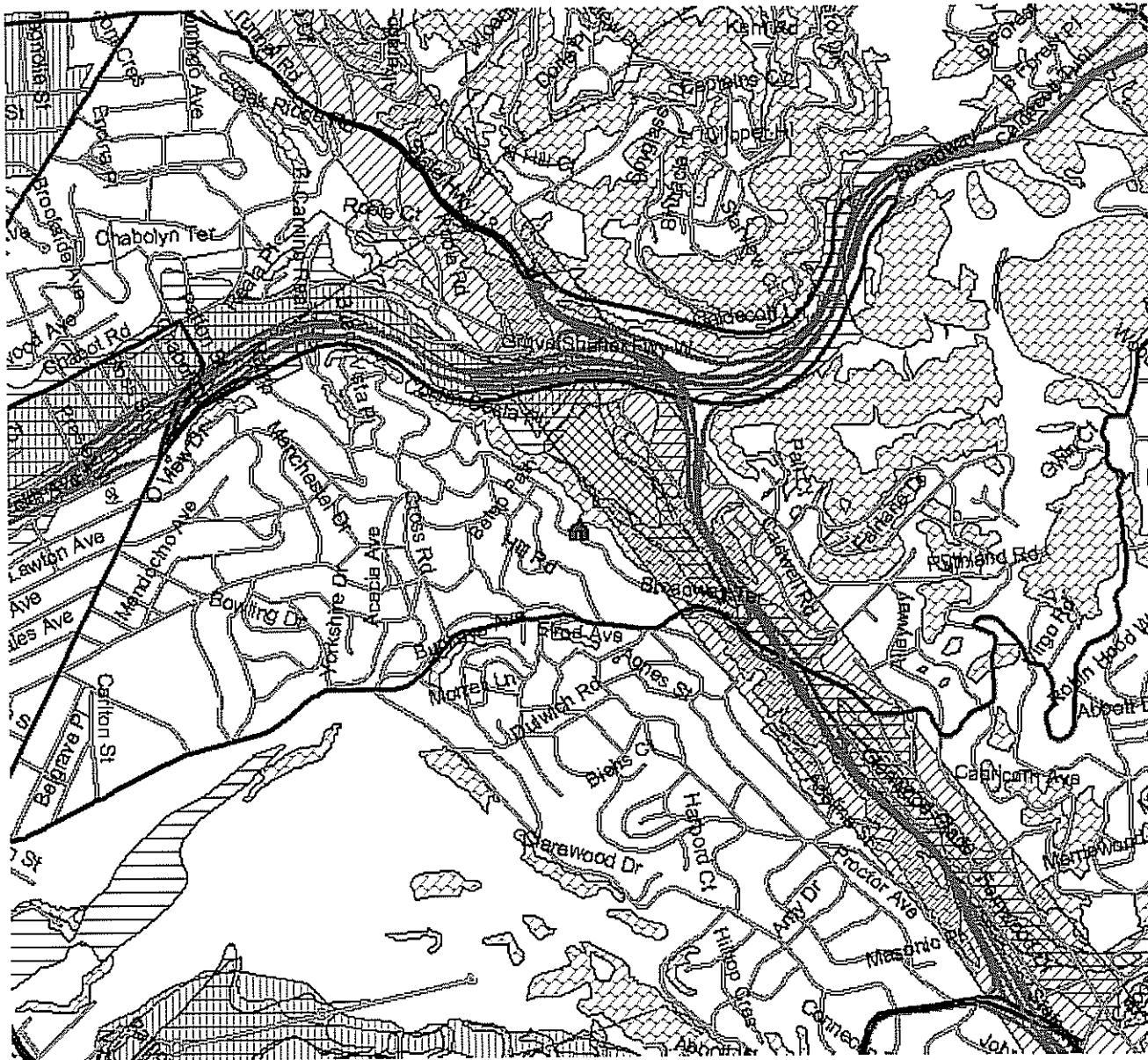


# The JCP Report | MAP COVER PAGE

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NOTE – This map is for general reference only. ANY USE OF THIS MAP IS AN ACKNOWLEDGEMENT AND AGREEMENT THAT ONLY THE INFORMATION ON THE STATUTORY FORM SHALL BE RELIED UPON FOR THE ACTUAL DISCLOSURES.

# Subject Property

0 0.25 0.5  
miles



- Special Flood Hazard Area
- Area of Potential Flooding, Dam Failure
- Very High Fire Hazard Severity Zone
- Wildland Area, Substantial Forest Fire Risk
- Earthquake Fault Zone
- Seismic Hazard Zone, Landslide
- Seismic Hazard Zone, Liquefaction



# The JCP Property Disclosure Report™

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## Summary Declaration of Liability Provisions

First American Natural Hazard Disclosures ("FANHD"), a subsidiary of The First American Corporation, hereby declares that Recipients of a natural hazard disclosure report issued by a Member Company ("Report") pursuant to California Civil Code §1103 *et seq.* for a residential transaction are provided the following assurances and protections.

### Recipients

- Buyers, Sellers and their respective real estate agents and brokers involved in the sale of the residential property for which the Report was issued.

### Member Companies

- JCP Property Disclosure Reports

### Protections

All Recipients of a Report shall enjoy the following assurances and protections if their Report contains an error which results in damages as defined in the Report ("Error") upon proper tender of the claim:

- (1) FANHD will resolve the claim promptly and in good faith.
- (2) FANHD will defend a Recipient against legal action brought against that Recipient as a result of the Error or otherwise resolve the Error without economic loss to the Recipient.
- (3) Recipients will enjoy the benefits of amounts received by FANHD from its errors and omissions ("E&O") insurance carrier as a result of the Error.
- (4) To the extent that economic loss resulting from the Error is not paid by the E&O insurance proceeds, FANHD shall be liable for any remaining loss.

Recipients are entitled to rely on the provisions of the Report as of the close of escrow for the transaction for which said Report was issued.

By: First American      Scott Roecklein, Sr. Vice President      Date: 12/12/2006



Confirmation of Coverage



# The JCP Property Disclosure Report™

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## The JCP Report™

Map Cover Page  
Statutory Form  
Confirmation of Coverage

## SUMMARY AND INDEX OF DISCLOSURES AND ADVISORIES

*For a complete explanation of the disclosures summarized below, refer to the sections and pages indicated.*

### SECTION 1

#### State level Statutory Zone Disclosures

		<u>Determination</u>	
Flood	A SPECIAL FLOOD HAZARD AREA	NOT IN	See Section 1 Page 1
	AN AREA OF POTENTIAL FLOODING	NOT IN	See Section 1 Page 1
Fire	A VERY HIGH FIRE HAZARD SEVERITY ZONE	NOT IN	See Section 1 Page 1
	A WILDLAND FIRE AREA (SRA)	NOT IN	See Section 1 Page 2
Seismic	AN EARTHQUAKE FAULT ZONE	NOT IN	See Section 1 Page 2
	A SEISMIC HAZARD LANDSLIDE ZONE	IN	See Section 1 Page 2
	A SEISMIC HAZARD LIQUEFACTION ZONE	OUT	See Section 1 Page 2

### SECTION 2

#### County Level Natural Hazard Disclosures

FAULT	IN	See Section 2 Page 1
Located within 600 feet from a known trace of the active Hayward Fault as defined by Alameda County.		
LANDSLIDE	OUT	See Section 2 Page 1
TSUNAMI	OUT	See Section 2 Page 1
SOILS		See Section 2 Page 1
Located in a bedrock area with possible slope stability hazards present especially if slopes are steeper than 20%.		

#### City Level Zone Disclosures

FAULT	OUT	See Section 2 Page 3
LANDSLIDE	IN	See Section 2 Page 3
LIQUEFACTION	OUT	See Section 2 Page 3



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TSUNAMI	OUT	See Section 2 Page 3
DAM INUNDATION	OUT	See Section 2 Page 3
FIRE HAZARD Located within the City of Oakland fire prevention and assessment district boundary.	IN	See Section 2 Page 3

## SECTION 3

### OTHER DISCLOSURES, ADVISORIES AND SERVICES SECTION

#### Other Zone Disclosures

	<u>Determination</u>	
Commercial/ Industrial LOCATED WITHIN 1 MILE OF A COMMERCIAL OR INDUSTRIAL SITE	YES	See Section 3 Page 1
Military Ordnance FORMER MILITARY ORDNANCE SITE DISCLOSURE	NOT IN	See Section 3 Page 1
Airports AIRPORT NOISE 65 DECIBEL ZONE	NOT IN	See Section 3 Page 2
AIRPORT INFLUENCE AREA	NOT IN	See Section 3 Page 2
Megan's Law		See Section 3 Page 3
San Francisco Bay Conservation and Development Commission Disclosure	OUT	See Section 3 Page 4

#### Advisories

METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY	See Section 3 Page 5
Mold Advisory	See Section 3 Page 5
Radon Advisory	See Section 3 Page 6
Energy Efficiency Advisory	See Section 3 Page 6
Endangered Species Act Advisory	See Section 3 Page 7

#### Special Tax Disclosures

DESCRIPTION OF PROPERTY TAX CHARGES		See Full Tax Report
MELLO-ROOS SPECIAL ASSESSMENT DISTRICT	YES	See Section 3 Page 8
1915 IMPROVEMENT BOND ACT DISTRICT	YES	See Section 3 Page 8

#### JCP Services Section



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## SECTION 4

**Note:** The complete Tax Report was not ordered with this report package. Please see Section 3 for preliminary Mello-Roos and 1915 Bond Act determinations.



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## SECTION 1

### JCP STATUTORY MAP READING DETERMINATIONS AND DISCUSSIONS SUMMARY

The statutory Natural Hazard Disclosure Statement on page one of this report does not provide for informing purchasers if the property is only partially within any of the delineated zones or provide additional flood zone information which could be very important to the disclosure process. This summary of JCP's map reading used to complete the statutory form in this report is provided here to give buyers the additional information they may need to help them in the decision making process and to place the information in perspective.

#### • • • SPECIAL FLOOD HAZARD AREA • • •

##### Determination

**NOT in a Special Flood Hazard Area. Located in Zone "C." Lenders are not federally required to have homeowners purchase and maintain flood insurance for property in this zone designation.**

##### Discussion

Property in a Special Flood Hazard Area "A" or "V" is subject to flooding in a "100-year rainstorm." Federally connected lenders are required to have homeowners maintain flood insurance in these zones. A 100-year flood occurs on average once every 100 years, but may not occur in 1,000 years or may occur in successive years. Other types of flooding, such as dam failure, are not considered in developing these zones. In some cases, the insurance requirement may be waived or modified by obtaining a "Letter of Map Revision" (LOMR) or "Letter of Map Amendment" (LOMA) from the Federal Emergency Management Agency (FEMA). This might be possible where flooding is shallow and fill was placed on the site, appropriate flood control measures were taken, or only the lot and no part of the structure is in the zone. Contact FEMA directly for more information. Flood insurance for properties in Zones B, C, X or D is available but is not required.

**Zones A, AO, AE, AH, A1-A30:** Area of "100-year" flooding - a 1% or greater chance of annual flooding.

**Zones V, V1-V30:** Area of "100-year" flooding in coastal (shore front) areas subject to wave action.

**Zone B:** Area of moderate flood risk. These are areas between the "100" and "500" year flood-risk levels.

**Zones X:** An area of moderate to minimal flood risk.

**Zones C, D:** NOT IN an area of "100-year" flooding. Area of minimal (Zone C) or undetermined (Zone D) flood hazard.

**PUBLIC RECORD:** Official Flood Insurance Rate Maps ("FIRM") compiled and issued by FEMA pursuant to 42 United States Code §4001, et seq.

#### • • • AREA OF POTENTIAL FLOODING (DAM FAILURE) • • •

##### Determination

**NOT in an Area of Potential Flooding Caused By Dam Failure according to the maps adopted by The State of California Office of Emergency Services.**

##### Discussion

These areas are subject to potential flooding in the event of a sudden and total failure of a dam and injury could occur as a result. Most areas are defined assuming an instantaneous dam failure with a full reservoir. However, dams rarely fail instantaneously and reservoirs are not always filled to capacity. Not all dams in the state have inundation zones mapped. There may be exceptional conditions where such a map was not required by the OES; therefore, the zones are not delineated.

**PUBLIC RECORD:** Official dam inundation maps adopted by The State of California Office of Emergency Services ("OES") pursuant to California Government Code §8589.5

#### • • • VERY HIGH FIRE HAZARD SEVERITY ZONE (VHFHSZ) • • •

##### Determination

**NOT in an area of Very High Fire Hazard Severity Zone as defined on the State level maps (Gov. Code 51178). A local agency may exclude or include additional fire zones at their option. Concerned parties should contact their local fire services for more information.**

##### Discussion

VHFHSZs are defined by the California Department of Forestry and Fire Protection (CDF) and local fire authorities in "Local Responsibility Areas" where fire suppression is the responsibility of a local fire department. In these zones properties may have a higher risk for fire damage and are required to have a "Class A" roof for new construction or replacement of existing roofs. In addition, the property must be maintained in a fire-resistant condition through adequate vegetation clearance around and above the structure, spark screens on chimneys and stovepipes, leaf removal from roofs, and other basic fire-safety practices. Contact your fire department for a complete list of requirements and exceptions.

**PUBLIC RECORD:** Official maps issued by the California Department of Forestry and Fire Protection (CDF) pursuant to California Public Resources Code § 51178.



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

### Determination

**NOT in an official State Responsibility Area.** Fire protection services for structures in this area are provided by local fire departments.

### Discussion

A wild land area where the CDF's fire protection services are responsible for suppressing fires is called a "State Responsibility Area" (SRA). These are generally rural areas where a significant wild land fire potential exists. Unless the county has assumed the fire suppression responsibility or has an agreement with a local fire agency, property owners in an SRA are responsible for organizing structural fire protection services. Such information is not available on maps; therefore, it can't be provided here. For very isolated properties with no local fire services there may be significant fire risk or only seasonal fire services. Property owners in an SRA are required to maintain adequate vegetation clearance around and above the structure, spark screens on chimneys and stovepipes, and other basic fire-safety practices. Contact your fire department for a complete list of requirements and exceptions.

**PUBLIC RECORD:** Official maps issued by the California Department of Forestry and Fire Protection (CDF) pursuant to California Public Resources Code § 4125.

## ◦ ◦ ◦ EARTHQUAKE FAULT ZONE ◦ ◦ ◦

### Determination

**NOT in an official Earthquake Fault Zone.** There are no mapped active fault traces on the property. See the Alquist-Priolo Earthquake Fault explanation section for additional information.

### Discussion

Earthquake Fault Zones are delineated and adopted by California as part of the Alquist-Priolo Earthquake Fault Zone Act of 1972. Property in an Earthquake Fault Zone does not necessarily have a fault trace existing on the site. Earthquake Fault Zones are areas or bands delineated on both sides of known active earthquake faults. In some places, the zones are more than one-quarter of a mile wide. The potential for "fault rupture" damage (ground cracking along the fault trace) is relatively high only if a structure is located directly on a fault trace. If a structure is not on a fault trace, shaking will be the primary effect of an earthquake. During a major earthquake, shaking will be strong in the vicinity of the fault and may be strong at some distance from the fault depending on soil and bedrock conditions. It is generally accepted that properly constructed wood-frame houses are resistant to shaking damage.

**PUBLIC RECORD:** Official earthquake fault zone or special study zone maps approved by the State Geologist and issued by the California Department of Conservation, California Geological Survey pursuant to California Public Resources Code §2622.

## ◦ ◦ ◦ SEISMIC HAZARD MAPPING ACT ZONE ◦ ◦ ◦

### Determination

**In an Official Seismic Hazard Zone.** Located in an Earthquake-Induced Landslide Hazard Zone. Other Seismic Hazards that may eventually be addressed on these maps have not yet been evaluated for Alameda County.

### Discussion

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. The hazards addressed are or will be: liquefaction, enhanced ground shaking, earthquake induced landslides, and various other ground failures. The first release of maps only addresses liquefaction and/or landslide zones.

**Liquefaction Hazard Zones** are areas where there is a potential for, or an historic occurrence of liquefaction. Liquefaction is a rare soil phenomenon that can occur when loose, water saturated, fine-grained sands, and silty sands that lie within 50 feet of the ground surface, are shaken in a significant earthquake. The soil temporarily becomes liquid-like and structures may settle unevenly.

**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.

**PUBLIC RECORD:** Official earthquake fault zone or special study zone maps approved by the State Geologist and issued by the California Department of Conservation, California Geological Survey pursuant to California Public Resources Code §2696.



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## SECTION 2

### COUNTY AND CITY NATURAL HAZARD DISCLOSURE STATEMENT

The following natural hazard disclosures are provided to give local-level Seismic Safety information for the subject property. This information may be used by the local jurisdiction relative to making decisions regarding new development or additional construction. The agencies and jurisdictions who develop the official maps do not necessarily define or delineate hazards in the same way. A site can be *in* a hazard zone from one source and *not in* a hazard zone from another source.

#### Alameda County Geologic and Seismic Zone Determination

Based on the officially adopted county-level Seismic Safety Element natural hazard maps, the subject property is:  
**Located less than 600 feet from a known trace of the Hayward Fault. Also located in a bedrock area with possible slope stability hazards present especially if slopes are steeper than 20%. See the County Geologic Zones Discussion included with this report for an explanation of zones.**

**NOTE:** If the site is in a locally mapped hazard zone or if information of concern exists in another source, the property may require a geologic study prior to any new or additional construction. The disclosures above are material facts and should prudently be disclosed to buyers in addition to the Statutory Natural Hazard Disclosures. Additional sources of information which are not officially adopted, may be available at the local jurisdiction that are not reported here.

#### ALAMEDA COUNTY GEOLOGIC ZONES DISCUSSION

The County of Alameda, separately from the State and Federal governments, has officially produced or adopted maps to delineate potential geologic and seismic hazards that are recognized at the local level. Those hazard maps are incorporated into the Seismic Safety Element of the General Plan, adopted by the County Board of Supervisors in 1982. The local-level disclosure in this JCP report was based on the following official County map(s): "Phase I - Preliminary Evaluation of Geologic Problems in the County of Alameda," December 1973, by Woodward-Lundgren & Associates (incorporated by reference into the Safety Element of the General Plan).

The hazard zones delineated on the above map source, in addition to the statutorily-required State and Federal hazard maps, are typically considered by the County when approving land use and development permit applications under County jurisdiction. Additional maps exist in the General Plan and other maps, including updated versions of the above-referenced map(s), may exist in the files of specific County departments. Those additional map sources were not consulted for this JCP disclosure because parcel-level details cannot be resolved at the scale and quality of the available official map, or the map is inappropriate for application to this report, or the map has not yet been officially adopted and incorporated into the County's Safety Element. As mapping technology advances, JCP later may determine that some additional map sources become usable for parcel-level disclosure. The mapped County hazard zones represent evaluations of generalized hazard information. Any specific site within a mapped zone could be at less or more relative risk than is indicated by the zone designation. If a site-specific evaluation is desired, JCP recommends that a geotechnical consultant be retained to study the site and issue a report.

The official County-level information addresses the potential geologic and seismic hazards itemized below:

#### FAULT

Earthquake Faults have been divided into three categories by the County: active faults, potentially active faults and inactive faults. Inactive faults are not considered to be a high hazard, but building set-backs may be required prior to construction near them.

#### LANDSLIDE

Potential Landslide areas are mapped by air-photo interpretation. Properties in these areas are subject to some risk of damage from slope failure. However, areas mapped as large landslide deposits are not necessarily less stable than adjacent areas. Detailed site studies are necessary before judgments can be made about the slope stability of individual properties.

#### TSUNAMI

Tsunamis (commonly called "tidal waves") are large ocean waves generated by undersea earthquakes. Some areas along the Bay in Alameda County may be subject to damage from tsunami run-up on the average of once every two hundred years. Properties in these low-lying regions may be inundated if a 20-foot high tsunami occurs at the Golden Gate.

#### SOILS





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**Bedrock areas, Colluvial, Alluvial and Terrace deposits**, do not represent zones of high geologic hazard. "Colluvial deposits" are sediments that are deposited at the base of slopes. Alluvial and terrace sediments were deposited by flowing water. Bedrock areas encompass a variety of rock types of various ages and engineering characteristics. These areas may be subject to slope stability problems if slopes are steeper than 20% and are underlain by low-strength geologic materials.

**Alluvial Fan deposits** represent sediments (clay, silt and sand) deposited by streams flowing over sloping terrain.

**Fluvial deposits and Interfluvial Basin deposits** represent sediments (clay, silt, and sand) deposited by streams in nearly level lowland areas.

**Merrit Sand deposits** are loose, fine-grained, very well-sorted, beach and wind-blown sands. This zone is subject to moderate to high potential for liquefaction.



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## City of Oakland Geologic and Seismic Zone Determination

Based on the officially adopted city-level Seismic Safety Element natural hazard maps, the subject property is:  
**Located within the City of Oakland fire prevention and assessment district boundary, and located in a potential landslide area. See the city discussion section included with this report for more information.**

### **CITY OF OAKLAND GEOLOGIC ZONES DISCUSSION**

The City of Oakland, separately from the County, State and Federal governments, has officially produced or adopted maps to delineate hazards that are recognized at the local level. Those hazard maps are incorporated into the Safety Element of the General Plan, adopted by the Oakland City Council. The local-level disclosure in this JCP report was based on the following official local map(s): "Safety Hazards Map" (incorporated by reference into the General Plan).

The hazard zones delineated on the above map source, in addition to the statutorily-required State and Federal hazard maps, are typically considered by the City when approving land use and development permit applications under City jurisdiction. Additional maps exist in the General Plan and other maps, including updated versions of the above-referenced map(s), may exist in the files of specific municipal departments. Those additional map sources were not consulted for this JCP disclosure because parcel-level details cannot be resolved at the scale and quality of the available official map, or the map is inappropriate for application to this report, or the map has not yet been officially adopted and incorporated into the City's Safety Element. As mapping technology advances, JCP later may determine that some additional map sources become usable for parcel-level disclosure. The mapped City hazard zones may have been compiled from multiple sources of differing quality and, in some instances, have been generalized and simplified. No special field studies were conducted to verify the information for this subject property. Any specific site within a mapped zone could be at less or more relative risk than is indicated by the zone designation. If a site-specific evaluation is desired, JCP recommends that a geotechnical consultant be retained to study the site and issue a report. The risk of exposure can be reduced through appropriate land-use planning, development engineering, and building construction practices.

The City of Oakland is subject to natural hazards such as seismic activity and flooding. The risk of exposure can be reduced through appropriate land use planning, development engineering, and building construction practices. The City of Oakland Safety Element discusses the varying levels of seismic and flood risk within the City Planning Area.

### **FAULT**

The City of Oakland lies within the San Andreas fault system, the largest one in California and the one with potential for the strongest earthquakes. More specifically, the city straddles the Hayward Fault, a "branch" fault of the larger system. The Hayward Fault runs along the southwestern base of the East Bay Hills and parallels Highway 13. The Hayward Fault is believed to accumulate strain at one of the highest rates in the Bay Area, suggesting that it is one of the faults in the region most likely to generate a large earthquake.

### **LANDSLIDE**

Landsliding is the rapid down slope movement of soil, rock, and rock debris. Most slides are natural occurrences, though they can be triggered by improper construction activities. The main causes of landslides are earthquake-induced ground shaking, heavy rains, and poorly engineered grading and drainage projects. Factors that determine the extent and severity of a landslide include the steepness of slope, the presence of weak or poorly consolidated soils, the soil's water-content level and the existing grading and drainage patterns.

### **LIQUEFACTION**

Liquefaction is the rapid transformation of sediment from a solid state into a fluid state, which causes the soil to lose cohesiveness and become incapable of carrying significant loads; it causes the sediment to behave as quicksand, and results in structures settling, or tipping. Its potential to occur is a function of the intensity of the ground shaking and the underlying geologic conditions.

### **TSUNAMI**

Most often, tsunamis are generated by large offshore earthquakes in the Pacific Ocean, producing waves that reach the California coast many hours after the earthquake.

Flooding from tsunamis would affect low-lying areas along San Francisco Bay and the Oakland Estuary, especially filled area only a few feet above sea level. Areas mapped as being within a tsunami inundation zone represent areas that would most likely be inundated by a tsunami having wave height of 20 feet. Such a tsunami is estimated to arrive at the Golden Gate once every 200 years.

### **DAM INUNDATION**

Dam Failure Inundation Areas were defined using the assumption of an instantaneous dam failure with the reservoir full to capacity. However, dams rarely fail instantaneously, and reservoirs are not filled to capacity at all times. Dam inundation areas are subject to flooding in the event of a dam failure.

### **FIRE HAZARD**

The City of Oakland has established a Fire Prevention and Assessment District for hillside areas of the city for funding fire-safety inspections of private properties, vegetation management, roving fire fighter patrols on high fire-hazard days, public education, goat grazing and other services. More information can be found at <http://www.oaklandnet.com/government/cmo/wildfireprevention.htm> regarding compliance standards and frequently asked questions.



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• • • END OF LOCAL AREA DISCLOSURES AND DISCUSSIONS SECTION • • •



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## SECTION 3

### FORMER MILITARY ORDNANCE SITE DISCLOSURE

#### Determination

The subject property is **NOT WITHIN** one mile of a Formerly Used Defense (FUD) site containing military ordnance.

#### Discussion

FUD sites can include sites with common industrial waste (such as fuels), ordnance or other warfare materiel, unsafe structures to be demolished, or debris for removal. NOTE: most FUDS sites do not contain unexploded ordnance. California Civil Code 1102 requires disclosure of those sites containing unexploded ordnance. "Military ordnance" is any kind of munition, explosive device/material or chemical agent used in military weapons. Unexploded ordnance are munitions that did not detonate. Only those FUD sites that the USACE has identified to contain Military Ordnance or have mitigation projects planned for them are disclosed in this report. Additional sites may be added as military installations are released under the Base Realignment and Closure (BRAC) Act. Active military sites are NOT included on the FUDS list.

### COMMERCIAL OR INDUSTRIAL ZONING DISCLOSURE

#### Determination

Based on publicly-available parcel zoning records only:

The property **IS** within one-mile of a property that is zoned for industrial or commercial use.

#### Discussion

The seller of residential real property who has actual knowledge that the property is affected by or zoned to allow commercial or industrial use described in Section 731a of the Code of Civil Procedure shall give written notice of that knowledge to purchasers as soon as practicable before transfer of title (California Civil Code Section 1102.17). The Code of Civil Procedure Section 731a defines industrial use as areas in which a city and/or county has established zones or districts under authority of law wherein certain manufacturing or commercial or airport uses are expressly permitted. The "Zoning Disclosure" made in this report **DOES NOT** purport to determine whether the subject property is or is not affected by a commercial or industrial zone. As stated above, that determination is based solely upon ACTUAL KNOWLEDGE of the seller of the subject property.

In an effort to help determine areas where this may be applicable, this disclosure identifies if a property exists within one mile of the seller's property that is zoned to allow for commercial or industrial use. Very commonly, a home will have in its vicinity one or more properties that are zoned for commercial or industrial use such as restaurants, gasoline stations, convenience stores, golf courses, country club etc.



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## AIRPORT INFLUENCE AREA DISCLOSURE

### Determination

Based on certain mapped Airport Influence Areas determined by a County Airport Land Use Commission, the following determination can be made:

**The property is NOT IN an officially-designated Airport Influence Area (AIA) and is NOT WITHIN two (2) statute miles of an airport for which no AIA has been officially designated.**

### Discussion

Certain airports are not disclosed in this report. FANHD has made a good faith effort to identify the airports covered under Section 1102.6a. Sources consulted include official land use maps and/or digital data made available by a governing ALUC or other designated government body. Most facilities for which an Airport Influence Area has been designated are included on the "California Airports List" maintained by the California Department of Transportation's Division of Aeronautics. Not disclosed in this report are public use airports that are not in the "California Airports List", airports that are physically located outside California, heliports and seaplane bases that do not have regularly scheduled commercial service, and private airports or military air facilities unless specifically identified in the "California Airports List". If the seller has actual knowledge of an airport in the vicinity of the subject property that is not disclosed in this report, and that is material to the transaction, the seller should disclose this actual knowledge in writing to the buyer.

JCP uses official land use maps and/or digital data made available by governing ALUC or other designated government body. Most facilities for which an Airport Influence Area has been designated are included on the "California Airports List" maintained by the California Department of Transportation's Division of Aeronautics. The inclusion of military and private airports varies by County, and heliports and seaplane bases are not included, therefore, airports in these categories may or may not be included in this disclosure.

**NOTE:** Proximity to an airport does not necessarily mean that the property is exposed to significant aviation noise levels. Alternatively, there may be properties exposed to aviation noise that are greater than two miles from an airport. Factors that affect the level of aviation noise include weather, aircraft type and size, frequency of aircraft operations, airport layout, flight patterns or nighttime operations. Buyer should be aware that aviation noise levels can vary seasonally or change if airport usage changes.

## AIRPORT NOISE DISCLOSURE

### Determination

Based on certain 65 decibel (dB) Community Noise Equivalent Level (CNEL) contour maps produced under the Federal Aviation Administration's *Airport Noise Compatibility Planning Program* Part 150, the following determination has been made:

**The property IS NOT within a delineated 65 dB CNEL or greater aviation noise zone.**

### Discussion

The seller(s) of residential real property who has (have) actual knowledge that the property in transaction is affected by airport use must give written notice of that knowledge, as soon as practicable, before transfer of title. (California Civil Code, Section 1102.17).

Not all airports have produced noise exposure maps. A property may be near or at some distance from an airport and not be within a delineated noise exposure area, but still experience aviation noise. Unless 65dB CNEL contour maps are published, helipads and military sites are not included in this section of the report.

**NOTE:** The *Airport Noise Compatibility Planning Program* is voluntary. Not all airports have elected to participate. Not all property in the vicinity of an airport is exposed to 65dB CNEL or greater average aviation noise levels. Conversely a property may be at some distance from an airport and still experience aviation noise. JCP obtains updated maps once yearly. Purchasers should be aware that aviation noise levels can vary seasonally or change if airport usage changes after a map is published or after JCP receives the updated maps within the schedule set by JCP. JCP uses the most seasonally conservative noise exposures provided.

Federal funding may be available to help airports implement noise reduction programs. Such programs vary and might include purchasing properties, rezoning, and insulating homes for sound within 65dB areas delineated on CNEL maps. Airport owners have also cooperated by imposing airport use restrictions that include curfews, modifying flight paths, and aircraft limitations.



# The JCP Property Disclosure Report™

**Property Address:** 6170 Contra Costa Rd,  
Oakland, Alameda County, CA

**APN:** 048A 7101 008 01  
**Date:** 12/12/2006  
**Report Number:** 2006121200038

## REGISTERED SEX OFFENDER DATABASE DISCLOSURE ("MEGAN'S LAW")

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

California law (AB 488), signed by the Governor on September 24, 2004, provides the public with Internet access to detailed information on registered sex offenders. The Sex Offender Tracking Program of the California Department of Justice (DOJ) maintains the database of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.46 of the Penal Code. The online database is updated with data provided by local sheriff and police agencies on an ongoing basis. It presents offender information in 13 languages; may be searched by a sex offender's specific name, zip code, or city/county; provides access to detailed personal profile information on each registrant; and includes a map of your neighborhood.

### California Department of Justice Information Sources:

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

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

### Local Information Locations For The Subject Property:

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

According to current records your local law enforcement department phone number is 510-238-3365.

The following are the law enforcement departments in your county that are **REQUIRED** to make information available:

Alameda County Sheriff's Department	(510) 667-3190
Fremont Police Department	(510) 790-6860
Oakland Police Department	(510) 238-2188

### Explanation and How to Obtain Information

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



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## **SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION DISCLOSURE (Applicable Only in Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties)**

### **Determination**

Based on certain mapped coastal zones determined by the San Francisco Bay Conservation and Development Commission (BCDC), the following determination can be made:

**The property is NOT IN the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined in Section 66620 of the Government Code.**

**NOTE:** The official BCDC jurisdictional maps issued by the BCDC are electronic documents generally of low resolution and poor quality. As defined by the BCDC, its jurisdiction spans a complexity of ever-changing geographic and topographic environments including: (1) tidal areas of San Francisco Bay; (2) a 100-foot-wide shoreline band that extends inland from the upper edge of the BCDC's San Francisco Bay jurisdiction; (3) certain named waterways that empty into San Francisco Bay; (4) salt ponds adjacent to the Bay; and (5) certain managed wetlands as well as the Suisun Marsh. The BCDC-issued maps are not adequate for determining confidently the proximity of the BCDC-defined jurisdictional boundaries to nearby parcels. Therefore, all parties in the transaction are advised that there is some uncertainty inherent in the "NOT IN" determination made above.

### **Discussion**

As of July 1, 2005, Civil Code Section 1103.4 mandates disclosure to buyers of certain real estate if that property is located within the jurisdictional boundaries of the BCDC. Notice is required to prevent unknowing violations of the law by new owners who were unaware that certain activities on the real property are subject to the BCDC's permit requirements.

The BCDC has issued maps for some parts of its jurisdiction, including the San Francisco Bay Plan maps (California Code of Regulations, Title 14, Section 10121) and the Suisun Marsh Plan maps (Nejedly-Bagley-Z'berg Suisun Marsh Preservation Act of 1974). Official maps have not been issued for other parts of the BCDC jurisdiction (McAteer-Petris Act areas) because the Bay is a highly dynamic environment and the shoreline changes over time (in part because the sea level also changes over time). In those areas where official BCDC maps are not available or along the edges of the BCDC's mapped jurisdiction, to meet the disclosure requirements, this report will indicate that the property "could be within" the BCDC's jurisdiction and that a location-specific jurisdictional determination should be made by consulting the BCDC. This determination of "could be within" the BCDC's jurisdiction was recommended by the BCDC in that certain Memo entitled "Guidance on Determining Commission Jurisdiction Pursuant to Senate Bill 1568" issued in February 2005 and posted on the BCDC website.



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## ADVISORIES

### METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY

According to the "Methamphetamine Contaminated Property Cleanup Act of 2005" a property owner must disclose in writing to a prospective buyer if local health officials have issued an order prohibiting the use or occupancy of a property contaminated by meth lab activity. The owner must also give a copy of the pending order to the buyer to acknowledge receipt in writing. Failure to comply with these requirements may subject an owner to, among other things, a civil penalty up to \$5,000. Aside from disclosure requirements, this new law also sets forth procedures for local authorities to deal with meth-contaminated properties, including the filing of a lien against a property until the owner cleans up the contamination or pays for the cleanup costs.

### MOLD ADVISORY

The Buyer is hereby advised that naturally occurring molds may exist both inside and outside of any home and may not be visible to casual inspection. Persons exposed to extensive mold levels can become sensitized and develop allergies to the mold or other health problems. Extensive mold growth can damage a structure and its contents. All prospective purchasers of residential and commercial property are advised to thoroughly inspect the subject property for mold. Be sure to inspect the property inside and out for sources of excess moisture, current water leaks and evidence of past water damage.

For molds to grow and reproduce, they need only a food source - any organic material, such as leaves, wood, paper, or dirt and moisture. Because molds grow by digesting the organic material, they gradually destroy whatever they grow on. Mold growth on surfaces can often be seen in the form of discoloration, frequently green, gray, brown, or black but also white and other colors.

As part of a buyer's physical inspection of the condition of a property, the buyer may consider engaging an appropriate and qualified professional to inspect and test for the presence of harmful molds and to advise the buyer of any potential risk and options available. This advisory is not a disclosure of whether harmful mold conditions exist at a property or not. JCP Geologists has not performed testing or inspections of any kind. Any use of this form is acknowledgement and acceptance that JCP does not disclose, warrant or indemnify mold conditions at a property in any way and is not responsible in any way for mold conditions that may exist. Information is available from the California Department of Health Services Indoor Air Quality Section fact sheet entitled, "Mold in My Home: What Do I Do?" The fact sheet is available at [www.cal-iaq.org](http://www.cal-iaq.org) or by calling (510) 540-2476.

The Toxic Mold Protection Act of 2001 requires that information be developed regarding the potential issues surrounding naturally occurring molds within a home. Information was written by environmental authorities for inclusion in the *Environmental Hazards: A Guide for Homeowners, Buyers, Landlords and Tenants* booklet developed by the California Environmental Protection Agency and the Department of Health Services. It is found in Chapter VI of that booklet, and includes references to sources for additional information.

For local assistance, contact your county or city Department of Health, Housing, or Environmental Health.





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## RADON ADVISORY

For its Radon Advisory, JCP Geologists uses the updated assessment of radon exposure published in 1999 by the Lawrence Berkeley National Laboratory (LBNL) and Columbia University, under support from the U.S. Environmental Protection Agency (EPA), the National Science Foundation, and the US Department of Energy (published online at <http://eetd.lbl.gov/IEP/high-radon/USgm.htm>). Based on this recent assessment, JCP's radon advisory is as follows:

**All of California's 58 counties have a predicted median annual-average living-area concentration of radon below 2.0 pCi/L (picocuries per liter of indoor air) -- which is well below the EPA's guideline level of 4 pCi/L and equivalent to the lowest hazard zone (Zone 3) on the 1993 EPA Map of Radon Zones**

A "median", like an average, is a central value. The "median concentration" means that half of the homes in a county are expected to be below this value and half to be above it. All houses contain some radon, and a few houses will contain much more than the median concentration. The only way to accurately assess long-term exposure to radon in a specific house is through long-term testing (sampling the indoor air for a year or more). The EPA recommends that all homes be tested for radon. Columbia University's "Radon Project" website offers help to homeowners in assessing the cost vs. benefit of testing a specific house for radon or modifying it for radon reduction (see <http://www.stat.columbia.edu/radon/>).

**NOTE:** JCP does not use the EPA's 1993 map for advisory purposes because that map shows "short-term" radon exposure averaged by county. It was based on "screening measurements" that were intentionally designed to sample the worst-case conditions for indoor air in US homes—using spot checks (sampling for just a few days), in the poorest air quality (with sealed doors and windows), at the worst time of the year (winter), in the worst part of the house (the basement, if one was available). These short-term, winter, basement measurements are both biased and variable compared to long-term radon concentrations (averaged over a year) in the living area of a house. Long-term concentrations are a more accurate way to judge the long-term health risk from radon. For the above reasons, the EPA expressly disclaims the use of its 1993 map for determining whether any house should be tested for radon, and authorizes no other use of its map for property-specific purposes. For additional information about EPA guidelines and radon testing, see "Chapter VII—Radon", in the California Department of Real Estate's *Residential Environmental Hazards: A Guide for Homeowners, Homebuyers, Landlords and Tenants*.

## ENERGY EFFICIENCY ADVISORIES

### "13 SEER" Federal Energy Efficiency Standard Advisory

Effective January 23, 2006, Federal law requires that all new air conditioning equipment manufactured in the United States comply with a minimum efficiency standard set by the U.S. Department of Energy (DOE). The new standard — called the "Seasonal Energy Efficiency Rating" standard of 13 (or "13 SEER") — does not require a seller to replace existing air conditioning equipment, nor does it mean that an existing system will be obsolete or impossible to maintain. However, property owners will likely see a higher cost of the 13 SEER-compliant equipment when an existing non-compliant system is eventually replaced. For more information, visit [http://www.eere.energy.gov/buildings/appliance\\_standards/residential/pdfs/ac\\_factsheet.pdf](http://www.eere.energy.gov/buildings/appliance_standards/residential/pdfs/ac_factsheet.pdf)

### California's 2005 Energy Efficiency Standards Advisory

Effective October 1, 2005, the California Energy Commission adopted Title 24, Building Energy Efficiency Standards for 2005. Under these standards, local governments must adopt and enforce building codes that require ductwork to be inspected whenever new heating, ventilating or air conditioning equipment is installed. If the ductwork is found to leak in excess of 15%, then repairs to the ductwork are required to bring it into compliance. The California Energy Commission estimates that the average home's ductwork leaks by 30% or more; so, some repair costs are likely for most homes when a new furnace, for example, is installed. Title 24 does not require a seller to replace a furnace that is otherwise safe and serviceable or to inspect or repair a home's ductwork. However, the future replacement of a furnace will require such an inspection and possible repairs, which may impose an unexpected cost on the property owner. This new standard also specifically bans the use of cloth-backed tape ("duct tape") in making duct repairs, unless the tape is used in combination with approved adhesive materials. Compliance with the standard is assured by hiring a contractor who is properly licensed, and doing the installation with a building permit so that the City Building Inspector can check the work when completed. For more information, visit <http://www.energy.ca.gov/title24/2005standards>

### Home Energy Efficiency Improvement Tax Credits Advisory

According to the DOE, the higher replacement cost of a 13 SEER-compliant air conditioning system will be offset by a savings of up to 23 percent in monthly energy costs. The California Energy Commission notes that leaking ductwork accounts for up to 25 percent of the heating costs of a typical home. Therefore, compliance with the new Federal and State standards offers substantial benefits to the property owner, as well as significant environmental benefits through decreased energy consumption, compared with older systems. In addition, consumers who purchase and install specific products, such as energy-efficient windows, insulation, doors, roofs, and heating and cooling equipment in the home can receive a tax credit of up to \$500 beginning in January 2006. For more information, visit <http://www.energy.gov/taxbreaks.htm>



## The JCP Property Disclosure Report™

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### Endangered Species Act Advisory

The Federal Endangered Species Act of 1973 ("ESA"), as amended, requires that plant and animal species identified and classified ("listed") by the Federal government as "threatened" or "endangered" be protected under U.S. law. Areas of habitat considered essential to the conservation of a listed species may be designated as "critical habitat" and may require special management considerations or protection. All threatened and endangered species – even if critical habitat is not designated for them – are equally afforded the full range of protections available under the ESA.

In California alone, over 300 species of plants and animals have been designated under the ESA as threatened or endangered, and over 80 species have critical habitats designated for them. Most California counties are host to a dozen or more protected species and, in many cases, 10 or more species have designated critical habitats within a county.

#### **ADVISORY**

An awareness of threatened and endangered species and/or critical habitats is not reasonably expected to be within the actual knowledge of a seller.

No Federal rule, California statute, Department of Real Estate regulation, or other law requires a seller or seller's agent to disclose threatened or endangered species or critical habitats, or investigate their possible existence, on real property. Therefore, Buyer is advised that, prior to purchasing a vacant land parcel or other real property, Buyer should consider the need to investigate the existence of threatened or endangered species, or designated critical habitats, on or in the vicinity of the parcel, which could affect the use of the property or the success of any proposed (re)development.

#### **For more information**

Complete and current information about the threatened and endangered species in California that are Federally listed in each county -- including all critical habitats designated there -- is available on the website of the U.S. Fish & Wildlife Service, the Federal authority which has enforcement responsibility for the ESA.

**For Northern California visit:**

[http://www.fws.gov/sacramento/es/spp\\_lists/auto\\_list\\_form.cfm](http://www.fws.gov/sacramento/es/spp_lists/auto_list_form.cfm)

**For Southern California visit:**

[http://www.fws.gov/carlsbad/CFWO\\_Species\\_List.htm](http://www.fws.gov/carlsbad/CFWO_Species_List.htm)



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## MELLO-ROOS and SPECIAL ASSESSMENT DETERMINATION

Determination Based on data from an independent tax information service:

The subject property is **WITHIN** a Mello-Roos Special Assessment District

<b>1. Name and Issuing Agency:</b>	<b>City of Oakland</b>	<b>Contact:</b> Jonathan Wu	<b>(510) 238-7472</b>
<b>Project Financed:</b>	<b>Library</b>	<b>Amount:</b> \$ 25.00	

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The subject property is **WITHIN** an assessment district pursuant to the Improvement Bond Act of 1915:

**1. Agency:**

Assessment District No. 1994-1

Amount: \$284.80

Contact: Ted Live

The facilities financed by this (these) Mello-Roos and/or Special Assessment(s) may not yet have all been constructed or acquired and it is possible that some may never be constructed or acquired. You should take this assessment and the benefits from the public facilities for which it pays into account in deciding whether to buy this property.

If the property is subject to a Mello-Roos and/or a "1915" Special Assessment District Lien, the Seller must make a good faith effort to provide the Buyer(s) with a "Notice of Special Tax" and/or a "Notice of Special Assessment" *as long as the notices are made available by the local agency* (Section 1102.6b of the Civil Code). Cities and Counties vary where this type of information may be made available. Contact the local Controller, Finance Department, Treasurer or Tax Assessor for more information regarding the availability of a Notice of Special Assessment.

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### Discussion

California laws allow "special taxes" and "special assessments" to be levied against a property in addition to ad valorem property taxes in order to help fund benefits such as streets, curbs, gutters and underground sewer and water infrastructure. The "Mello- Roos Community Facilities Act" and the "Improvement Bond Act of 1915" are two of these assessment laws, and assessments made under these laws carry a disclosure obligation as of January 1, 2002 (Section 1102.6b of the Civil Code). This notice is designed to help Sellers fulfill this disclosure obligation.

When either of these assessment laws is activated, an assessment lien is placed against each affected property and a special assessment appears on the property tax bill until the amortized debt is fully paid. An important feature of "Mello-Roos" and "1915 Bond Act" assessment districts is that the lien has a priority status. If the assessment tax is not paid on time, the home can be foreclosed upon and sold through an accelerated foreclosure process. Even though a "special" or "supplemental assessment" may appear on the property tax bill, it is not necessarily a "Mello-Roos" or "1915" bond assessment subject to a property lien or a specific disclosure requirement.

**IMPORTANT:** This information was obtained from an independent tax information service using their proprietary database. It is not a substitute for a title report, for special tax information that may be contained in a title report, or for title insurance. There are a limited number of properties that may be subject to Special Assessment that are not included in this tax database. If the seller has additional information on Special Tax Assessments that do not appear in this report, it must be disclosed to the buyer.



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## • • JCP SERVICES SECTION • •

Any use of this report is an acknowledgement of and an agreement to abide by the terms stated in this section. For the Natural Hazard Disclosures, JCP Geologists (JCP) examines only the following maps: (a) NFIP Flood Insurance Rate Maps, (b) California Office of Emergency Services Dam Failure Inundation maps, (c) Real Estate: disclosure (CDF) fire maps, (d) Seismic Hazards Mapping Act maps, (e) geologic and seismic hazard maps adopted by the county as part of its General Plan's Safety Element, (f) geologic and seismic hazard maps adopted by the city as a part of its General Plan's Safety Element, (g) LOMR's or LOMA's (made available to us), for location of the above property as identified by the seller or seller's agent. JCP relies on these official sources for the information in this report and does not produce, maintain or verify the information. Our services include, where appropriate, use of the assessors rolls, cadastral-type maps, photographic enlargements of maps and various cartographic techniques to locate the site on the appropriate map. The determination is made as accurately as reasonably possible using these said maps. For purposes of defining property lines, the assessor's parcel number and parcel maps are used. Any errors in the assessor's rolls may affect the determination procedures.

Decisions by jurisdictions relative to required studies, reports, etc. may be made using the same information sources used in the disclosures in this report, as well as information in their files and/or local ordinances and procedures. The disclosure information in this report is not a substitute for a geologic or engineering study, nor can it be construed that a city or county will not require such studies. No visual examination of the subject site was performed nor was a study of any jurisdiction's files or other sources made to determine the existence of any hazard which may exist on the site. This report is for the purpose of certain map-based real estate transaction disclosures only and is not a substitute for the broker/agent property inspection.

Our determination for Mello-Roos Special Tax and 1915 Special Assessment Districts was made using a proprietary third-party database of Special Tax and Assessment Districts (STAD) that have issued bonds as the method to pay for facilities. Only STAD's which levied a tax against the subject property in the previous tax year are disclosed. STAD information may not be available if the property is in foreclosure for delinquent or non-payment of a Special Tax or Assessment. JCP cannot be held responsible for not reporting these cases. The databases are deemed to be accurate based on information supplied by bond issuers. Under no circumstances will JCP Geologists be responsible for errors in the data supplied by bond issuers and suppliers of the tax databases. Information is up-dated on a yearly basis as soon as possible after updated information is released.

No study of the assessor's or jurisdiction's files was made to determine the presence of any other tax or assessment which may exist for the property. Other types of "special assessments" likely exist that are not Mello-Roos or 1915 Bond Act Assessments. This JCP report is for disclosure only and is not intended to provide any type of tax advice. JCP suggests that if any party to this transaction has any concerns or questions regarding Mello-Roos Community Facilities Districts, or 1915 Special Assessment Districts they contact an appropriate expert.

Military ordnance disclosures were provided using Department of Defense data sources that JCP neither produces nor maintains. JCP cannot accept liability for the accuracy of the information derived from these public data sources. No on-site inspection was performed.

JCP performs services for the real estate agent/broker and current owner. This report is for residential property only and is for the exclusive use of the contractual parties, their broker/agent(s), and the current owner's sale for which it is issued. Due to changes in tax districts, disclosure maps, laws and contractual parties, this report cannot be relied upon for other properties nor for future transactions of the subject property. All parties should be aware that the information is subject to change. JCP is not responsible for advising parties of any changes that may occur after the date of this report. As a courtesy, JCP will update this report at no cost during the single transaction process for which this report was issued, if requested. JCP shall not be liable to anyone who may claim any right through his/her relationship with the agent, except when acts or omissions are due to willful misconduct or negligence by JCP.

Reproduction of this report is permitted only for the purpose of fulfilling the seller's disclosure duty to the buyer in the transaction of the real property at the subject address noted herein. Any other reproduction, facsimile, or republication of this report is expressly prohibited and is a violation of the copyrights, trademarks and service marks of the First American Corporation, and will be prosecuted to the fullest extent of the law. The Company shall assume no liability unless and until the fee for this (these) report(s) is paid in full.

This JCP Report includes a statutory Natural Hazard Disclosure Statement as legislated in California Civil Code 1103. The delivery of this report is sufficient compliance for the legal exemption that states neither the seller nor any listing or selling agent will be liable for any error in this information as long as ordinary care is exercised in transmitting it and they have no personal knowledge of errors (California Civil Code 1103.4).

This report is not an insurance policy and is not a substitute for the buyer obtaining Property & Casualty Insurance Policies which will provide coverage against losses incurred as a result of earthquakes, fires, flooding, environmental hazards, or any other kinds of risks associated with the property. If any party to this transaction has concerns relative to the stability or condition of the property or if "red flags" are observed during any party's inspection, an appropriate consultant should be retained to study the site and render an opinion.



# The JCP Property Disclosure Report™

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## PROPERTY TAX DISCLOSURE REPORT FOR:

Property Address: 6170 CONTRA COSTA RD

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### NOTE

This report is void and not guaranteed if it has not been paid for within 30 days after the close of escrow.

In preparing this report, California Tax Data has relied upon the statutes identified and has reviewed the records referred to in each determination. These are available to the public as Government Records to make the determinations if and to what extent each special tax and assessment statute applies to the subject property. Receipt or use of this report by recipient or any other third party constitutes acceptance of the terms and conditions detailed at the end of this document. Please read these terms and conditions carefully. This report is not a warranty or a policy of insurance. This report is prepared by California Tax Data to comply with certain California laws relating to the disclosure of a continuing lien securing the levy of special taxes pursuant to the Mello-Roos Community Facilities Act (Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code) or to a fixed lien assessment collected in installments to secure bonds issued pursuant to the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code) in connection with the sale of real property in California.

# NOTICE OF SPECIAL TAX AND ASSESSMENT

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

Assessor's Parcel Number: 048A-7101-008-01  
Property Address or Legal Description: 6170 CONTRA COSTA RD  
Report Date: 12/11/2006

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

## 1. MELLO-ROOS COMMUNITY FACILITIES DISTRICTS

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

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

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

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

### 1.1 City of Oakland • (510) 444-2489 • Community Facilities District No. 1 (Rockridge Library Measure L)

**Current Levy. \$25.00      Maximum Tax Rate. \$25.00.**

**Ending Year.** The special tax will be levied each year until all of the authorized facilities are built and all special tax bonds are repaid, but in any case not after the 2020-2021 tax year. Special taxes that pay for ongoing services may be levied indefinitely. The maximum special tax for this parcel may increase if additional improvements are constructed or the use of the parcel changes (e.g., the property use changes from undeveloped to developed, residential to commercial, etc.).

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

**Authorized Facilities.** The authorized facilities which are being paid for by the special taxes, and by the money received from the sales of bonds which are being repaid by the special taxes are: construction of a public library.

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

**Special Circumstances.** None

## NOTICE OF SPECIAL TAX AND ASSESSMENT (continued)

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

Assessor's Parcel Number: 048A-7101-008-01  
Property Address or Legal Description: 6170 CONTRA COSTA RD  
Report Date: 12/11/2006

### 2. 1915 BOND ACT ASSESSMENT DISTRICTS

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

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

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

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

#### 2.1 City of Oakland • (510) 444-2489 • Assessment District No. 1994-1 (Fire Area Utility Underground)

**Annual Assessment Installment.** \$278.92.

**Ending Year.** Assessment installments will be collected each year until the assessment bonds are repaid, but in any case not after the 2024-2025 tax year.

**Authorized Facilities.** Proceeds from the sale of the bonds will be used to finance the costs of acquisition and installation of underground electric, telephone and cable television, public utility lines, a street lighting system and related street improvements, and to pay the cost associated with issuing the bonds.

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

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

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



## NOTICE OF SPECIAL TAX AND ASSESSMENT (continued)

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

Assessor's Parcel Number: 048A-7101-008-01  
Property Address or Legal Description: 6170 CONTRA COSTA RD  
Report Date: 12/11/2006

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

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

### BUYER'S CONFIRMATION OF RECEIPT:

I (WE) ACKNOWLEDGE THAT I (WE) HAVE RECEIVED A COPY OF THIS NOTICE. I (WE) UNDERSTAND THAT I (WE) 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.

Date: \_\_\_\_\_ Transferee's Signature (Buyer): \_\_\_\_\_

Date: \_\_\_\_\_ Transferee's Signature (Buyer): \_\_\_\_\_

## NOTICE OF SUPPLEMENTAL PROPERTY TAX BILL

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

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

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

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

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

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

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

**DESCRIPTION OF MELLO-ROOS COMMUNITY FACILITIES DISTRICT(S)**  
**Community Facilities District No. 1**  
**City of Oakland**

► **Summary**

Community Facilities District No. 1 was established pursuant to the Mello-Roos Community Facilities Act of 1982. Qualified electors authorized the district in 1990 to pay for certain facilities and/or services that benefit the district. A special tax is levied on properties in the district to pay the cost of facilities and/or services as well as administrative expenses.

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

The authorized facilities which are being paid for by the special taxes, and by the money received from the sales of bonds which are being repaid by the special taxes are: construction of a public library.

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

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

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

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

► **Can the annual levy increase?**

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

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

The special tax will be levied each year until all of the authorized facilities are built and all special tax bonds are repaid, but in any case not after thirty (30) years.

► **Foreclosure Proceedings**

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

► **Contact Information**

City of Oakland  
150 Frank Ogawa Plaza  
Oakland, CA  
phone: (510) 238-7472  
fax: (510) 238-6431

► **Consultant Information**

**DESCRIPTION OF 1915 BOND ACT ASSESSMENT DISTRICT(S)**  
**Assessment District No. 1994-1**  
**City of Oakland**  
**\$7,370,000.00**

► **Summary**

Assessment District No. 1994-1 was authorized by qualified electors in 1994 along with the issuance of up to \$7,370,000.00 in bonded indebtedness. The bonds were issued pursuant to the Improvement Bond Act of 1915 to pay for the acquisition and/or construction of certain public facilities benefiting the properties in the district. The assessment lien is collected in annual installments to pay the interest and principal on the bonds and administrative expenses.

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

Proceeds from the sale of the bonds will be used to finance the costs of acquisition and installation of underground electric, telephone and cable television, public utility lines, a street lighting system and related street improvements, and to pay the cost associated with issuing the bonds.

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

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

► **Can the annual levy increase?**

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

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

The annual installments will be collected until the final payment on the bonds is made in 2024.

► **Foreclosure Proceedings**

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

► **Contact Information**

City of Oakland  
150 Frank H. Ogawa Plaza  
Suite 5330  
Oakland, CA  
phone: (510) 238-3830  
fax: (510) 238-6431

► **Consultant Information**

## BREAKDOWN OF THE 2006-2007 PROPERTY TAX BILL

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

### Basic Prop 13 Levy

1. All Ad Valorem Taxes	Prop 13	\$12,634.86
County of Alameda (510) 272-6564	General Service	

### Voter Approved Ad Valorem Taxes

Basic Prop 13 Levy & Voter Approved Ad Valorem Taxes:	\$12,634.86
Estimated Tax Rate:	1.346%

### Direct Assessments

2. Assessment District No. 1994-1 (Fire Area Utility Undergrounding) City of Oakland (510) 238-3830	1915 Bond Act Assessment District Capital Facilities	\$278.92
3. School Measure E Oakland Unified School District (510) 879-8188	School District Special Tax Education	\$195.00
4. Landscape & Lighting District City of Oakland (510) 238-7472	Landscaping & Lighting Maintenance District Landscape & Lighting	\$111.54
5. Violence Prevention Tax City of Oakland (510) 238-4758	Miscellaneous Levy Violence Prevention	\$88.00
6. Library Service Retention Measure O City of Oakland (510) 238-7472	Library Services Assessment Library	\$77.42
7. Fire Prevention District City of Oakland (510) 238-7472	Fire Suppression Assessment Fire Prevention	\$65.00
8. Wet Weather Facilities Charges East Bay Municipal Utilities District (510) 287-1620	Fee/Charge Facilities Charge	\$58.80
9. Alameda-Contra Costa Parcel Tax Alameda-Contra Costa Transit District (510) 891-4753	2/3 Voter Approved Special Tax Transportation	\$48.00
10. Community Facilities District No. 1 (Rockridge Library Measure L) City of Oakland (510) 238-7472	Community Facilities District - Pay As You Go Capital Facilities	\$25.00
11. County Service Area E.m. 1983-1 (Paramedic) County of Alameda (510) 628-5070	County Service Area Emergency Medical	\$24.96
12. Flood Control Benefit Assessment County of Alameda (510) 670-5518	Flood Control/Storm Drainage Assessment Flood Control	\$16.00
13. E.B.R.P.D. Park Safety/Maint East Bay Regional Park District (510) 635-0135	Landscaping & Lighting District - Park Maintenance Park	\$12.00
14. Medical Response City of Oakland (510) 238-7472	Paramedics Services Assessment Emergency Medical	\$10.98
15. Paramedic Supplement City of Oakland (510) 238-7472	Paramedics Services Assessment Emergency Medical	\$8.74
16. County Service Area V.c. 1984-1 (Vector Control) County of Alameda (510) 567-6800	County Service Area Vector Control	\$7.20
17. Landscape & Lighting District (East Bay Trails) East Bay Regional Park District (510) 635-0135	Landscaping & Lighting Maintenance District Landscape & Lighting	\$5.44
18. Mosquito Abatement District Special Tax Alameda County Mosquito Abatement District (510) 783-7744	Vector Control District Vector Control	\$1.74

Total Direct Assessment Charges: \$1,034.74

Total 2006-2007 Amount: \$13,669.60

## DESCRIPTION OF PROPERTY TAX CHARGES

### Ad Valorem Tax

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

### 1915 Bond Act Assessment District

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

### School District Special Tax

A Special Tax for schools is created pursuant to the Government Code Section 50079-50079.5. upon 2/3 majority approval of the qualified voters. A municipal bond may be issued in order to finance public school facilities. The debt is paid over time from the levy of the special tax. The levy of the special tax may also be used to directly finance facilities and/or services.

### Landscaping & Lighting Maintenance District

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

### Miscellaneous Levy

Information on this levy is unavailable or the charge is extremely limited in respect to the number of parcels it is applicable to. If this charge appears on your tax bill please contact us and we will assist you in researching this special charge.

### Library Services Assessment

A library services assessment is a general category of direct property tax charges that may be levied pursuant to various California legal Codes. The assessment pays for library services available to the residents of the area affected by the assessment.

### Fire Suppression Assessment

A Fire Suppression Assessment is a special assessment created pursuant to Government Code Section 50048 et seq., upon majority approval of the property owners during an assessment balloting procedure. A Fire Suppression Assessment may be levied by a local government (a city, county, special district, etc...) in order to finance certain services that benefit the properties within the district.

### Fee/Charge

A Fee or Charge is created pursuant to various California Code Sections that is a voluntary charge imposed on an individual. State law requires that a fee cannot exceed the estimated reasonable cost of providing a service or facility, or else it is considered a special tax. Many special districts, such as those that provide water or electricity, impose fees or charges. Fees usually show up on utility bills, although some fees or charges are collected annually as a separate line item on the County property tax bills for each of the parcels within the district..

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

A Special Tax is created pursuant to the Government Code Section 50075 et. Seq. upon 2/3 majority approval of the qualified voters. A municipal bond may be issued in order to finance public facilities and/or services. The debt is paid over time from the levy of the special tax. The levy of the special tax may also be used to directly finance facilities and/or services.

### **Community Facilities District - Pay As You Go**

A Mello-Roos Community Facilities District - Pay-As-You-Go, known as a CFDPAYG, is a special tax district formed by a local government (a city, county, special district, etc...) in order to finance certain designated ongoing services which benefit the properties within the CFDPAYG. In a "Pay-As-You-Go" district no bonds are issued because there is no need for up front capital, fees are collected annually to pay for ongoing services performed by the district.

### **County Service Area**

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

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

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

### **Landscaping & Lighting District - Park Maintenance**

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

### **Paramedics Services Assessment**

A Paramedics Services Assessment is a special assessment created upon majority approval of voters. A Paramedic Services Assessment may be levied or bonds issued by a local government (a city, county, special district, etc...) in order to finance certain services that benefit the citizens within the district.

### **Vector Control District**

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

## Terms, Conditions and Limitations

This report and the determinations made herein were prepared by California Tax Data, Inc. ("CTD"). Only the buyer (and his/her agent) and the seller (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 CTD 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 current 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 seller in fulfilling his/her duty to comply with California Civil Code §1102.6b. This report is not a substitute for a title report or title insurance and may not be relied upon as such.

This report is for the exclusive benefit and reliance of the specific buyer and specific seller mentioned herein and there shall be no third party beneficiaries. This report may not be used in any subsequent transaction affecting the subject property. This report is void and not guaranteed if it has not been paid for within 30 days after the close of escrow.

This Report addresses special tax assessment matters only. It does not address matters related to (a) title or title defects, (b) earthquake zones, flood zones, fire zones or other natural hazard zones, (c) survey or geologic issues, (d) land use or zoning, (e) the California Subdivided Lands Act or the Subdivision Map Act, (f) compliance with other federal, state or local laws, ordinances or restrictions that may apply to the property, such as the Americans with Disabilities Act and building codes, (g) restrictions affecting the use, occupancy or development of the property imposed by any state, local or federal governmental agency, including without limitation, flood control districts, the California Coastal Commission, joint power districts, water districts, agencies or school districts, (h) any permits of any nature that may be required for the current or anticipated future use of the property, or (i) any other legal concerns that might affect the property.

CTD has prepared this report solely based upon records and information provided by various governmental and private agencies. CTD has assumed that these records and information are accurate and complete, and CTD has not conducted any independent verification of their accuracy or completeness. CTD 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 CTD.

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

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





## First American Title Company

2089 Rose Street  
Berkeley, CA 94709

RECEIVED AND READ  
NUMBER OF PAGES

18

Escrow Officer: Renee Haugen (RH)  
Phone: (510)548-2565  
Fax No.: (510)527-2085  
E-Mail: rhaugen@firstam.com  
E-Mail Loan Documents to: edocs.berkeley@firstam.com  
Buyer: Pre Sale  
Owner: Blum  
Property: 6170 Contra Costa Road  
Oakland, CA 94618

NAME DATE

NAME DATE



Helene



Broken

### PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

18 pages

Dated as of November 08, 2006 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

1998 ALTA/CLTA Homeowner's (EAGLE) Policy of Title Insurance and ALTA Expanded Coverage Residential (EAGLE) Loan Policy (10/13/01) if the land described is an improved residential lot or condominium unit on which there is located a one\_to\_four family residence; or 1992 ALTA Standard Owner's Policy with Regional Exceptions and ALTA Loan Policy (1992) with ALTA Endorsement-Form 1 Coverage if the land described is an unimproved residential lot or condominium unit

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

ALFRED M. BLUM AND STACEY D. BLUM, HUSBAND AND WIFE, AS COMMUNITY PROPERTY

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A fee as to Parcel(s) ONE, an easement as to Parcel(s) TWO AND THREE.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2006-2007.

First Installment:	\$6,834.80, DUE
Penalty:	\$0.00
Second Installment:	\$6,834.80, PAYABLE
Penalty:	\$0.00
Tax Rate Area:	17-001
A. P. No.:	048A-7101-008-01
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
3. Assessment liens, if applicable, collected with the general and special taxes, including but not limited to:

Community Facilities District - ROCKRIDGE LIBRARY C.F.D.-MEASURE L

1915 Bond Act for improvement of REASSESSMENT DISTRICT NO. 99-1

4. Any and all offers of dedication, conditions, restrictions, easements, fenceline/boundary discrepancies, notes and/or provisions shown or disclosed by the filed or recorded map referred to in the legal description.
5. An easement for DRIVEWAYS and incidental purposes in the document recorded JANUARY 05, 1994 as INSTRUMENT NO. 1994-004361 of Official Records.
6. An easement for DRIVEWAY and incidental purposes contained in a document recorded APRIL 11, 1994 as INSTRUMENT NO. 1994-140821 of Official Records, and the terms and provisions as contained therein.
7. A deed of trust to secure an original indebtedness of \$820,000.00 recorded MAY 04, 2004 as INSTRUMENT NO. 2004193055 of Official Records.  
Dated: APRIL 26, 2004  
Trustor: ALFRED M. BLUM AND STACEY D. BLUM, HUSBAND AND WIFE  
Trustee: FIDELITY NATIONAL TITLE INSURANCE COMPANY  
Beneficiary: WELLS FARGO HOME MORTGAGE, INC.
8. A deed of trust to secure an original indebtedness of \$200,000.00 recorded SEPTEMBER 12, 2006 as INSTRUMENT NO. 2006345788 of Official Records.  
Dated: AUGUST 30, 2006  
Trustor: ALFRED M. BLUM AND STACEY D. BLUM, HUSBAND AND WIFE,  
AS COMMUNITY PROPERTY  
Trustee: VERDUGO TRUSTEE SERVICE CORPORATION OR ANY  
SUCCESSOR  
Beneficiary: CITIBANK (WEST), FSB

The above deed of trust states that it secures a line of credit. Before the close of escrow, we require evidence satisfactory to us that (a) all checks, credit cards or other means of drawing upon the line of credit have been surrendered to escrow, (b) the borrower has not drawn upon the line of credit since the last transaction reflected in the lender's payoff demand, and (c) the borrower has in writing instructed the beneficiary to terminate the line of credit using such forms and following such procedures as may be required by the beneficiary.

### INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. This report is preparatory to the issuance of an ALTA Loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA endorsement forms 100 and 116 and if applicable, 115 and 116.2 attached.

When issued, the CLTA endorsement form 116 or 116.2, if applicable will reference a(n) Single Family Residence known as 6170 Contra Costa Road, Oakland, California.

2. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.

3. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

4. Short term rate applies.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

### LEGAL DESCRIPTION

Real property in the City of Oakland, County of Alameda, State of California, described as follows:

PARCEL ONE:

LOT 5, BLOCK 1, SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14 AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911 IN BOOK 26, PAGE 15, OF MAPS, ALAMEDA COUNTY RECORDS.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY:

BEING A PORTION OF LOTS 2 AND 4, BLOCK 1, OF SAID MAP REFERRED TO ABOVE, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 4; THENCE ALONG THE EASTERLY LINE OF SAID LOTS 2 AND 4, NORTH 12\_44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES WESTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET WESTERLY OF SAID EASTERLY ABOVE REFERRED TO 130 FEET, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE ALONG SAID SOUTHERN LINE 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL THREE:

A NON-EXCLUSIVE EASEMENT FOR LIGHT, AIR AND UNOBSTRUCTED VIEW OVER THAT PORTION OF LOT 4, OF SAID MAP REFERRED TO ABOVE THE LEVEL OF THE CURB OF HORIZONTAL PLANE 22 FEET 6 INCHES ABOVE THE LEVEL OF THE CURB OF CONTRA COSTA ROAD FORMERLY CHABOT ROAD, AS SHOWN ON SAID MAP AT AN ELEVATION 548.99 FEET ABOVE SEA LEVEL, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 4; THENCE ALONG THE EASTERLY LINE 12\_44' 30" EAST 29 FEET; THENCE AT RIGHT ANGLES 60 FEET TO THE WESTERN LINE OF SAID LOT 4; THENCE ALONG SAID WESTERN LINE SOUTH 12\_44' 30" WEST 29 FEET, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE EASTERLY ALONG SAID SOUTHERN LINE TO THE POINT OF BEGINNING.

APN: 048A-7101-008-01

***NOTICE***

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

If you have any questions about the effect of this new law, please contact your local First American Office for more details.

**EXHIBIT A**  
**LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)**

**1. CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990**  
**SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
 (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by their policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**2. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970**  
**SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions of area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or

created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

### **3. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970 WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 2 above are used and the following exceptions to coverage appear in the policy.

#### **SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

##### **Part One**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

### **4. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970 WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant, (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy or acquired the insured mortgage and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder, (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy (except to the extent insurance is afforded herein as to any statutory lien for labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy).
4. Unenforceability of the lien of the insured mortgage because of failure of the insured at Date of Policy or of any subsequent owner of the indebtedness to comply with applicable "doing business" laws of the state in which the land is situated.

### **5. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970 WITH REGIONAL EXCEPTIONS**

When the American Land Title Association Lenders Policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy, the exclusions set forth in paragraph 4 above are used and the following exceptions to coverage appear in the policy.

#### **SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

##### **Part One**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.



**6. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy;  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:  
(a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;  
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;  
(c) resulting in no loss or damage to the insured claimant;  
(d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or the extent insurance is afforded herein as to assessments for street improvements under construction or completed at date of policy); or  
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:  
(i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or  
(ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or  
(iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:  
(a) to timely record the instrument of transfer; or  
(b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

**7. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 6 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**8. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY - 1992**

### EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:  
(a) created, suffered, assumed or agreed to by the insured claimant;  
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;  
(c) resulting in no loss or damage to the insured claimant;  
(d) attaching or created subsequent to Date of Policy; or  
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:  
(i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or  
(ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:  
(a) to timely record the instrument of transfer; or  
(b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

### 9. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY - 1992 WITH REGIONAL EXCEPTIONS

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 8 above are used and the following exceptions to coverage appear in the policy.

#### SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:  
Part One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

### 10. AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL TITLE INSURANCE POLICY - 1987 EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
  - \* land use
  - \* land division
  - \* improvements on the land
  - \* environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.  
This exclusion does not limit the zoning coverage described in items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
  - \* a notice of exercising the right appears in the public records on the Policy Date
  - \* the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.
3. Title Risks:
  - \* that are created, allowed, or agreed to by you
  - \* that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
  - \* that result in no loss to you
  - \* that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks
4. Failure to pay value for your title.
5. Lack of a right:
  - \* to any land outside the area specifically described and referred to in Item 3 of Schedule A, or
  - \* in streets, alleys, or waterways that touch your land
 This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

#### 11. EAGLE PROTECTION OWNER'S POLICY

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998

ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998

Covered Risks 14 (Subdivision Law Violation), 15 (Building Permit), 16 (Zoning) and 18 (Encroachment of boundary walls or fences) are subject to Deductible Amounts and Maximum Dollar Limits of Liability

#### EXCLUSIONS

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 

<ol style="list-style-type: none"> <li>a. building</li> <li>c. land use</li> <li>e. land division</li> </ol>	<ol style="list-style-type: none"> <li>b. zoning</li> <li>d. improvements on the land</li> <li>f. environmental protection</li> </ol>
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This exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.  
This exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
  - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
  - b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
  - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
  - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
  - c. that result in no loss to You; or
  - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - b. in streets, alleys, or waterways that touch the Land.
 This exclusion does not limit the coverage described in Covered Risk 11 or 18.

#### 12. SECOND GENERATION EAGLE LOAN POLICY AMERICAN LAND TITLE ASSOCIATION EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01)

#### EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or area of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14 and 16 of this policy.

- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 12, 13, 14 and 16 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
  3. Defects, liens, encumbrances, adverse claims or other matters:
    - (a) created, suffered, assumed or agreed to by the Insured Claimant;
    - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
    - (c) resulting in no loss or damage to the Insured Claimant;
    - (d) attaching or created subsequent to Date of Policy (this paragraph does not limit the coverage provided under Covered Risks 8, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26); or
    - (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
  4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
  5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, except as provided in Covered Risk 27, or any consumer credit protection or truth in lending law.
  6. Real property taxes or assessments of any governmental authority which become a lien on the Land subsequent to Date of Policy. This exclusion does not limit the coverage provided under Covered Risks 7, 8 (e) and 26.
  7. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided in Covered Risk 8.
  8. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting title, the existence of which are Known to the Insured at:
    - (a) The time of the advance; or
    - (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than it would have been before the modification.
 This exclusion does not limit the coverage provided in Covered Risk 8.
  9. The failure of the residential structure, or any portion thereof to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at Date of Policy.

#### SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. The following existing statutes, reference to which are made part of the ALTA 8.1 Environmental Protection Lien Endorsement incorporated into this Policy following item 28 of Covered Risks: NONE.

### 13. SECOND GENERATION EAGLE LOAN POLICY AMERICAN LAND TITLE ASSOCIATION EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (10/13/01) WITH REGIONAL EXCEPTIONS

When the American Land Title Association loan policy with EAGLE Protection Added is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 12 above are used and the following exceptions to coverage appear in the policy.

#### SCHEDULE B

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

**Part One:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**Part Two:**

1. The following existing statutes, reference to which are made part of the ALTA 8.1 Environmental Protection Lien Endorsement incorporated into this Policy following item 28 of Covered Risks: None.

"You may be entitled to receive a \$20.00 discount on escrow services if you purchased, sold or refinanced residential property in California between **May 19, 1995 and October 8, 2002**. If you had more than one qualifying transaction, you may be entitled to multiple discounts. If your previous transaction involved the same property that is the subject of this Preliminary Report, you do not have to do anything; First American will provide the discount directly to you within a few weeks, not through your closing. If your previous transaction involved property different from the property that is the subject of your current transaction, you must inform First American of the earlier transaction, provide the address of the property involved in the previous transaction, and the date or approximate date that the escrow closed to be eligible for the discount. Please mail to Claims Administrator, 2 First American Way, Santa Ana, CA 92707.

Unless you inform First American of the prior transaction on a property that is not the subject of this transaction, First American has no obligation to conduct an investigation to determine if you qualify for a discount. If you provide First American information concerning a prior transaction, First American is required to determine if you qualify for a discount."

"Escrow Services" shall be defined as either title premium or escrow fee payable by you in connection with this transaction. In the event you are entitled to a credit but are not responsible for paying either a title premium or an escrow fee at the close of this transaction, then no credit can be given.

# PRIVACY POLICY

## We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

## Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at [www.firstam.com](http://www.firstam.com).

## Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

## Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

## Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

## Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.





# ASSESSOR'S MAP 48A

Code Area Nos. 17-001  
17-003

Page 2  
Resub of Blocks 9-10-11-12-13-14 and a  
portion of Block 16 Rock Ridge Terrace.  
Scale 1 in = 60 ft.

15-12-94 JT  
5-09-95 CSL

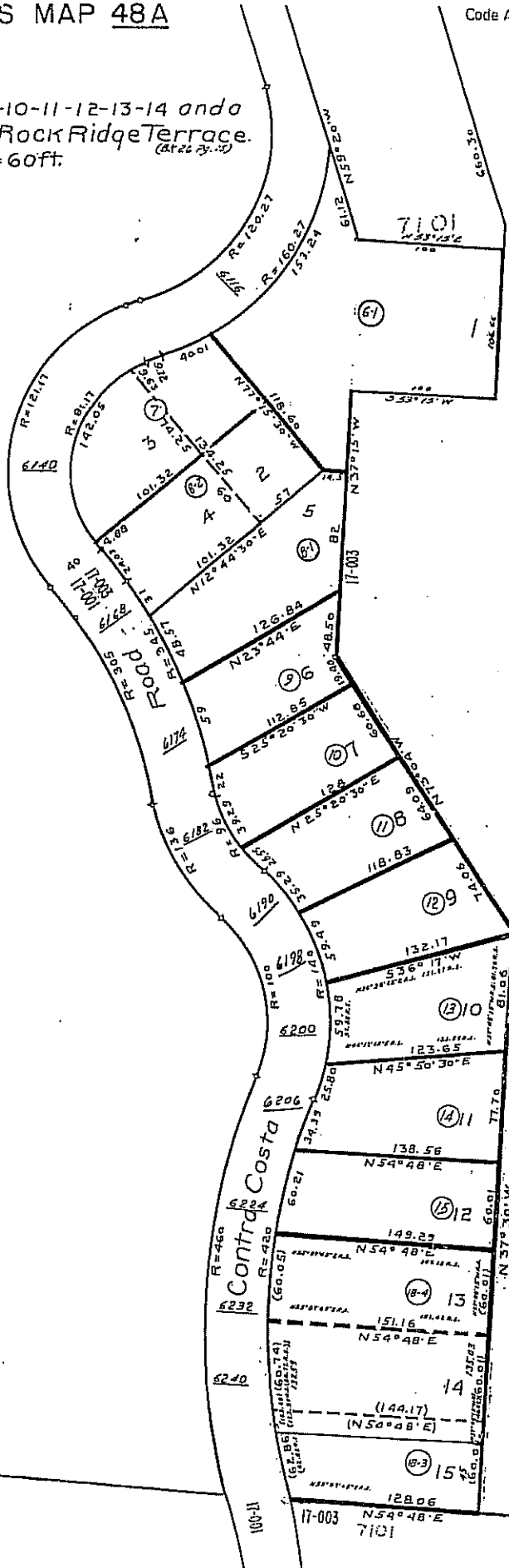
7102

7550  
H  
Book 48H

7102

REF.: R/51046 11/15

JUL 21 1995



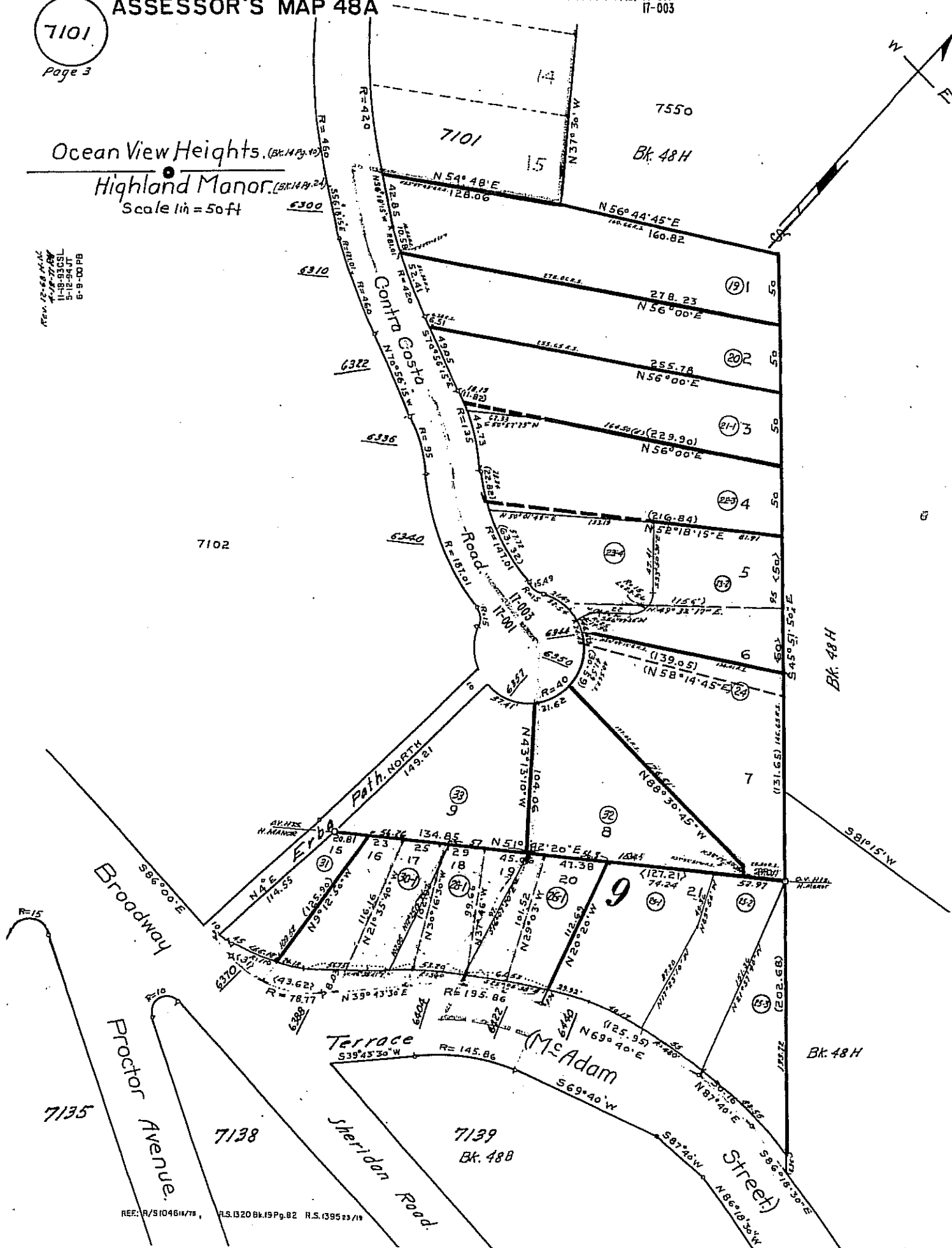


Page 3

Highland Manor. (SK 148.24)

Scale 1 in = 50 ft

FEV. 12-68 M.N.  
4-18-77 BAF  
11-18-93 CSL  
5-12-94 JT  
6-9-00 PB



RECEIVED  
 DEPT. OF JUSTICE  
 MAR 10 1893  
 U.S. DEPT. OF JUSTICE  
 MAR 10 1893

Received of the  
 U.S. DEPT. OF JUSTICE  
 MAR 10 1893

*WILLIAM L. HAY*

RECEIVED  
JAN 10 1917  
U.S. DEPT. OF AGRICULTURE  
WASHINGTON, D.C.

*Kurt Bogum*  
Boulevard Milano  
Paris - France



BK-26-Pg-15

# 6 PRELIM

When recorded, return to:

Mr. & Mrs. Alfred M. Blum  
2749 Carisbrook Dr.  
Oakland, CA. 94611

RECORDING REQUESTED BY  
FIRST AMERICAN TITLE

DRIVEWAY EASEMENT AGREEMENT

Whereas, REUBEN D. JONES and ROSE MARIE JONES, husband and wife, are the owners of that certain easement reserved in the Deed recorded January 5, 1994, Instrument No. 94-004361, Alameda County Records, hereinafter referred to as Parcel A (see Exhibit "A")

Whereas, Alfred M. Blum and Stacey D. Blum, are the owners of that certain easement described as Parcel 2 in the Deed recorded January 5, 1994, Instrument No. 94-004361, Alameda County Records, hereinafter referred to as Parcel B (see Exhibit "B").

It is understood and agreed that no vehicle obstruction may be parked within the boundaries of said easement driveway, nor can either party prevent the other from the free undisturbed use of said easement driveway for the purposes stated in the deed described above.

The parties hereto, their successors and assigns agree to share equally among themselves the cost of maintenance and repairs.

If the owners of Parcel A and Parcel B are unable to agree regarding what maintenance and repairs should be performed, then only necessary maintenance and repairs shall be performed.

If the owners of Parcel A and Parcel B are unable to agree regarding what maintenance and repairs are necessary, then such dispute shall be submitted to binding arbitration. There shall be a single neutral arbitrator who shall be a licensed architect, real estate broker, or attorney with not less than 5 years experience as an arbitrator.

Dated: 3/11/94

PARCEL "A"

Reuben D. Jones  
REUBEN D. JONES / OWNER

Rose Marie Jones  
ROSE MARIE JONES / OWNER

Dated: 3/21/94

PARCEL "B"

Alfred M. Blum  
ALFRED M. BLUM / OWNER

Stacey D. Blum  
STACEY D. BLUM / OWNER

RECEIVED AND READ

NUMBER OF PAGES 4

"THIS INSTRUMENT FILED FOR RECORD BY FIRST AMERICAN TITLE INSURANCE COMPANY AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON THE TITLE."

712403

Recorded in Official Records of Alameda Co.  
Patrick O'Connell Auditor-Recorder



23.00

94140821 12:44pm 04/11/94

006 163926 38 34 000065

A15 A15 4 14.00 9.00 0.00 0.00 0.00 0.00

94140821

CONSENT AND SUBORDINATION

REUBEN D. JONES AND ROSE MARIE JONES, HUSBAND AND WIFE, AS BENEFICIARIES UNDER THAT CERTAIN DEED OF TRUST DATED DECEMBER 23, 1993, AND RECORDED JANUARY 5, 1994, AS INSTRUMENT NUMBER 94-004362, ALAMEDA COUNTY RECORDS, DOES HEREBY CONSENT TO THE CREATION OF SAID DRIVEWAY EASEMENT AND SUBORDINATES THEIR LIEN OF SAID DEED OF TRUST TO SAID DRIVEWAY EASEMENT AGREEMENT.

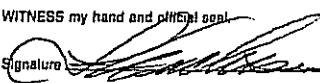
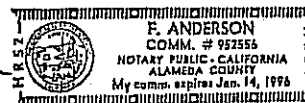
DATED: 3/11/94  
 BY: Reuben D. Jones  
 REUBEN D. JONES, BENEFICIARY  
 BY: Rose Marie Jones  
 ROSE MARIE JONES, BENEFICIARY

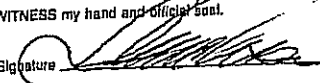
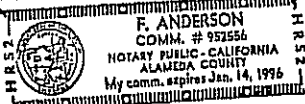
Official Acknowledgement

STATE OF CALIFORNIA  
 COUNTY OF ALAMEDA } ss.  
 On MARCH 11, 1994 before me, F. ANDERSON, a Notary Public,  
 (Notary Name and Title)  
 personally appeared REUBEN D. JONES and ROSE MARIE JONES  
 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
 WITNESS my hand and official seal.  
 Signature [Signature]  
 F. ANDERSON  
 COMM. # 952556  
 NOTARY PUBLIC - CALIFORNIA  
 ALAMEDA COUNTY  
 My comm. expires Jan. 14, 1996  
 (Notarial Seal)

T-721

94140821

STATE OF CALIFORNIA } SS. 94140821  
COUNTY OF ALAMEDA  
On MARCH 11, 1994 before me, F. ANDERSON, a Notary Public,  
(Notary Name and Title)  
personally appeared REUBEN D. JONES and ROSE MARIE JONES  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.  
Signature   
  
T721 (Notarial Seal)

STATE OF CALIFORNIA } SS. 94140821  
COUNTY OF ALAMEDA  
On MARCH 21, 1994 before me, F. ANDERSON, a Notary Public,  
(Notary Name and Title)  
personally appeared ALFRED M. BLUM and STACEY D. BLUM  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon  
behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.  
Signature   
  
T721 (Notarial Seal)

## EXHIBIT "A"

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY.

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 5, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, THENCE ALONG THE WESTERN LINE THEREOF NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES EASTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET EASTERLY OF SAID WESTERN LINE ABOVE REFERRED TO 130 FEET, MORE OR LESS TO THE SOUTHERN LINE OF SAID LOT 5, THENCE ALONG SAID SOUTHERN LINE WESTERLY 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT IS APPURTENANT TO AND FOR THE BENEFIT OF THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT 4 AND THE SOUTHEASTERN 60 FEET OF LOT 2, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

APN: PORTION OF 48A-7101-B-1

## EXHIBIT "B"

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY:

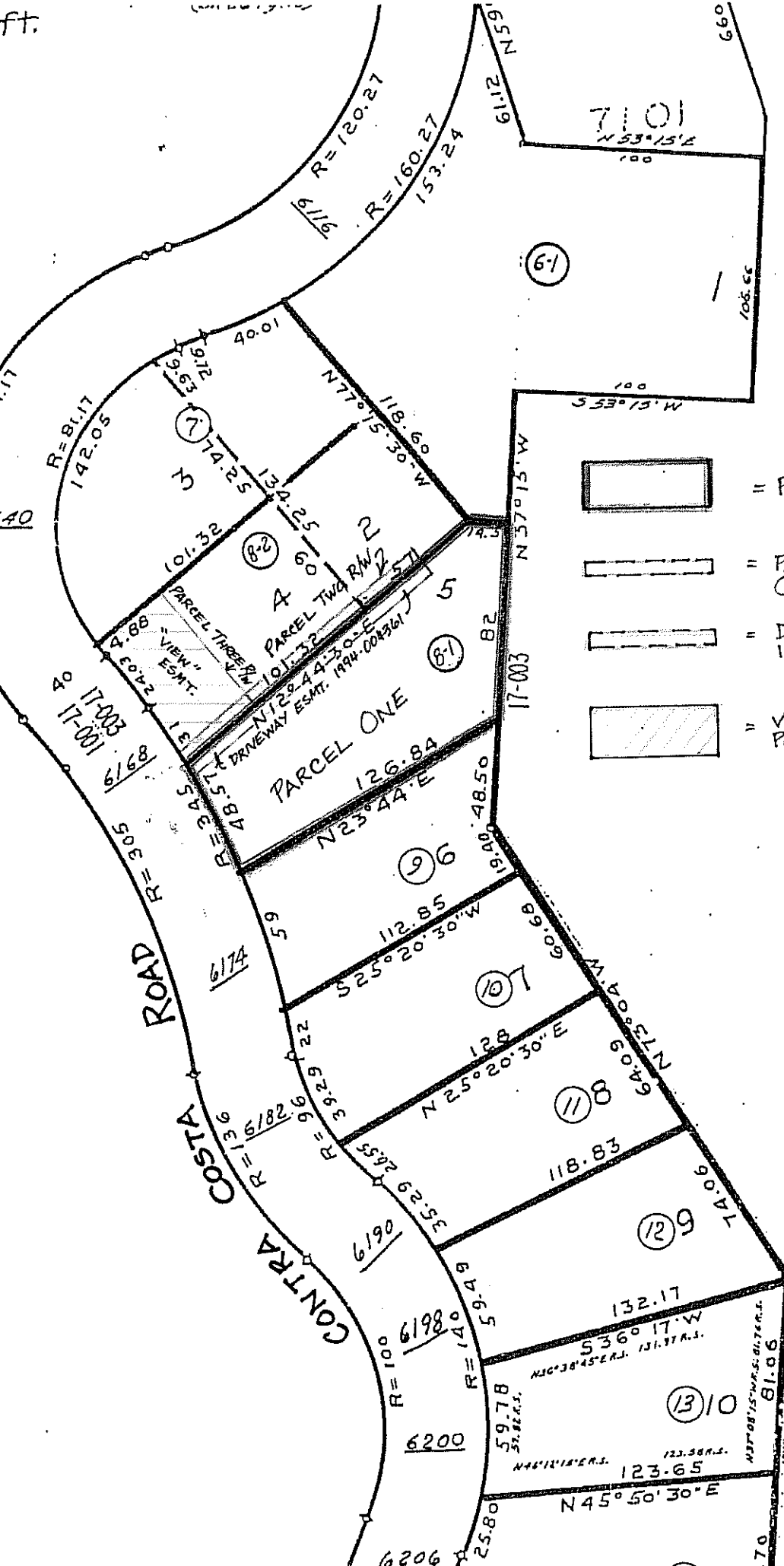
BEING A PORTION OF LOTS 2 AND 4, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 4, ABOVE REFERRED TO, THENCE ALONG THE EASTERLY LINE OF SAID LOTS 2 AND 4, NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES WESTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET WESTERLY OF SAID EASTERLY LINE ABOVE REFERRED TO 130 FEET, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE ALONG SAID SOUTHERN LINE 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT IS APPURTENANT TO AND FOR THE BENEFIT OF THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT 5, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

APN: PORTION OF 48A-7101-B-2



17

Book 48H

RECEIVED AND READ /  
NUMBER OF PAGES \_\_\_\_\_

NAME \_\_\_\_\_

~~DATE~~

NAME \_\_\_\_\_

DATE \_\_\_\_\_

1. 360°

94004361

EXHIBIT "A"

**Description:**

The land referred to herein is situated in the State of California, County of ALAMEDA, CITY OF OAKLAND, described as follows:

**PARCEL 1:**

LOT 5, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

A. P. NO.: 48A-7101-8-1

RESERVING THEREFROM A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY.

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 5, THENCE ALONG THE WESTERN LINE THEREOF NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES EASTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET EASTERLY OF SAID WESTERN LINE ABOVE REFERRED TO 130 FEET, MORE OR LESS TO THE SOUTHERN LINE OF SAID LOT 5, THENCE ALONG SAID SOUTHERN LINE WESTERLY 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT IS APPURTENANT TO AND FOR THE BENEFIT OF THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT 4 AND THE SOUTHEASTERN 60 FEET OF LOT 2, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

A. P. NO.: 48A-7101-8-2

**PARCEL 2:**

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY:

BEING A PORTION OF LOTS 2 AND 4, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 4, ABOVE REFERRED TO, THENCE ALONG THE EASTERLY LINE OF SAID LOTS 2 AND 4, NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES WESTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET WESTERLY OF SAID EASTERLY ABOVE REFERRED TO 130 FEET, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE ALONG SAID SOUTHERN LINE 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

**PARCEL 3:**

A NON-EXCLUSIVE EASEMENT FOR LIGHT, AIR AND UNOBSTRUCTED VIEW OVER THAT PORTION OF LOT 4, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, LYING ABOVE A HORIZONTAL PLANE 22 FEET 6 INCHES ABOVE THE LEVEL OF THE CURB OF CONTRA COSTA ROAD FORMERLY CHABOT ROAD, AS SHOWN ON THE ABOVE REFERRED TO MAP (26M15) AT AN ELEVATION 548.99 FEET ABOVE SEA LEVEL, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 4, ABOVE REFERRED TO THENCE ALONG THE EASTERLY LINE NORTH 12° 44' 30" EAST 39 FEET, 6 INCHES; THENCE AT RIGHT ANGLES 60 FEET TO THE WESTERN LINE OF SAID LOT 4; THENCE ALONG SAID WESTERN LINE SOUTH 12° 44' 30" WEST 39 FEET 6 INCHES, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE EASTERLY ALONG SAID SOUTHERN LINE TO THE POINT OF BEGINNING.

Pg. 2 of 2



95195787

EXHIBIT "A"Description:

The land referred to herein is situated in the State of California, County of ALAMEDA, CITY OF OAKLAND, described as follows:

PARCEL 1:

LOT 5, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

A. P. NO.: 48A-7101-8-1

RESERVING THEREFROM A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 5, THENCE ALONG THE WESTERN LINE THEREOF NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES EASTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET EASTERLY OF SAID WESTERN LINE ABOVE REFERRED TO 130 FEET, MORE OR LESS TO THE SOUTHERN LINE OF SAID LOT 5, THENCE ALONG SAID SOUTHERN LINE WESTERLY 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID EASEMENT IS APPURTENANT TO AND FOR THE BENEFIT OF THE FOLLOWING DESCRIBED REAL PROPERTY:

LOT 4 AND THE SOUTHEASTERN 60 FEET OF LOT 2, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS.

A. P. NO.: 48A-7101-8-2

PARCEL 2:

A NON-EXCLUSIVE EASEMENT FOR DRIVEWAY PURPOSES OVER, ALONG AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY:

BEING A PORTION OF LOTS 2 AND 4, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 4, ABOVE REFERRED TO, THENCE ALONG THE EASTERLY LINE OF SAID LOTS 2 AND 4, NORTH 12° 44' 30" EAST 130 FEET; THENCE AT RIGHT ANGLES WESTERLY 6 FEET; THENCE SOUTHERLY PARALLEL WITH AND 6 FEET WESTERLY OF SAID EASTERLY ABOVE REFERRED TO 130 FEET, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE ALONG SAID SOUTHERN LINE 6 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 3:

A NON-EXCLUSIVE EASEMENT FOR LIGHT, AIR AND UNOBSTRUCTED VIEW OVER THAT PORTION OF LOT 4, BLOCK 1, MAP OF SUBDIVISION OF BLOCKS 9, 10, 11, 12, 13, 14, AND A PORTION OF BLOCK 16, ROCKRIDGE TERRACE, FILED MARCH 16, 1911, MAP BOOK 26, PAGE 15, ALAMEDA COUNTY RECORDS, LYING ABOVE A HORIZONTAL PLANE 22 FEET 6 INCHES ABOVE THE LEVEL OF THE CURB OF CONTRA COSTA ROAD FORMERLY CHLBOT ROAD, AS SHOWN ON THE ABOVE REFERRED TO MAP (26M15) AT AN ELEVATION 548.99 FEET ABOVE SEA LEVEL, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID LOT 4, ABOVE REFERRED TO THENCE ALONG THE EASTERLY LINE NORTH 12° 44' 30" EAST 39 FEET, 6 INCHES; THENCE AT RIGHT ANGLES 60 FEET TO THE WESTERN LINE OF SAID LOT 4; THENCE ALONG SAID WESTERN LINE SOUTH 12° 44' 30" WEST 39 FEET 6 INCHES, MORE OR LESS, TO THE SOUTHERN LINE OF SAID LOT 4; THENCE EASTERLY ALONG SAID SOUTHERN LINE TO THE POINT OF BEGINNING.

95195787

## EXHIBIT "B"

July 24, 1995

AMENDMENT TO EASEMENT FOR LIGHT, AIR AND UNOBSTRUCTED  
VIEW

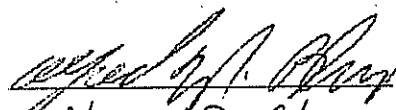
## PARCEL 3:

A non-exclusive easement for light, air and unobstructed view over that portion of Lot 4, Block 1, Map of Subdivision of Blocks 9,10,11,12,13,14, and a portion of block 16, Rockridge Terrace, filed March 16, 1911, Map Book 26, Page 15, Alameda County Records, lying above a horizontal plane 22 feet 6 inches above the level of the curb of Contra Costa Road, formerly Chabot Road, as shown on the above referred to map (26M15) at an elevation 548.99 feet above sea level, described as follows:

Beginning at the Southeasterly corner of said Lot 4, above referred to thence along the easterly line North 12 44' 30" East 29 feet, 0 inches; thence at right angles 60 feet to the Western line of said Lot 4; thence along said western line South 12 44' 30" West 29 feet, 0 inches, more or less, to the southern line of said Lot 4; thence easterly along said southern line to the point of beginning.

Amended July 24, 1995

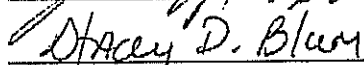
Signature



Date

7/24/95

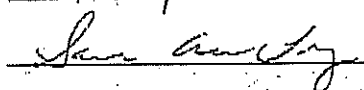
Signature



Date

7/27/95

Signature



Date

7/24/95

Buyer

Date

Buyer

Date

Page

4

of

4

# 5 PRELIM

RECORDING REQUESTED BY  
NORTH AMERICAN TITLE COMPANY  
4409463 (1)

AND WHEN RECORDED MAIL TO

Name ALFRED M. BLUM  
STACEY D. BLUM  
Street Address 2749 CARISBROOK DRIVE  
City & State OAKLAND, CA 94611

Recorded in Official Records, Alameda County  
Patrick O'Connell, Clerk-Recorder

10.00  
94004361 08:30am 01/05/94  
004 047909 22 08 000067  
R03 2 7.00 3.00 0.00 0.00 154.55 2106.30  
0.00 0.00

MAIL TAX STATEMENTS TO

Name SAME  
Street Address AS ABOVE.....  
City & State

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NAT-30 (5-87)

### Individual Grant Deed

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$ 154.55 / CITY OF OAKLAND TAX: \$2,106.30  
( X ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens and encumbrances remaining at time of sale.  
( ) Unincorporated area: ( X ) City of OAKLAND, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
REUBEN D. JONES and ROSE MARIE JONES, husband and wife,

hereby GRANT(S) to ALFRED M. BLUM and STACEY D. BLUM, husband and wife, as  
Community Property,

the following described real property in the CITY OF OAKLAND  
County of ALAMEDA, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.....

RECEIVED AND READ

NUMBER OF PAGES 4

NAME DATE

NAME DATE

Dated January 3, 1994

State of California

County of ALAMEDA

SS.

On January 3, 1994 before me, F. ANDERSON

personally appeared REUBEN D. JONES and ROSE  
MARIE JONES

personally known to me (or proved to be on the basis of satisfactory  
evidence) to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they ex-  
ecuted the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity  
upon behalf of which the person(s) acted, executed the instrument.  
WITNESS my hand and official seal.

Signature (Seal)

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE.

