAZARDOUS LIQUID TRANSMISSION PIPELINES NOTICE**

The following notice is provided to the transferee(s) of real property regarding information about the general location of gas and hazardous liquid transmission 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 .

Gas and hazardous liquid pipelines of any size pose a potential risk to life, property and the environment if damaged or punctured. In addition, precise locations of larger gas transmission pipelines are restricted by Federal Homeland Security policies. Additional information relating to other types and sizes of pipelines and other underground utility infrastructures may be available from local pipeline operators such as:

PG&E: <http://www.pge.com/pipelineplanning/>, San Diego Gas & Electric: <http://sdge.com/safety/gas-safety/natural-gas-safety-map>, Sacramento Municipal Utilities District: <https://www.smud.org/en/residential/education-safety/natural-gas-pipelines/natural-gas-pipeline-map.htm>, Southern California Gas: <http://www.socalgas.com/safety/pipeline-maps/>. You may want to contact your local utility provider if they are not listed above .

You should also review your Preliminary Title Report for pipelines right-of-way (easements) and further investigate information about pipelines by contacting the owner or operator responsible for the pipelines, consider what factors, if any, are associated with the property's proximity to pipelines, and determine whether the information you receive is acceptable before you purchase. No excavation work should be done before contacting the One-Call Center ( 811).



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## **SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION JURISDICTION**

Concern for the future of San Francisco Bay prompted the California Legislature to create the San Francisco Bay Conservation and Development Commission (BCDC) in 1965. This 27-member commission is made up of appointees from various local governments and state and federal agencies.

California Civil Code Section 1103.4 Et Seq. requires transferors and/or their agent(s) to disclose to prospective transferees written notice if the property is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission, and if so, accompanied by the following notice:

### Notice of San Francisco Bay Conservation and Development Commission Jurisdiction

This property is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission. Use and development of property within the commission's jurisdiction may be subject to special regulations, restrictions, and permit requirements. You may wish to investigate and determine whether they are acceptable to you and your intended use of the property before you complete your transaction.

The BCDC specifically notes that there are no official maps that outline the jurisdiction of the BCDC, including those maps in the San Francisco Bay Plan or other BCDC documents. According to the BCDC website:

The Commission's jurisdiction is legally delineated by California statute and is determined and implemented only by the Commission's review of applications, projects, and violations, on a case-by-case basis. Therefore, you must contact the Commission in order to determine if a project falls within its jurisdiction.

Thus, although information is available on the BCDC website at [www.bcdc.ca.gov](http://www.bcdc.ca.gov), the BCDC is stating that such information should not be relied upon for jurisdiction questions. Furthermore, THE INFORMATION PRESENTED HERE IS NOT TO BE RELIED UPON TO DETERMINE IF A PROPERTY IS WITHIN BCDC JURISDICTION, AND THE ACCOMPANYING NOTICE OF INCLUSION IN BCDC JURISDICTION, IF SO LOCATED, IS NOT INCLUDED IN INFORMATION PROVIDED BY THE COMPANY.

IN ORDER TO OBTAIN THE CASE-BY-CASE INFORMATION REGARDING WHETHER THE SUBJECT PROPERTY IS WITHIN THE BCDC'S JURISDICTION, YOU SHOULD CONTACT THE BCDC DIRECTLY. THE TELEPHONE NUMBER FOR THE BCDC IS (415) 352-3600.

The responsibilities of the BCDC include regulating all filling and dredging in the Bay and the Bay system, including sloughs and certain creeks and tributaries, as well as salt ponds and other areas diked-off from the Bay; protection of the Suisun Marsh; regulating development near the Bay; overseeing shoreline usage; and working in conjunction with state and federal activities for effective protection and use of the Bay.

According to the Commission website, it should be contacted for projects involving any kind of fill, extraction of materials, development, redevelopment, repair, dredging, or change in use in any area subject to tidal action in or around San Francisco Bay, South San Francisco Bay, San Pablo Bay, Suisun Marsh, and the Carquinez Strait, including all tidal sloughs, wetlands, creeks and rivers, marshlands, salt ponds, managed wetlands, the shoreline band, and the Priority Use Areas described in the Bay Plan.

Projects in these areas may require a permit according to State law, and violations of State law may result in civil and criminal penalties.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## MILITARY ORDNANCE LOCATION DISCLOSURE

California Civil Code Section §1102.15 states "The seller of residential real property subject to this article who has actual knowledge of any former federal or state ordnance locations within the neighborhood area shall give written notice of that knowledge as soon as practicable before transfer of title."

For purposes of this section, "former federal or state ordnance locations" means an area identified by an agency or instrumentality of the federal or state government as an area once used for military training purposes, which may contain potentially explosive munitions. "Neighborhood area" means within one mile of the residential real property.

### IMPORTANT NOTE:

This Military Ordnance Location disclosure was obtained through the U.S. Army Corps of Engineers (USACE) database of known Formerly Used Defense Sites in the state of California. The information provided herein represents publicly available information of Formerly Used Defense Sites known to contain hazards. The U.S. Army Corps of Engineers has not provided public updates on these sites due to national security concerns.

FORMER FEDERAL / STATE ORDNANCE LOCATIONS WITHIN YOUR COUNTY ARE DESCRIBED AS FOLLOWS:

<b>Site Name</b>	<b>USACE Site Reference Location</b>	<b>Site Number</b>
Lake Chabot Machine Gun Range	CASTRO VALLEY	J09CA1017
Livermore Gunnery Range	LIVERMORE	J09CA7296
Oakland Municipal Airport	OAKLAND	J09CA0887

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

## HABITAT SENSITIVITY AREA / ENDANGERED SPECIES ADVISORY

The California Endangered Species Act, Fish and Game Code, section 2051, states that there are certain species of fish, wildlife and plants that are in danger of, or threatened with, extinction because their habitats are being threatened, destroyed or adversely modified. The main provisions of this act generally parallel that of the Federal Endangered Species Act, as amended.

Legislation declares that landowner cooperation is essential for conservation on those lands that have been identified as a habitat for endangered or threatened species. According to Section 2052.1 of the Fish and Game Code, if a person needs to address mitigation measures in relation to a particular impact on a threatened species, then those measures will be roughly proportional to the impact that the person has on those species. The required measures will be capable of successful implementation, and will maintain the person's objectives as much as possible in relation to section codes .

Disclosure Source recommends the transferee contact the California Department of Fish & Game to ascertain what, if any, considerations might be involved as a result of being in or nearby habitat sensitive areas. For further information regarding the habitat sensitive areas and/or endangered species, please contact the Dept. of Fish & Game at 916-322-2493, or at [www.dfg.ca.gov](http://www.dfg.ca.gov). Disclosure Source also recommends that the transferee contact the local planning department for additional information.

## OIL & GAS WELLS ADVISORY

California's oil and gas production has been in decline since the 1980's and wells, many of which were drilled at the turn of the past century, have been shut down or improperly abandoned. Such wells are often found when they begin to leak oil, natural gas, or water. To protect the environment, the wells must be properly abandoned, an activity financed with monies from the Hazardous and Idle-Deserted Well Abandonment Fund. The California Division of Oil and Gas was mandated to administer the program to abandon or remedy improperly abandoned wells so that dangers to life, health, and natural resources are eliminated. Residential construction in the past several years has expanded into areas where wells were once active. Health and safety hazards may be associated with oil and gas wells including those that have been capped or active, or abandoned, including, but not limited to, soil and ground water contamination, oil and methane seeps, fire hazards, air quality problems, and physical safety hazards to humans and animals. New construction may also be restricted in the vicinity of wells. The Division of Oil, Gas, and Geothermal Resources prepares maps for the State of California. The maps are updated regularly and some maps may be downloaded at <http://maps.conservation.ca.gov/doms/index.html>. Transferee should be aware that abandoned wells may exist on any property. For more information visit the California Department of Conservation, Division of Oil, Gas and Geothermal Resources at: <http://www.consrv.ca.gov/dog/>.



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

**NATURALLY OCCURRING ASBESTOS ADVISORY**

Asbestos is the common name for a group of silicate minerals that are made of thin, strong fibers. It occurs naturally in certain geologic settings in California, most commonly in ultrabasic and ultramafic rock, including serpentine rock, and along associated faults. Serpentine rock is a typically grayish-green to bluish-black color rock that may be shiny in appearance, and is commonly found in the Sierra foothills, the Klamath Mountains, and Coast Ranges. While asbestos formation is more likely in the formations of these rocks, its presence is not certain. Because asbestos is a mineral, asbestos fibers are generally stable in the environment. The fibers will not evaporate in the air. Some naturally occurring asbestos can become friable, or crushed into a powder. This may occur when vehicles drive over unpaved roads or driveways that are surfaced with ultrabasic, ultramafic or serpentine rock, when land is graded for building purposes, or at quarrying operations. Weathering and erosion may also naturally release asbestos. Friable asbestos can become suspended in the air, and under these conditions, asbestos fibers represent a significant risk to human health. Asbestos is a known carcinogen, and inhalation of asbestos may result in the development of lung cancer. Disclosure Source recommends that the transferee visit the California Department of Conservation, Division of Mines and Geology website for further information and maps at [http://www.consrv.ca.gov/CGS/minerals/hazardous\\_minerals/asbestos/Pages/Index.aspx](http://www.consrv.ca.gov/CGS/minerals/hazardous_minerals/asbestos/Pages/Index.aspx).

**RADON ADVISORY**

Radon is a colorless, odorless radioactive gas that is produced by the natural decay of uranium, which is found in nearly all soils and rocks. Because radon is a gas, it can seep from the ground into the air in a structure through openings in the ground, and its presence increases the risk of lung cancer. In a 1999 study published by the Lawrence Berkeley National Laboratory and the Columbia University <http://eetd.lbl.gov/newsletter/nl04/eetd-nl04-5-radon.html>, the predicted median annual-average of all fifty eight counties in California is below 2.0 pCi/L (picoCuries per liter of air). If the radon level is greater than 4 pCi/L, the Environmental Protection Agency (EPA) suggests remediation. It is important to note that the median annual-average listed is a prediction, and the actual median is subject to some uncertainty. Also, radon concentrations in a county may be highly variable. Some structures may have five times as high, or five times as low, a concentration as the median for a county. All areas have some high radon structures. More information may be found at the Radon Project web site from the Columbia University Department of Statistics and Lawrence Berkeley National Laboratory at <http://www.stat.columbia.edu/~radon>. Long-term (up to one year) measurement is generally recommended for the most accurate determination of radon levels.

The EPA has also produced a map that assigns one of three zone designations to each county based on radon potential. According to the EPA, each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. That map is not meant to be used to determine whether a particular structure should be tested for radon, but is used to assist various government agencies and organizations in focusing their radon program resources. That map can be viewed at <http://www.epa.gov/radon/states/california.html>. Structures with high levels of radon have been found in all three zones. The three zone designations based on radon potential are:

- Zone 1 - Highest Potential (greater than 4 pCi/L)
- Zone 2 - Moderate Potential (from 2 to 4 pCi/L)
- Zone 3 - Low Potential (less than 2 pCi/L)

**The U.S. Environmental Protection Agency recommends all structures should be tested for radon, regardless of geographic location or zone determination.**

Radon testing is affordable and easily done. Test kits are available for residents of the State of California for \$7 through the California Department of Public Health website at <http://www.cdph.ca.gov/HealthInfo/environhealth/Pages/Radon.aspx>.

Additionally, Radon Zone Maps are available from the California Department of Conservation outlining areas where geologic conditions are likely to produce high, moderate, or low potential indoor radon levels above 4 pCi/L. Radon levels are variable, and may be influenced by not only geology, but also soil permeability, weather and climatic conditions, building design, condition and usage. As such, these maps are not intended for determining which buildings have high radon levels. Those maps are available at [http://www.conservation.ca.gov/cgs/minerals/hazardous\\_minerals/radon/Pages/Index.aspx](http://www.conservation.ca.gov/cgs/minerals/hazardous_minerals/radon/Pages/Index.aspx).

**GOVERNMENTAL GUIDES: "RESIDENTIAL ENVIRONMENTAL HAZARDS: A GUIDE FOR HOMEOWNERS, HOMEBUYERS, LANDLORDS AND TENANTS";  
"PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME"**

**PUBLISHED BY THE ENVIRONMENTAL PROTECTION AGENCY CONTAINING IMPORTANT INFORMATION REGARDING ENVIRONMENTAL HAZARDS  
LOCATED ON AND AFFECTING RESIDENTIAL PROPERTY. THEY ARE AVAILABLE FOR DOWNLOAD AT  
[HTTPS://WWW.DISCLOSURESOURCE.COM/DOWNLOADS.ASPX](https://www.disclosuresource.com/downloads.aspx) AND [HTTPS://WWW.DISCLOSURESOURCE.COM/DOWNLOADS\\_LEAD.ASPX](https://www.disclosuresource.com/downloads_lead.aspx)**

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## **SECTION IV: TAX INFORMATION**

### **NOTICE OF SPECIAL TAX AND ASSESSMENT**

TO THE PROSPECTIVE PURCHASER OF THE REAL PROPERTY SHOWN ABOVE. THIS IS A NOTIFICATION TO YOU PRIOR TO YOUR PURCHASING THIS PROPERTY. YOU SHOULD TAKE THESE TAXES AND ASSESSMENTS, IF ANY, AND THE BENEFITS FROM THE PUBLIC FACILITIES AND SERVICES FOR WHICH THEY PAY INTO ACCOUNT IN DECIDING WHETHER TO BUY THIS PROPERTY. YOU MAY OBTAIN A COPY OF THE RESOLUTION OF FORMATION THAT AUTHORIZED CREATION OF THE COMMUNITY FACILITIES DISTRICT, AND THAT SPECIFIES MORE PRECISELY HOW THE SPECIAL TAX AND ASSESSMENTS ARE APPORTIONED AMONG PROPERTIES IN THE ASSESSEMENT DISTRICT AND HOW THE PROCEEDS OF THE TAX WILL BE USED, BY CALLING THE CONTACT NAME AND NUMBER LISTED BELOW. THERE MAY BE A CHARGE FOR THIS DOCUMENT NOT TO EXCEED THE ESTIMATED REASONABLE COST OF PROVIDING THE DOCUMENT. YOU 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.

If Mello-Roos Community Facilities District or 1915 Bond Act special tax installments are not paid on time, the issuer has the right to initiate foreclosure proceedings on the property and it may be sold to satisfy the obligation. By statute, the special tax lien is made superior in priority to private liens such as mortgages and deeds of trust, even if the aforementioned preceded the creation of the assessment. Unlike property tax sales initiated by a County Tax Collector (which require a five year waiting period) special tax lien foreclosure may be initiated quickly if payments become delinquent. This can occur as soon as a few months after a property tax bill becomes delinquent.

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

#### **Mello-Roos Community Facilities Districts**

Mello-Roos Community Facilities Districts ("CFD") provide a method of financing certain public capital facilities and services especially in developing areas and areas undergoing rehabilitation. Public improvements and services funded by Mello-Roos districts may include, but are not limited to police and fire protection services, roads, new school construction, backbone infrastructure improvements, new or expanded water and sewer systems, recreation program services and flood or storm protection services. When construction of facilities is involved, in most cases, the money required to provide initial funding for the improvements is obtained through the issuance of municipal bonds. A special tax lien is placed on each property within the district for the annual payment of principal and interest as well as administrative expenses. The annual special tax continues until the bond is paid, or until revenues are no longer needed. Mello-Roos tax amounts may vary (increase), or the term of the payments may be extended, especially if additional bonds are issued. These special taxes are usually collected with regular property tax installments.

If this property is subject to the Mello-Roos CFD(s) lien(s) listed below, it is subject to a special tax that will appear on your property tax bill that is in addition to the regular property taxes and any other charges and benefit assessments on the parcel. This special tax is not necessarily imposed on all parcels within the city or county where the property is located. 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.

There is a maximum special tax that may be levied against this parcel each year to pay for public facilities. This amount may be subject to increase each year based on the special tax escalator listed below (if applicable). The annual tax charged in any given year may not exceed the maximum tax amount. However, the maximum tax may increase if the property use changes, or if the home or structure size is enlarged. The special tax will be levied each year until all of the authorized facilities are built and all special tax bonds are repaid. If additional bonds are issued, the estimated end date of the special tax may be extended.

**THIS PROPERTY IS NOT SUBJECT TO MELLO-ROOS COMMUNITY FACILITIES DISTRICT SPECIAL TAX LIEN(S).**

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## 1915 Bond Act Improvements

1915 Bond Act Assessment Districts provide a method of financing certain public capital improvements and infrastructures including, but not limited to, roads, sewer, water and storm drain systems, and street lighting. The money required to fund the improvement is obtained in advance through the issuance of municipal bonds pursuant to the Improvement Bond Act of 1915. A special assessment lien is placed on the property within the Assessment District. The lien amount is calculated according to the specific benefit that an individual property receives from the improvement(s) and is amortized over a period of years. 1915 Bond Act Assessments Districts can be prepaid at any time. In most instances but not all, the assessment is placed on the secured tax roll and is collected with your annual county real property taxes.

If this property is subject to the 1915 Bond Act Assessment District(s) tax lien(s) listed below, the bonds will be repaid from annual assessment installments levied by the assessment district that will appear on the property tax bill, but which are in addition to the regular property taxes and any other charges and levies that will be listed on the property tax bills. Each assessment district has issued bonds to finance the acquisition or construction of certain public improvements that are of direct and special benefit to property within that assessment district.

If you fail to pay assessment installments when due each year, the property may be foreclosed upon and sold. The annual assessment installment against this property as shown on the tax bill for the 2013 tax year is listed in the table below. Assessment installments will be collected each year until the assessment bonds are repaid.

**THIS PROPERTY IS NOT SUBJECT TO IMPROVEMENT BOND ACT OF 1915 SPECIAL ASSESSMENT LIEN(S).**

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## ADDITIONAL PROPERTY TAX INFORMATION

### Basic Levy

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

### Voter Approved Debt

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

### Other Direct Assessments

In addition to the items discussed in the previous sections, real property may be subject to Other Direct Assessments. These assessments may appear on the annual property tax bill. Increases or modifications to these assessments are subject to public notice/hearing requirements (as governed by law) and require a vote by the legal property owners or the registered voters in the area. Additional information is available by contacting the agency actually levying the assessment.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## TAX SUMMARY

### Basic Proposition 13 Levy:

<u>Agency / Contact</u>	<u>District / Benefit</u>	<u>Levy Amount</u>
County of Alameda	All Ad Valorem Taxes	\$20182.78
Auditor's Office (510) 272-6564	General	

### Voter Approved Ad Valorem Taxes:

NONE

### Mello-Roos Community Facilities District(s):

NONE

### Improvement Bond Act of 1915 Assessment District(s):

NONE

### Other Direct Assessments:

<u>Agency / Contact</u>	<u>District / Benefit</u>	<u>Levy Amount</u>
Oakland Unified School District Javetta Robinson (510) 879-8188	School District Special Tax School Facilities	\$195.00
City of Oakland Mr. Jonathan Wu (510) 238-7472	Landscape & Lighting District Landscape & Lighting	\$102.64
City of Oakland Denise Parker (510) 238-4758	Violence Prevention Tax (2011-2012) Violence Prevention	\$97.62
Alameda-Contra Costa Transit District General Manager (510) 891-4753	Alameda-Contra Costa Parcel Tax Transportation	\$96.00
City of Oakland Mr. Jonathan Wu (510) 238-7472	Library Service Retention Assessment Library	\$91.54
East Bay Municipal Utility District Joseph Damas (510) 287-0612	Wet Weather Facilities Charges Facilities Charge	\$82.34
City of Oakland Mr. Jonathan Wu (510) 238-7472	Fire Prevention District Fire Prevention	\$65.00
Peralta Community College District Mr. Thomas Smith (510) 466-7297	School District Special Tax School Facilities	\$48.00
County of Alameda Cindy Abbissinio (510) 628-5070	County Service Area 1983-1 (Paramedic) Emergency Medical	\$28.36
County of Alameda Sylvia Vicini (510) 670-5518	Flood Control Benefit Assessment Flood Control	\$16.10
City of Oakland Mr. Jonathan Wu (510) 238-7472	Medical Response Assessment Emergency Medical	\$12.98
East Bay Regional Park District Alissa Faith (510) 635-0135	E.B.R.P.D. Park Safety/Maintenance Park	\$12.00
City of Oakland Mr. Jonathan Wu (510) 238-7472	Paramedic Supplement Assessment Emergency Medical	\$10.32
County of Alameda Julie Twitchel (510) 567-8280	County Service Area 1991-1 (Lead Abatement) County Services	\$10.00
County of Alameda Ernest Pontiflet (510) 567-6800	County Service Area 1984-1 (Vector Control) Vector Control	\$7.20

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

East Bay Regional Park District Alissa Faith (510) 635-0135	Eastbay Trails Landscape Lighting District Landscape and Lighting	\$5.44
County of Alameda Ernest Pontiflet (510) 567-6800	County Service Area (Vector Control B) Vector Control	\$4.08
County of Alameda Yvonne Grundy (510) 670-5408	Mosquito Abatement District Mosquito Abatement	\$2.50
Alameda County Mosquito Abatement District John Rusmisl (510) 783-7744	Mosquito Abatement District Special Tax Vector Control	\$1.74



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

## FUTURE TAXES

The Future Taxes listed below, if any, are Bond Initiatives and Levies which have been approved by qualified voters in an authorized election, but have not yet been levied on the tax bills. Due to the fact that they have not yet appeared on any tax bills, the taxes listed below cover a wide geographical area in this county that may or may not affect the property in this report.

**Agency/Description**

Oakland Unified School District

Measure J: To improve the quality of Oakland schools and school facilities to better prepare students for college and jobs , to upgrade science labs, classrooms, computers and technology, improve student safety and security, repair bathrooms, electrical systems, plumbing and sewer lines, improve energy efficiency and earthquake safety , shall the Oakland Unified School District be authorized to issue \$475 million in bonds, with an independent citizens oversight committee and annual audits to guarantee funds are spent properly to benefit Oakland children.

**Tax Type/Election Date**

General Obligation Bond

11/6/2012

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

---

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

California Civil Code 1102.6c, states that the seller, or his or her agent, is responsible for delivering a notice specifying information about supplemental tax assessments:

"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."

**Transfer Fee Disclosure**

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

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

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

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

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

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

Property Address: 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

Parcel Number: 48-6818-8

Date: 1/15/2014  
Order Number: 140115-00055

## SUPPLEMENTAL TAX ESTIMATOR

This worksheet is provided for you as a convenience to allow you to **estimate** the potential supplemental property tax amount on a given property and whether you will receive one or two Supplemental Tax Bills. Depending on the date your escrow closes you will receive either one or two Supplemental Tax Bills which are in addition to your regular annual secured property taxes and must be paid separately. **Supplemental Tax Bills are not paid in escrow and are not impounded by your mortgage lender.** This worksheet is an estimate and is for your planning purposes only. This Supplemental Tax amount estimate is based on the current secured roll valuation and does not take into account other transactions that may have occurred and will impact the future assessed value.

Supplemental Tax Estimator		
	Input the Purchase Price of the Property	\$
-	Current Assessed Value	\$1,401,291.00
=	Taxable Supplemental Assessed Value	
X	Tax Rate	1.440%
=	Estimated Full-Year Supplemental Tax Amount	

Jan - May Close of Escrow - Complete This Section		
	Computation Factor for Month of Close (See Table Below)	
X	Estimated Full-Year Supplemental Tax Amount (Computed Above)	
=	Supplemental Tax Bill #1 Amount	
+	Supplemental Tax Bill #2 Amount = Estimated Full-Year Supplemental Tax Amount	
=	Estimated Supplemental Tax Amount	

Jun - Dec Close of Escrow - Complete This Section		
	Computation Factor for Month of Close (See Table Below)	
X	Estimated Full-Year Supplemental Tax Amount (Computed Above)	
=	Supplemental Tax Bill Amount	

Computation Factors			
Month	Factor	Month	Factor
January	0.4167	July	0.9167
February	0.3333	August	0.8333
March	0.2500	September	0.7500
April	0.1667	October	0.6667
May	0.0833	November	0.5833
June	1.0000	December	0.5000

**Property Address:** 4650 SEQUOYAH RD  
 OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## PROPERTY TAX ESTIMATOR

The total tax charges listed on the previous pages provide an accurate portrayal of what the property tax charges were for the current tax year at the current assessed value. California law requires the Assessor re-calculate or re-assess the value of real property when it is sold, subdivided or upon the completion of new construction. In coming years, the Ad Valorem (or value based) property tax charges will be assessed based on this new assessed value. It is possible to calculate an **estimate** of what those charges will be using the property tax estimator provided below:

Property Tax Estimator		
	Purchase Price of Property	
X	Ad Valorem Tax Rate	1.440%
=	Ad Valorem Tax Amount	
+	Total Direct Assessments	\$888.86
=	Total Estimated Taxes	

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## SECTION V: ENVIRONMENTAL INFORMATION

### SITE DISTRIBUTION

The "Environmental Risk Summary" is divided into three categories, A, B, and C.

The sites identified within Category A represent listing of locations researched within a one (1) mile radius of the subject property. Sites identified within this category are those with known environmental concerns/contamination.




The sites identified within Category B represent listing of locations researched within one-half (1/2) mile radius of the subject property. Sites identified within this category are those possessing the potential to release hazardous substances into the environment. These are facilities which are permitted to treat, store, or dispose of hazardous substances.

The sites identified within Category C represent listing of locations researched within one-eighth (1/8) mile radius of the subject property. Sites identified within this category are those that have Under- Ground Storage Tanks (UST). This database is merely a listing of those tanks that have been registered with the appropriate agencies.






### ENVIRONMENTAL RISK SUMMARY

**Up to 1/8 Mile      1/8 to 1/2 Mile      1/2 to 1 Mile**

#### CATEGORY A: (SITES WITH KNOWN ENVIRONMENTAL CONCERNS)

 U.S. EPA National Priority Site/Superfund Site (NPL)	0	0	0
 Hazardous Waste Sites with Corrective Action (CORRACTS)	0	0	0
 State Priority List (SPL)	0	0	2

#### CATEGORY B: (SITES WITH POTENTIAL ENVIRONMENTAL CONCERNS)

 RCRA Treatment, Storage, Disposal and Generators (TSD, TSDG)	0	1	
 No Further Remedial Action Planned (NFRAP)	0	0	
 Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)	0	0	
 Leaking Underground Storage Tanks (LUST)	0	1	
 Solid Waste Landfills, Tire Disposal Centers, or Transfer Stations (SWLF)	0	0	

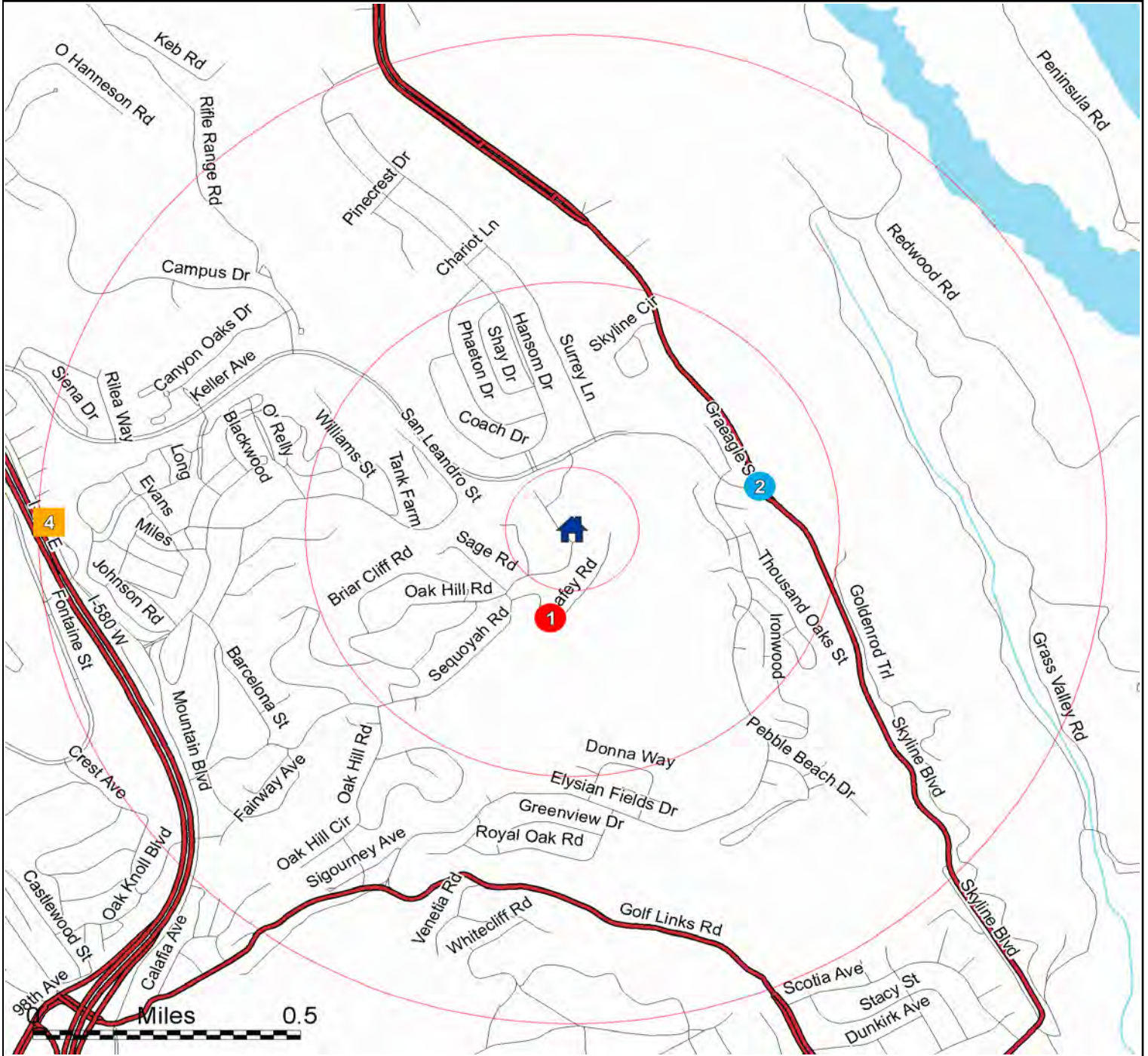
#### CATEGORY C: (SITES WITH ENVIRONMENTALLY SENSITIVE BUSINESS ACTIVITIES)

 Past or Present Under-ground Storage tank(s) (UST)	0		
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Property Address: 4650 SEQUOYAH RD  
 OAKLAND, CA 94605-4653  
 Parcel Number: 48-6818-8

Date: 1/15/2014  
 Order Number: 140115-00055

**Environmental Sites**



<b>Category A: Sites with Known Environmental Concerns</b>	NPL	CORRACTS	SPL
<b>Category B: Sites with Potential Environmental Concerns</b>	TSD and TSDG	NFRAP	CERCLIS
<b>Category C: Sites with Environmentally Sensitive Activities</b>	UST	LUST	SWLF

This map is for your aid in locating environmental hazard areas in relation to the subject property described above. Please verify street address and /or assessors' parcel number for accuracy. The map is intended for informational purposes only. The company assumes no liability (expressed or implied) for any loss occurring by reference, misinterpretation, misuse, or sole reliance thereon. Most sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated site. Some NPL sites are depicted by polygons approximating their location and size. The boundaries of the polygons may be different than the actual areas of these sites and may include contaminated areas outside of the listed site. A property may be affected by contamination or environmental hazards that have not been identified on any of the databases researched for this report.



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## Category A

**Record ID#** 3 Refer to the pages following for contact information regarding this site  
Distance/Direction: 0.98 miles W  
**Site Name:** OAKLAND NAVAL HOSPITAL  
**Address:** 8750 MOUNTAIN BOULEVARD  
OAKLAND, CA 94605  
**Site Type:** SPL  
**Status:** NO FURTHER ACTION

**Record ID#** 4 Refer to the pages following for contact information regarding this site  
Distance/Direction: 0.98 miles W  
**Site Name:** OAKLAND NAVAL HOSPITAL - SUNCAL - VCA  
**Address:** 8750 MOUNTAIN BLVD  
OAKLAND, CA 94605  
**Site Type:** SPL  
**Status:** INACTIVE - ACTION REQUIRED

## Category B

**Record ID#** 1 Refer to the pages following for contact information regarding this site  
Distance/Direction: 0.18 miles S  
**Site Name:** SEQUOYAH COUNTRY CLUB  
**Address:** 4550 HEAFEY  
OAKLAND, CA 94605  
**Site Type:** LUST  
**Status:** COMPLETED - CASE CLOSED

**Record ID#** 2 Refer to the pages following for contact information regarding this site  
Distance/Direction: 0.36 miles E  
**Site Name:** PALO SECO RESERVOIR  
**Address:** SKYLINE BLVD N OF  
OAKLAND, CA 94607  
**Site Type:** TSD and TSDG  
**Status:** SMALL QUANTITY GENERATOR

## Category C

NONE

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

## EXPLANATION OF DATABASES RESEARCHED

The Explanation of Databases Researched identifies and provides details on the information sources used to create the report. It also defines the acronyms and certain environmental terminology used throughout the report.

Due to the limitations, constraints, inaccuracies and incompleteness of government information and computer mapping data currently available to Disclosure Source, certain conventions have been utilized in preparing the locations of all federal, state, and local agency sites residing in Disclosure Source's databases. Most sites are depicted by a point representing their approximate address location and make no attempt to represent the actual areas of the associated site. Some NPL sites are depicted by polygons approximating their location and size. The boundaries of the polygons may be different than the actual areas of these sites and may include contaminated areas outside of the listed site. A property may be affected by contamination or environmental hazards that have not been identified on any of the databases researched for this report.

### Category A:

#### National Priority List (NPL)

This database includes a listing of all U.S. Environmental Protection Agency (EPA) sites that fall under the Superfund program. The superfund program was designed to provide federal resources to assist in facilitating remediation of the United State's most environmentally impacted sites (based on the severity of the substance problem identified). Any site identified in this database will require remedial action or a final investigation prior to being removed from the National Priority List.

Specific questions regarding these sites should be directed to the United States Environmental Protection Agency. Regional office location: 75 Hawthorne Street, San Francisco, CA 94105. (866) 372-9378. To see detailed information on specific sites select the "Site Overviews" link on the U.S. EPA's web page: <http://www.epa.gov/region09/waste/sfund/superfundsites.html>

#### Corrective Action Order (CORRACTS)

This is a database of hazardous waste information contained in the Resource Conservation and Recovery Act Information (RCRAInfo), a national program management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984. Sites on this list are RCRAInfo facilities that have reported violations and are subject to corrective actions.

For further information contact The United States Environmental Protection Agency. Regional office location: 75 Hawthorne Street, San Francisco, CA 94105, (866) 372-9378.

#### State Priority List (SPL)

The California Department of Toxic Substances Control (DTSC) has developed an electronic database system with information about sites that are known to be contaminated with hazardous substances as well as information on uncharacterized properties where further studies may reveal problems. The Site Mitigation and Brownfield's Reuse Program Database (SMBRPD), also known as CALSITES, is used primarily by DTSC's staff as an informational tool to evaluate and track activities at properties that may have been affected by the release of hazardous substances. Four categories of sites are searched for this report. The categories are:

1. CALSITES Properties
2. School Property Evaluation Program Properties
3. Voluntary Cleanup Program Properties
4. Unconfirmed Properties Needing Further Evaluation

Each category contains information on properties based upon the type of work taking place at the site. For example, the CALSITES database contains only confirmed sites considered posing the greatest threat to the public. Properties with potential concerns at or nearby public school sites will be found within the School Property Evaluation Program, and those properties undergoing voluntary investigation and/ or cleanup are in the Voluntary Cleanup Program.

For more information on a specific site contact: The CAL EPA, Department of Toxic Substances Control 1001 I Street Sacramento, CA 95814, (916) 323-3400.

#### Status Field Definitions:

- Active

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

- Backlog

Identifies non-active sites which DTSC is not currently investigating or remediating. These sites generally become active when staff and/or financial resources are available. Priorities for placing a site on backlog status versus active are based on the degree of long-term threat posed by the property. Before placing a property on backlog status, DTSC considers whether interim actions are necessary to protect the public and the environment from any immediate hazard posed by the property. Often there are no parties available to fund the full cleanup of these properties.

- Certified

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

- Certified Operation & Maintenance

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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

- Hazardous Waste Border Zone Property (HWP/BZP)

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

- Hazardous Waste Disposal Land Use (NOT HWP/BZP)

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

- Inactive

A facility which may require corrective action work.

- Inactive Action Required

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

- Inactive Needs Evaluation

Identifies non-active sites where DTSC has determined a PEA or other evaluation is required.

- No Action Required

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

- No Further Action

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

- Preliminary Endangerment Assessment

An assessment of information about a site and its surrounding area. A Preliminary Assessment is designed to determine whether a site poses little or no threat to human health and the environment or if it does pose a threat, whether the threat requires further investigation. Generally includes historical review of documents and may include limited sampling of a site.

- Referred: RCRA

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

- Referred: 1248 Local Agency

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

- Referred: RWQCB

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

- Referred: EPA

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

- Referred: IWMB

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

- Voluntary Cleanup

Identifies sites with either confirmed or unconfirmed releases, and the project proponents have requested that DTSC oversee evaluation, investigation, and/or cleanup activities and have agreed to provide coverage for DTSC's costs.

## **Category B:**

### **Resource Conservation and Recovery Act (RCRA) Treatment, Storage, Disposal (TSD)**

This is Database of hazardous waste information contained in the Resource Conservation and Recovery Information System (RCRIS), a national management and inventory system about hazardous waste handlers. In general, all generators, transporters, treaters, storers, and disposers of hazardous waste are required to provide information about their activities to state environmental agencies. These agencies, in turn pass on the information to regional and national EPA offices. This regulation is governed by the Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984. These sites are Facilities that treat, store, dispose, or incinerate hazardous waste.

Specific questions regarding a particular site should be addressed to: The United States Environmental Protection Agency, Regional Main Office, 75 Hawthorne Street, San Francisco, California, 94105, (866) 372-9378.

### **No Further Remedial Action Planned (NFRAP)**

This is a database of Archive designated Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) sites that, to the best of EPA's knowledge, assessment has been completed and has determined no further steps will be taken to list these sites on the National Priorities List (NPL). This decision does not necessarily mean that there are no hazards associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Additional information is available from: The United States Environmental Protection Agency, Regional Main Office, 75 Hawthorne Street, San Francisco, California, 94105, (866) 372-9378.

### **Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)**

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL.

**Status Field Definitions:**

- Deleted: Deleted from the Final NPL
- Final: Currently on the Final NPL
- Not Proposed: Not on the NPL
- Part of NPL: Site is Part of NPL Site
- Proposed: Proposed for NPL
- Removed: Removed from Proposed NPL

For further information on sites found within this database, please contact: The United States Environmental Protection Agency, Regional Main Office, 75 Hawthorne Street, San Francisco, California, 94105, (866) 372-9378.

**Leaking Underground Storage Tank (LUST)**

The State Water Resources Control Board maintains a database of sites with confirmed or unconfirmed leaking underground storage tanks often referred to as LUSTIS. Information for this database is collected from the state's regional boards quarterly and integrated within the state's master database. Leaking underground storage tanks are a major source of soil and ground water contamination. It is noteworthy to impart the fact that leaking tanks are rarely removed from the State Water Resources Control Board's Underground Storage Tank database .

For further information concerning leaking tanks, contact: The State of California Environmental Protection Agency State Water Resources Control Board, Office of Underground Storage Tanks, 1001 I Street, Sacramento, CA 95814, (916) 341-5851.

**Status definitions:**

- Active

Regulatory oversight activities are being conducted by the Lead Agency .

- Case Closed

The Regional Board and the Local Agency have determined that no further work is necessary at the site .

- Leak Being Confirmed

A leak is suspected at a site but has not been confirmed. The cause of suspicion may include poor inventory records, water in the tank, vadose monitoring system alarms, or accurate measurement of inventory indicating a loss of material. The process includes inspection of the excavation, the tank and appurtenant plumbing to determine existence of a leak. It may also include taking samples from the excavation or from borings for existing tanks for analysis.

- No Action

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

- Not Reported

The status was not reported by the Lead Agency .

- Open

Regulatory oversight activities are being conducted by the Lead Agency .

- Open - Assessment & Interim Remedial Action

An "interim" remedial action is occurring at the site AND additional activities such as site characterization, investigation, task evaluation, and/or site conceptual model development are occurring. Please note - a completed past removal action or pilot project is NOT considered to be an ongoing "interim" remedial action.

- Open - Inactive

No regulatory oversight activities are being conducted by the Lead Agency .

- Open - Referred

The site case has been referred to another Lead Agency .

- Open - Remediation

An approved remedy or remedies has/have been selected for the impacted media at the site and the responsible party (RP) is implementing one or more remedy under an approved cleanup plan for the site.

- Open - Reopen Case

The previously closed site is re-opened by the Lead Agency because of new information , a change in site conditions, or other factors.

- Open - Site Assessment

Site characterization, investigation, risk evaluation, and/or site conceptual model development are occurring at the site. Examples of site assessment activities include, but are not limited to, the following: 1) identification of the contaminants and the investigation of their potential impacts; 2) determination of the threats/impacts to water quality; 3) evaluation of the risk to humans and ecology; 4) delineation of the nature and extent of contamination; 5) delineation of the contaminant plume(s); and 6) development of the Site Conceptual Model.

- Open - Verification Monitoring

Remediation phases are essentially complete and a monitoring/sampling program is occurring to confirm successful completion of cleanup at the Site. (e.g. No "active" remediation is considered necessary or no additional "active" remediation is anticipated as needed. Active remediation system(s) has/have been shut-off and the potential for a rebound in contaminant concentrations is under evaluation ).

- Pollution Characterization

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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

- Preliminary Site Assessment Underway

Implementation of a work plan addressing the Preliminary Site Assessment Work Plan.

- Preliminary Site Assessment Work Plan Submitted

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

- Post Remedial Action Monitoring

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

- Remedial Action

Implementation of corrective action plan.

- Remediation Plan

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

- Reopen Previously Closed Case

Previously closed cases may be re-opened by the Lead Agency because of new information, a change in site conditions, or other factors such as negative test results during post remedial action monitoring.

#### **Solid Waste Land Fills, Tire Disposal Centers, or Transfer Stations (SWLF)**

Sites classified as Solid Waste Landfills include: landfills (both active and inactive), incinerators, transfer stations, recycling centers, and other facilities where solid waste is treated or stored. The California Integrated Waste Management Board maintains a database on solid waste facilities, operations, and disposal sites throughout the state of California referred to as the Solid Waste Information System (SWIS).

Status definitions:

- Abandoned

A site that has ceased accepting waste but is not closed pursuant to applicable statutes, regulations and local ordinances in effect at that time, and where there is no responsible party as determined by the local enforcement agency (LEA) and board.

- Absorbed

An operational status used only when existing facilities (permitted facilities) are being combined into a single facility under one of the existing permit numbers (SWIS Numbers) -or- combined under a separate new permit number (SWIS Number).

- Active

A facility/operation currently accepting, handling, processing, or disposing waste.

- Clean Closed

A solid waste disposal site that has documentation of the removal of solid waste on file with the Board. When a site is clean closed, the site is considered to cease to exist as a solid waste disposal site, but records are kept to document the status of the site.

- Closed

A solid waste facility, site or operation that has ceased accepting, handling, or disposing of waste (and is not inactive) and/or has documentation that closure was conducted in accordance with applicable statutes, regulations, and local ordinances in effect at the time. A "closed waste tire facility (major or minor)" means a waste tire facility that has complied with applicable requirements when closing the waste tire facility.

- Closing

A site that has ceased accepting waste and should be closed via closure plans and is undergoing closure. Closing applies to landfills or disposal sites undergoing closure operation pursuant to closure plan development, implementation up to certification of closure.

- Inactive

A permitted facility that was "Active" and has received the last shipment of waste as certified in writing by the LEA, but has not completed the closure plan submittal review and approval process. These sites will be moving toward "Closing" and "Closed" status and will not be returning to "Active" status. The term "Inactive" is used to differentiate these from sites that are actively receiving waste or will do so in the near future (within one year). An "inactive waste tire facility" means that the facility is static with regard to inflow-outflow of tires.

- Planned

A facility in the planning stages, awaiting a permit and not yet accepting waste or it may be permitted but not yet constructed or accepting waste.

- To Be Determined

There is presently not enough information to determine a Regulatory Status or Operational Status. This information may be gathered as part of the Site Investigation Process (SIP) which includes completion of the Site Identification form and Site Assessment form or further investigation by the enforcement agency. Additionally, the operational or regulatory status may be pending permit action, enforcement action, or ongoing investigation.

For further information pertaining to Solid Waste Landfills, please contact: The State of California, Integrated Waste Management Board, 8800 Cal Center Drive, Sacramento, California 95826, (916) 341-6000.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## **Category C:**

### **Underground Storage Tanks (UST)**

The State Water Resources Control Board maintains a database of sites with permitted underground storage tanks .

For further information concerning underground storage tanks, contact: The State of California Environmental Protection Agency State Water Resources Control Board, Office of Underground Storage Tanks, 1001 I Street, Sacramento, CA 95814, (916) 341-5851 or visit : <http://geotracker.waterboards.ca.gov/search.asp>.

### **Un-Locatable Sites**

For reporting purposes, these potential hazard sites from any of the three categories are missing certain pieces of relevant data, such as: street addresses, zip codes, city, or county information. This may be the result of limited governmental records or data. While the site may in fact exist, the absence of accurate (or missing) information may create the inability to delineate the property's radial distance in relation to the subject property on a map. If transferor or transferor's agent has actual knowledge of site(s) with possible contamination or other sensitive environmental impacts not listed in this report, written notification should be provided to the transferee and transferee's agent.



**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653  
**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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## **SECTION VI: DISCLAIMERS**

### **Explanation of Services, Conditions and Limitations**

#### **Statutory and Local/Supplemental Disclosures and Advisories**

The purpose of the Disclosure Report is to assist Recipient(s) in complying with California Civil Code §1103 which requires that the transferor of certain real property, and his or her agent(s), deliver to the prospective transferee a Natural Hazard Disclosure Statement ("NHDS"). Completion of the NHDS requires a review of specific public records to determine whether the property is located in one of six statutorily defined natural hazard areas. Disclosure Source has also obtained maps that are both official and publicly available from city, county, state and federal sources which supplement the natural hazard information required by the California Civil Code § 1103.

Disclosure Source is also providing disclosures and advisories on potentially hazardous conditions or occurrences that may affect the subject property. These additional disclosures and advisories are either required by the California Civil Code, local ordinance, or the information is readily available.

Disclosure Source has not performed a physical inspection of the property. This report is not a substitute for a physical inspection of the property or geologic or engineering study. Disclosure Source assumes no responsibility for any costs or consequences, direct or indirect, arising due to the need, or the lack of need, for earthquake insurance or flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for flood hazard insurance.

Disclosure Source has prepared this report solely based upon records and information provided by various governmental and private agencies. Disclosure Source has assumed that these records and information are accurate and complete, and Disclosure Source has not conducted any independent verification of their accuracy or completeness. Disclosure Source hereby disclaims all liability and shall not be responsible for any inaccuracies or omissions in the public records or information supplied by the various governmental and private agencies supplying information to Disclosure Source.

In order to prepare this report, either the transferor (or his/her agent) or the transferee (or his/her agent) supplied Disclosure Source with the Assessor's Parcel Number ("APN") for the subject property. Disclosure Source has not verified the accuracy of the APN. This report was prepared based upon such APN, and Disclosure Source shall not be responsible or liable for any losses, liabilities or damages resulting from an incorrect APN.

In preparing this report, Disclosure Source has relied upon the statutes identified and has reviewed the records referred to in each determination. This report is not a warranty or a policy of insurance.

#### **Tax Disclosures**

California Civil Code requires that the transferor of certain real property determines from local agencies whether the property is subject to a Mello-Roos Community Facilities Act and Special Tax Assessment, and if so, delivers notice of such special tax assessment(s) to the prospective transferee. When preparing this Special Assessment Section, Disclosure Source reviewed county tax records and other official and third party resources to determine whether, according to those records, the property is subject to a Special Tax pursuant to the Mello-Roos Community Facilities Act or a Special Assessment pursuant to the Improvement Bond Act of 1915. Items not yet levied on the tax bill, items not appearing on the tax bill because the current owner has applied for an available exemption, and items removed from the tax bill due to a pending judicial foreclosure suit may not be reflected on this report. Only the transferor (and his/her agent) and the transferee (and his/her agent) may use or rely on this report. The determinations made in this report are time-sensitive. Therefore, the information in this report may be considered accurate only as of the date shown herein. Governmental actions occurring after the date of this report are not disclosed and Disclosure Source is under no duty to update this report when or if new tax information is released or becomes available. The sole purposes of this report are to (a) make preliminary determinations regarding whether secured tax rolls contain Mello-Roos Community Facilities District Special Taxes or 1915 Bond Act Special Assessments against the subject property, and (b) assist the transferor in fulfilling his/her duty to comply with California Civil Code Section 1102.6b. This report is not a substitute for a title report or title insurance and may not be relied upon as such.

#### **Environmental Disclosures**

The environmental disclosures (including reference aids) assist the transferor(s) in satisfying their general disclosure obligations to provide general information regarding the property's proximity to site(s) identified by appropriate County, State, and/or Federal Agencies' databases as possessing (either presently or historically) an environmental concern. Disclosure Source has not verified the accuracy, validity, or completeness of those lists and does not insure, warrant or guarantee that they are accurate and up to date. Disclosure Source has not performed a physical inspection of the property and the report is not intended to be used as a preliminary site assessment or Phase 1 report. Disclosure Source does not make any representation as to the health hazards to humans or animals that may be associated with any of the substances that may exist at the sites or how they may affect the subject property. Disclosure Source does not report on the significance or extent of the contamination or remediation of any of the sites identified in the databases.

**Property Address:** 4650 SEQUOYAH RD  
OAKLAND, CA 94605-4653

**Parcel Number:** 48-6818-8

**Date:** 1/15/2014  
**Order Number:** 140115-00055

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**Notice to Recipient(s)**

Disclosure Source provides the NHDS, and any additional information contained in the Disclosure Report, for the benefit of all Recipient(s), including Transferor, Transferee, and Agents. Disclosure Source considers Recipient(s) to be a contracting party who is subject to the explanation of services, limitations and disclaimers herein, and by signing the NHDS, Recipient(s) expressly agrees to receive the services, and be bound by the limitations and disclaimers herein. This report is for the exclusive benefit of the Recipient(s) and there shall be no third party beneficiaries. This report may not be used in any subsequent transaction affecting the subject property. If for any reason Recipient(s) does not intend to be bound by the limitations and disclaimers herein, or otherwise finds the NHDS or the Disclosure Report unacceptable, Recipient(s) should immediately contact Disclosure Source.

**Disclaimer Notice to Third Parties**

The information contained in this report is intended for the exclusive benefit and use of Recipient(s). No person other than the recipient(s) should rely upon, refer to, or use this report, or any information contained within this report, for any purpose. Disclosure Source expressly disclaims all liability, including liability for breach of contract and negligence, to persons other than Recipient(s).

**Limitation of Liability to Recipient(s)**

Disclosure Source shall not be liable to Recipient(s), for errors, inaccuracies or omissions in this report if such errors, inaccuracies or omissions were based upon information contained in the public records used by Disclosure Source, or were known to exist by Recipient(s) on the date of delivery of this report to Recipient(s). Disclosure Source expressly excludes from liability any disclosures not known to Disclosure Source, or not on the maps used by Disclosure Source, not recorded in the public record at the date of the disclosure information, or disclosures not included in the categories included in the Disclosure Report. There may be other disclosures required under applicable state law. Disclosure Source makes no representations as to the adequacy or accuracy of any other representations or disclosures made under applicable state law.

Disclosure Source liability for any claim, or claims, including but not limited to any claim for breach of contract or negligence is limited to actual proven damages as a result of an error or omission in the report and shall be measured by the difference in the fair market value of the property caused by the error or omission as of the date of the report. In the event of any error, omission or inaccuracy in the Disclosure Report, Disclosure Source shall have, notwithstanding California Civil Code Section 2778, no duty to defend and/or pay any attorneys' fees, costs and expenses incurred by a Claimant.

The information contained in this report has been obtained from publicly available data sources and may include information produced from third-party sources other than Disclosure Source. Although reasonable care has been exercised by Disclosure Source in compiling the data and information contained in the report, Disclosure Source disclaims any liability for any errors, omissions, and inaccuracies therein. Disclosure Source shall not be liable for any incidental or consequential damages suffered by Recipient(s).

In the event any provision of this Disclosure Report is held invalid or unenforceable under applicable law, this Disclosure Report shall be deemed not to include that provision and all other provisions shall remain in full force and effect.

**Change in Information**

Disclosure Source shall have no obligation to communicate to Recipient(s), or any other person, any acts, occurrences, circumstances or agreements occurring after the Date of this report, which render inaccurate anything contained in this report. Disclosure Source may at its sole discretion supplement this report. While this report contains data gathered from what is believed to be reliable sources, the amount of the levy and ending year may be subject to change in the future.

**Notice of Claim**

All Claims and notices shall be addressed to Disclosure Source, Claims Department, 1850 Gateway Blvd, #400, Concord, CA 94520. Any claim must be given promptly in writing when knowledge is acquired by any Claimant of any information which is contrary to the Disclosure Report. If a written claim notice is not given promptly to Disclosure Source, then, all liability of Disclosure Source shall terminate with regard to the matters for which a prompt claim notice is required but only to the extent that the failure to give prompt written notice has prejudiced Disclosure Source.

BY ACCEPTING OR USING THIS REPORT, THE TRANSFEROR, TRANSFEE AND AGENT(S) HEREBY AGREE TO BE BOUND BY ALL OF THE TERMS, CONDITIONS AND LIMITATIONS OF LIABILITY STATED HEREIN.