

*1096 Amito Drive
Berkeley*

PROPERTY REPORTS AND DISCLOSURES

The GRUBB Co.
REALTORS

HELENE BARKIN
510.652.2133/424
hbarkin@grubbco.com

This is to supplement and become a part of that Real Estate Purchase Agreement dated _____ executed by _____, Purchasers, and Russell and Jennifer Onish, Seller, covering the purchase of the property located at 1096 Amito Drive Oakland, CA.

Purchaser and Purchaser's Agent acknowledge timely receipt of the following documents **prior to writing and presenting the above referenced offer**. Listing agent has not verified any of the information contained in those documents prepared by other people. Please encourage your buyers to satisfy themselves as to the issues discussed in these documents.
Page 1 of 2

1. Receipt for Documents, Public Record, Copy of MLS, 5 pages
2. Agency Disclosure Signed by Sellers
3. Lead Based Paint Disclosure, 2 pages
4. Agency Disclosure, / Liquidated Damages / Arbitration of Disputes Disclosure, 3 pages
5. Water Heater Statement of Compliance
6. Smoke Detector Statement of Compliance
7. Oakland Ordinance Addendum, 4 pages
8. Sellers Improvements 1 page dated 8/14/2005
9. Supplemental Statutory & Contractual Disclosures, 1 page
10. Sellers Real Estate Transfer Disclosure Statement, dated 8/14/2005, 3 pages and sellers 1 page Disclosure Addendum dated 8/14/2005
11. Sellers Agent Transfer Disclosure Statement, 1page
12. Sellers Supplement to Real Estate Transfer Disclosure Statement, dated 8/14/05, 4 pages
13. Hold Harmless Pest Control Agreement, 1page
14. Structural Pest Control Report by Ron Clark dated 8/05
15. California Tax Disclosure Report, including signature page 3, dated 08/2/200, 7 pages
16. JCP Report Dated 08/02/2005
17. Environmental Hazards and Earthquake Safety Booklet which includes the Federal Lead Booklet and the Toxic Mold Update

PRIOR REPORTS AND INFORMATION:

18. Real Estate Transfer Disclosure Statement, 3 pages, dated 2/2003
19. Sellers Supplement to Real Estate Transfer Disclosure Statement, 4 pages, dated 2/12/03
20. Selling Agents Transfer Disclosure Statement dated 3/14/03, 1 page
21. Ron Clark Pest Control Report dated 2/17/2003, 9 pages, and 3/12/03, 3 pages
22. Hold Harmless Pest Control dated 3/2003

RECEIPT FOR DOCUMENTS

- 23. Albert Nahman Plumbing 1 page invoice #6643
- 24. Rat Patrol Rodent Proofers 3/20/2003, 1 page
- 25. Clue Personal Property Report Dated 3/15/2003, 1 page
- 26. Homewise Building Inspection Report by David Venable 35 pages dated 3/10/2003
- 27. Preliminary Title Report Dated March 3, 2003 by Old Republic Title Company, 11 pages

Regarding the reports listed that were prepared by third party professionals: the Buyer acknowledges that neither the Seller nor the agents have verified the information the reports contain, and that neither the seller nor the agents can be responsible for any errors or omissions in the reports. Questions or concerns regarding the content of these reports should be directed to the creators of the reports. Further the Buyer expressly acknowledges that the provision of reports by the seller neither diminishes, nor substitutes for, the Buyer's opportunity and responsibility to engage professionals of the Buyer's choice to investigate the condition of the property. By signing below the buyer acknowledges that the seller and the agents urge the Buyer to obtain any and all inspections/reports the buyer may deem necessary

The undersigned Purchaser and Agent acknowledge timely receipt of the above referenced documents, prior to writing the offer

Buyer _____ Date _____

Buyer _____ Date _____

Buyer's agent _____ Date _____

The GRUBB Co.

1960 Mountain Boulevard, Oakland, CA 94611
3070 Claremont Avenue, Berkeley, CA 94705

RECEIPT FOR DOCUMENTS

Listing Agent: Helene Barkin

Property Address: 1096 Armita Oakland

Purchaser and / or Purchaser's Agent acknowledge timely receipt of the following documents prior to writing and presenting an offer on the above referenced property.

1. Multiple Listing Service print out.
2. Public records.
3. Supplemental Statutory Disclosures (SSD).
4. RETDS (Seller's Transfer Disclosure Statement) dated August 14 2005.
5. The GRUBB Co. Supplemental Disclosure Statement dated August 14 2005.
6. Oakland Ordinance Addendum.
7. Lead Based Paint Hazards Disclosure dated 7.29.05.
8. Water Heater Compliance Statement.
9. Smoke Detector Compliance Statement.
10. Arbitration of Disputes / Liquidated Damages Disclosure.
11. Hazard Zone Disclosure Report by JCP Geologists or Disclosure Source dated 8/2/2005.
12. California Tax Data dated 8/2/2005.
13. Structural Pest Control Report by Ron Clark dated August 2005.
14. Copy of "The Homeowner's Guide to Earthquake and Safety and Environmental Hazards".
15. _____
16. _____
17. _____

The undersigned Purchaser and Agent acknowledge timely receipt of the above referenced documents.

Russell Orl
Seller _____ Date _____

Buyer _____ Date _____

Quinn
Seller _____ Date _____

Buyer _____ Date _____

Agent Representing Buyer: _____

= M E T R O S C A N P R O P E R T Y P R O F I L E =
Alameda (CA)

OWNERSHIP INFORMATION

Parcel Number :048H 7652 023 01
 Owner :Onish Russell & Jennifer
 CoOwner :
 Site Address :1096 Amito Dr Oakland 94705
 Mail Address :1096 Amito Dr Berkeley Ca 94705
 Owner Phone :
 Tenant Phone :

RECEIVED AND READ

NUMBER OF PAGES 2

NAME	DATE
NAME	DATE

SALES AND LOAN INFORMATION

Transferred	:04/04/2003	Loan Amount	:\$700,000
Document #	:198173	Lender	:Washington Mutual
Sale Price	:\$875,000 Full	Loan Type	:Conventional
Deed Type	:Grant Deed	Interest Rate	:Adjustable
% Owned	:100	Vesting Type	:Married Persons

ASSESSMENT AND TAX INFORMATION

Land	:\$267,401	Exempt Type	:Homeowners
Structure	:\$623,935	Exempt Amount	:\$7,000
Other	:	Incorporated	:Yes
Total	:\$891,336	Tax Rate Area	:17003
% Improved	:70	04-05 Taxes	:\$12,150.04

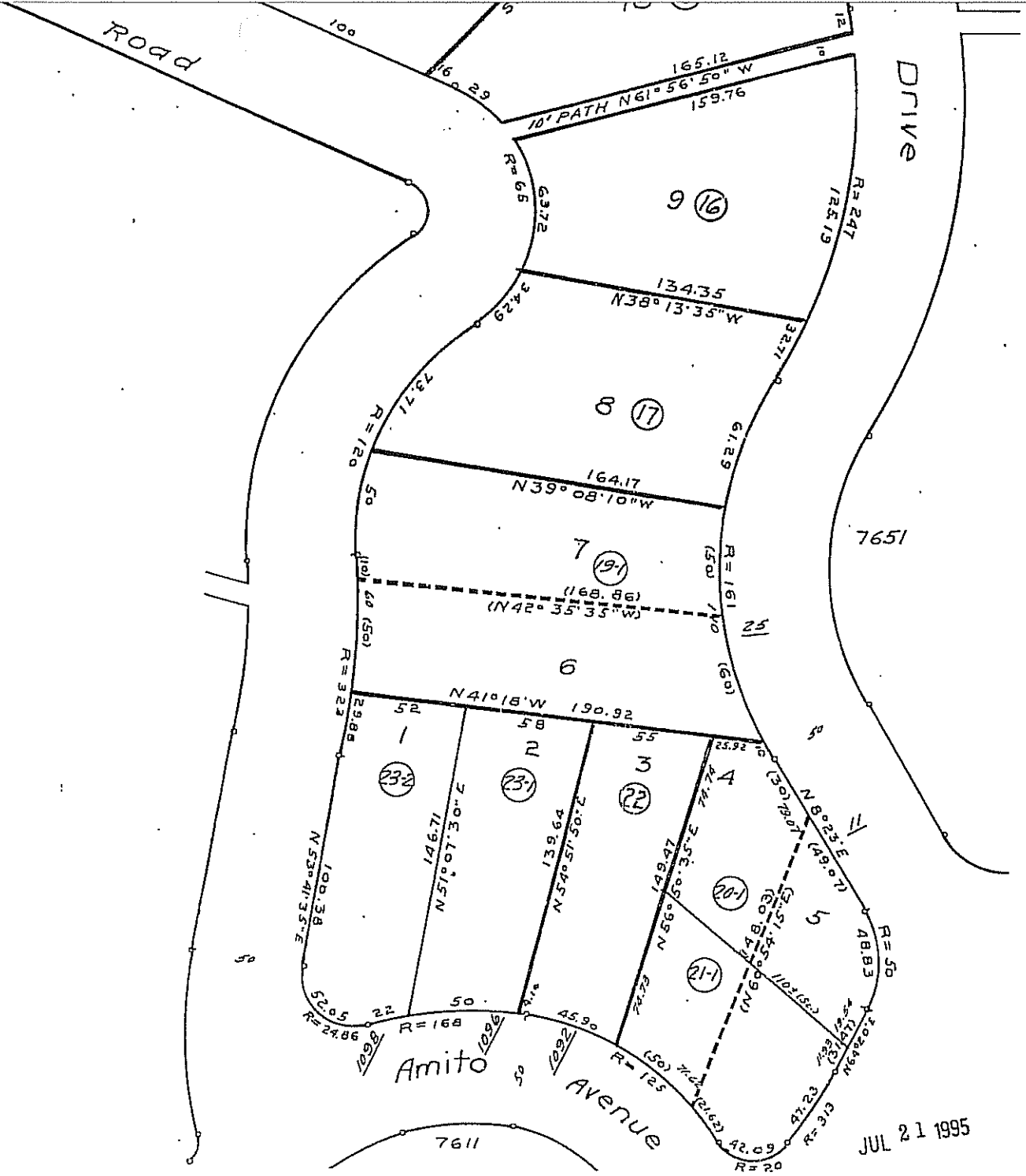
PROPERTY DESCRIPTION

Map Grid :630-636 B3
 Census :Tract :4001.00 Block :1
 Land Use :110 Res, Single Family Residence

PROPERTY CHARACTERISTICS

TotalRms :9	Pool :	Lot Acres :.18	Bldg Matl :Frame
Bedrooms :4	Units :1	Lot SqFt :7,632	Bldg Shape :Rectangle
Bathrms :3.0	Bldg Num :1	Bldg SqFt :2,525	Bldg Class :7.5
Stories :1	Elevator :	Year Blt :1993	View Qual :Good
Unit Flr :	Garage :Garage	Eff YrBlt :1993	Topography :Submerged

7654



JUL 21 1995

EBRD

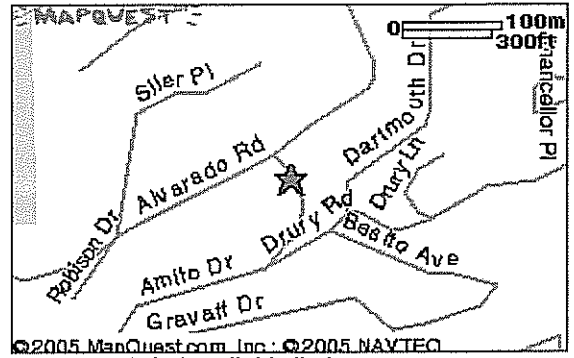


**RESIDENTIAL
Detached**

List Price
\$1,195,000

Status
New

Virtual Tour Link



©2005 MapQuest.com, Inc. ©2005 NAVTEC

Print/email this listing:

1096 AMITO DRIVE

Two Story

List Date: 8/15/2005

Off Mkt Date:

Pend Date:

COE Date:

Orig. Price: \$1,195,000

Sold Price:

DMLS: 1 DOM: 1

Unit:

MLS Number: 40101910

OAKLAND, CA 94705

Area: 2675

Bedrooms: 4 **Yr Blt:** 1993 **Garage?:** Yes
Baths/Par: 3 / 0 **Age:** 12 **Spaces:** 2
Sq Ft: 2,525 **Acres:** 0.18 **Fireplaces:** 1
Source: Public Records **Lot SF:** 7632 **Pool:** No
D/N/S: CLAREMONT HILLS **Total Rms:** 9
Bldr/Arch: **New Subdiv:**
Model: **Const St:** Existing
Remarks: **List \$/SqFt:** \$473

Surrounded by expansive 3-bridge views & canyon views! Wonderful interior w/ walls of glass, vaulted ceilings. Formal dining room & eat-in kitchen share the views! Spacious family room, level areas in garden & decks for al fresco dining make for easy flow to the outdoors. A lovely & practical home!

No. of Units: **Complex:**
%OwnOcc: **Pets:**
Unit's Floor: **Unit Levels in Unit - 2**
TIC%: **Feat:**
Type Own:

HOA?: No **Name:**
Fee: \$ **Litigation:** **Trms Fee:**

Amenities:

Fees Incl:

Docs:

New Sbdv:
Sales Ofc:

Confid. Remarks: NO SHOW TIL TOUR 8/18 THEN CALL,MSG (2hr notice) & GO- AFTER 6 CONFIRM. Berkeley mailing address,Oakland property taxes. Sq. ft. per tax records not verified. Exclusion:chandelier in DR & master bedroom curtains.

Occ. By: Owner **Name:** RUSS & JENNIFER **Occ. Phone:** (510) 981-1454 **Lockbox?:** Yes FRONT DR 8/18
Show Info: NSTT 8/18 - SEE REMARKS! **24 Hr. Notice Reqd?:** No **Associated Docs Available:**
Directions: CLAREMONT>ALVARADO>AMITO **Cross St:** ALVARADO **Thomas Bros. Map:** 630B3

List Type: Excl Right **Comp Selling Ofc:** 2.5 **Dual/Variable:** No **Listing Service:** Full Service
Listing Ofc: THE GRUBB CO. INC. **Off(510) 652-2133** **Office Fax(510) 652-0114**
Listing Agt: HELENE BARKIN **HBARKIN@GRUBBCO.COM**

Co-List:
Zoning: 1001 **APN:** 048H765202301 **Census Tract:** 4001.00 **Point of Sale Ord.:** No **City Transfer Tax:** Yes

Bath, Master: Skylight, Solid Surface, Stall Shower, Tub with Jets **Lvl, Street:** Other
Baths, Other: Shower Over Tub, Skylight, Solid Surface **Lvl, Upper:** 3 Bedrooms, 2 Baths, Main Entry, Master Bedrm Suite - 1
Cooling: Ceiling Fan(s), No Air Conditioning **Lvl, Lower:** 1 Bedroom, 1 Bath, Laundry Facility, Other
Disabled:
Kitchen: Counter - Stone, Dishwasher, Eat In Kitchen, Electric Range/Cooktop, Garbage Disposal, Ice Maker Hookup, Microwave, Oven Built-in, Refrigerator, Self-Cleaning Oven
Disclosure: Other - Call/See Agent
Equipment: Dryer, DSL/Modem Line, Garage Door Opener, Security Alarm - Owned, Washer, Water Filter System, Water Heater Gas

Exterior: Dual Pane Windows, Stucco **Pool:** None
Fireplace: Living Room, Woodburning **Possess:** Negotiable
Rms, Addl: Au Pair, Family Room, Formal Dining Room

Flooring: Hardwood Flrs Throughout, Stone (Marble, Slate etc., Tile **Roof:** Tile
Foundation: Crawl Space **Style:** Mediterranean
Garage: Attached Garage, Guest Parking, Int Access From Garage, Side Yard Access **Terms:** None
Heating: Forced Air 1 Zone, Gas **Wtr/Sewr:** Sewer System - Public, Water - Public
Insp/Rpts: Pest Control **View:** Bay, Bay Bridge, Canyon, City Lights, Downtown, Golden Gate Bridge, Hills...
Laundry: Dryer, Gas Dryer Hookup, Washer **Yard Desc:** Back Yard, Deck(s), Fenced, Front Yard, Garden/Play, Side Yard, Sprinklers Automatic, Sprinklers Back, Sprinklers Front, Terraced Back
Lot Desc: Regular

School Dist: Oakland (510) 879-8111 **Elem:** Call School District **Jr Hi:** Call School District **Sr Hi:** Call School District

Sold By:
Sale Price: **Sale \$/Orig \$:** % **Sale \$/Last \$:** % **List \$/SF:** \$ 473 **Sale \$/SF:** \$ **DMLS:** 1 **DOM:** 1
Credits: **Sale Terms:**



**DISCLOSURE REGARDING
REAL ESTATE AGENCY RELATIONSHIPS**

(As required by the Civil Code)
(C.A.R. Form AD, Revised 10/04)

When you enter into a discussion with a real estate agent regarding a real estate transaction, you should from the outset understand what type of agency relationship or representation you wish to have with the agent in the transaction.

SELLER'S AGENT

A Seller's agent under a listing agreement with the Seller acts as the agent for the Seller only. A Seller's agent or a subagent of that agent has the following affirmative obligations:

To the Seller:

A Fiduciary duty of utmost care, integrity, honesty, and loyalty in dealings with the Seller.

To the Buyer and the Seller:

- (a) Diligent exercise of reasonable skill and care in performance of the agent's duties.
- (b) A duty of honest and fair dealing and good faith.
- (c) A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the parties.

An agent is not obligated to reveal to either party any confidential information obtained from the other party that does not involve the affirmative duties set forth above.

BUYER'S AGENT

A selling agent can, with a Buyer's consent, agree to act as agent for the Buyer only. In these situations, the agent is not the Seller's agent, even if by agreement the agent may receive compensation for services rendered, either in full or in part from the Seller. An agent acting only for a Buyer has the following affirmative obligations:

To the Buyer:

A fiduciary duty of utmost care, integrity, honesty, and loyalty in dealings with the Buyer.

To the Buyer and the Seller:

- (a) Diligent exercise of reasonable skill and care in performance of the agent's duties.
- (b) A duty of honest and fair dealing and good faith.
- (c) A duty to disclose all facts known to the agent materially affecting the value or desirability of the property that are not known to, or within the diligent attention and observation of, the parties.

An agent is not obligated to reveal to either party any confidential information obtained from the other party that does not involve the affirmative duties set forth above.

AGENT REPRESENTING BOTH SELLER AND BUYER

A real estate agent, either acting directly or through one or more associate licensees, can legally be the agent of both the Seller and the Buyer in a transaction, but only with the knowledge and consent of both the Seller and the Buyer.

In a dual agency situation, the agent has the following affirmative obligations to both the Seller and the Buyer:

- (a) A fiduciary duty of utmost care, integrity, honesty and loyalty in the dealings with either the Seller or the Buyer.
- (b) Other duties to the Seller and the Buyer as stated above in their respective sections.

In representing both Seller and Buyer, the agent may not, without the express permission of the respective party, disclose to the other party that the Seller will accept a price less than the listing price or that the Buyer will pay a price greater than the price offered.

The above duties of the agent in a real estate transaction do not relieve a Seller or Buyer from the responsibility to protect his or her own interests. You should carefully read all agreements to assure that they adequately express your understanding of the transaction. A real estate agent is a person qualified to advise about real estate. If legal or tax advice is desired, consult a competent professional.

Throughout your real property transaction you may receive more than one disclosure form, depending upon the number of agents assisting in the transaction. The law requires each agent with whom you have more than a casual relationship to present you with this disclosure form. You should read its contents each time it is presented to you, considering the relationship between you and the real estate agent in your specific transaction.

This disclosure form includes the provisions of Sections 2079.13 to 2079.24, inclusive, of the Civil Code set forth on the reverse hereof. Read it carefully.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE AND THE PORTIONS OF THE CIVIL CODE PRINTED ON THE BACK (OR A SEPARATE PAGE).

BUYER/SELLER Ronald O'Neil Date 7/29/05 Time _____ AM/PM
 BUYER/SELLER James O'Neil Date 7/29/05 Time _____ AM/PM
 AGENT Grubb Company By Adlene Per Date 7-28-05
(Please Print) (Associate-Licensee or Broker Signature)

THIS FORM SHALL BE PROVIDED AND ACKNOWLEDGED AS FOLLOWS (Civil Code § 2079.14):

- When the listing brokerage company also represents Buyer, the Listing Agent shall have one AD form signed by Seller and one signed by Buyer.
- When Buyer and Seller are represented by different brokerage companies, the Listing Agent shall have one AD form signed by Seller and the Buyer's Agent shall have one AD form signed by Buyer and one AD form signed by Seller.

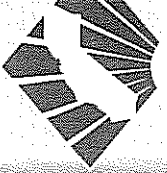
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525 South Virgil Avenue, Los Angeles, California 90020

Reviewed by _____ Date _____





LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS DISCLOSURE, ACKNOWLEDGMENT AND ADDENDUM For Pre-1978 Housing Sales, Leases, or Rentals

(C.A.R. Form FLD, Revised 1/03)

The following terms and conditions are hereby incorporated in and made a part of the: [X] California Residential Purchase Agreement, [] Residential Lease or Month-to-Month Rental Agreement, or [] other:

dated _____, on property known as: 1096 Ameto Oakland ("Property") in which _____ is referred to as Buyer or Tenant and Russell & Jennifer Orish is referred to as Seller or Landlord.

LEAD WARNING STATEMENT (SALE OR PURCHASE) Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

LEAD WARNING STATEMENT (LEASE OR RENTAL) Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips and dust can pose health hazards if not managed properly.

1. SELLER'S OR LANDLORD'S DISCLOSURE

I (we) have no knowledge of lead-based paint and/or lead-based paint hazards in the housing other than the following:

I (we) have no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing other than the following, which, previously or as an attachment to this addendum have been provided to Buyer or Tenant:

I (we), previously or as an attachment to this addendum, have provided Buyer or Tenant with the pamphlet "Protect Your Family From Lead In Your Home" or an equivalent pamphlet approved for use in the State such as "The Homeowner's Guide to Environmental Hazards and Earthquake Safety."

For Sales Transactions Only: Buyer has 10 days, unless otherwise agreed in the real estate purchase contract, to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

I (we) have reviewed the information above and certify, to the best of my (our) knowledge, that the information provided is true and correct.

[Signature] Seller or Landlord Date 7/29/05

[Signature] Seller or Landlord Date 7/29/05

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Buyer's Initials () () Seller's Initials (RSO) (JLO)

Reviewed by _____ Date _____



Property Address: 1096 Armita Oakland Date 7.29.05

2. LISTING AGENT'S ACKNOWLEDGMENT

Agent has informed Seller or Landlord of Seller's or Landlord's obligations under §42 U.S.C. 4852d and is aware of Agent's responsibility to ensure compliance.

I have reviewed the information above and certify, to the best of my knowledge, that the information provided is true and correct.

Grebb Co. By Helene Barl 7/29/05
Agent (Broker representing Seller) Please Print Associate-Licensee or Broker Signature Date

3. BUYER'S OR TENANT'S ACKNOWLEDGMENT

I (we) have received copies of all information listed, if any, in 1 above and the pamphlet "Protect Your Family From Lead In Your Home" or an equivalent pamphlet approved for use in the State such as "The Homeowner's Guide to Environmental Hazards and Earthquake Safety." If delivery of any of the disclosures or pamphlet referenced in paragraph 1 above occurs after Acceptance of an offer to purchase, Buyer has a right to cancel pursuant to the purchase contract. If you wish to cancel, you must act within the prescribed period.

For Sales Transactions Only: Buyer acknowledges the right for 10 days, unless otherwise agreed in the real estate purchase contract, to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; OR, (if checked) Buyer waives the right to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

I (we) have reviewed the information above and certify, to the best of my (our) knowledge, that the information provided is true and correct.

Buyer or Tenant Date Buyer or Tenant Date

4. COOPERATING AGENT'S ACKNOWLEDGMENT

Agent has informed Seller or Landlord, through the Listing Agent if the property is listed, of Seller's or Landlord's obligations under §42 USC 4852d and is aware of Agent's responsibility to ensure compliance.

I have reviewed the information above and certify, to the best of my knowledge, that the information provided is true and correct.

_____ By _____
Agent (Broker obtaining the Offer) Associate-Licensee or Broker Signature Date

THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ADEQUACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.
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Published by the California Association of REALTORS®

Reviewed by _____ Date _____



Property Address: 1096 Aristo Oakland

This disclosure is designed to give buyers and sellers a basic understanding of four contract provisions: Agency, Liquidated Damages, Arbitration of Disputes and the Megan's Law Database. The Liquidated Damages and Arbitration of Disputes provisions deal with different issues and must be read, in their entirety, before signing a contract.

AGENCY

The Brokers have a fiduciary duty to their own Clients. However, the Brokers also owe all Principals in the transaction: fair and honest dealing, acting in a diligent manner and handling the transaction in a timely fashion. Furthermore, the Broker representing the Buyer may also represent other potential Buyers who may consider or make offers on the same property. Likewise, the Broker representing the Seller may also represent other Sellers that have similar or competing properties.

There are 3 basic forms of representation under Agency. The Buyer may have sole representation by their Agent/Broker, the Seller may have sole representation by their Agent/Broker, or there may be Dual Agency, wherein the Agent /Broker represents both the Buyer and the Seller. This Dual Agency does exist whether 2 separate Agents working for the SAME Brokerage are representing the Buyer and the Seller, or if the SAME AGENT represents both Buyer and Seller.

- I understand that The GRUBB Co. is representing BOTH Buyer and Seller in this transaction.
- I understand that The GRUBB Co. and _____ are representing BOTH Buyer and Seller in this transaction.

In addition, the Agents must disclose if they have any financial interest in the subject property.

- The Agent/Broker DOES NOT have a financial interest in the subject property.
- The Agent/Broker DOES have a financial interest in the subject property in the form of a Swing Loan.
- The Agent/Broker DOES have a financial interest in the subject property in the form of the following described Loan _____.

Seller's Initials ATJ (SLO) / Buyer's Initials () ()

Property Address: _____

1096 Armita Oakland

LIQUIDATED DAMAGES

The parties can, if they choose, agree to have this option or they can decline it in the purchase contract. Most standard real estate contract forms contain a provision for the buyer and seller to agree, in advance, to set a limit on the maximum amount of damages the seller will recover if the buyer breaches the contract. This limit is usually 3% of the purchase price or the amount in escrow, whichever is less. Initialing this provision is not a guarantee that the seller will recover the deposit and it is not a means to prevent a buyer from terminating the contract. This section does not address and has no effect on other legal remedies, such as specific performance. This section does not limit the damages the buyer will recover if the seller breaches the contract. The provision only applies if the buyer breaches the contract. Neither Realtors nor escrow holders can determine if a breach has occurred; this is an issue decided by a court or through arbitration.

ARBITRATION OF DISPUTES

The parties can, if they choose, agree to have this option or they can decline both. Most standard real estate contract forms contain a provision whereby the buyer and seller can, if they choose, agree to submit their disputes to binding arbitration. This is a contract option which has been made available as a convenience for buyers and sellers to decide what forum will be used to resolve any disputes.

Arbitration is less formal and can be a faster, less expensive means of resolving disputes than a court trial.

NATURE OF BINDING ARBITRATION: Binding arbitration is a process whereby parties (by themselves or through their attorney) resolve disputes before a neutral arbitrator(s). The arbitrator (s) is required to be a neutral, disinterested person that the parties agree to use, such as a retired judge or an arbitration service, such as the American Arbitration Association (AAA), and must render a fair and impartial decision. That decision is then final and enforceable; there is no appeal even if the decision is based upon a misunderstanding of fact and/or law. By electing binding arbitration, the parties are generally giving up the right to a trial by a judge or jury as well as the right to full and formal court process. However, the parties can be represented by legal counsel if they choose arbitration.

SCOPE OF ARBITRATION: The arbitration would cover most real estate transaction disputes that arise either before or after escrow closes. Those excluded actions are described in The Arbitration of Disputes Provision. The only parties who must submit to the arbitration process are The Principals to the Transaction.

ARBITRATOR: The arbitrator is required to be a neutral, disinterested person that the parties agree to use, such as a retired judge or an arbitration service, such as the American Arbitration Association (AAA).

Seller's Initials *ATG JW* / Buyer's Initials () ()

Property Address: 1096 Armita Oakland

RIGHTS TO DISCOVERY AND RULES OF EVIDENCE: Arbitration provisions vary regarding the right to conduct discovery (such as depositions, inspections of records). Code of Civil Procedure §1283.05 permits such discovery in arbitration if it is provided for in the agreement. The rules of evidence in arbitration are less rigid than in a trial court. The parties can put forth documents, present and cross-examine witnesses and make oral and/or written arguments.

ARBITRATION FEES: The cost of arbitration varies, depending upon the nature of the case and the type of arbitration chosen. As an example, AAA has a sliding scale based on the amount of claim (i.e., \$1 to \$25,000 is a 3% fee, subject to a \$300 minimum). Who pays those fees depends upon the arbitration agreement.

THE UNDERSIGNED ACKNOWLEDGE AND UNDERSTANDS THAT THEIR CHOICES REGARDING LIQUIDATED DAMAGES AND ARBITRATION HAVE NOT BEEN BASED UPON ANY REPRESENTATIONS OF THE REAL ESTATE AGENTS IN THIS TRANSACTION.

THE UNDERSIGNED UNDERSTANDS THAT IF THEY HAVE FURTHER QUESTIONS, CONCERNS, OR NEED ADVICE ABOUT AGENCY, LIQUIDATED DAMAGES OR ARBITRATION, THEY SHOULD CONSULT THEIR ATTORNEY.

MEGANS LAW DATABASE

In addition to the Megan's Law data base disclosure in the Purchase Agreement, which references the availability of information on sex offenders, Buyer is advised that there is a searchable data base of sex offenders available in the internet at www.meganslaw.ca.gov.

If this is information that is important to Buyer, Buyer is urged to conduct his/her own investigation of this database. Furthermore, neither the Listing Agent nor the Seller has verified the accuracy of the database.

RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED.

Arnold O. J. 7/24/05
Seller Date

Buyer Date

George O. J. 7/29/05
Seller Date

Buyer Date



CALIFORNIA
ASSOCIATION
OF REALTORS®

SMOKE DETECTOR STATEMENT OF COMPLIANCE

As required by California State Health and Safety Code §13113.8(b)

Property Address: 1096 Amato Oakland

- 1. STATE LAW:** California law requires that every single-family dwelling and factory built housing unit sold on or after January 1, 1986, must have an operable smoke detector, approved and listed by the State Fire Marshal, installed in accordance with the State Fire Marshal's regulations. (Health and Safety Code §13113.8)
- 2. LOCAL REQUIREMENTS:** Some local ordinances impose more stringent smoke detector requirements than does California law. Therefore, it is important to check with local city or county building and safety departments regarding the applicable smoke detector requirements for your property.
- 3. TRANSFEROR'S WRITTEN STATEMENT:** California Health and Safety Code §13113.8(b) requires every transferor of any real property containing a single-family dwelling, whether the transfer is made by sale, exchange, or real property sales contract (installment sales contract), to deliver to the transferee a written statement indicating that the transferor is in compliance with California state law concerning smoke detectors.
- 4. EXCEPTIONS:** Exceptions to the state law are generally the same as the exceptions to the Transfer Disclosure Laws.
- 5. CERTIFICATION:** Seller represents that the Property, as of the close of escrow, will be in compliance with Health and Safety Code §13113.8 by having operable smoke detector(s) approved and listed by the State Fire Marshal installed in accordance with State Fire Marshal's regulations and in accordance with applicable local ordinance(s).

Seller Russ O'Neil (Signature) Russ O'Neil (Print Name) Date 7/29/05
 Seller Jennifer O'Neil (Signature) Jennifer O'Neil (Print Name) Date 7/29/05

The undersigned hereby acknowledges receipt of a copy of this document.

Buyer _____ (Signature) _____ (Print Name) Date _____

Buyer _____ (Signature) _____ (Print Name) Date _____

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REVISED 4/99

OFFICE USE ONLY
Reviewed by Broker
or Designee _____
Date _____



1960 Mountain Boulevard, Oakland, CA 94611
3070 Claremont Avenue, Berkeley, CA 94705

Dated _____ between the Buyer(s) _____

Seller(s) Russell and Jennifer Orish relating to property located at
1096 Amato OAKLAND

Provided below is a list of Oakland's major regulations that relate to property ownership. These regulations, as well as the fees that are based on the regulations, may not apply to your particular property, but are provided as a convenient reference. You may obtain copies of the codes and ordinances relating to these regulations from Oakland's Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st Floor, Oakland, CA 94612, (510) 238-3611, between 8:30 a.m. and 5:00 p.m., Monday through Friday or visit www.oaklandnet.com.

BUSINESS TAX

Title 5, Chapter 5.04, of the Oakland Municipal Code (OMC) requires all persons conducting any business to first obtain a Business Tax Certificate and pay an annual Business Tax. The term *Business* includes all commercial and residential rental activities, including single family residences that are rented. Failure to comply with the Business Tax requirements may result in the imposition of penalties and in fact, as well as a lien and special assessment placed on your property.

For more information, contact the **Business Tax Section** in the Financial Services Agency, 250 Frank H. Ogawa Plaza, 1st Floor, Oakland, CA 94612;; or call (510) 238-3704, Monday through Friday, between 8 am and 4pm.

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Resolution 66354 C.M.S. creates the Landscaping and Lighting Assessment District (LLAD) to fund landscaping and lighting activities throughout the City. All real property in Oakland is subject to this assessment and currently ranges from \$77.00 to \$26,323.44 for residential and \$113.00 to \$23,000.00 for commercial.

MELLO-ROOS COMMUNITY FACILITIES DISTRICT

Resolution 67202 C.M.S. provides funding for the Rockridge Library, in part, by levying a special tax on real property within Rockridge Community Facilities District Number 1. The cost is \$25 annually.

For more information, contact the **Revenue Audit Section** in the Financial Services Agency, 150 Frank H. Ogawa Plaza, 5th Floor, Oakland, CA 94612; or call (510) 238-3084, Monday through Friday, between 9 a.m. and 4 p.m.

FIRE AREA UTILITY UNDERGROUND ASSESSMENT DISTRICT

Resolution 69877 C.M.S. created the Fire Area Utility Underground Assessment District to fund the installation of underground utilities in certain sections of the City known as the "Fire Area". All real property within the area is subject to this assessment. The cost for the owner of a single-family residence is approximately \$290 per year.

FIRE SUPPRESSION ASSESSMENT DISTRICT

Resolution 69518 C.M.S. established a Fire Suppression Assessment District encompassing those sections of the City designated as the Fire Hazard Area by the City Council. The reduction of fire risks will be funded by an assessment on real property within the District.

For more information, contact the **Treasury Division** in the Financial Services Agency, 150 Frank H. Ogawa Plaza, 5th Floor, Oakland, CA 94612; or call (510) 238-3201, Monday through Friday, between 9am and 4pm.

Seller's Initials / Buyer's Initials
→ RO/JO /

1960 Mountain Boulevard, Oakland, CA 94611
3070 Claremont Avenue, Berkeley, CA 94705

Property Address: 1096 Anito Oakland

TREE ORDINANCE

Title 12, Chapter 12.36 of the OMC requires that property owners obtain a permit prior to removing *Protected Trees* from their property. *Protected Trees* are defined within the code. Removing or damaging any Protected Tree without the proper permit constitutes an infraction. In addition to the cost of the infraction, violators are liable for damages for an amount up to the value of the removed tree. The City may place a lien on the property if the infraction is not paid on a timely basis. That lien may subsequently be added to the County Property tax bill.

HAZARDOUS TREE ORDINANCE

Title 12, Chapter 12.40 of the OMC defines hazardous tree conditions and addresses ways of mitigating those conditions on both private and public property. There are stringent time frames for responding to hazardous tree claims. If hazardous tree claims are not resolved privately, a claimant may, as a last resort take the claim through the court system.

VIEW ORDINANCE

Title 15, Chapter 15.52 of the OIC provides a claim procedure to compel the removal of trees that may obstruct private views and which existed at the time the claimant acquired his or her property. Certain trees that are part of the natural habitat are exempt from this code. The City does not take an active role in these issues; rather, it encourages the private resolution of such disputes. If a view dispute cannot be resolved privately, and if a claimant prevails through court trial or judicial arbitration, a civil penalty of \$1,000 may be imposed on the defendant. The claimant generally bears the cost of tree removal, but splits the cost with the tree owner if the tree was planted after August 5, 1980. The tree owner bears all costs if he or she fails to cooperate in a non-judicial resolution of the view dispute and if he or she receives an adverse judicial decision.

For more information, contact the **Tree Services Section** in the Parks, Recreation & Cultural Arts Division of the Life Enrichment Agency, 7101 Edgewater Drive, Room 405, Oakland, CA 94621; or call (510) 615-5850, Monday through Friday, between 7:00-9:00 a.m. or 2:00-3:00 p.m.

OAKLAND CREEK ORDINANCE

OMC Chapter 13.16 (Creek Protection) Provides for certain additional requirements in obtaining a building permit for any work to be performed on a property located in proximity to a creek or natural watercourse.

Category I: Interior work. Control any runoff creek.

Category II: Exterior work greater than 100 feet from a creek. Control runoff.

Category III: Any exterior work that is more than 20 feet from a creek but less than 100 feet away.

Category IV: Any exterior work 20 feet or closer to a creek.

For a Category III and IV permit, you may have to submit a Creek Protection Plan and possibly a Hydrology Report. If the subject property is located within 100 feet of a know watercourse, we recommend contacting the City of Oakland Zoning and Permits Department.

Seller's Initials / Buyer's Initials
→ RD/JS()

1960 Mountain Boulevard, Oakland, CA 94611
3070 Claremont Avenue, Berkeley, CA 94705

Property Address: 1096 Ameto Oakland

EARTHQUAKE SAFETY

Title 15, Chapter 15.20 of the OMC requires that a geologic report be submitted to the City where a new structure (or remodeling in excess of 50 percent of the replacement value of the building) is proposed to be constructed wholly or partly within a Special Studies Zone. The California Public Resources Code §2621-2630 defines a Special Studies Zone, which contains active earthquake fault traces. The City may require an additional geologic report where geologic conditions or proposed site usage changes, or in certain other instances. The code describes in detail the items required to be shown, both in the text of the geologic report and in the accompanying maps.

For more information, contact the **Engineering Information Services** in the Community & Economic Development Agency, 250 Frank H. Ogawa Plaza 4th Floor, Oakland, CA 94612; or call (510) 238-4777, Monday through Friday, between 8am and 4 pm.

SMOKE DETECTORS IN EXISTING RESIDENTIAL OCCUPANCIES

Chapter 9, §H-902. In existing residential Properties, when alterations, repairs, or additions having a valuation in excess of one thousand dollars (\$1,000.00) or when one or more sleeping rooms are added or converted, or when the property is sold or title transferred to other than an immediate relative, the entire building shall be provided with approved smoke detectors as required for the current building code.

SMOKE DETECTOR LOCATION WITHIN DWELLING UNITS. In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

SPECIAL ASSESSMENTS

The City of Oakland may levy certain assessments against a property. These include, but are not limited to, A.D. 1994-1, Fire Area Utility Underground, A.D. 1994-2, Rockridge Area Water IMPS, certain special tax liens that will appear on a preliminary title report.

For more information, contact the **Treasury Division** in the Financial Services Agency, 150 Frank H. Ogawa Plaza, 5th Floor, Oakland, CA 94612, or call (510) 238-3201, Monday through Friday between 9am and 4 pm.

The Undersigned Acknowledge Receipt of a Copy Hereof.

→ Russell O'Neil 7/29/05
Seller Date Buyer Date

→ George Davis 7/29/05
Seller Date Buyer Date

1096 Amato Dr., Berkeley, CA 94705

Improvements

- New hardwood floors throughout most of house
- New tile floors on hall and guest bathrooms
- Entire Interior Painted
- New ceiling fans in living room and master bedroom
- New dishwasher in kitchen
- New garbage disposer in kitchen
- Installed window film on all living room and eat-in kitchen windows for sun protection
- New refrigerator in the downstairs family room
- Professionally cleaned and polished marble in master bathroom
- Professionally cleaned and sealed entry slate
- Stained/sealed wooden decks
- New outside light fixtures
- Exterior house trim and deck railings sealed and painted
- Relandscaped front, side and backyards (including new concrete walkway, fencing and retaining walls)
- Installed water drip and fixed outside sprinkler system

Seller Russell Orsini Date 8/14/05

Seller George Orsini Date 8-14-05

Buyer _____ Date _____

Buyer _____ Date _____



1. Seller makes the following disclosures with regard to the real property or manufactured home described as 1096 Amato Drive, Assessor's Parcel No. 048H765202301 situated in _____, County of Alameda, California ("Property").

2. THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS DISCLOSURE STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT(S) AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN. A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF SELLER OR BUYER DESIRE LEGAL ADVICE, CONSULT AN ATTORNEY.

3. Are you (Seller) aware of any of the following? (Explain any "yes" answers below.)
- A. Within the last 3 years, the death of an occupant of the Property upon the Property. Yes No
 - B. The release of an illegal controlled substance on or beneath the Property Yes No
 - C. Whether the Property is located in or adjacent to an "industrial use" zone Yes No
(In general, a zone or district allowing manufacturing, commercial or airport uses.)
 - D. Whether the Property is affected by a nuisance created by an "industrial use" zone Yes No
 - E. Whether the Property is located within 1 mile of a former federal or state ordnance location Yes No
(In general, an area once used for military training purposes that may contain potentially explosive munitions.)
 - F. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision Yes No
 - G. Insurance claims affecting the Property within the past 5 years Yes No
 - H. Matters affecting title of the Property Yes No
 - I. Material facts or defects affecting the Property not otherwise disclosed to Buyer Yes No
- Explanation, or (if checked) see attached; _____

4. Seller represents that the information herein is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a Copy of this statement to any person or entity in connection with any actual or anticipated sale of the Property.

→ Seller Ronald Omit → Date 8-19-05
 → Seller James Omit → Date 8-14-05

5. By signing below, Buyer acknowledges Buyer has received, read, and understands this Supplemental Statutory and Contractual Disclosures form.

Buyer _____ Date _____
 Buyer _____ Date _____
 Agent (Broker Representing Seller) _____
 By _____ Date _____
 (Associate-Licensee or Broker Signature)
 Agent (Broker Obtaining the Offer) _____
 By _____ Date _____
 (Associate-Licensee or Broker Signature)

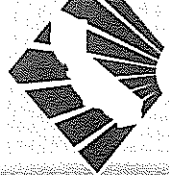
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Reviewed by _____ Date _____





THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF Oakland Berkeley Madison
CA COUNTY OF Alameda STATE OF CALIFORNIA
DESCRIBED AS 1096 Amato Drive

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SECTION 1102 OF THE CIVIL CODE AS OF (date) 8-14-05. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I. COORDINATION WITH OTHER DISCLOSURE FORMS

This Real Estate Transfer Disclosure Statement is made pursuant to Section 1102 of the Civil Code. Other statutes require disclosures, depending upon the details of the particular real estate transaction (for example: special study zone and purchase-money liens on residential property).

Substituted Disclosures: The following disclosures and other disclosures required by law, including the Natural Hazard Disclosure Report/Statement that may include airport annoyances, earthquake, fire, flood, or special assessment information, have or will be made in connection with this real estate transfer, and are intended to satisfy the disclosure obligations on this form, where the subject matter is the same:

- Inspection reports completed pursuant to the contract of sale or receipt for deposit.
- Additional inspection reports or disclosures: _____

II. SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

Seller is is not occupying the property.

A. The subject property has the items checked below (read across):

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Range | <input checked="" type="checkbox"/> Oven | <input checked="" type="checkbox"/> Microwave |
| <input checked="" type="checkbox"/> Dishwasher | <input type="checkbox"/> Trash Compactor | <input checked="" type="checkbox"/> Garbage Disposal |
| <input checked="" type="checkbox"/> Washer/Dryer Hookups | <input checked="" type="checkbox"/> Smoke Detector(s) | <input checked="" type="checkbox"/> Rain Gutters |
| <input checked="" type="checkbox"/> Burglar Alarms | <input type="checkbox"/> Satellite Dish | <input checked="" type="checkbox"/> Fire Alarm |
| <input type="checkbox"/> TV Antenna | <input type="checkbox"/> Central Air Conditioning | <input type="checkbox"/> Intercom |
| <input checked="" type="checkbox"/> Central Heating | <input checked="" type="checkbox"/> Sprinklers (<u>outside</u>) | <input type="checkbox"/> Evaporator Cooler(s) |
| <input type="checkbox"/> Wall/Window Air Conditioning | <input type="checkbox"/> Sump Pump | <input type="checkbox"/> Public Sewer System |
| <input type="checkbox"/> Septic Tank | <input type="checkbox"/> Built-in Barbecue | <input type="checkbox"/> Water Softener |
| <input checked="" type="checkbox"/> Patio/Decking | <input type="checkbox"/> Pool | <input type="checkbox"/> Gazebo |
| <input type="checkbox"/> Sauna | <input type="checkbox"/> Child Resistant Barrier* | <input type="checkbox"/> Spa |
| <input type="checkbox"/> Hot Tub | <input checked="" type="checkbox"/> Automatic Garage Door Opener(s)* | <input type="checkbox"/> Locking Safety Cover* |
| <input type="checkbox"/> Locking Safety Cover* | <input type="checkbox"/> Not Attached | <input checked="" type="checkbox"/> Number Remote Controls <u>1</u> |
| <input type="checkbox"/> Security Gate(s) | <input type="checkbox"/> Solar | <input type="checkbox"/> Carport |
| Garage: <input checked="" type="checkbox"/> Attached | <input checked="" type="checkbox"/> Water Heater Anchored, Braced, or Strapped* | <input type="checkbox"/> Electric |
| Pool/Spa Heater: <input type="checkbox"/> Gas | <input type="checkbox"/> Well | <input type="checkbox"/> Private Utility or Other _____ |
| Water Heater: <input checked="" type="checkbox"/> Gas | <input type="checkbox"/> Bottled | |
| Water Supply: <input checked="" type="checkbox"/> City | <input type="checkbox"/> Window Security Bars <input type="checkbox"/> Quick Release Mechanism on Bedroom Windows* | |
| Gas Supply: <input checked="" type="checkbox"/> Utility | | |
| <input checked="" type="checkbox"/> Window Screens <u>Downstairs</u> <u>Upstairs</u> <u>Guest</u> | | |
| Exhaust Fan(s) in <u>Bathrooms</u> 220 Volt Wiring in _____ | Fireplace(s) in <u>Living Room</u> | |
| <input type="checkbox"/> Gas Starter _____ | <input checked="" type="checkbox"/> Floor(s): Type: <u>Tile</u> Age: <u>12 years</u> (approx.) | |
| <input type="checkbox"/> Other: _____ | | |

Are there, to the best of your (Seller's) knowledge, any of the above that are not in operating condition? Yes No. If yes, then describe. (Attach additional sheets if necessary): _____

(*see footnote on page 2)

Buyer's Initials (____)(____)
Seller's Initials (RSU)(JD)

Reviewed by _____ Date _____



Property Address: 10916 Amato Dr. Berkeley CA 94705 Date: 8-14-05

B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? Yes No. If yes, check appropriate space(s) below.

- Interior Walls
- Ceilings
- Floors
- Exterior Walls
- Insulation
- Roof(s)
- Windows
- Doors
- Foundation
- Slab(s)
- Driveways
- Sidewalks
- Walls/Fences
- Electrical Systems
- Plumbing/Sewers/Septics
- Other Structural Components

(Describe: Window seals are broken in two living room and ceiling of eat in kitchen area)

If any of the above is checked, explain. (Attach additional sheets if necessary.): see 1 page of disclosures

*This garage door opener or child resistant pool barrier may not be in compliance with the safety standards relating to automatic reversing devices as set forth in Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or with the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. The water heater may not be anchored, braced, or strapped in accordance with Section 19211 of the Health and Safety Code. Window security bars may not have quick release mechanisms in compliance with the 1995 edition of the California Building Standards Code.

C. Are you (Seller) aware of any of the following:

1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property Yes No
2. Features of the property shared in common with adjoining landowners, such as walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the subject property Yes No
3. Any encroachments, easements or similar matters that may affect your interest in the subject property Yes No
4. Room additions, structural modifications, or other alterations or repairs made without necessary permits Yes No
5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes Yes No
6. Fill (compacted or otherwise) on the property or any portion thereof Yes No
7. Any settling from any cause, or slippage, sliding, or other soil problems Yes No
8. Flooding, drainage or grading problems Yes No
9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides Yes No
10. Any zoning violations, nonconforming uses, violations of "setback" requirements Yes No
11. Neighborhood noise problems or other nuisances Yes No
12. CC&R's or other deed restrictions or obligations Yes No
13. Homeowners' Association which has any authority over the subject property Yes No
14. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others) Yes No
15. Any notices of abatement or citations against the property Yes No
16. Any lawsuits by or against the Seller threatening to or affecting this real property, including any lawsuits alleging a defect or deficiency in this real property or "common areas" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others) Yes No

If the answer to any of these is yes, explain. (Attach additional sheets if necessary.): _____

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller Russell Omit Date 8-14-05

Seller Janice Omit Date 8-14-05

→ Buyer's Initials (____)(____)

Reviewed by _____ Date _____



Property Address: 1096 Armita Dr. Berkeley CA 94705 Date: 8-14-05

I. AGENT'S INSPECTION DISCLOSURE

(To be completed only if the Seller is represented by an agent in this transaction.)

THE UNDERSIGNED, BASED ON THE ABOVE INQUIRY OF THE SELLER(S) AS TO THE CONDITION OF THE PROPERTY AND BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY IN CONJUNCTION WITH THAT INQUIRY, STATES THE FOLLOWING:

Agent notes no items for disclosure.

Agent notes the following items: see attached addendum dated 8/14/2005

Agent (Broker Representing Seller) Grubb Co By Helenes Forke Date 8/19/2005
(Please Print) (Associate Licensee or Broker Signature)

IV. AGENT'S INSPECTION DISCLOSURE

(To be completed only if the agent who has obtained the offer is other than the agent above.)

THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:

Agent notes no items for disclosure.

Agent notes the following items: _____

Agent (Broker Obtaining the Offer) _____ By _____ Date _____
(Please Print) (Associate Licensee or Broker Signature)

V. BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Seller Russell Oni Date 8-14-05 Buyer _____ Date _____

Seller Jump Oni Date 8-14-05 Buyer _____ Date _____

Agent (Broker Representing Seller) _____ By _____ Date _____
(Please Print) (Associate Licensee or Broker Signature)

Agent (Broker Obtaining the Offer) _____ By _____ Date _____
(Please Print) (Associate Licensee or Broker Signature)

SECTION 1102.3 OF THE CIVIL CODE PROVIDES A BUYER WITH THE RIGHT TO RESCIND A PURCHASE CONTRACT FOR AT LEAST THREE DAYS AFTER THE DELIVERY OF THIS DISCLOSURE IF DELIVERY OCCURS AFTER THE SIGNING OF AN OFFER TO PURCHASE. IF YOU WISH TO RESCIND THE CONTRACT, YOU MUST ACT WITHIN THE PRESCRIBED PERIOD.

A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.

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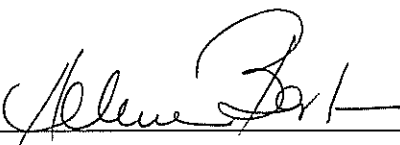
Reviewed by _____ Date _____



Sellers Agents Transfer Disclosure Statement

August 14, 2005

1. Master Bathroom towel rack on the full length mirror is the master bath is loose.
2. Some of the skylights in the house have loose rubber strips hanging in front of the window: the master bath, the skylight in other bath on primary level, and in one of the bedrooms on the primary level.
3. The window in the master bedroom does not open; the handle does not seem to crank open
4. Some of the silver on the master bathroom mirror is coming off
5. Two windows in the living room have broken seals and in the kitchen windows in the eat-in area there are also broken seals
6. Under the wine cellar there is a musty smell
7. This property is located within the City of Oakland and has a Berkeley mailing address

Sellers Agent  Date 8/14/2005

Seller _____ Date _____

Seller _____ Date _____

Buyer _____ Date _____

Buyer _____ Date _____

Buyers Agent _____ Date _____

1096 Amito Dr., Berkeley, CA 94705

Disclosures

- Water staining in living room ceiling was there when we moved in, but we have never had any leaks.
- Overhead lights in garage flicker
- There is a gap in the doorframe of the outside storage room (by garage door) RSD JD
- The top wooden step leading up to the front door seems loose.
- The kitchen refrigerator water and ice make do not work properly – plumber suggested a new water filter should be installed.
- One of the kitchen track light fixtures doesn't work.
- Exhaust fan light cover over stove in kitchen missing.
- Skylights work fine, but edging has come loose.
- One wall outlet in downstairs family room does not work.
- Two windows in living room have broken seals.
- The windows in the ceiling of the eat-in-kitchen area have broken seals.
- In master bathroom, the pipe makes noise when water is turned on low – plumber suggested a water pressure reducer would eliminate noise.
- The master bedroom closet window doesn't open because crank is stripped.

Seller Russell Oniel Date 8/14/05

Seller Jennifer Oniel Date 8-14-05

Buyer _____ Date _____

Buyer _____ Date _____

1960 Mountain Boulevard, Oakland, CA 94611
3070 Claremont Avenue, Berkeley, CA 94705

SELLER'S SUPPLEMENT TO
REAL ESTATE TRANSFER DISCLOSURE STATEMENT

Property Address 1046 Amato Dr., Berkeley CA 94705

Seller(s) Name Russell + Jennifer Onish

As of: (Date) 8/14/05

This form supplements the Real Estate Transfer Disclosure Statement requirements of Civil Code §1102 and is designed to give the Buyer(s) additional information regarding the subject property. The following representations are made by the Seller(s) and are NOT representations by Agent(s).

- | | Yes | No | Don't Know |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 1. Any non-tempered glass on shower and/or sliding doors? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Any spark arrestors which have been installed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Any animals kept on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Any stains, odor or damage caused by animals kept on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Any pools or spas requiring fencing? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Any abandoned tanks or systems (i.e., fuel oil, gas, oil, septic, leach fields)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Any presently connected tanks, septic systems or leach lines? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Any quality problems with the home's water supply (i.e., sediment, discoloration, odor or pressure)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Any leaks, back-ups or recurring blockages in any sewer drainlines? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Describe the condition, repairs and frequency of recurrence of the problem(s) | | | |
| <hr/> | | | |
| 11. Are you aware of any creek that is open or culverted or any natural watercourse within 100 feet of the subject property? (Refer to The Grubb Co. City Ordinance Addendum regarding Creek Preservation or Protection Ordinances) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Any leaks or water intrusion (past or present) in the roof(s), chimney(s), around skylight(s) and windows or elsewhere from any source? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Location(s): <u>Living room ceiling show minor water staining; we have not experienced any leaks. We hired roofer and found no evidence of leaks.</u> | | | |
| Describe/Date Specific Corrective Repairs: <u>There is water staining on left side of garage door facing house. May be coming from deck above.</u> | | | |
| 13. Regarding driveway or private access: | | | |
| (a) Any shared or common driveway or road? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Any written or oral agreement to maintain driveway or road? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Any forthcoming assessments? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Any easements not of public record? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. Are you aware of any of the following in the neighborhood at any time? | | | |
| (a) Flooding or drainage problems | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Settling, slippage, landslides or other soil problems | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Recurrent or unusual odor problems | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Contaminated soil or ground water | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Any criminal activity on the subject property or in the immediate neighborhood? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Describe: _____ | | | |
| <hr/> | | | |
| 15. Proximity to any of the following: | | | |
| (a) Pending real estate development in the area (such as condominiums, planned units development, subdivisions or property for commercial, industrial, sport, educational or religious use) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Proposed or approved changes in public or private facilities | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Any current violations of the Covenants, Conditions and Restrictions (CC&Rs)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Any deaths on the property in the last three years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. Any bonds and/or assessment obligations which are currently due that are not a part of the property tax bill? .. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Any disease which affects trees or plants on the property or within two hundred feet of property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Any restrictions on the use of the premises other than those disclosed in writing? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

→ Seller's Initials (RJO) (JO) / Buyer's Initials () ()

**SELLER'S SUPPLEMENT TO
REAL ESTATE TRANSFER DISCLOSURE STATEMENT**

Property Address 1096 Amato Dr.

- | | Yes | No | Don't
Know |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 21. Any boundary disputes, or third party claims affecting the property (rights of other people to interfere with the use of the property in any way)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Any problems with retaining walls (such as leaning, bulging or cracking)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. Any problems with existing underground sprinkler systems? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24. Any sump pump, underground drains, French drains, dry wells or surface disposal systems in the crawl space/sub area or elsewhere on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (a) If yes, please describe and give location _____ | | | |
| (b) Was sump pump installed with permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 25. Any damp soil and/or standing water in the sub area (under any building)? <u>W. NE cellar slightly musty</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. Any standing, collecting or ponding water on the property at any time?
If so, where? _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. Any repairs, replacements or ongoing maintenance to any of the following items: interior walls, ceilings, floors, exterior walls, insulation, roof(s), windows, doors, foundation, slab(s), driveways, sidewalks, walls/fences, electrical systems, plumbing/sewers/septics or other structural components? <u>Downstairs family room</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, for each repair, replacement or ongoing maintenance, explain: <u>had leaking fridge hardware & damaged floor replaced.</u> | | | |
| 28. Any concealed hardwood floors?
If yes, which rooms? _____
What is the condition of the floors? _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. Any insulation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30. Any vapor or moisture barrier(s) (i.e., plastic covering) in the sub area or any other location? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31. Is water directed away from structure? (i.e., drainage system, splash blocks, or other method)
If yes, please describe <u>Downspouts lead to gutter</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. Any multiple dwelling units included in this sale?
If yes, number of units _____ Number of legal units _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. Is a current 3R report available? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 34. Any Homeowner's insurance claims in the last 5 years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 35. Any water-related insurance claims in the last 5 years? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

REPORTS, INSPECTIONS or ESTIMATES

1. Check applicable boxes, if any, of the following reports, inspections or repair estimates were made for you, previous owner(s) or prospective Buyer(s).

- | | | | | |
|--|---|--|---------------------------------------|--|
| <input checked="" type="checkbox"/> Pest Control | <input type="checkbox"/> Structural/Engineering | <input type="checkbox"/> House Inspection | <input type="checkbox"/> Roof | <input type="checkbox"/> Pool/Spa |
| <input type="checkbox"/> Well | <input type="checkbox"/> Septic | <input type="checkbox"/> Plumbing | <input type="checkbox"/> Heating | <input type="checkbox"/> Air Conditioning |
| <input type="checkbox"/> Survey | <input type="checkbox"/> Soils/Drainage | <input type="checkbox"/> Geologic | <input type="checkbox"/> Energy Audit | <input type="checkbox"/> Environmental Hazards |
| <input type="checkbox"/> Plans | <input type="checkbox"/> Building Permits | <input type="checkbox"/> Berkeley RECO
Compliance | | |

Please describe all checked boxes by type and approximate date(s) and indicate if copies are available.

Type of Report	Inspector	Date	Available
<u>RT Clark - Pest</u>	<u>RT Clark</u>	<u>2003, Aug 2005</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>Home Wise Inspection</u>	<u>Home Wise</u>	<u>2003</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

→ Seller's Initials (RSJ) (JD) / Buyer's Initials (____) (____)

**SELLER'S SUPPLEMENT TO
REAL ESTATE TRANSFER DISCLOSURE STATEMENT**

Property Address 1096 Amato Dr.

2. Are you aware of any reports or inspections that pertain to any neighborhood properties or conditions which may materially affect the value or desirability of the subject property? Yes No
If yes, explain: _____

(NOTE: IT IS RECOMMENDED THAT BUYER OBTAIN A COPY OF ALL EXISTING REPORTS, INSPECTIONS OR REPAIR ESTIMATES.)

OWNERSHIP

- | | Yes | No | Don't
Know |
|---|--------------------------|-------------------------------------|--------------------------|
| 1. Are you (Seller) a licensed real estate salesperson/broker? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is the sale of this property subject to court confirmation (i.e., probate sale)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Are you involved in any pending or contemplated bankruptcy procedures? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Are there any loans secured by the property where Notice(s) of Default have been or may be recorded? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Do you anticipate any liens or judgments against any title holder of the property including but not limited to Internal Revenue Service tax liens, etc.? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Any unrecorded Easements, Liens or Deeds of Trust? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IF THE ANSWER TO ANY OF THE ABOVE QUESTIONS IS YES, EXPLAIN:

(attach additional sheets if necessary) _____

- Have all persons on title signed the listing agreement? Yes No

SUPPLEMENTAL INFORMATION: In addition to the disclosure statements made herein, the following facts are known or suspected, which may materially affect the value or desirability of the subject property, now or in the future, including ongoing maintenance and repairs as well as any defects in the home that required significant repairs:

I ACKNOWLEDGE RECEIPT OF A COPY OF "THE HOMEOWNER'S GUIDE TO EARTHQUAKE SAFETY"

BUYER(S) HAS READ AND UNDERSTANDS ALL THREE PAGES OF THIS SELLER'S SUPPLEMENT TO THE REAL ESTATE TRANSFER DISCLOSURE STATEMENT AND AGENT'S DISCLOSURE REGARDING ENVIRONMENTAL HAZARDS.

→ Seller's Initials (RSU) (JD) / Buyer's Initials (____) (____)

**SELLER'S SUPPLEMENT TO
REAL ESTATE TRANSFER DISCLOSURE STATEMENT**

Property Address 1096 Amito

RESIDENTIAL SEISMIC SAFETY (GOVERNMENT CODE SECTION 8897 et seq.)

This Earthquake Disclosure is per the California Association of Realtors "Combined Hazards Book", 2005 Edition.

Answer the questions below to the best of your knowledge. If you do not have actual knowledge as to whether the weakness exists, answer "Don't Know". If your home does not have the feature, answer "Doesn't Apply." The page numbers in the right-hand column indicate where you can find information on each of these features in the "Combined Hazards Book". This earthquake disclosure is made in addition to the standard real estate transfer disclosure statement, also required by law.

	Yes	No	Doesn't Apply	Don't Know	See Page
1. Is the water heater braced, strapped, or anchored to resist falling during an earthquake?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12
2. Is the house anchored or bolted to the foundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14
3. If the house has cripple walls:					
• Are the exterior cripple walls braced?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16
• If the exterior foundation consists of unconnected concrete piers and posts, have they been strengthened?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18
4. If the exterior foundation, or part of it, is made of unreinforced masonry, has it been strengthened?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	20
5. If the house is built on a hillside:					
• Are the exterior tall foundation walls braced?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	22
• Were the tall posts or columns either built to resist earthquakes or have they been strengthened?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	22
6. If the exterior walls of the house, or part of them, are made of unreinforced masonry, have they been strengthened?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24
7. If the house has a living area over the garage, was the wall around the garage door opening either built to resist earthquakes or has it been strengthened?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26
8. Is the house outside an Alquist-Priolo Earthquake Fault Zone (zones immediately surrounding known earthquake faults)?	To be reported on the				36
9. Is the house outside a Seismic Hazard Zone (zone identified as susceptible to liquefaction or land sliding)?	Natural Hazard Disclosure Report				36

If any of the questions are answered "No", the house is likely to have an earthquake weakness. Questions answered "Don't Know" may indicate a need for further evaluation. If you have corrected one or more of these weaknesses, describe the work below or on a separate page.

SELLER CERTIFIES THAT THE INFORMATION HEREIN IS TRUE AND CORRECT TO THE BEST OF THE SELLER'S KNOWLEDGE. AS SELLER OF THE PROPERTY DESCRIBED HEREIN, I HAVE ANSWERED THE QUESTIONS ABOVE TO THE BEST OF MY KNOWLEDGE IN AN EFFORT TO DISCLOSE FULLY ANY POTENTIAL EARTHQUAKE WEAKNESSES IT MAY HAVE.

Russell Ornel 8/14/05
Seller Date

George Ornel 8/14/05
Seller Date

I ACKNOWLEDGE RECEIPT OF THIS FORM, COMPLETED AND SIGNED BY SELLER. I UNDERSTAND THAT IF THE SELLER HAS ANSWERED "NO" TO ONE OR MORE QUESTIONS, OR IF SELLER HAS INDICATED A LACK OF KNOWLEDGE, THERE MAY BE ONE OR MORE EARTHQUAKE WEAKNESSES IN THIS HOUSE.

[Signature]
Buyer Date

Buyer Date

HOLD HARMLESS AGREEMENT
PEST CONTROL

Dated: _____ for property located at 1096 Aristo Berkeley, by
and between _____, as Buyer(s)
and Russell Onish & Jennifer Onish, as Seller(s).

The undersigned buyers have agreed to assume full responsibility for Structural Pest Control Work (AKA: Termite Clearance) after close of escrow. Further, buyer acknowledges that they are aware that if the completion of the work is delayed, more damage could occur and therefore costs for repairs and clearance could exceed the quote by RON CLARK, dated August 2005 in the amount of \$ 7930 for section I and ~~in the amount of~~ _____ for Section II. If buyers choose to have work completed by a general contractor other than a Structural Pest Control Company, further damage may be discovered and a general contractor most likely will **not assume responsibility for additional work** which may be covered by the Structural Pest Control Company making the original report, had they been contracted to complete the work.

The GRUBB Co. in no way recommends that a buyer accept responsibility for or close escrow when a Pest Control report contains a recommendation for a further inspection under Section III that has not been fully investigated.

Further, in order to obtain a notice of work completed / Pest Control Certification ("clearance"), a pest control company will have to be employed to inspect and "clear" the property and will charge an inspection fee of approximately \$150-\$225 and will note in said written "clearance" that work was done by "others" and they "**do not guarantee said work**". Also, there is no guarantee that they will "clear" the work. There is always the chance that the work done by "others" was not performed correctly (in accordance with pest control standards).

For these reasons, The GRUBB Co. recommends that any pest control repairs be completed by a reputable pest control company. Buyer acknowledges the risks of having work done by "others" and holds the sellers, The GRUBB Co. and the selling broker (if applicable) harmless and relieves them of any liability relating to the completion of pest control work.

The undersigned has read and approved and received a copy hereof, and has read received and approved a copy of Structural Pest Control Report noted above:

Russell Onish
Seller Date

Buyer Date

Jennifer Onish 8/2
Seller Date

Buyer Date

WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. 1096 AMITO DRIVE	Street	City BERKELEY	Zip 94705	Date of Inspection 8/16/05	Number of Pages 7
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REPORT # 6820

R. J. CLARK AND COMPANY
TERMITE & STRUCTURAL
 6425 Sunnymere Ave.
 Oakland, CA 94605
 Phone (510) 482-6045
 Fax (510) 638-7414

Ordered by: JENNIFER ONISH ABOVE ADDRESS	Property Owner and/or Party of Interest: JENNIFER ONISH	Report sent to: JENNIFER ONISH
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COMPLETE REPORT LIMITED REPORT SUPPLEMENTAL REPORT REINSPECTION REPORT

General Description: SPLIT LEVEL SINGLE FAMILY RESIDENCE STUCCO EXTERIOR	Inspection Tag Posted: Other Tags Posted: R. J. CLARK 3/12/03
--	---

An inspection has been made of the structure(s) shown on the diagram in accordance with the Structural Pest Control Act. Detached porches, detached steps, detached decks and any other structures not on the diagram were not inspected.

Subterranean Termites Drywood Termites Fungus / Dryrot Other Findings Further Inspection

If any of the above boxes are checked, it indicates that there were visible problems in accessible areas. Read the report for details on checked items.

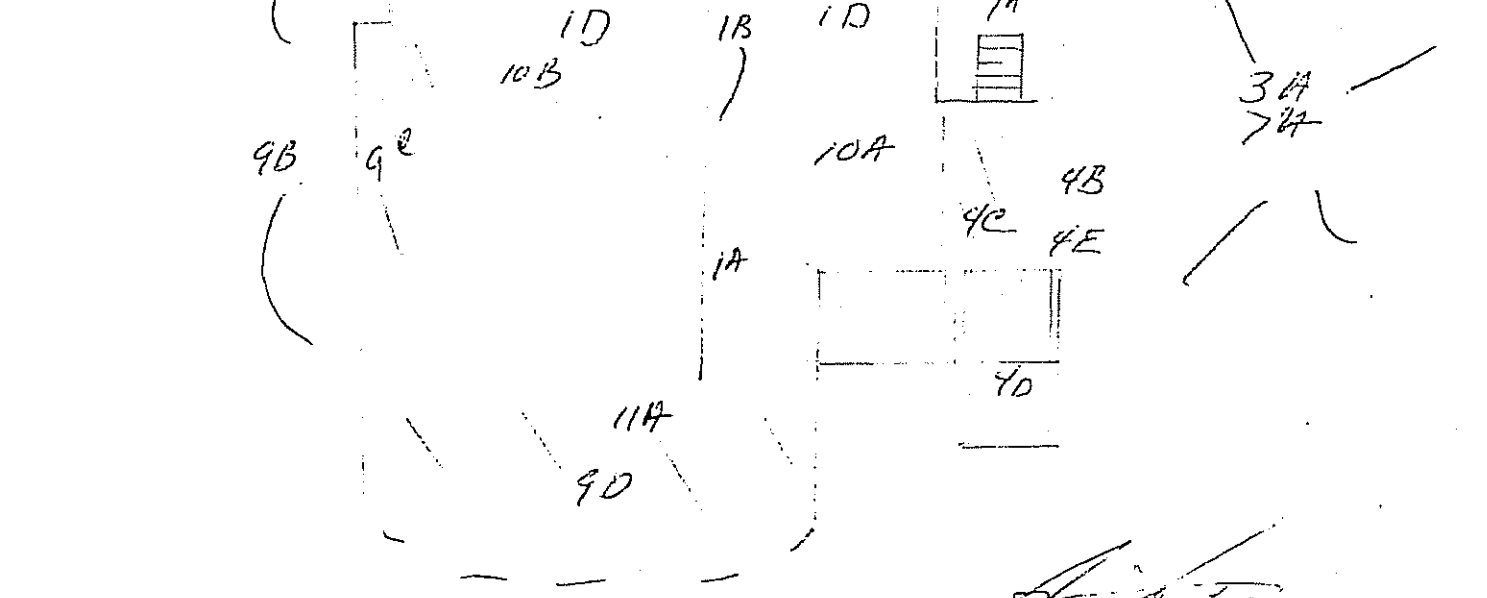
RECEIVED AND READ

NUMBER OF PAGES

8 1 1 1 2A
10B

NAME _____ DATE 9A

NAME _____ DATE



Inspected by: RONALD J. CLARK State License No. OPR-8822 Signature

You are entitled to obtain copies of all reports and completion notices on this property reported to the Structural Pest Control Board during the preceding two years. To obtain copies contact: Structural Pest Control Board, 1418 Howe Avenue, Suite 18, Sacramento, California, 95825-3204.
 NOTE: Questions or problems concerning the above report should be directed to the manager of the company. Unresolved questions or problems with services performed may be directed to the Structural Pest Control Board at (916) 561-8708, (800) 737-8188 or www.pestboard.ca.gov. 43M-41 (Rev. 10/01)

R. J. CLARK AND COMPANY
TERMITE AND STRUCTURAL
6425 Sunnymere Ave.
Oakland, CA 94605
PHONE (510) 482-6045
FAX (510) 638-7414

2ND PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE CITY: BERKELEY

Report #6820

Date: 8/16/05

THIS INSPECTION AND REPORT, UNLESS OTHERWISE STATED, ARE OF THE ACCESSIBLE AND VISIBLE PORTIONS OF THE STRUCTURE. INACCESSIBLE AREAS SUCH AS, THE INTERIOR OF HOLLOW WALLS, SPACES BETWEEN FLOORS AND CEILINGS BELOW, AS WELL AS FLOORS AND WALLS THAT ARE HIDDEN BY FLOOR COVERINGS, WALLS HANGINGS, FURNITURE, CABINETS AND/OR PERSONAL POSSESSIONS ARE NOT INCLUDED IN THIS REPORT. OUR INSPECTION IS LIMITED TO THE CONDITIONS WHICH ARE VISIBLE AND ACCESSIBLE AT THE TIME OF THE INSPECTION. NO GUARANTEES ARE IMPLIED OR EXPRESSED FOR CONDITIONS WHICH MAY BECOME APPARENT AFTER THE DATE OF THIS INSPECTION.

***NOTICE:** IF ANYONE OTHER THAN R. J. CLARK AND COMPANY PERFORMS THE REPAIRS AS OUTLINED IN THIS REPORT, A REINSPECTION OF THE REPAIRS WILL BE PERFORMED BY THIS COMPANY IF REQUESTED BY THE SAME PERSON ORDERING THE ORIGINAL REPORT WITHIN *FOUR MONTHS* OF THE ORIGINAL REPORT. THE COST OF THE REINSPECTION WILL NOT EXCEED THE COST OF THE ORIGINAL INSPECTION. IT SHOULD BE UNDERSTOOD THAT IN SOME CASES DAMAGE MAY EXTEND BEYOND REPAIRS OUTLINED IN THE REPORT. IF R. J. CLARK AND COMPANY PERFORMS REPAIRS, WE WILL ASSUME RESPONSIBILITY FOR SUCH ADDITIONAL REPAIRS. IF REPAIRS ARE TO BE PERFORMED BY OTHERS, THEY MUST ASSUME LIABILITY FOR SUCH ADDITIONAL WORK. THIS DOES NOT APPLY TO FURTHER INSPECTIONS RECOMMENDED. THIS COMPANY WILL REINSPECT BUT NOT APPROVE WORK PERFORMED BY OTHERS THAT HAS NOT BEEN FINALED BY THE LOCAL BUILDING DEPARTMENT. ALTHOUGH THIS COMPANY WILL REINSPECT WORK PERFORMED BY OTHERS, WE OFFER NO GUARANTEES FOR THE QUALITY OF WORKMANSHIP OR MATERIALS USED BY OTHERS.

IF R.J. CLARK AND COMPANY IS NOT AUTHORIZED TO PERFORM WORK AS OUTLINED IN THIS REPORT WITHIN FOUR MONTHS OF THE DATE OF THE INSPECTION, A NEW INSPECTION AND REPORT WILL BE REQUIRED. ALL WORK PERFORMED BY THIS COMPANY WILL BE GUARANTEED FOR ONE YEAR FROM THE DATE OF COMPLETION WITH THE EXCEPTION OF PLUMBING REPAIRS AND CAULKING, GROUTING OR SEALING WHICH WILL BE GUARANTEED FOR THIRTY DAYS.

***NOTICE:** ONLY A LICENSED PEST CONTROL FIRM MAY APPLY CHEMICALS FOR THE TREATMENT OF ANY WOOD DESTROYING ORGANISMS, INCLUDING FUNGICIDES (S.A. BILL NO. 1127. FOR EXCEPTIONS SEE SEC. 8555 & 8556 B&P CODE).

THIS WOOD DESTROYING PEST AND ORGANISM REPORT IS IN COMPLIANCE WITH THE STRUCTURAL PEST CONTROL ACT REPORT REQUIREMENTS (TITLE 16, CHAPTER 19, SEC. 1990, 1191 AND 1992). THIS INSPECTION AND REPORT IS LIMITED TO THE ABSENCE AND PRESENCE OF WOOD DESTROYING PESTS AND ORGANISMS OR CONDITIONS CONDUCIVE TO, AND TO MAKE RECOMMENDATIONS FOR CORRECTIONS WITH AN ITEMIZED PRICE QUOTE FOR REPAIRS ATTACHED.

"NOTICE: ...Reports on this structure prepared by various registered companies should list the same findings (i.e. termite infestations, termite damage, fungus damage, etc.). However, recommendations to correct these findings may vary from company to company. You...have a right to seek a second opinion...from another company."

R. J. CLARK AND COMPANY
TERMITE AND STRUCTURAL
6425 Sunnymere Ave.
Oakland, CA 94605
Phone (510) 482-6045 Fax (510) 638-7414

3RD PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO DRIVE **CITY:** BERKELEY

Report #6820

Date: 8/16/05

THIS IS A SEPARATED REPORT WHICH IS DEFINED AS SECTION I/SECTION II CONDITIONS EVIDENT ON THE DATE OF THIS INSPECTION. SECTION I CONTAINS ITEMS WHERE THERE IS EVIDENCE OF ACTIVE INFESTATION, INFECTION OR CONDITIONS THAT HAVE RESULTED IN OR FROM INFESTATIONS OR INFECTION. SECTION II ITEMS ARE CONDITIONS DEEMED LIKELY TO LEAD TO INFESTATIONS OR INFECTION BUT WHERE NO VISIBLE EVIDENCE OF SUCH WAS FOUND. FURTHER INSPECTION ITEMS ARE DEFINED AS RECCOMENDATIONS TO INSPECT AREA (S) WHICH DURING THE ORIGINAL INSPECTION DID NOT ALLOW THE INSPECTOR ACCESS TO COMPLETE HIS INSPECTION AND CANNOT BE DEFINED AS SECTION I OR SECTION II.

#1 SUBSTRUCTURE

SECTION I

1A FINDING: A fungus infected form board was noted to be left in place at the area indicated by 1A on the attached diagram.

RECOMMENDATION: Remove as much of this form board as practical and treat the remainder with Tim-bor.

SECTION II

1B FINDING: I noted earth/wood contacts at the partition wall framing as indicated by 1B on the attached diagram. No fungus damage was noted.

RECOMMENDATION: Grade soil at this area to eliminate earth/wood contact conditions.

SECTION I

1C FINDING: Fungus infected cellulose debris was noted dispersed throughout the substructure.

RECOMMENDATION: Remove and dispose of all debris of large enough size to be raked.

INFORMATION

1D FINDING: I noted the substructure to be insulated. This insulation limited my survey of the substructure framing therefore, no representations are made concerning the framing behind insulation. However, no outward adverse conditions were noted at the accessible areas to warrant further inspection or repairs at this time.

RECOMMENDATION: Owner or parties of interest should have periodic inspections.

#2 STALL SHOWERS

INFORMATION

2A FINDING: The stall shower at the master bathroom was watertested and inspected. No current leakage or decay was noted to warrant repairs.

RECOMMENDATION: Owner or parties of interest should keep this area sealed and maintained as needed to help prevent future intrusion and decay from occurring.

R. J. CLARK AND COMPANY
TERMITE AND STRUCTURAL
6425 Sunnymere Ave.
Oakland, CA 94605
Phone (510) 482-6045 Fax (510) 638-7414

4TH PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE **CITY:** BERKELEY

Report #6820

Date: 8/16/05

#3 FOUNDATIONS

INFORMATION

3A FINDING: The foundation for the structure was noted to be concrete and above grade. I inspected accessible mudsills and framing and could detect no outward adverse conditions to warrant repairs by our company at this time. I offer no further opinions or representations concerning the integrity of the foundation.

RECOMMENDATION: Should parties of interest desire further information concerning the integrity of the foundation, you're advised to consult the appropriate professional.

4 PORCHES-STEPS

SECTION I

4A FINDING: The base of the stairs as indicated by 4A on the attached diagram was noted to be decayed.

RECOMMENDATION: Cut off the base of the steps and install an elevated concrete bottom step to eliminate this condition.

SECTION I

4B FINDING: The support post below the side porch system was noted to be decayed and in earth/wood contacts.

RECOMMENDATION: Cut off the base of the post, install an elevated concrete pier securing the post to Simpson brackets. We would treat the base of the support with Tim=bor.

SECTION I

4C FINDING: I noted fungus growth to the deck framing below the side porch as indicated by 4C on the attached diagram.

RECOMMENDATION: Wire brush affected areas and treat surrounding areas with Tim-bor.

INFORMATION

4D FINDING: The area below the front porch was noted to be inaccessible to inspection due to lack of visible access opening. However, I did perform a visual inspection through a small opening and could detect no outward adverse conditions to warrant repairs.

RECOMMENDATION: Owner or parties of interest should keep this area sealed and maintained as needed. Should parties of interest desire further information pertaining this area I would return to the property, install a suitable access opening, inspect this area and issue supplemental report detailing additional costs and findings if any.

SECTION I

4E FINDING: The wood buttress caps at the side porch as indicated by 4E on the attached diagram were noted to be decayed.

RECOMMENDATION: remove the damaged caps, install new caps and prime paint repaired areas one coat of white primer.

Note: If damage is found to extend into the internal stucco surfaces we will issue a supplemental report detailing additional costs and findings if any.

R. J. CLARK AND COMPANY
TERMITE AND STRUCTURAL
6425 Sunnymere Ave.
Oakland, CA 94605
Phone (510) 482-6045 Fax (510) 638-7414

5TH PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE CITY: BERKELEY

Report #6820

Date: 8/16/05

#7 ATTIC SPACES

INFORMATION

7A FINDING: The attic of the structure was not inspected due to the weight of the inspector which could cause damage at the interior ceilings and could be hazardous to the inspector.

RECOMMENDATION: Upon request, for an additional fee and with release of liability, I would return to the property to inspect the attic. Following the inspection, a supplemental report would be issued outlining additional findings and costs if any.

#9 DECKS-PATIOS

SECTION I

9A FINDING: I noted the lower deck system to be in direct earth contact with an old wood retaining wall that is no longer functional.

RECOMMENDATION: Remove this retaining wall to eliminate this condition.

SECTION I

9B FINDING: The support posts at the deck system were noted to be in earth/wood contact and decayed.

RECOMMENDATION: Cut off the base of the support posts, install elevated concrete piers, securing the supports with two Simpson brackets. Chemically treat the base of the posts with Tim-bor.

SECTION II

9C FINDING: The deck systems around the structure are showing signs of minor wear and deterioration.

RECOMMENDATION: I would suggest the deck systems be kept sealed and maintained as needed to help prevent future intrusion and decay from occurring.

INFORMATION

9D FINDING: I inspected the top surface and under surface of the large deck at the front of the structure. This deck is situated over a stucco soffit system. No signs of leakage or decay were noted to warrant repairs by our company at this time. I offer no further opinions or representations concerning the watertight capacity of the membrane below the deck system.

RECOMMENDATION: Owner or parties of interest should keep this area sealed and maintained. Any further questions pertaining the watertight capacity of the membrane should be directed towards a qualified waterproofing contractor.

#10 OTHER-INTERIOR

INFORMATION

10A FINDING: The kitchen countertop and floor covering were inspected. No outward adverse conditions were noted to warrant repairs by our company at this time.

RECOMMENDATION: Owner or parties of interest should keep these areas sealed and maintained as needed to help prevent future intrusion and decay from occurring.

R. J. CLARK AND COMPANY
TERMITE AND STRUCTURAL
6425 Sunnymere Ave.
Oakland, CA 94605
Phone (510) 482-6045 Fax (510) 638-7414

6TH PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE CITY: BERKELEY

Report #6820

Date: 8/16/05

#10 OTHER-INTERIOR (CONT'D)

INFORMATION

10B FINDING: The bathroom surfaces were inspected at the upper and lower bathrooms. No outward adverse conditions were noted to warrant repairs by our company at this time.

RECOMMENDATION: Owner or parties of interest should keep these areas sealed and maintained as needed to help prevent future intrusion and decay from occurring.

#11 OTHER-EXTERIOR

The exterior surface of the roof was not inspected at the time of this inspection. I recommend that the owner contact a roofing contractor who is licensed by the Contractor's State License Board for any evaluations of the roof covering.

SECTION II

11A FINDING: The large glue lam beams at the front of the structure are showing signs of wear and deterioration. I performed a visual inspection from the ground and could detect no decay.

RECOMMENDATION: Owner or parties of interest should keep these areas sealed and maintained at all times to help prevent future decay from occurring.

CONDITIONS NOTED/MAINTENANCE NOTATIONS.

1. The exterior stucco and wood surfaces of the structure are showing signs of wear and deterioration. I would suggest that exterior surfaces be kept sealed, painted and maintained at all times to help prevent future intrusion and decay from occurring.
2. There's evidence of moisture intrusion in the substructure. I offer no opinions or representations pertaining the drainage of the structure. Should parties of interest desire information pertaining drainage, you're advised to consult the appropriate professional.

This is a wood destroying pest and organism report and pertains to conditions relating to such. I render no opinions pertaining to the electrical, plumbing, mechanical components and/or the roof covering of the structure. Information pertaining to the conditions of these items should be obtained from an appropriate licensed contractor or physical inspector.

R. J. CLARK AND COMPANY

TERMITE AND STRUCTURAL

6425 Sunnymere Ave.

Oakland, CA 94605

Phone (510) 482-6045 Fax (510) 638-7414

7TH PAGE OF THE STANDARD INSPECTION REPORT FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE CITY: BERKELEY

Report #6820

Date: 8/16/05

THANK YOU FOR SELECTING R.J. CLARK AND COMPANY TO PERFORM YOUR CHEMICAL APPLICATION REQUIREMENT.

***STATE LAW REQUIRES THAT YOU BE GIVEN THE FOLLOWING INFORMATION:**

CAUTION-PESTICIDES ARE TOXIC CHEMICALS. STRUCTURAL PEST CONTROL COMPANIES ARE REGISTERED AND REGULATED BY THE STRUCTURAL PEST CONTROL BOARD, AND APPLY PESTICIDES WHICH ARE REGISTERED AND APPROVED FOR USE BY THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE AND UNITED STATES ENVIRONMENTAL PROTECTION AGENCY. REGISTRATION IS GRANTED WHEN THE STATE FINDS THAT BASED ON EXISTING SCIENTIFIC EVIDENCE THERE ARE NO APPRECIABLE RISKS IF PROPER USE CONDITIONS ARE FOLLOWED OR THAT THE RISKS ARE OUTWEIGHED BY THE BENEFITS. DEGREE OF RISK DEPENDS ON THE EXPOSURE, SO EXPOSURE SHOULD BE MINIMIZED.*

"IF WITHIN 24 HOURS FOLLOWING APPLICATION YOU EXPERIENCE SYMPTOMS SIMILAR TO THE COMMON SEASONAL ILLNESS COMPARABLE TO THE FLU, CONTACT YOUR PHYSICIAN OR POISON CONTROL CENTER OR YOUR PEST CONTROL COMPANY IMMEDIATELY."

***FOR FURTHER INFORMATION, CONTACT ANY OF THE FOLLOWING:**

YOUR PEST CONTROL OPERATOR	(510) 482-6045	
POISON CONTROL CENTER	(800) 523-2222	
COUNTY HEALTH DEPT. (HEALTH QUESTIONS)	(510) 522-0889	COUNTY
AGRICULTURAL COMMISSIONER (APPLICATION INFORMATION) (510) 670-5232		STRUCTURAL PEST CONTROL BOARD (REGULATORY INFORMATION) (916) 322-5032

TREATMENT FOR THE CONTROL OF SUBTERRANEAN TERMITES WILL BE PERFORMED USING ONE OF THE FOLLOWING TERMITICIDES:

PREMISE 75:	DEMON:
EPA REGISTRATION NUMBER: 3125-455	EPA REGISTRATION NUMBER: 10182-107
ACTIVE INGREDIENT: IMIDACLOPRID, 1	ACTIVE INGREDIENT: CYPERMETHRIN

TREATMENT FOR CONTROL OF FUNGUS WILL BE PERFORMED USING FUNGICIDE:

COPPER NAPHTHENATE	TIM-BOR	
ERA REGISTRATION NUMBER: 9639-2	EPA REGISTRATION NUMBER: 1624-39	
ACTIVE INGREDIENT: COPPER NAPHTHENATE	ACTIVE INGREDIENT: DISODIUM OCTABORATE	TETRAHYDRATE

TREATMENT FOR CONTROL OF WOOD BORING BEETLES WILL BE PERFORMED USING:

DURSBAN LO:	TIM-BOR	
EPA REGISTRATION NUMBER: 464-571	EPA REGISTRATION NUMBER: 1624-39	
ACTIVE INGREDIENT: CHLOROPYRIFOS	ACTIVE INGREDIENT: DISODIUM OCTABORATE	TETRAHYDRATE

*NOTE: ALL CHEMICAL TREATMENTS PERFORMED BY R.J. CLARK AND COMPANY WILL BE PERFORMED IN STRICT ACCORDANCE WITH LABEL INSTRUCTIONS.

**This notice must be signed and returned before chemical application can be performed. Having read the above, I, the undersigned, accept responsibility for the aforementioned.*

Signature - Owner/Occupant

Date

R. J. CLARK AND COMPANY

TERMITE AND STRUCTURAL

6425 Sunnymere Ave.

Oakland, CA 94605

PHONE (510) 482-6045 FAX (510) 638-7414

CONTRACT/WORK AUTHORIZATION

FOR THE PROPERTY

LOCATED AT: 1096 AMITO AVENUE CITY: BERKELEY

Report #6820

Date: 8/16/05

ITEMIZED COST OF REPAIRS AS OUTLINED IN OUR REPORT

SECTION I ITEMS	SECTION I (cont'd)	SECTION II ITEMS	INFORMATION
1A \$ 200.00	4C \$ 510.00	1B \$375.00	1D 7A
1C \$ 250.00	4E \$1,185.00	9C OWNER	2A 9D
4A \$ 850.00	9A \$ 300.00	11A OWNER	3A 10A
4B \$2,400.00	9B \$1,860.00		4D 10B

SECTION I ITEMS: \$7,555.00 SECTION II ITEMS: \$375.00 TOTAL COST: \$7,930.00

TERMS OF CONTRACT

All price quotations are subject to our acceptance within (30) days. *R.J. CLARK AND COMPANY* reserves the right to adjust the cost should only partial items be authorized. If additional work other than that which is outlined in our report is required by City or local Building Departments, it will not be performed under this contract. An additional price quotation would be rendered for any required changes. The Building Department may require installation of smoke detectors or spark arresters. By signing this contract, *R. J. CLARK AND COMPANY* is guaranteed that smoke detectors and spark arresters will be installed by Buyer or Seller/Owner before completion of our work.

Payment is to be made in full to *R.J. CLARK AND COMPANY* upon demand and issuance of a Standard Notice of Work Completed and Not Completed. A service charge of 1 1/2% interest per month will be imposed on all over-due accounts. *Note: *R.J. CLARK AND COMPANY* reserves the right to request progress payments either from an escrow company or the individual (s) responsible for payment under this contract. If such payments are requested, they shall be disbursed as follows: 1/3 of the contract price is to be paid upon commencement of work, 1/3 of the contract price to be paid at the half-way point of completion (to be determined by *R.J. CLARK AND COMPANY*) and the final 1/3 will be due and payable upon completion of work and issuance of the Standard Notice of Work Completed and Not Completed. Should legal action be necessary to collect this sum, or any other portion thereof, *R. J. CLARK AND COMPANY* shall be entitled to reasonable attorney's fees and cost of litigation.

Although all reasonable care will be taken, in some cases landscaping may become damaged during the course of repair. In areas where work is to be performed, the owners should remove or trim vegetation to provide adequate access. *R.J. CLARK AND COMPANY* cannot be held responsible for replacement cost for any possible damage.

If for any reason this contract is terminated, person (s) authorizing the contract will be responsible for building permits purchased and/or any other expenses incurred by *R.J. CLARK AND COMPANY* prior to the date of cancellation.

MECHANIC LIEN LAW

UNDER THE CALIFORNIA MECHANICS LIEN LAW ANY STRUCTURAL PEST CONTROL OPERATOR WHO CONTRACTS TO DO WORK FOR YOU, ANY CONTRACTOR, SUBCONTRACTOR, LABORER, SUPPLIER OR OTHER PERSON WHO HELPS TO IMPROVE YOUR PROPERTY, BUT IS NOT PAID FOR HIS WORK OR SUPPLIES, HAS A RIGHT TO ENFORCE A CLAIM AGAINST YOUR PROPERTY. THIS MEANS THAT AFTER A COURT HEARING, YOUR PROPERTY COULD BE SOLD BY A COURT OFFICER AND THE PROCEEDS OF THE SALE USED TO SATISFY THE INDEBTEDNESS. THIS CAN HAPPEN EVEN IF YOU HAVE PAID YOUR CONTRACTOR IN FULL IF THE SUBCONTRACTOR, LABORERS OR SUPPLIERS REMAIN UNPAID. TO PRESERVE THEIR RIGHT TO FILE A CLAIM OR LIEN AGAINST YOUR PROPERTY, CERTAIN CLAIMANTS SUCH AS SUBCONTRACTORS OR MATERIAL SUPPLIERS ARE REQUIRED TO PROVIDE YOU WITH A DOCUMENT ENTITLED "PRELIMINARY NOTICE." GENERAL CONTRACTORS AND LABORERS FOR WAGES DO NOT HAVE TO PROVIDE THAT NOTICE. A PRELIMINARY NOTICE IS NOT A LIEN AGAINST YOUR PROPERTY. ITS PURPOSE IS TO NOTIFY YOU OF PERSONS WHO MAY HAVE A RIGHT TO FILE A LIEN AGAINST YOUR PROPERTY IF THEY ARE NOT PAID.

SIGNATURE/OWNER _____ TELEPHONE _____ DATE _____

SIGNATURE/BUYER _____ TELEPHONE _____ DATE _____

BUYER'S AGENT _____ SELLER'S AGENT _____

TITLE COMPANY _____ ESCROW OFFICER _____ ESCROW NO. _____

SCHEDULED CLOSE OF ESCROW DATE _____ ACCESS INFORMATION _____

IF FUNDS ARE NOT BEING DISBURSED FROM AN ESCROW ACCOUNT, PLEASE INDICATE WHOM WE ARE TO BILL:

SELLER _____ BUYER _____ OTHER _____

PROPERTY TAX DISCLOSURE REPORT FOR:

Property Address: 1096 AMITO DR

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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: 048H-7652-023-01
Property Address or Legal Description: 1096 AMITO DR
Report Date: 8/2/2005

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. Mello-Roos special tax rates may increase each year. In most instances but not all, the special tax is collected with regular property taxes.

Properties located within a Mello-Roos Community Facilities District are subject to a special tax, which 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. The special tax is used to provide public facilities or services that are likely to particularly benefit the property.

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

2. 1915 BOND ACT ASSESSMENT DISTRICTS

1915 Bond Act assessment districts provide a method of financing certain public capital facilities. Public improvements funded by 1915 Bond Act 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 individual property receives from the improvements and is amortized over a period of years. 1915 Bond Act assessments can be prepaid at any time. In most instances but not all, the assessment is collected with regular property taxes.

Properties within a 1915 Bond Act assessment district are subject to annual assessment installments (a Mello-Roos Community Facilities District special tax and the 1915 Bond Act Assessment District annual assessment installments are hereinafter collectively referred to as "Special Liens"), which 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 issues 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.

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

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.

NOTICE OF SPECIAL TAX AND ASSESSMENT (continued)

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

Assessor's Parcel Number: 048H-7652-023-01
Property Address or Legal Description: 1096 AMITO DR
Report Date: 8/2/2005

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.

BUYER'S CONFIRMATION OF RECEIPT:

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

Date: _____ Transferee's Signature (Buyer): _____

Date: _____ Transferee's Signature (Buyer): _____

BREAKDOWN OF THE 2004-2005 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.

Voter Approved Ad Valorem Taxes

1. All Ad Valorem Levies County of Alameda (510) 272-6564	Ad Valorem Tax General	\$11,546.76
Basic Prop 13 Levy & Voter Approved Ad Valorem Taxes:		\$11,546.76
Estimated Tax Rate:		1.306%

Direct Assessments

2. School Measure B Oakland Unified School District (510) 879-8186	School District Special Tax Education	\$195.00
3. Landscape & Lighting District City of Oakland (510) 238-7472	Landscaping & Lighting District Landscape & Lighting	\$111.54
4. Library Service Retention Measure O City of Oakland (510) 238-7472	Library Services Assessment Library	\$75.00
5. Fire Prevention District City of Oakland (510) 238-7472	Fire Suppression Assessment Fire Prevention	\$65.00
6. Wet Weather Facilities Charges East Bay Municipal Utilities District (510) 287-1620	Fee/Charge Facilities Charge	\$58.80
7. County Service Area E.m. 1983-1 (Paramedic) County of Alameda (510) 628-5070	County Service Area Emergency Medical	\$24.44
8. Alameda-Contra Costa Parcel Tax Alameda-Contra Costa Transit District (510) 891-4753	2/3 Voter Approved Special Tax Transportation	\$24.00
9. Flood Control Benefit Assessment County of Alameda (510) 670-5518	Flood Control/Storm Drainage Assessment Flood Control	\$16.00
10. Medical Response City of Oakland (510) 238-7472	Paramedics Services Assessment Emergency Medical	\$10.64
11. Paramedic Supplement City of Oakland (510) 238-7472	Paramedics Services Assessment Emergency Medical	\$8.48
12. County Service Area V.c. 1984-1 (Vector Control) County of Alameda (510) 567-6800	County Service Area Vector Control	\$7.20
13. Landscape & Lighting District (East Bay Trails) East Bay Regional Park District (510) 635-0135	Landscaping & Lighting District Landscape & Lighting	\$5.44
14. Mosquito Abatement District Special Tax Alameda County Mosquito Abatement District (510) 783-7744	Mosquito Abatement District Vector Control	\$1.74
Total Direct Assessment Charges:		\$603.28
Total 2004-2005 Amount:		\$12,150.04

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.

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 District

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.

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.

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.

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.

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.

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.

Mosquito Abatement District

A Mosquito Abatement 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...) for the abatement of mosquitoes. 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.

Property Address: 1096 Amito Av,
Oakland, Alameda County, CA

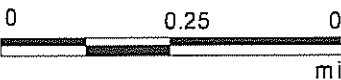
APN: 048H 7652 023 01








Date: 8/2/2005

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 Subject Property



	FEMA Flood Zone
	Earthquake Fault Zone
	Liquefaction Zone
	Landslide Zone
	Dam Inundation Zone
	Very High Fire Hazard
	Wildland Fire Area

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.



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Statutory Natural Hazard Disclosure Statement

The transferor and his or her agent(s) disclose the following information with the knowledge that even though this is not a warranty, prospective transferees may rely on this information in deciding whether and on what terms to purchase the subject property. Transferor hereby authorizes any agent(s) representing any principal(s) in this action to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

The following are representations made by the transferor and his or her agent(s) based on their knowledge and maps drawn by the State. This information is a disclosure and is not intended to be part of any contract between the transferee and the transferor. THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):

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

Yes _____ No X Do not know and information not available from local jurisdiction _____

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

Yes _____ No X Do not know and information not available from local jurisdiction _____

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

Yes _____ No X

A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISK AND HAZARDS pursuant to Section 4125 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 4291 of the Public Resources Code. Additionally, it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code.

Yes _____ No X

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

Yes _____ No X

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

Yes (Landslide Zone) X Yes (Liquefaction Zone) _____

No _____ Map not yet released by state _____

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

Signature of Transferor (Seller) _____ Date _____

Signature of Transferor (Seller) _____ Date _____

Signature of Agent _____ Date _____

Signature of Agent _____ Date _____

Check only one of the following:

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

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

Third-Party Disclosure Provider(s) _____ Date 8/2/2005 Rept. No. 2005080200155

Scott Roecklein, Sr. Vice President
First American Natural Hazard Disclosures

Transferee represents that he or she has read and understands this document. I (We) also have read and understand the added local hazard, airport, 1915 Bond Act, Mello-Roos, military ordnance, commercial zoning, and Megan's Law disclosures, as well as the mold and radon advisories and the map cover page contained in this report. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the transferor's or agent's disclosure obligations in this transaction.

Signature of Transferee(s) _____ Date _____

Signature of Transferee(s) _____ Date _____



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Summary Declaration of Liability Provisions

JCP Property Disclosure Reports ("JCP"), 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.

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) JCP will resolve the claim promptly and in good faith.
- (2) JCP 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 JCP 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, JCP 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.

Date: 8/2/2005 Scott Roecklein, Sr. Vice President





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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	OUT	See Section 1 Page 1
	AN AREA OF POTENTIAL FLOODING	OUT	See Section 1 Page 1
Fire	A VERY HIGH FIRE HAZARD SEVERITY ZONE	OUT	See Section 1 Page 1
	A WILDLAND FIRE AREA (SRA)	OUT	See Section 1 Page 2
Seismic	AN EARTHQUAKE FAULT ZONE	OUT	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	OUT	See Section 2 Page 1
LANDSLIDE	OUT	See Section 2 Page 1
TSUNAMI	OUT	See Section 2 Page 1
SOILS Located in a bedrock area with possible slope stability hazards present especially if slopes are steeper than 20%.		See Section 2 Page 1

City Level Zone Disclosures

FAULT	OUT	See Section 2 Page 3
LANDSLIDE Located partially in a potential landslide area.	IN	See Section 2 Page 3
LIQUEFACTION	OUT	See Section 2 Page 3
TSUNAMI	OUT	See Section 2 Page 3



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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

Special Tax Disclosures

MELLO-ROOS SPECIAL ASSESSMENT DISTRICT	NO	See Section 3 Page 1
1915 IMPROVEMENT BOND ACT DISTRICT	NO	See Section 3 Page 1

Other Zone Disclosures

Commercial/ Industrial

LOCATED WITHIN 1 MILE OF A COMMERCIAL OR INDUSTRIAL SITE	YES	See Section 3 Page 2
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Military Ordnance

FORMER MILITARY ORDNANCE SITE DISCLOSURE	OUT	See Section 3 Page 2
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Airports

AIRPORT NOISE 65 DECIBEL ZONE	OUT	See Section 3 Page 3
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AIRPORT INFLUENCE AREA	OUT	See Section 3 Page 3
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Megan's Law

See Section 3 Page 4

San Francisco Bay Conservation and Development Commission Disclosure	OUT	See Section 3 Page 5
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SECTION 4

Advisories

Radon Advisory	See Section 4 Page 1
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Mold Advisory	See Section 4 Page 1
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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

Partially in an Official Seismic Hazard Zone. Partially 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: **NOT in a zone of high geologic hazard as shown on the maps used in this report. Located in a bedrock area. Possible slope stability hazards present especially if slopes are steeper than 20%. In an area of no county-level identified fault hazards on the adopted General Plan maps. See the County Geologic Zones Explanation included with this report for more information.**

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

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.



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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 and is not considered a zone of high geologic hazard.



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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 partially 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.

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



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SECTION 3 MELLO-ROOS and SPECIAL ASSESSMENT DETERMINATION

Determination Based on data from an independent tax information service:

The subject property is **NOT WITHIN** a Mello-Roos Special Assessment District

No Mello-Roos Special Assessment Districts were determined to have been assessed for this property in the previous tax year.

0.00

The subject property is **NOT WITHIN** an assessment district pursuant to the Improvement Bond Act of 1915:

No 1915 Bond Act Special Assessment Districts were determined to have been assessed for this property in the previous tax year.

0.00

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.

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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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 Airport Influence Area .

Discussion

An "airport influence area," also known as an "airport referral area," is the area in which current or future airport-related noise, over flight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use commission.

The current Airport Influence Area maps provided by County Airport Land Use Commissions ("ALUC") are used to make this disclosure. The inclusion of military and private airports varies by County and therefore, depending on the County, military and private airports may or may not be included in this disclosure.

IMPORTANT NOTE: Airports located in a small number of communities in which the governing ALUC or other designated body has not delineated an AIA boundary in a publicly available map are not a part of the Public Record. Property owners in such communities should contact their ALUC or designated body for more information on statutory compliance.

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.



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

All parties acknowledge that the following disclosure is hereby incorporated into the Residential Purchase Agreement and Deposit Receipt for the subject property of this report:

Notice: The California Department of Justice, sheriff's departments, police departments serving jurisdictions of 200,000 or more and many other local law enforcement authorities maintain for public access a database of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.4 of the Penal Code. The database is updated on a quarterly basis and is a source of information about the presence of these individuals in any neighborhood. The Department of Justice also maintains a Sex Offender Identification line through which inquiries about individuals may be made. This is a "900" telephone service. Callers must have specific information about individuals they are checking. Information regarding neighborhoods is not available through the "900" telephone service.*

*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. Subsequent to the Internet access provided by this legislation the "900" telephone service has been disconnected. 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 Internet Help Line: (916) 227-4974 Mon-Fri 7:30AM -- 4:30PM PST
California Department of Justice Megan's Law Email Address: 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. When requesting access by phone or in person, you may be asked to provide personal identification information as well as to comply with local authority's information release requirements. .



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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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SECTION 4 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 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.

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*.



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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.

End of Report

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