

Property located at 7238 Cutting Boulevard El Cerrito, Ca 94530.

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, 3 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. Sellers Real Estate Transfer Disclosure Statement, dated 12/08/2005, 3 pages
6. Sellers Agent Transfer Disclosure Statement, 2 pages
7. Sellers Supplement to Real Estate Transfer Disclosure Statement, dated 12/04/05, 4 pages
8. Supplemental Statutory and Contractual Disclosures dated 12/4/05
9. Hold Harmless Pest Control AS IS, 1page
10. Notice of your Supplemental Property Tax Bill
11. Water Heater Statement of Compliance
12. Smoke Detector Statement of Compliance
13. Sewer Lateral Bid by Central Plumbing and 2 page List of Plumbing Contractors registered with Stege
14. El Cerrito Ordinance Addendum, 2 pages and 5 page supplement
15. Receipt for Environmental Hazards Booklet
16. Structural Pest Control Report by Mitts Termite dated 12/02/05, 7 pages
17. Oct 5, 2004 Floor Plan and Square foot calculations by Al Clough, SRA
18. JCP Report Dated 1/4/2006
19. California Tax Disclosure Report, including signature , dated 01/4//2006
20. First American Title pre-Sale Preliminary Title Report November 18, 2005
21. Environmental Hazards and Earthquake Safety Booklet which includes the Federal Lead Booklet and the Toxic Mold Update

## **PRIOR REPORTS**

22. Inspection Report by Martin Reutinger Residential Design and Consulting Sept 26, 2002 and November 11, 2002 26 pages plus supplemental pages
23. Transfer Disclosure statement dated 9/8/02 and 1 page addendum to sellers transfer disclosure statement
24. Sellers Supplement to the Transfer Disclosure Statement dated 9/8/02

- 25. Sellers agents Transfer disclosure Statement and Buyers Agents Transfer Disclosure statement
- 26. Mitts Termite Report dated 9/27/02
- 27. El Cerrito Addendum 2 pages
- 28. El Cerrito Disclosures 28 pages plus cover

**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: 7238 Cutting Boulevard El Cerritos

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 12/9/2005.
5. The GRUBB Co. Supplemental Disclosure Statement dated 12/4/2005.
6. El Cerritos Ordinance Addendum.
7. Lead Based Paint Hazards Disclosure dated 11/15/2006.
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 1/4/2006.
12. California Tax Data dated 1/4/2006.
13. Structural Pest Control Report by Nitta Tarnate dated 12/2/2005.
14. Copy of "The Homeowner's Guide to Earthquake and Safety and Environmental Hazards".
15. 10/5/2004 pg. 1 and 2 of First Security Loan Approval - Floor Plan + Sq. Ft. Report
16. First American Title Report dated 11/18/05 - Pre Sale Preliminary Title Report
17. \_\_\_\_\_

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

[Signature] 1/8/06  
Seller Date

\_\_\_\_\_  
Buyer Date

[Signature] 1/8/06  
Seller Date

\_\_\_\_\_  
Buyer Date

Agent Representing Buyer: \_\_\_\_\_

# Full Report

MASTER			
<b>Parcel ID</b>	505021003	<b>Owner Name</b>	MITRAKOS STEVEN G & IRIS S
<b>Street Number</b>	7238 CUTTING BLVD	<b>Owner2</b>	
<b>City</b>	EL CERRITO CA 94530 1826	<b>Sale Date</b>	10/31/2002
<b>Land Use</b>	1001 SINGLE FAMILY ON 1 SITE	<b>Sale Price</b>	\$680,000.00
<b>Building Sq Ft</b>	1860	<b>Bedrooms</b>	3
<b>Thomas Bros</b>	589C7	<b>Bathrooms</b>	2
<b>Mail Addr</b>	7238 CUTTING BLVD	<b>Mail Addr2</b>	EL CERRITO, CA 94530
<b>Owner Display</b>	STEVEN G & IRIS S MITRAKOS	<b>Absent Owner (Y/N)</b>	N
<b>Owner Last</b>	MITRAKOS	<b>Owner First</b>	STEVEN G & IRIS S
<b>County</b>	CONTRA COSTA	<b>Year Built</b>	1948

LOCATION AND OWNERSHIP								
<b>Plat Image</b>		<a href="#">Click here to view</a>						
<b>Property Address</b>			<b>Mail Address</b>			<b>Mail Crrt</b>		
7238 CUTTING BLVD			7238 CUTTING BLVD			C017		
EL CERRITO, CA 94530			EL CERRITO, CA 94530					
<b>Census Tract</b>	<b>Census Blk Gp</b>	<b>Zoning</b>	<b>Crrt</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Flood Panel</b>	<b>Flood Zone</b>	<b>Flood Map Date</b>
3852.00	1	R1	C017	37.932183	122.307845	065027-0003B	X	6/1/1977
<b>County Use</b>								
11 SINGLE FAMILY ON 1 SITE								

CHARACTERISTICS			
<b>Stories</b>	0	<b>Year Built</b>	1948
<b>Lot Sq Ft</b>	7500	<b>Lot Acres</b>	0.1722
<b>Bldg Sq Ft</b>	1860	<b># of Units</b>	0
<b>Rooms</b>	8	<b>Bedrooms</b>	3
<b>Full Baths</b>	2	<b>Half Baths</b>	0
<b>Parking</b>	Y	<b>Parking Spaces</b>	2
<b>Pool</b>			

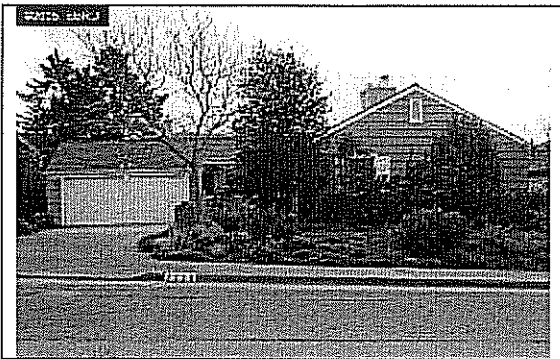
TAXES AND ASSESSMENTS	
<b>Tax Year</b>	2004
<b>Land Value</b>	<b>Percent Land To Total</b>
\$488,349.00	69.1176
<b>Improvement Value</b>	<b>Percent Impr to Total</b>
\$218,198.00	30.8823
<b>Total Value</b>	<b>Tax Amount</b>
\$706,547.00	\$8,436.14

SALES				
<b>Sale Number</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Sale Code</b>	<b>Sale Code Desc</b>
1	10/31/2002	\$680,000.00	A	FULL AMOUNT
2	11/15/1989	\$319,500.00	A	FULL AMOUNT
3	1/17/1986	\$0.00		
<b>Sale Number</b>	<b>Document Number</b>	<b>Document Type</b>	<b>Title Company</b>	
1	02-0400990			
2				
3				
<b>Sale Number</b>	<b>Mtg Amount</b>	<b>Mtg Code</b>	<b>Mtg Lender</b>	
1	\$0.00			
2	\$0.00			
3	\$0.00			

LEGAL	
<b>Subdivision</b>	<b>Legal Description</b>
	GOLF CLUB HEIGHTS LOT 5 POR 6 BLK 1

**RECEIVED AND READ**  
NUMBER OF PAGES 1

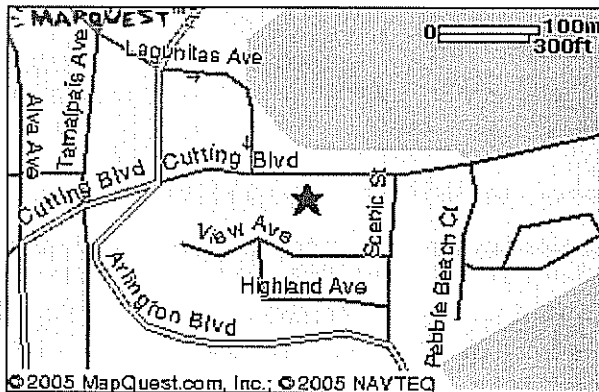
NAME	DATE
NAME	DATE



**H T M**

Virtual Tour:

Print/E Mail This Listing:



**7238 CUTTING BLVD  
RESIDENTIAL Detached**

**EL CERRITO  
New**

**94530-1826 1800... \$850,000  
40137969 SP:**

<b>Dir:</b> ARLINGTON-R. ON CUTTING	<b>Bldr/A:</b>	<b>Beds:</b> 3	<b># of Units:</b>	<b>SqFt:</b> 1949 / Appraisal
<b>Cross St:</b> ARLINGTON	<b>Model:</b>	<b>Baths:</b> 2 / 0	<b>%OwnOcc:</b>	<b>\$/SqFt:</b> 436
<b>D/N/S:</b> Other	<b>Style:</b> Cape Cod, Ranch	<b># Rms:</b> 5	<b>Unit's Fir:</b>	<b>Lot Ac:</b> 0.17
<b>TB Map:</b> 589C7 <b># Assoc Docs:</b> 0	<b>Story:</b> One Story	<b>Yr Blt:</b> 1948	<b>TIC%:</b>	<b>Pool:</b> No <b>Lot SF:</b> 7500
<b>Complex:</b>		<b>Const:</b> Existing		
<b>Unit Info:</b>				
<b>Pets:</b>				
<b>Sales Ofc:</b>	<b>Subdiv:</b>			

**Features**

<b>M Level:</b> 3 Bedrooms, 2 Baths, Master Bedrm Suite - 1, Master Bedrm Retreat	
<b>U Level:</b>	<b>L Level:</b>
<b>+ Rooms:</b> No Additional Rooms	
<b>Kitchen:</b> Counter - Tile, Dishwasher, Double Oven, Garbage Disposal, Ice Maker Hookup, Range/Oven Free Standing, Refrigerator, Trash Compactor, Updated K...	
<b>Ba Non-Mstr:</b> Shower Over Tub, Tile, Updated Baths	
<b>Mstr Bath:</b> Skylight, Split Bath, Tile, Tub with Jets, Updated Baths	<b>Fireplace:</b> 2 / Brick, Living Room, Master Bedroom
<b>Heat:</b> Forced Air 2 Zns or More	<b>Garage:</b> 2 / Attached Garage, Int Access From Garage, Off Street Parking
<b>Cool:</b> No Air Conditioning	<b>Flooring:</b> Hardwood Firs Throughout, Tile
<b>Equipment:</b> Garage Door Opener, Mirrored Closet Door(s), Security Alarm - Lease...	<b>Laundry:</b> Hookups Only, In Garage
<b>Lot:</b> Level, Regular	<b>Wtr/Sewr:</b> Sewer System - Public, Water - Public
<b>Exterior:</b> Dual Pane Windows	<b>Pool:</b> None
<b>Roof:</b> Other	<b>Foundatn:</b> Crawl Space
<b>View:</b> Partial	<b>Disabled:</b>
<b>Yard Desc:</b> Back Yard, Fenced, Sprinklers Automatic, Sprinklers Back, Sprinklers Front	
<b>SchoolDist:</b> West Contra Costa (510) 234-3825 <b>Elem:</b> Call School District	<b>Jr Hi:</b> Call School District <b>Sr Hi:</b> Call School District

**Homeowner's Association**

<b>HOA:</b> No Name:	<b>Fee:</b>	<b>Pd:</b>	<b>Trans Fee:</b>	<b>Lit Pend:</b>
<b>Fee Inc:</b>	<b>Docs:</b>			
<b>Ameni:</b>				

**Remarks**

**Confidential Remarks**

Beautifully remodeled cape cop style in Golf Club Heights! All on one level with easy access to private garden. Stunning master suite provides a retreat with a 2nd fireplace and luxurious master bath. A rare find!

NO SHOW TIL SUNDAY OPEN HOUSE 1/29. Sq. ft. not verified or guaranteed.

<b>List Type:</b> Excl Right	<b>CSO:</b> 2.75	<b>D/VComp:</b> No	<b>List Ser:</b> Full Service	<b>APN:</b> 505021003
<b>Disclosure:</b> Fire Hazard Area, Other - Call/See Agent			<b>POS:</b> No	<b>City Tr Tax:</b> No <b>Poss:</b> COE, Negotiable
<b>Terms:</b> CASH, CONV			<b>Inspect/Rpts:</b> Home Inspection, Pest Control, Sewer Lateral Test, Other	
<b>Occupied:</b> Owner <b>Name:</b> IRIS & STEVEN	<b>Occ Ph (510) 233-0074</b>	<b>24 Hrs:</b> No	<b>Lockbox?:</b> Yes /	<b>FRONT DR</b> 1/29
<b>Show:</b> 9-7 LV MSG, GO- OTHER CONFIRM			<b>Zoning:</b> R1	

<b>Listed:</b> HELENE BARKIN - (510) 652-2133 ext. 424 HBARKIN@GRUBBCO.COM	<b>THE GRUBB CO. INC. - Off (510) 652-2133 Fax(510) 652-0114</b>	<b>Market:</b> 1/26/2006
---	--	--------------------------

<b>Sold By:</b>	<b>Pend:</b>	<b>Pro/Act COE:</b>
<b>Orig List \$:</b> \$850,000 <b>Sale \$/Orig \$:</b> <b>%Last List \$:</b> 850,000 <b>Sale \$/Last \$:</b> <b>% Sale \$/SF:</b> \$	<b>Off Mrkt:</b>	<b>DOM:</b> 0
<b>Sale Credits:</b>	<b>Sale Terms:</b>	

Prepared By: TOULA VICTOR    © 2005 BEAR, CCAR, EBRD. This information is deemed reliable, but not guaranteed.



CALIFORNIA  
ASSOCIATION  
OF REALTORS®

## 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 [Signature] Date 11-15-05 Time 10:30  AM  PM

BUYER  SELLER [Signature] Date 11/15/05 Time 10:30  AM  PM

AGENT Grubb Company By Helene Barkin Date 11-  
(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.

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 1991-2004, CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED.

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.

This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.

Published and Distributed by:  
**REAL ESTATE BUSINESS SERVICES, INC.**  
 a subsidiary of the California Association of REALTORS®  
 525 South Virgil Avenue, Los Angeles, California 90020

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



AD REVISED 10/04 (PAGE 1 OF 1) **DISCLOSURE REGARDING REAL ESTATE AGENCY RELATIONSHIPS (AD PAGE 1 OF 1)**

Agent: Helene Barkin Phone: (510) 652-2133 Fax: (510) 652-0114 Prepared using WINForms® software  
 Broker: The Grubb Company 3070 Claremont Ave, Berkeley CA 94705

Property Address: 7238 Cutting Boulevard El Cerrito

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 EB Buyer's Initials ( ) ( )



CALIFORNIA  
ASSOCIATION  
OF REALTORS®

**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:  California Residential Purchase Agreement,  Residential Lease or Month-to-Month Rental Agreement, or  other: \_\_\_\_\_, dated November 9, 2005, on property known as: 7238 Cutting Boulevard, El Cerrito CA 94530 ("Property") in which \_\_\_\_\_ is referred to as Buyer or Tenant and Stephen Mitrakos, Iris Mitrakos 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 poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligent quotient, behavioral problems and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

**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. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive federally approved pamphlet on lead poisoning prevention.

**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.

Stephen Mitrakos 11-15-05  
Seller or Landlord \_\_\_\_\_ Date \_\_\_\_\_

Iris Mitrakos 11/15/05  
Seller or Landlord \_\_\_\_\_ Date \_\_\_\_\_

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 1996-2002, CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED.  
FLD REVISED 1/03 (PAGE 1 OF 2)

Buyer's Initials ( ) ( )  
Seller's Initials (SM) (IM)

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



**LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS DISCLOSURE (FLD-11 PAGE 1 OF 2)**

Agent: Helene Barkin	Phone: (510) 652-2133	Fax: (510) 652-0114	Prepared using WINForms® software
Broker: The Grubb Company	3070 Clarendon Ave, Berkeley	CA 94705	



Property Address: 7238 Cutting Boulevard, El Cerrito CA 94530

Date: 11-15-2005

**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.

Helene Barkin, Grubb Company  
Agent (Broker representing Seller) Please Print

By Helene Barkin 11/17/05  
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.

Agent (Broker obtaining the Offer) \_\_\_\_\_ By \_\_\_\_\_ 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.  
This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Reviewed by \_\_\_\_\_ Date \_\_\_\_\_





**REAL ESTATE TRANSFER DISCLOSURE STATEMENT**  
(CALIFORNIA CIVIL CODE §1102, ET SEQ)  
(C.A.R. Form TDS, Revised 10/03)

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF El Cerrito, COUNTY OF Contra Costa, STATE OF CALIFORNIA, DESCRIBED AS 7238 Cutting Avenue, El Cerrito CA 94530

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) December 8, 2005. 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 checked="" type="checkbox"/> Trash Compactor  | <input checked="" type="checkbox"/> Garbage Disposal  |
| <input checked="" type="checkbox"/> Washer/Dryer Hookups                        |  | <input checked="" type="checkbox"/> Rain Gutters  |
| <input checked="" type="checkbox"/> Burglar Alarms                              | <input checked="" type="checkbox"/> Smoke Detector(s)  | <input type="checkbox"/> Fire Alarm   |
| <input type="checkbox"/> T.V. Antenna   | <input type="checkbox"/> Satellite Dish  | <input type="checkbox"/> Intercom   |
| <input checked="" type="checkbox"/> Central Heating                             | <input type="checkbox"/> Central Air Conditioning  | <input type="checkbox"/> Evaporator Cooler(s)   |
| <input type="checkbox"/> Wall/Window Air Conditioning                           | <input checked="" type="checkbox"/> Sprinklers   | <input checked="" type="checkbox"/> Public Sewer System   |
| <input type="checkbox"/> Septic Tank  | <input checked="" type="checkbox"/> Sump Pump  | <input type="checkbox"/> Water Softener   |
| <input checked="" type="checkbox"/> Patio/Decking                               | <input type="checkbox"/> Built-in Barbecue   | <input type="checkbox"/> Gazebo   |
| <input type="checkbox"/> Sauna  |  |   |
| <input type="checkbox"/> Hot Tub <input type="checkbox"/> Locking Safety Cover* | <input type="checkbox"/> Pool <input type="checkbox"/> Child Resistant Barrier*                                    | <input checked="" type="checkbox"/> Spa <input type="checkbox"/> Locking Safety Cover* ( <u>Jacuzzi Tub</u> ) |
| <input type="checkbox"/> Security Gate(s)                                       | <input checked="" type="checkbox"/> Automatic Garage Door Opener(s)*   | <input checked="" type="checkbox"/> Number Remote Controls <u>2</u>   |
| Garage: <input checked="" type="checkbox"/> Attached                            | <input type="checkbox"/> Not Attached  | <input type="checkbox"/> Carport  |
| Pool/Spa Heater: <input type="checkbox"/> Gas                                   | <input type="checkbox"/> Solar   | <input type="checkbox"/> Electric   |
| Water Heater: <input checked="" type="checkbox"/> Gas                           | <input checked="" type="checkbox"/> Water Heater Anchored, Braced, or Strapped*                                    |   |
| Water Supply: <input checked="" type="checkbox"/> City                          | <input type="checkbox"/> Well  | <input type="checkbox"/> Private Utility or<br>Other _____  |
| Gas Supply: <input checked="" type="checkbox"/> Utility                         | <input type="checkbox"/> Bottled   |   |
| <input checked="" type="checkbox"/> Window Screens                              | <input type="checkbox"/> Window Security Bars <input type="checkbox"/> Quick Release Mechanism on Bedroom Windows* |   |
| Exhaust Fan(s) in <u>Kitchen + 2 baths</u>                                      | 220 Volt Wiring in <u>GARAGE</u>   | Fireplace(s) in <u>LIVING ROOM / Master Bedroom</u>   |
| <input type="checkbox"/> Gas Starter  | <input checked="" type="checkbox"/> Roof(s) Type: <u>Cement fiber</u>  | Age: <u>6.5 yrs</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)

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 1991-2003, CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED.

TDS REVISED 10/03 (PAGE 1 OF 3)

**REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 1 OF 3)**

Buyer's Initials ( \_\_\_\_\_ ) ( \_\_\_\_\_ )

Seller's Initials ( SE ) ( JSM )

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



Property Address: 7238 Cutting Avenue, El Cerrito CA 94530

Date: 12/8/2005

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: French doors in Dining Room sometimes expand due to moisture of rainy season making them hard to close; Windows in Living Room + Beige Bedrooms have primer only)

If any of the above is checked, explain. (Attach additional sheets if necessary): \_\_\_\_\_

\*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 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): Note to #2 above, block retaining walls and wood fences were existing at time of purchase.

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 [Signature] Date 12-8-05

Seller [Signature] Date 12-8-05

Buyer's Initials ( \_\_\_\_\_ ) ( \_\_\_\_\_ )

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



Property Address: 7238 Cutting Blvd, El Cerrito CA 94530 Date: 12-8-05

**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 1/25/06

Agent (Broker Representing Seller) Quibb Co

(Please Print)

By [Signature]

(Associate Licensee or Broker Signature)

Date 1/29/2006

**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) \_\_\_\_\_

(Please Print)

By \_\_\_\_\_

(Associate Licensee or Broker Signature)

Date \_\_\_\_\_

**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 \_\_\_\_\_ Date \_\_\_\_\_ Buyer \_\_\_\_\_ Date \_\_\_\_\_

Seller \_\_\_\_\_ Date \_\_\_\_\_ Buyer \_\_\_\_\_ Date \_\_\_\_\_

Agent (Broker Representing Seller) \_\_\_\_\_

(Please Print)

By \_\_\_\_\_

(Associate Licensee or Broker Signature)

Date \_\_\_\_\_

Agent (Broker Obtaining the Offer) \_\_\_\_\_

(Please Print)

By \_\_\_\_\_

(Associate Licensee or Broker Signature)

Date \_\_\_\_\_

**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.**

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.

This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Published by the California Association of REALTORS®



## Sellers agent transfer Disclosure Statement

1. There is an animal door in the kitchen that accesses the outdoors
2. The French doors from the living room to the garden swell from rain and was difficult to close
3. The floor near French doors in living room looks damaged and dark. Stains exists around (nail holes)
4. El Cerro has a sewer lateral ordinance. Bid for work required has been disclosed
5. Square footage is as per appraiser dated Oct 5, 2004 by Al Clough, SRA. Seller nor sellers agent has verified the accuracy of square footage
6. Kitchen cabinet under sink tends to stay open and not latch well
7. The windows in various parts of the house have been primed and not painted with final coat. This is true, but not necessarily limited to the living room, and large bedroom
8. The garage door has been sheetrocked on one side so there is no access in to the garage.

- 9. The paint (on moldings) and other areas shows some wear marks
- 10. There is a steep step to garage that can be hazardous
- 11. Water heater (garage) area had a gas smell, this was checked by PG & — Buyers to be aware as to whether they smell anything.

By Helene Barker of Grebt Co Jan. 25, 2006

\_\_\_\_\_  
Date \_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date \_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date \_\_\_\_\_  
Seller

\_\_\_\_\_  
Date \_\_\_\_\_  
Seller

\_\_\_\_\_  
Date \_\_\_\_\_  
Buyers Agent

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

SELLER'S SUPPLEMENT TO  
REAL ESTATE TRANSFER DISCLOSURE STATEMENT

Property Address 7238 Cutting Blvd, EL CERRITO CA 94530

Seller(s) Name STEVEN G. and IRIS S. MITRAKOS

As of: (Date) 12/4/05

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 checked="" type="checkbox"/> | <input 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? <u>Past leak in chimney in living room - repaired when</u> .....                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Location(s): <u>new roof installed by prior owners in 1999; green house window in kitchen</u> .....   |                                     |                                     |                                     |
| <u>leaked -&gt; repaired in 2003; French doors in living room leak some times in heavy storm.</u>   |                                     |                                     |                                     |
| Describe/Date Specific Corrective Repairs: .....  |                                     |                                     |                                     |
| <hr/>   |                                     |                                     |                                     |
| 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 type="checkbox"/>            | <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 19. Any disease which affects trees or plants on the property or within two hundred feet of property? .....   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 20. Any restrictions on the use of the premises other than those disclosed in writing? .....  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Seller's Initials (SG) (IS) / Buyer's Initials ( ) ( )

SELLER'S SUPPLEMENT TO  
REAL ESTATE TRANSFER DISCLOSURE STATEMENT

Property Address 7238 CUTTING BLVD, EL CERRITO CA 94530

- |   | 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| (a) If yes, please describe and give location <u>sump pump on east side of house</u>  |                                     |                                     |                                     |
| (b) Was sump pump installed with permit?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 25. Any damp soil and/or standing water in the sub area (under any building)?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 26. Any standing, collecting or ponding water on the property at any time?<br>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?<br>If yes, for each repair, replacement or ongoing maintenance, explain: <u>see above re: kitchen greenhouse window</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 28. Any concealed hardwood floors?<br>If yes, which rooms?<br>What is the condition of the floors?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 29. Any insulation?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 30. Any vapor or moisture barrier(s) (i.e., plastic covering) in the sub area or any other location?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 31. Is water directed away from structure? (i.e., drainage system, splash blocks, or other method)<br>If yes, please describe <u>downspouts empty into underground drains</u>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| 32. Any multiple dwelling units included in this sale?<br>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 type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 35. Any water-related insurance claims in the last 5 years?   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" 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 checked="" 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 checked="" type="checkbox"/> Plans        | <input checked="" 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>Pest Control</u>	<u>M.T.S</u>	<u>9/02; 12/05</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>House Inspection</u>	<u>MARTIN REDINGER</u>	<u>9/06/02 - 11/11/02</u>	<input checked="" 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 (JS) (JS) / Buyer's Initials (\_\_\_\_) (\_\_\_\_)



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

Property Address 7238 Cutting Blvd, EL CERRITO CA 94530

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 type="checkbox"/>            | <input checked="" 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 (Q) (Jm) / Buyer's Initials (\_\_\_\_) (\_\_\_\_)

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

Property Address 7238 Cutting Blvd El Cerrito CA 94530

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 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.

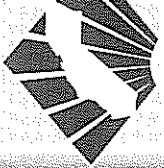
[Signature] 12/6/05  
Seller Date

[Signature] 12/14/05  
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.

Buyer \_\_\_\_\_ Date \_\_\_\_\_

Buyer \_\_\_\_\_ Date \_\_\_\_\_



1. Seller makes the following disclosures with regard to the real property or manufactured home described as 7238 Cutting Boulevard, Assessor's Parcel No. 505021003 situated in El Cerrito, County of Contra Costa, 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.
B. The release of an illegal controlled substance on or beneath the Property
C. Whether the Property is located in or adjacent to an "industrial use" zone
D. Whether the Property is affected by a nuisance created by an "industrial use" zone
E. Whether the Property is located within 1 mile of a former federal or state ordnance location
F. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision
G. Insurance claims affecting the Property within the past 5 years
H. Matters affecting title of the Property
I. Material facts or defects affecting the Property not otherwise disclosed to Buyer

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 [Signature] Date 12/4/05
Seller J. W. S. Motakas Date 12/4/05

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)

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 2002-2004, CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED. 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. This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Published and Distributed by: REAL ESTATE BUSINESS SERVICES, INC. a subsidiary of the California Association of REALTORS® 525 South Virgil Avenue, Los Angeles, California 90020

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



**HOLD HARMLESS AGREEMENT  
PEST CONTROL**

Dated: \_\_\_\_\_ for property located at 7238 Cutting El Cerrito, by  
and between \_\_\_\_\_, as Buyer(s)  
and Mutrakos, 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 Muttis Termite, dated 12/2/2005 in the amount of \$300.<sup>xx</sup> for section I and in the amount of NONE 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:*

[Signature] 12-8-05  
Seller Date Buyer Date

[Signature] 12/15  
Seller Date Buyer Date

Name of Buyer(s) \_\_\_\_\_  
Property Address 7238 Cutting Boulevard  
El Cerrito

Pursuant to Civil Code §1102.6c, Seller or his or her agent is providing this "Notice of Your 'Supplemental' Property Tax Bill":

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

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

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

**Buyer acknowledges Buyer has read, understands and has received a copy of this "Notice of Your 'Supplemental' Property Tax Bill".**

Buyer \_\_\_\_\_ Date \_\_\_\_\_

Buyer \_\_\_\_\_ Date \_\_\_\_\_

The copyright laws of the United States (TITLE 17 U.S. Code) forbid the unauthorized reproduction of this form by any means, including facsimile or computerized formats. Copyright © 2005, CALIFORNIA ASSOCIATION OF REALTORS®

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.

This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Published and Distributed by:  
REAL ESTATE BUSINESS SERVICES, INC.  
a subsidiary of the California Association of REALTORS®  
525 South Virgil Avenue, Los Angeles, California 90020






CALIFORNIA  
ASSOCIATION  
OF REALTORS®

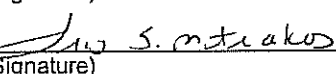
## WATER HEATER STATEMENT OF COMPLIANCE

Water Heater Bracing, Anchoring or Strapping  
As required by California Health and Safety Code §19211  
(Only required when there is a water heater on or in the property)  
(C.A.R. Form WHS, Revised 4/05)

Property Address: 7238 Cutting Boulevard, El Cerrito CA 94530

- STATE LAW:** California Law requires that all new and replacement water heaters and existing residential water heaters be braced, anchored or strapped to resist falling or horizontal displacement due to earthquake motion. "Water heater" means any standard water heater with a capacity of no more than 120 gallons for which a pre-engineered strapping kit is readily available. (Health and Safety Code §19211).
- LOCAL REQUIREMENTS:** Some local ordinances impose more stringent water heater bracing, anchoring or strapping requirements than does California Law. Therefore, it is important to check with local city or county building and safety departments regarding the applicable water heater bracing, anchoring or strapping requirements for your property.
- TRANSFEROR'S WRITTEN STATEMENT:** California Health and Safety Code §19211 requires the seller of any real property containing a water heater to certify, in writing, that the seller is in compliance with California State Law.
- EXCEPTIONS:** There are no exceptions to the State Law.
- CERTIFICATION:** Seller represents that the Property, as of the Close Of Escrow, will be in compliance with Health and Safety Code §19211 by having the water heater(s) braced, anchored or strapped in place, in accordance with those requirements.

Seller  Stephen Mitrakos Date 11-15-05  
(Signature) (Print Name)

Seller  Iris Mitrakos Date 11/15/05  
(Signature) (Print Name)

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

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
(Signature) (Print Name)

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
(Signature) (Print Name)

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 1991-2005 CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED.

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.

This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Published and Distributed by:  
REAL ESTATE BUSINESS SERVICES, INC.  
a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS®  
525 South Virgil Avenue, Los Angeles, California 90020

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



WHS REVISED 4/05 (PAGE 1 OF 1)

### WATER HEATER STATEMENT OF COMPLIANCE (WHS PAGE 1 OF 1)

The Grubb Company 3070 Claremont Ave, Berkeley CA 94705  
Phone: (510) 652-2133 Fax: (510) 652-0114 Helene Barkin

Mitrakos Listi



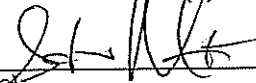
CALIFORNIA  
ASSOCIATION  
OF REALTORS®

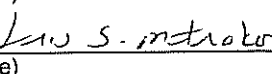
## SMOKE DETECTOR STATEMENT OF COMPLIANCE

As required by California State Health and Safety Code §13113.8(b)  
(C.A.R. Form SDS, Revised 4/05)

Property Address: 7238 Cutting Boulevard, El Cerrito CA 94530

- 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 Statement 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 the State Fire Marshal's regulations and in accordance with applicable local ordinance(s).

Seller  STEVEN MITRAKOS Date 11-15-05  
(Signature) ~~Stephen Mitrakos~~ (Print Name)

Seller  Iris Mitrakos Date 11-15-05  
(Signature) (Print Name)

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

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
(Signature) (Print Name)

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
(Signature) (Print Name)

The copyright laws of the United States (Title 17 U.S. Code) forbid the unauthorized reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. Copyright © 1991-2005 CALIFORNIA ASSOCIATION OF REALTORS®, INC. ALL RIGHTS RESERVED.

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.

This form is available for use by the entire real estate industry. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.



Published and Distributed by:  
REAL ESTATE BUSINESS SERVICES, INC.  
a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS®  
525 South Virgil Avenue, Los Angeles, California 90020

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



SDS REVISED 4/05 (PAGE 1 OF 1)

### SMOKE DETECTOR STATEMENT OF COMPLIANCE (SDS PAGE 1 OF 1)

Central Plumbing & Rooter  
2206 Clinton Avenue  
Alameda, CA 94501  
Lic#815962

<u>RECEIVED &amp; READ</u>	
X	_____
X	_____
X	_____
X	_____

1-23-06

Helen Barkin  
7238 Cutting Blvd  
El Cerrito Ca.

Sewer lateral report and estimate for 7238 Cutting Blvd El Cerrito Ca..

Inspected sewer from 4" cast iron pipe in crawl space sewer is clay from house outlet up to city main. Line will not pass city certification and will need replacement (video given to homeowner.)

We hereby submit specifications and estimate for:

Replacement of sewer lateral from house outlet up to and including connection to city main by trenchless pipe burst means, Estimate to include parts, labor, permit and 10-yr warranty. Work to be inspected by Stege inspector prior to back fill work also to include:

- Traffic control
- Cutting and removal of asphalt and repaving
- Installation of 4" HDPE SDR 17 sewer pipe from house outlet up to city main
- New connection to city main
- House outlet cleanout with backflow valve
- Backfill and soil compaction
- Testing and inspection of sewer with Stege Inspector
- Permits

\$4,165.00

Thank you  
Paul Croxton  
510-521-1411



# LIST OF PLUMBING CONTRACTORS REGISTERED WITH STEGE SANITARY DISTRICT

**NOTE:** For best results, we recommend getting quotes from at least three (3) plumbing contractors.

CONTRACTOR	TV SEWER LATERALS	INSTALL CLEANOUT / BPD*	TRENCHLESS PIPE BURSTING	WORKS IN DRIVEWAY CEMENT	WORKS IN STREET
Bill's Underground 5489 Sobrante Avenue El Sobrante, CA 94803 510/223-8205 License No. 533042	X	X	X	X	X
Central Plumbing & Rooter 3245-A Central Avenue Alameda, CA 94501 510/521-1411 License No. 815962	X	X	X	X	X
Clark, Harry Plumbing 3026 Broadway Oakland, CA 94611 510/444-1776 License No. 668992	X	X	X	X	X
Evenflow Plumbing Co. 2300 Davis Street #4 San Leandro, CA 94577-1010 510/562-1363 License No. 73599	X	X	X	X	X
Emergency Plumbing & Drain 1423 Willow Street Oakland, CA 94607 510/381-5000 License No. 707251	X	X	X	X	X
Fermin Sierra Construction 32203 Almaden Blvd. Union City, CA 94587 510/471-1474 License No. 767511	X	X	X	X	X
Joe Farrell Paving & Grading P.O. Box 20102 El Sobrante, CA 94803 510/593-3742 License No. 661168	X	X	X	X	X
Mr. Rooter Plumbing 1516 University Avenue Berkeley, CA 94703 510/843-6378 License No. 453536	X	X	X	X	X
Nahman, Albert Plumbing 3333 Martin Luther King Way Berkeley, CA 94703-2123 510/843-6904 License No. 414359	X	X	X	X	X
Nova Engineering DBA: Terra 5831 Huntington Avenue Richmond, CA 94804 510/524-1220 License No. 594539	X	X	X	X	X

Pool Connection  
290 - 87 / 521-1411

## LIST OF PLUMBING CONTRACTORS REGISTERED WITH STEGE SANITARY DISTRICT

**NOTE:** For best results, we recommend getting quotes from at least three (3) plumbing contractors.

CONTRACTOR	TV SEWER LATERALS	INSTALL CLEANOUT / BPD*	TRENCHLESS PIPE BURSTING	WORKS IN DRIVEWAY CEMENT	WORKS IN STREET
Olivero Plumbing Co., Inc. 11360 San Pablo Avenue El Cerrito, CA 94530 510/233-3511 License No. 162170		X		X	
Onyx Industrial Services, Inc. 4501 California Court Benicia, CA 94510 707/745-0501 License No. 706677		X		X	X
Ortiz Construction 2052 Vivian Street Castro Valley, CA 94546 510/538-9464 License No. 390099	X	X	X	X	X
Pipe Spy Inc. P.O. Box 5774 Berkeley, CA 94705 510/845-1229 License No. 754966	X	X	X	X	X
Rescue Industries, Inc./E.Z. Rooter - dba Rescue Rooter 600 McCormick St., Suite B San Leandro, CA 94577 510/881-8998 License No. 744542	X	X	X	X	X
Rhino Rooter Corp. 10545 San Pablo Ave #C El Cerrito, CA 94530 510/559-9592 License No. 733056	X	X	X	X	X
Roto Rooter 14985 Washington Avenue San Leandro, CA 94578 510/483-2324 License No. 604196	X	X	X	X	X
Sewers 4 Less 770 Timberline Terrace Brentwood, CA 94513 License No. 668482 510/612-1560	X	X	X	X	X
Sewer Connection P.O. Box 517 Pinole, CA 94564 510/222-2002 License No. 714073	X	X	X	X	X
Val Betti Plumbing & Heating 3605 MacDonald Avenue Richmond, CA 94805-2182 510/232-5593 License No. 196928		X		X	X

Dated 11-9-2005 between the Buyer(s) \_\_\_\_\_  
Seller(s) Mrs and Stephen Metzgers relating to property located at \_\_\_\_\_

Provided below is a list of El Cerrito's major regulations that relate to property ownership. These regulations, as well as the fees and 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 El Cerrito Office of the City Clerk, 10890 San Pablo, CA, 94530-2392, (510) 215-4300, between 8:30 a.m. and 4:00 p.m., Monday through Friday.

#### BUSINESS TAX

Title 4, Chapter 4.32, of the El Cerrito Municipal Code (ECMC) requires all persons conducting any business to first obtain a Business License and pay an annual Business License Tax. The term *Business* includes all commercial and residential rental activities, including single family residences that are rented. Before a business license can be issued to an owner or agent for the rental of any residential unit, a valid certificate of compliance must be obtained by the owner or agent from the City Housing Administrator. Failure to comply with the Business Tax requirements may result in the imposition of penalties, as well as a lien and special assessment placed on your property.

#### MELLO-ROOS COMMUNITY FACILITIES DISTRICT

Title 4, Chapter 4.56 provides for a special tax, adopted by the city council, and approved by the voters for the sole and exclusive purpose of providing the funds necessary for the renovation and reconstruction of the El Cerrito Swim Center, the rehabilitation of Canyon Trail Clubhouse and the performance of access and restroom renovations to the Harding, Huber and Poinsett Park Clubhouses. The cost is \$56.46 for a single family residential unit, \$45 per multifamily residential unit, and \$410 per acre for non-residential property annually.

#### HIGH HAZARD FIRE ZONE

Title 8, Chapter 8.30, designated several areas in El Cerrito as being within very high fire hazard severity zones. Any person who owns, controls, leases, operates or maintains any property in a very high fire hazard zone shall maintain that property in conformance with the vegetation maintenance standards established by the City Council through separate resolution.

#### ROOFING REQUIREMENTS IN A HIGH HAZARD FIRE ZONE

Title 8, Chapter 8.30, establishes that within a High Hazard Fire Zone, every structure, when 50% or more of the total roof area is re-roofed within any 1 year period, the roof covering shall have a fire retardant rating of at least Class B. However, no Shake roofs shall be permitted regardless of rating.

#### REAL ESTATE TRANSFER TAX

Title 4, Chapter 4.24 of the El Cerrito Municipal Code requires that whenever you change ownership of real property, and record that change with the County of Contra Costa, you must pay a City of El Cerrito Real Estate Transfer Tax (RETT). [Note: Contra Costa County has its own Transfer Tax.] The City's Current tax rate is \$7.00 per thousand dollars or 0.70% of the consideration received (for example, money exchanged or debt forgiven.)

Contra Costa County will collect this tax on the City's behalf, but will still record the document if the recording party or its agent, e.g., a title company, fails to pay the tax. However, if the tax remains unpaid 24 hours after recordation, the tax becomes delinquent and subject to penalty and interest.

#### TREE ORDINANCE

Title 10, Chapter 10.90 of the ECMC 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.

Seller's Initials / Buyer's Initials

SM / SM

EL CERRITO ORDINANCE ADDENDUM

Property Address: 7238 Cutting Boulevard El Cerrito

**HAZARDOUS TREE ORDINANCE**

Title 10, Chapter 10.90 of the ECMC prohibits the planting without permit of any Monterey Pine, Monterey Cypress, Coast Redwood, or Eucalyptus within the City of El Cerrito.

**VIEW ORDINANCE**

Title 10, Chapter 10.90 of the El Cerrito Municipal Code provides a claim procedure to compel the removal of trees or other vegetation that may obstruct private views which existed at the time the claimant acquired his or her property. Certain trees that are part of the natural habitat, rare species or of historical value may be exempt from this code. The City encourages the private resolution of such disputes through reconciliation or mediation. If a view dispute cannot be resolved privately, a formal hearing by the Tree Commission shall decide the outcome of the dispute.

**SMOKE DETECTORS IN EXISTING RESIDENTIAL OCCUPANCIES**

Chapter 9, §H-902. In existing residential occupancies 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 a new residential occupancy.

**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.

**ZONING DISTRICTS**

Title 19, Chapter 19.08 of the El Cerrito Municipal Code establishes zoning districts restricting the use and development of certain areas of the City. Furthermore, there are certain areas of the City defined on maps at the City of El Cerrito Planning Division that identify areas that may require soils reports or Geotechnical investigations prior to any structural changes being permitted to any building.

**SEWER LATERAL COMPLIANCE**

Beginning September 6, 2005, the Stege Sanitary District will begin imposing a new ordinance in El Cerrito, Richmond Annex and Kensington which requires that Sellers obtain a Certificate of Compliance for their Sanitary Sewer Laterals prior to transfer of the property.

- 1) Inspections are required during Sewer Rehabilitation Projects; Sewer Lateral Failure; Issuance of Building Permits; Sale of Property.
- 2) A Certificate of Compliance must be within 30 days of issuance of deficiency report or prior to close of escrow. At present, there can be no "hold backs" in escrow.
- 3) If the repair requires going under the sidewalk or street, an encroachment permit from the city is required. This can ONLY be issued to a licensed contractor.

Further information may be obtained from the Stege Sanitary District, 7500 Schmidt Lane, El Cerrito, CA, 94530. (510) 524-4668.

The Undersigned Acknowledge Receipt of a Copy Hereof.

[Signature] 11-15-05  
Seller Date

\_\_\_\_\_  
Buyer Date

[Signature] 11-15-05  
Seller Date

\_\_\_\_\_  
Buyer Date

Fire Hazard Reduction Program

I. INTRODUCTION

A. Purpose of Vegetation Management Standards

Along with California's growth of population and expanding development, urban housing has intermixed with wildland areas. California communities have experienced devastating fire loss because of the severity of fires which occur in this intermix area. The risk of conflagration in the intermix is increased further by homeowners who create uncontrolled landscaping of native and non-native plants on their properties. Thousands of homes are threatened by fire every year in California largely because of this heavy vegetation fuel load very near structures.

The City of El Cerrito contains wildland intermix areas which increase the community's risk of loss from devastating fire. These areas have been identified by the California Department of Forestry (CDF) and the El Cerrito Fire Department as Very High Fire Hazard Severity (VHFHS) zones. As specified by State law (AB 337), property owners within these zones must take special precautions with their property, including vegetation management, to reduce the risk of fire.

The buildup of unmanaged vegetation, whether native or non-native, steep hillsides with canyons and draws, and periods of extremely hot, dry weather all combine to create in El Cerrito the potential for catastrophic fire behavior such as occurred in the Oakland/ Berkeley Hills Fire of October 1991. Catastrophic fires can destroy large numbers of homes, threaten public safety and severely damage the natural areas which contribute to our high quality of living.

A key goal of local community fire protection planning is to reduce the level of fire hazards in El Cerrito's wildland intermix areas, designated as VHFHS zones. While it is not possible to eliminate all threats of catastrophic wildfire, fire hazards can be reduced to acceptable levels and still allow a "green" El Cerrito.

Vegetation management planning in the VHFHS zone focuses on areas where fire poses the greatest risk to life and property. There are three specific goals of the program:

1. Keep all fires small. Small fires generally are cooler than large fires and are more easily extinguished.
2. Limit the speed with which any fire will grow. Fires need fuel to burn; if fuel is available, fires will continue to grow rapidly. Fuel must be limited or made unavailable to spreading fire.
3. Make it more difficult for fires to ignite and spread. Small fires can ignite progressively larger fuels. Small fuels are like kindling and are easily ignited. Reducing kindling fuels, and separating kindling fuels from larger fuels reduces sources for ignition and the potential for fire spread.

Fires will continue to be a part of California urban living. By implementing vegetation management standards, El Cerrito residents can significantly reduce the potential that a small fire will grow into a catastrophic event involving one or more structures. The primary method of stopping fire spread is by increasing separation distances between combustible fuels. An important component of reducing the community's fire risk requires vegetation management to be practiced by property owners.

B. Fire Safe Vegetation Management Concepts

There are three basic methods employed to manage vegetation fuels: firebreaks, fuel breaks and ornamental landscaping. A firebreak eliminates all flammable vegetation and combustible growth. Appropriate ornamental landscaping is acceptable in this area. A fuel break reduces the fuel mass of flammable vegetation and combustible growth, thereby limiting the intensity of fire and slowing its rate of spread. Ornamental landscaping provides a yard or garden with decorative fire resistive plants that are irrigated, maintained and arranged to be aesthetically pleasing, functionally useful and enhance fire safety. Refer to the definitions listed for these terms.

Within VHFHS zones, structures are to be protected from wildfire by creating firebreaks immediately surrounding structures and fuel breaks further out from structures. Within 30 feet of a structure a firebreak should be created which contains well-irrigated, maintained and appropriately spaced ornamental landscaping with fire resistant plants. All flammable vegetation and combustible growth in this area immediately surrounding a structure should be eliminated. This creates a safety margin of defensible space so that wildfire can be stopped before it reaches a structure.

A fuel break should be created from 30 feet to 100 feet from structures located within the VHFHS zones. The heightened risk of wildfire within the VHFHS zones makes it necessary to provide an added safety margin of defensible space for all structures and a fuel break will provide this extra protection. Fuel breaks are meant to reduce fire hazardous vegetation and maintain it to specified heights and arrangements, limiting fire intensity and impeding fire spread. The purpose of the fuel break is to deny any hot fire entering it sufficient fuel

to sustain fire intensity and speed. By the time it reaches the firebreak area containing ornamental landscaping nearer the structure, the now low-intensity fire should be stopped easily by the firebreak surrounding the structure.

Ornamental landscaping with fire resistant plants is encouraged as a long term approach to maintain yard and garden vegetation in a fire safe manner. Landscaping with healthy, appropriately irrigated plants and ground cover provides a permanent reduction of the fire hazard adjacent to structures when such landscaping is maintained at regular intervals. Ornamental landscaping can enhance a firebreak by inhibiting the growth of weeds, grass, brush and similar fire hazardous vegetation. A list of fire resistant and highly flammable plants is available from the Fire Department.

### C. Process

No person shall be prosecuted criminally under the provisions of Section 8.30.040 of the El Cerrito Municipal Code until that person has received written notice of how that property violates these standards and until that person has had the reasonable opportunity to meet with City staff concerning the violation. Civil enforcement of these guidelines as provided for in Section 8.30.050 will be through procedures set forth in Chapter 8.34 or Chapter 16.26 of the El Cerrito Municipal Code. Civil procedures for fire hazard abatement include providing the property owner with (1) written notice on how the property violates these guidelines, (2) reasonable opportunity to meet with City staff to discuss this matter and (3) opportunity to be heard before the City Council.

## 2. FIRE HAZARD REDUCTION GUIDELINES

Many factors combine to create a fire hazard on any specific property. It is difficult to single out a specific vegetation species or configuration to declare it either fire hazardous or completely fire safe in all situations. The Fire Department has developed guidelines conforming to State Law and national fire protection standards which address most situations found on private property within El Cerrito. Please read these guidelines along with the accompanying glossary. If you are still unsure of how to proceed, please call the Fire Department and we will work with you to develop a fire hazard reduction plan for your property.

### A. Hazard Zones

Portions of the City of El Cerrito lie adjacent or near to large wildland areas containing steep slopes and naturally growing trees, brush and grasses. Every year under certain critical weather conditions, the neighborhoods near these wildland areas are at heightened risk of seasonal wildfire sweeping into the city and burning homes. These areas at heightened risk of wildfire have been designated as Very High Fire Hazard Severity (VHFHS) zones. The rest of the City faces a lesser risk of wildfire.

Fire hazard reduction measures common to the entire City are required on both vacant and developed lots:

1. Property owners must ensure that all vegetation, native or non-native, shall be maintained so as not to constitute a fire hazard.
2. Property owners must maintain their property either by ornamental landscaping or by establishing a fuel break along the property line and adjacent to structures. For properties within the VHFHS zones, there are additional requirements for firebreaks within 30 feet of structures and fuel breaks from 30 to 100 feet.
3. Property owners are responsible for clearance and maintenance of their own property only. Property owners will be required, however, to create fuel breaks on their property to protect neighboring structures. Dimensions of fuel breaks will depend on the proximity of neighboring structures and on whether the properties are within VHFHS zones.
4. All brush, weeds, grass, and fire hazardous vegetation within 10 feet of any usable road surface, public way or combustible fence shall be maintained in a non-hazardous condition with a fuel break.
5. Property owners must maintain their property free from all nuisances, including debris, garbage, rubbish and trash, hazardous materials, junk and noxious growth.

### B. Ornamental Landscaping

Ornamental landscaping is encouraged throughout the City of El Cerrito to enhance fire safety. Ornamental landscaping consists of decorative plants growing within a tended garden or yard which are well-watered, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control.

Within the VHFHS zones, ornamental landscaping in the 30 foot firebreak adjacent to structures must meet the following requirements:

1. Ornamental landscaping shall be maintained free of dead wood and litter, and trimmed of small twigs and branches at least two (2) feet or 1/3 of their height from the ground, whichever is less.

5. All cut vegetation and debris must be disposed of either by hauling and dumping in a lawful manner, or by chipping and dispersing over the property in a manner and to a height which will not constitute a fire hazard.

6. Chipped materials which are spread on the ground shall be of a size no greater than 1 inch by 1 inch by 3 inches.

#### 5. Additional Considerations for Vegetation Management:

1. The Fire Hazard Abatement Program is intended to promote community fire safety by reducing the combustible vegetation fuel mass on private properties. Clearing vegetation by heavy construction methods, such as grading, discing, trenching or dozing shall require special permits from the City. Disposal by burning is not permitted.

2. Any parcel where slope stability will be threatened by removal of plants may be exempt from treatment requirements or subject to alternate treatments. The property owner must submit a report documenting the probability of slope failure due to vegetation removal, prepared by a licensed civil, geotechnical, or soils engineer. The report shall propose alternative treatment methods to address fire hazards. The report will be reviewed by city staff. Review and acceptance by the City of alternative treatment will supersede other requirements.

3. Any parcel or lot which includes plant or animal species that are rare, endangered or of special concern may qualify for alternative plant treatment and spacing requirements. The property owner must submit a report from a qualified resource biologist or landscape architect describing the species, actions required to preserve its environmental value, and proposed alternative measures to address fire hazards. The report will be reviewed by the City. Review and acceptance by the City of alternative treatment will supersede other requirements.

#### D. Planting Considerations

Any plant will burn if the conditions are right. Some plants are considered to be extremely flammable while other plants are considered to have some resistance to fire. Verifiable tests of fire exposure characteristics for all specific ornamental landscaping plants is not available.

The best available plant information is contained in a publication available from EBMUD entitled "Firescape: Landscaping to Reduce Fire Hazard". A list of plants with some fire-resistance and plants considered highly flammable is available from the Fire Department.

At the base of trees and shrubs, replace flammable vegetation with bark, mulch, rock, gravel or low-growing or more fire-resistant groundcovers. This cover reduces the fire danger and minimizes weeds. Avoid placing medium-sized shrubs beneath trees or taller shrubs. By breaking up the available fuel mass in ornamental landscaping, a fire will be kept at lower intensity, flame lengths will be shorter and fire will be less likely to form a continuous line or front.

#### E. Structural Fire Safety

The City's roofing and vegetation management standards are designed to reduce the amount of airborne burning material, limiting fire spread. Once a fire starts, it is often accelerated by wind-borne burning material. Burning embers or brands are the main source of fire spread in mixed urban-wildland areas. The roof of a house is most vulnerable to this type of ignition. Spark arresters with a maximum of 1/2" openings in the mesh are required over the outlet of every chimney. Class A is the top rating for fire resistive roofing, followed by Classes B and C. The City of El Cerrito requires that all roofing be Class B or better, and wood shake shingle roofing materials are prohibited in new construction or replacement of more than 50 % of the roof.

### 3. GLOSSARY OF TERMS

The following terms are used to describe the vegetation management standards in California State Law and in the City of El Cerrito's Fire Hazard Reduction Program.

**Very High Fire Hazard Severity (VHFHS) Zones:** Any geographic area designated per Government Code section 51178 to contain the type and condition of vegetation, topography, weather and structure density to potentially increase the possibility of wildland conflagration fires. As a community adjacent to extensive wildland areas, the City of El Cerrito contains several VHFHS zones. A map of these zones is available from the Fire Department. Fire hazard reduction standards are more extensive for properties located within VHFHS zones.

**Defensible space:** A concept in landscape design for homes which provides a band of managed vegetation around a home that slows movement of fire by reducing or denying fuel and provides a space for fire fighters to take a stand to protect the house.

**Fire resistant plants:** A relative term used to describe plants that are "more resistant" or "less resistant" than other plants to fire. Given enough heat, all vegetation will burn. Yet plants in fact differ in how fast they burn, how high a flame they produce and their ability to survive fire. Fire resistance is enhanced by higher amounts of moisture within twigs and foliage. Fire-resistant plants can lose this quality

altogether if not properly maintained and irrigated. A partial list of fire resistant and highly flammable plants is available from EBMUD (232-5051) and the El Cerrito Fire Department.

**Fire hazardous vegetation:** Plants which can burn easily because they generate dry undergrowth, contain flammable oils or produce significant quantities of dead or dying material. Hazardous vegetation is fuel which must be removed or strictly maintained so as not to constitute a fire hazard by igniting easily and then contributing to rapid fire spread. Seasonally dry grass, weeds, brush, and unmaintained and unirrigated trees and ornamental vegetation are examples of fire hazardous vegetation. Properly chipped, mulched and disbursed material does not constitute fire hazardous vegetation. Fire hazardous vegetation is also known as flammable vegetation and combustible growth.

**Ornamental landscaping:** Decorative plants growing within a tended garden or yard which are appropriately irrigated, maintained and located to provide aesthetic decoration and functional utility, such as privacy screening, shade, weed suppression and erosion control. The use of fire-resistant plants and the removal of fire hazardous vegetation will enhance fire safety.

**Firebreak:** An area in which all flammable vegetation or combustible growth is removed and cleared away, thereby eliminating fire hazardous vegetation fuels which can rapidly transmit fire. Ornamental landscaping is permissible within a firebreak as long as it is adequately irrigated, maintained and spaced so as not to provide a means of rapidly transmitting fire. Compare to fuel break.

**Fuel break:** An area in which all flammable vegetation or combustible growth is reduced and cleared away according to established standards, thereby limiting the mass and arrangement of fire hazardous vegetation fuels which can rapidly transmit fire. Appropriate ornamental landscaping is permissible within a fuel break. Fuel reduction standards for fuel breaks limit the height of certain vegetation (brush, native shrubs, weeds and grasses), remove from trees any fuels which can ladder fire into the canopies, and provide adequate spacing between remaining plants. Compare to firebreak.

#### Fire Prevention Tips For Residents

#### Guidelines for preventing dryer fires

The El Cerrito Fire Department issued the following recommendations to prevent dryer fires::

- \* Keep the dryer vent clean and unplugged.
- \* Follow the manufacturer's instructions when installing vent pipe.
- \* When the clothes dryer does not dry the clothes efficiently, check for a plugged vent.
- \* Remove and clean the lint screen before each use.
- \* Keep the area around and under the clothes dryer free from lint.
- \* Keep all combustibles away from the clothes dryer.
- \* Use the lowest heat setting possible in order to dry your clothes.

In the fires that prompted the warning, the dryers had been in service for five or more years. All three showed evidence that the vent was at least partially plugged by lint. Lint had also collected at the base of the clothes dryer next to the heating mechanism. In two cases, clothing and other combustible materials were stored near the dryer.



I found the booklet, *The Homeowner's Guide to Environmental Hazards and Earthquake Safety* (with gas shut-off valve update) which includes the *Federal Lead* booklet and *Toxic Mold Update*:

- Helpful
- Too detailed
- Not detailed enough
- Clearly written
- Confusing
- The booklet helped me to locate earthquake weaknesses in my home.
- I have strengthened my home to resist earthquakes.
- I plan to fix my home's earthquake weaknesses.
- The booklet helped me find out that my home did not have any earthquake weaknesses.

The year my home was built was \_\_\_\_\_.

Comments: \_\_\_\_\_  
\_\_\_\_\_

**We Want To Hear From You!**

California Seismic Safety Commission  
1900 K Street, Suite 100  
Sacramento, California 95814-4186

To Whom It May Concern: I have received a copy of the Environmental Hazards and Earthquake Safety (with gas shut-off valve update) which includes the Federal Lead booklet and Toxic Mold Update.

Property Address: 7238 Cutting Blvd El Cerrito

Date 12/1/05 Time 8:30pm [Signature] IRIS S MITRAKOS  
(signature) (printed name)

Date 12-8-05 Time 8:31pm [Signature] STEVEN G. MITRAKOS  
(signature) (printed name)

**NOTE: For applicable transactions, it is also necessary to complete C.A.R. Standard form FLD-11 (Lead-based paint and Lead-based paint Hazards Addendum, Disclosure and Acknowledgement).**

Official C.A.R. \* Publication 12/04

To Whom It May Concern: I have received a copy of the Environmental Hazards and Earthquake Safety (with gas shut-off valve update) which includes the Federal Lead booklet and Toxic Mold Update.

Property Address: 7238 Cutting El Cerrito


Date \_\_\_\_\_ Time \_\_\_\_\_  
(signature) (printed name)

Date \_\_\_\_\_ Time \_\_\_\_\_  
(signature) (printed name)

**NOTE: For applicable transactions, it is also necessary to complete C.A.R. Standard form FLD-11 (Lead-based paint and Lead-based paint Hazards Addendum, Disclosure and Acknowledgement).**

Official C.A.R. \* Publication 12/04

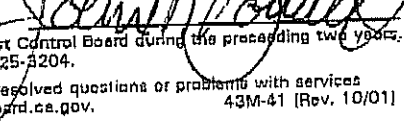
# WOOD DESTROYING PESTS AND ORGANISMS INSPECTION REPORT

Building No. <u>7238</u> Street, City, Zip <u>Cutting Boulevard, El Cerrito, CA, 94530</u>	Date of Inspection <u>12/02/05</u>	No. of Pages <u>5</u>
MITTS TERMITE CONTROL INC 427 San Pablo Avenue Albany, CA 94706 Ph: (510) 525-2202 Fax: (510) 525-1028		
		
Firm Registration No. <u>PR 0655</u>	Report No. <u>251382</u>	Escrow No.
Ordered By: The Grubb Company 3070 Claremont Avenue Berkeley CA 94705 Helen Barkin	Property Owner/Party of Interest: Steven Mitrakos & Iris Sockel 7238 Cutting Boulevard El Cerrito CA 94530	Report Sent To: The Grubb Company 3070 Claremont Avenue Berkeley CA 94705  Steven Mitrakos & Iris Sockel 7238 Cutting Boulevard El Cerrito CA 94530
COMPLETE REPORT <input checked="" type="checkbox"/> LIMITED REPORT <input type="checkbox"/> SUPPLEMENTAL REPORT <input type="checkbox"/> REINSPECTION REPORT <input type="checkbox"/>		
General Description: One-story single family dwelling on concrete foundations and slab floors with wood shingle exteriors		Inspection Tag Posted: Water heater marked JM  Other Tags Posted: None to date
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 <input type="checkbox"/> Drywood Termites <input type="checkbox"/> Fungus/Dryrot <input checked="" type="checkbox"/> Other Findings <input type="checkbox"/> Further Inspection <input type="checkbox"/> If any of 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 7

NAME	DATE
NAME	DATE

NOTE: DIAGRAM IS DISPLAYED ON PAGE 2.

Inspected By John McDonald License No. OPR8701 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.



3rd PAGE OF STANDARD INSPECTION REPORT ON PROPERTY AT:

7238	Cutting Boulevard, El Cerrito, CA, 94530	12/02/05	251382
BUILDING NO.	STREET, CITY, STATE, ZIP	INSPECTION DATE	REPORT NO.

Certain areas are recognized by the industry as inaccessible and/or for other reasons not inspected. These include but are not limited to: inaccessible and/or insulated attics or portions thereof, attics with less than 18" clear crawl space, the interior of hollow walls; spaces between a floor or porch deck and the ceiling below; area where there is no access without defacing or removing lumber, masonry or finished work; areas behind stoves, refrigerators or beneath floor coverings, furnishings; areas where encumbrances and storage, conditions or locks make inspection impractical, portions of the subarea concealed or made inaccessible by ducting or insulation, area beneath wood floors over concrete, and areas concealed by heavy vegetation. Areas or timbers around eaves were visually inspected from ground level only. Although we make visual examinations, we do not deface window/door frames or decorative trims. Unless otherwise specified in this report, we do not inspect fences, sheds, dog houses, detached patios, detached wood decks, wood retaining walls or wood walkways. We assume no responsibility for work done by anyone else, for damage to structure or contents during our inspection, or for infestation, infection, adverse conditions or damage undetected due to inaccessibility or non-disclosure by owner/agent/tenant.

Slab floor construction has become more prevalent in recent years. Floor covering may conceal cracks in the slab that will allow infestation to enter. Infestations in the walls may be concealed by plaster so that a diligent inspection may not disclose the true condition. These areas are not practical to inspect because of health hazards, damage to the structure; or inconvenience. They were not inspected unless described in this report. We recommend further inspection if there is any question about the above noted areas. Ref: Structural Pest Control Act, Article 6, Section 8516(b), paragraph 1990(i). Amended effective March 1, 1974. Inspection is limited to disclosure of wood destroying pests or organisms as set forth in the Structural Pest Control Act, Article 6, Section 8516(b), Paragraph 1990-1991.

Second story stall showers are inspected but not water tested unless there is evidence of leaks in ceiling below. Ref: Structural Pest Control Rules and Regulations, Sec. 8516G. Sunken or below grade showers or tubs are not water tested due to their construction.

If this report is used for escrow purposes then it is agreed that this inspection report and Completion, if any, is part of the ESCROW TRANSACTION. However, if you received written or verbal instructions from any interested parties involved in this escrow (agents, principals, etc.) to not pay our invoice at close of escrow, you are instructed by us not to use these documents to satisfy any conditions or terms of your escrow for purposes of closing the escrow.

SHOULD DAMAGE EXTEND FURTHER THAN OUTLINED IN OUR REPORT INTERESTED PARTIES OR HOMEOWNER WILL BE RESPONSIBLE FOR ADDITIONAL COSTS. SHOULD CONTRACTOR BE ENGAGED BY OTHERS TO PERFORM THE REPAIRS OUTLINED IN OUR REPORT AND DAMAGE IS FOUND AT THAT TIME TO EXTEND FURTHER INTO INACCESSIBLE AREAS THE CONTRACTOR IS ADVISED TO CONTACT THE HOMEOWNER OR INTERESTED PARTIES FOR ADDITIONAL FUNDS. MITTS TERMITE CONTROL CANNOT BE HELD LIABLE FOR HIDDEN OR INACCESSIBLE AREAS THAT CONCEAL FURTHER DAMAGES.

Owner must be aware of the above if obtaining competitive bids.

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 the right to seek a second opinion from another company.

No guarantees or warranties regarding workmanship or materials will be given by this firm if work is performed by others even if work is acceptable and approved by this firm.

Only a licensed pest control firm may apply any chemical for the treatment of wood destroying organisms including fungicides (for exception, see Sec. 8555 of the Business and Professional Code, Division 3).

We do not inspect dwellings from extension ladders during a normal inspection. The underside of the roof eaves will be inspected as close as practical depending on the height. We will not inspect roof coverings or walk on roofs during the course of normal inspections.

GUARANTEE: Mitts Termite Control, Inc., guarantees all pest control repairs for one (1) year from the date of completion, excluding caulking, sealing, grouting, roofing, plumbing, leaks and other mechanical failures. Caulking, sealing and grouting is guaranteed by this firm for thirty (30) days from the date of completion. Roofing, plumbing and other mechanical repairs are guaranteed by this firm for ninety (90) days from the date of completion.

This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed areas is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.

4th

PAGE OF STANDARD INSPECTION REPORT ON PROPERTY AT:

7238	Cutting Boulevard, El Cerrito, CA, 94530	12/02/05	251382
BUILDING NO.	STREET, CITY, STATE, ZIP	INSPECTION DATE	REPORT NO.

THE EXTERIOR SURFACE OF THE ROOF WILL NOT BE INSPECTED. IF YOU WANT THE WATER TIGHTNESS OF THE ROOF DETERMINED, YOU SHOULD CONTACT A ROOFING CONTRACTOR WHO IS LICENSED BY THE CONTRACTOR'S STATE LICENSE BOARD.

"NOTICE: The Structural Pest Control Board encourages competitive business practices among registered companies. 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. Therefore, you may wish to seek a second opinion since there may be alternative methods of correcting the findings listed on this report that may be less costly."

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

#### SUBAREA - VENTILATION:

Item 1A: Fungus infected wood scraps and debris are littering the subarea soil.

RECOMMENDATION: Remove all wood scraps and debris of a cellulose nature and of a size large enough to rake and dispose of same.

\*\*\*\*\* This is a Section 1 Item \*\*\*\*\*

#### GENERAL CONDITIONS

A. Our inspection is limited to visible and accessible areas only. Should interested parties desire a further inspection of any inaccessible area it would be done upon request and for an additional cost.

B. The kitchen floor surface is tile and the counter-top is tile. These surfaces appear to be serviceable.

C. The master bathroom floor surface is tile and the stall shower is ceramic tile over a concrete slab floor. These surfaces appear to be serviceable.

D. The hall bathroom floor surface is tile and the tub shower is tile. These surfaces appear to be serviceable.

5th

PAGE OF STANDARD INSPECTION REPORT ON PROPERTY AT:

7238

Cutting Boulevard, El Cerrito, CA, 94530

12/02/05

251382

BUILDING NO.

STREET, CITY, STATE, ZIP

INSPECTION DATE

REPORT NO.

E. The living area and garage are constructed on concrete slab floors with finished walls and ceilings and/or stored articles preventing a complete and thorough inspection of interior wall cavities. Due to foundation height and lack of any outward evidence of infection or infestation no further inspection is warranted at this time. These areas are considered inaccessible. SEE A ABOVE.

F. The subarea soil is slightly damp at various localities. This is a fairly common occurrence with most homes during winter months. Further information should be obtained from a licensed drainage contractor.

G. Interior and exterior surfaces around the perimeter of this structure will need to be kept well sealed and painted. Water prone wall and floor areas also need to be kept well sealed and grouted as part of general property maintenance.

H. The roof covering, gutters and downspouts were not inspected and no guarantees are given to same and further information or guarantees being desired should be obtained from a licensed roofing contractor.

I. No representations will be made by this firm regarding plumbing, heating or electrical systems except as pointed out in the body of this report. Further information being desired concerning the above should be obtained from the appropriate trades.

NOTE: There may be health related issues associated with the findings reflected in this report. We are not qualified to and do not render any opinion concerning such health issues. The inspection reflected by this report was limited to visible and accessible areas only. Questions concerning health related issues, which may be associated with the findings or recommendations reflected in this report, the presence of mold and the release of mold spores or concerning indoor air quality should be directed to a Certified Industrial Hygienist.

MITTS TERMITE CONTROL INC  
427 San Pablo Avenue  
Albany, CA 94706  
Ph: (510) 525-2202 Fax: (510) 525-1028



### WORK AUTHORIZATION CONTRACT

Address of Property: 7238 Cutting Boulevard, El Cerrito, CA, 94530  
Inspection Date: 12/02/2005  
Report #: 251382  
Title Co. & Escrow #:

SECTION 1	SECTION 2	FURTHER INSPECTION
1A: \$ 300.00		

RECEIVED AND READ  
NUMBER OF PAGES 7

NAME	DATE

We Authorize the Following Section 1 Items to be Performed.

1A  
\_\_\_\_\_  
\_\_\_\_\_

Proposed Cost Section 1: \$ 300.00

We Authorize the Following Section 2 Items to be Performed.

\_\_\_\_\_  
\_\_\_\_\_

Proposed Cost Section 2: \$ 0.00

Total - All Sections: \$ 300.00

We Authorize the Following Items for Further Inspection.

\_\_\_\_\_  
\_\_\_\_\_

Proposed Cost Fur.Insp.: \$ 0.00

NOTICE TO OWNERS: Under California Mechanic's Lien Law any structural pest control company which 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 or her 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 the court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your structural pest control company in full, if the subcontractor, laborer, or supplier remains unpaid. To preserve their right to file a claim or lien against your property, certain claimants such as contractors or material suppliers are required to provide you with a document entitled "Preliminary 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.

I have read this work authorization contract and WDO inspection report it refers to.  
**SIGNED WORK AUTHORIZATION CONTRACT MUST BE RECEIVED BEFORE WORK WILL BE SCHEDULED.**  
I have read and understand the terms of this work authorization contract and hereby agree to all terms thereof.

APPROVED AND READ BY: _____	DATE _____	ACCEPTED FOR: _____	DATE _____
		MITTS TERMITE CONTROL INC	

MITTS TERMITE CONTROL INC

427 San Pablo Avenue  
Albany, CA 94706  
Ph: (510) 525-2202 Fax: (510) 525-1028



WORK AUTHORIZATION CONTRACT

Address of Property: 7238 Cutting Boulevard, El Cerrito, CA, 94530  
Inspection Date: 12/02/2005  
Report #: 251382  
Title Co. & Escrow #:

OUR MINIMUM CHARGE FOR REPAIRS IS \$300.00

All prices quoted are subject to acceptance within 30 days. If for any reason work authorization does not meet with your complete satisfaction or conform to known data, please do not sign this contract.

NOTE: Prices quoted for the above items are subject to change if all work is not performed by this firm.

Terms under this contract are net cash upon completion unless otherwise stated. PAYMENT IS TO BE MADE PAYABLE TO MITTS TERMITE CONTROL, INC. UPON DEMAND ONCE NOTICE OF WORK COMPLETED HAS BEEN ISSUED. There is a 1 1/2 % service charge per month on overdue accounts. If additional work, other than specified in the report is required by the City or County Building Inspector, it will not be performed under this agreement. A separate quotation will be made if desired.

NOTE: We reserve the right to require payment in three equal parts, from Escrow Company, person or persons responsible for payment. This is to be paid in this manner: 1/3 upon commencement of work, 1/3 upon mid-point (to be determined by this company) and 1/3 upon issuance of Notice of Work Completed.

SHOULD LEGAL ACTION BE NECESSARY TO COLLECT THIS SUM, OR ANY OTHER PORTION THEREOF, MITTS TERMITE CONTROL, INC. SHALL BE ENTITLED TO REASONABLE ATTORNEY'S FEES AND COSTS OF LITIGATION.

MOLD DISCLAIMER

There may be health related issues associated with the structural repairs reflected in the inspection report referenced by this Work Authorization Contract. These health issues include but are not limited to the possible release of mold spores during the course of repairs. We are not qualified to and do not render any opinion concerning such health issues or any special precautions. Any questions concerning health issues or any special precautions to be taken prior to or during the course of such repairs should be directed to a Certified Industrial Hygienist before any such repairs are undertaken.

BY EXECUTING THIS WORK AUTHORIZATION CONTRACT, CUSTOMER ACKNOWLEDGES THAT HE OR SHE HAS BEEN ADVISED OF THE FOREGOING AND HAS HAD THE OPPORTUNITY TO CONSULT WITH A QUALIFIED PROFESSIONAL.

Customer's Initials \_\_\_\_\_ Date \_\_\_\_\_

I/We hereby enter into this contract and agree that Mitts Termite Control, Inc. is instructed to perform the work that is described above.

Seller: \_\_\_\_\_  
Buyer: \_\_\_\_\_

Telephone # \_\_\_\_\_  
Telephone # \_\_\_\_\_



MITTS TERMITE CONTROL INC  
427 San Pablo Avenue  
Albany, CA 94706  
Ph: (510) 525-2202 Fax: (510) 525-1028



DATE	REPORT #	ESCROW #	PROPERTY LOCATION
12/05/05	251382		7238 Cutting Boulevard, El Cerrito 94530

TO: Steven Mitrakos & Iris Sockel  
7238 Cutting Boulevard  
El Cerrito, CA 94530

12/02/2005	INSPECTION FEE	\$ 250.00
	<LESS PAYMENTS>	\$ 250.00
	<b>BALANCE DUE</b>	<b>\$ 0.00</b>

RECEIVED AND READ

NUMBER OF PAGES 1

NAME \_\_\_\_\_ DATE \_\_\_\_\_

NAME \_\_\_\_\_ DATE \_\_\_\_\_

RETAIN THIS COPY FOR YOUR RECORDS

DUE AND PAYABLE WITHIN 10 DAYS

1.5% per month charged on all past due accounts. This is an annual percentage rate of 18%  
(Interest charged pursuant to the Robinson-Patman Act)

NOTICE: "Under the Mechanics' Lien law, any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has the 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 own contractor in full, if the subcontractor, laborer, or supplier remains unpaid."

THANK YOU FOR YOUR BUSINESS

**LOCATED AT:**

7238 CUTTING BLVD.  
EL CERRITO, CA. 94530

**FOR:**

FIRST SECURITY LOAN CORP.  
591 REDWOOD HIGHWAY, SUITE 1150  
MILL VALLEY, CA 94941

**BORROWER:**

MITRAKOS

**RECEIVED AND READ**

NUMBER OF PAGES 2

**AS OF:**

OCTOBER 5, 2004

NAME \_\_\_\_\_ DATE \_\_\_\_\_

NAME \_\_\_\_\_ DATE \_\_\_\_\_

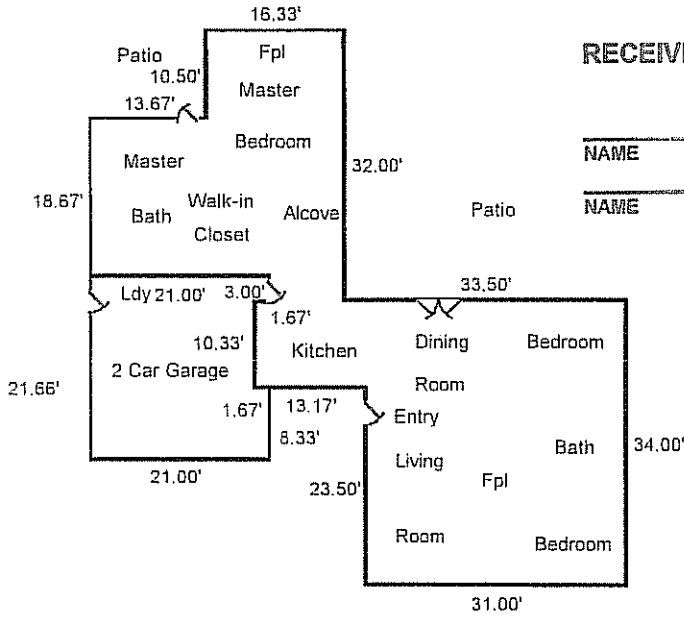
**BY:**

AL CLOUGH, SRA

*page 1 of 2*

FLOORPLAN

Borrower: MITRAKOS File No.: 7238CUT  
 Property Address: 7238 CUTTING BLVD. Case No.:  
 City: EL CERRITO State: CA. Zip: 94530  
 Lender: FIRST SECURITY LOAN CORP.



RECEIVED AND READ  
 NUMBER OF PAGES 2

NAME	DATE
NAME	DATE

Sketch by Apex IV Windows<sup>TM</sup>

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Totals
GLAL	First Floor	1949.0361	1949.0361
GAR	Garage	437.6089	437.6089
TOTAL LIVABLE (rounded)			1949

LIVING AREA BREAKDOWN		
Breakdown		Subtotals
First Floor		
18.67 x 30.00		560.1000
10.50 x 16.33		171.4650
10.33 x 44.17		456.2761
23.50 x 31.00		728.5000
0.17 x 42.50		7.2250
2.83 x 9.00		25.4700
6 Areas Total (rounded)		1949

## PROPERTY TAX DISCLOSURE REPORT FOR:

Property Address: 7238 CUTTING BLVD, EL CERRITO

### Table Of Contents

Notice of Special Tax and Assessment <i>Pursuant to Section 1102.6b of the California Civil Code</i>	2
<b>Notice of Special Tax and Assessment Signature Page</b>	3
Notice of Supplemental Property Tax Bill <i>Pursuant to Section 1102.6c of the California Civil Code</i>	4
Tax Bill General Breakdown	5
Description of Property Tax Charges	6
Terms, Conditions and Limitations	7

### 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: 505-021-003-7  
Property Address or Legal Description: 7238 CUTTING BLVD, EL CERRITO  
Report Date: 1/4/2006

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

## 1. MELLO-ROOS COMMUNITY FACILITIES DISTRICTS

Mello-Roos Community Facilities Districts ("CFD") provide a method of financing certain public capital facilities and services especially in developing areas and areas undergoing rehabilitation. Public improvements funded by Mello-Roos CFDs may include, but are not limited to, roads, schools, water, sewer and storm drain facilities. Public services funded by Mello-Roos CFDs may include, but are not limited to, police and fire protection services, recreation program services, and flood or storm protection services. Mello-Roos CFDs commonly fund the construction of public improvements through the issuance of bonds. A special tax lien is placed on property within the district for the annual payment of principal and interest as well as administrative expenses. Typically, the annual special tax continues until the bonds are repaid, or until special taxes are no longer needed. 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: 505-021-003-7  
Property Address or Legal Description: 7238 CUTTING BLVD, EL CERRITO  
Report Date: 1/4/2006

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

### 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): \_\_\_\_\_

## NOTICE OF SUPPLEMENTAL PROPERTY TAX BILL

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

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

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

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

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

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

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

### BREAKDOWN OF THE 2005-2006 PROPERTY TAX BILL

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

#### Basic Prop 13 Levy

<b>1. All Ad Valorem Taxes</b>	<b>Prop 13</b>	<b>\$7,880.38</b>
County of Contra Costa (925) 646-2225	General Service	

#### Voter Approved Ad Valorem Taxes

**Basic Prop 13 Levy & Voter Approved Ad Valorem Taxes: \$7,880.38**  
**Estimated Tax Rate: 1.126%**

#### Direct Assessments

<b>2. Parcel Tax</b>	<b>School District Special Tax</b>	<b>\$133.92</b>
West Contra Costa Unified School District (510) 620-2241	Parcel Tax	
<b>3. Stege Sanitary District</b>	<b>Sewer or Water Charge</b>	<b>\$111.00</b>
Stege Sanitary District (510) 524-4668	Water & Sewer Service	
<b>4. Landscape Maintenance District</b>	<b>Landscaping &amp; Lighting Maintenance District</b>	<b>\$72.00</b>
West Contra Costa Unified School District (510) 620-2241	Landscape & Lighting	
<b>5. Street Lighting &amp; Landscape Maintenance District</b>	<b>Landscaping &amp; Lighting Maintenance District</b>	<b>\$72.00</b>
City of El Cerrito (510) 215-4312	Landscape & Lighting	
<b>6. Special District 1 Wet Weather Services</b>	<b>Flood Control/Storm Drainage Assessment</b>	<b>\$58.80</b>
East Bay Municipal Utility District (510) 287-1620	Flood Services	
<b>7. Storm Drain Reconstruction</b>	<b>Flood Control/Storm Drainage Assessment</b>	<b>\$58.00</b>
City of El Cerrito (510) 215-4312	Storm Drainage	
<b>8. West Contra Costa Healthcare District Parcel Tax</b>	<b>2/3 Voter Approved Special Tax</b>	<b>\$52.00</b>
West Contra Costa Healthcare District (866) 807-6864	Health	
<b>9. Alameda-Contra Costa Parcel Tax</b>	<b>2/3 Voter Approved Special Tax</b>	<b>\$48.00</b>
Alameda-Contra Costa Transit District (510) 891-4753	Transportation	
<b>10. SWN Center</b>	<b>Landscaping &amp; Lighting Maintenance District</b>	<b>\$38.62</b>
City of El Cerrito (510) 215-4312	Lighting & Landscaping	
<b>11. Federal Stormwater Fee Zone A-5</b>	<b>Flood Control/Storm Drainage Assessment</b>	<b>\$38.00</b>
County of Contra Costa (925) 313-2238	Storm Drainage	
<b>12. Zone 1 Park Maintenance</b>	<b>Landscaping &amp; Lighting District - Park Maintenance</b>	<b>\$12.00</b>
East Bay Regional Park District (925) 646-2225	Landscaping & Lighting	
<b>13. Emergency Medical Services 1 Zone B</b>	<b>Paramedics Services Assessment</b>	<b>\$10.00</b>
County of Contra Costa (925) 646-4690	Emergency Medical	
<b>14. Eastbay Trails Landscape Lighting District</b>	<b>Landscaping &amp; Lighting Maintenance District</b>	<b>\$5.44</b>
East Bay Regional Park District (925) 646-2225	Landscape & Lighting	
<b>15. Mosquito Abatement</b>	<b>Vector Control District</b>	<b>\$2.96</b>
County of Contra Costa (925) 646-2225	Mosquito Abatement	

**Total Direct Assessment Charges: \$712.74**  
**Total 2005-2006 Amount: \$8,593.12**



## 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.

### **Sewer or Water Charge**

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

### **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.

### **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.

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

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

### **Paramedics Services Assessment**

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

### **Vector Control District**

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

## Terms, Conditions and Limitations

This report and the determinations made herein were prepared by California Tax Data, Inc. ("CTD"). Only the buyer (and his/her agent) and the seller (and his/her agent) may use or rely on this report. The determinations made in this report are time-sensitive. Therefore, the information in this report may be considered accurate only as of the date shown herein. Governmental actions occurring after the date of this report are not disclosed, and CTD is under no duty to update this report when or if new tax information is released or becomes available. The sole purposes of this report are to (a) make preliminary determinations regarding whether current secured tax rolls contain Mello-Roos Community Facilities District Special Taxes or 1915 Bond Act Special Assessments against the subject property, and (b) assist the seller in fulfilling his/her duty to comply with California Civil Code §1102.6b. This report is not a substitute for a title report or title insurance and may not be relied upon as such.

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

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

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

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

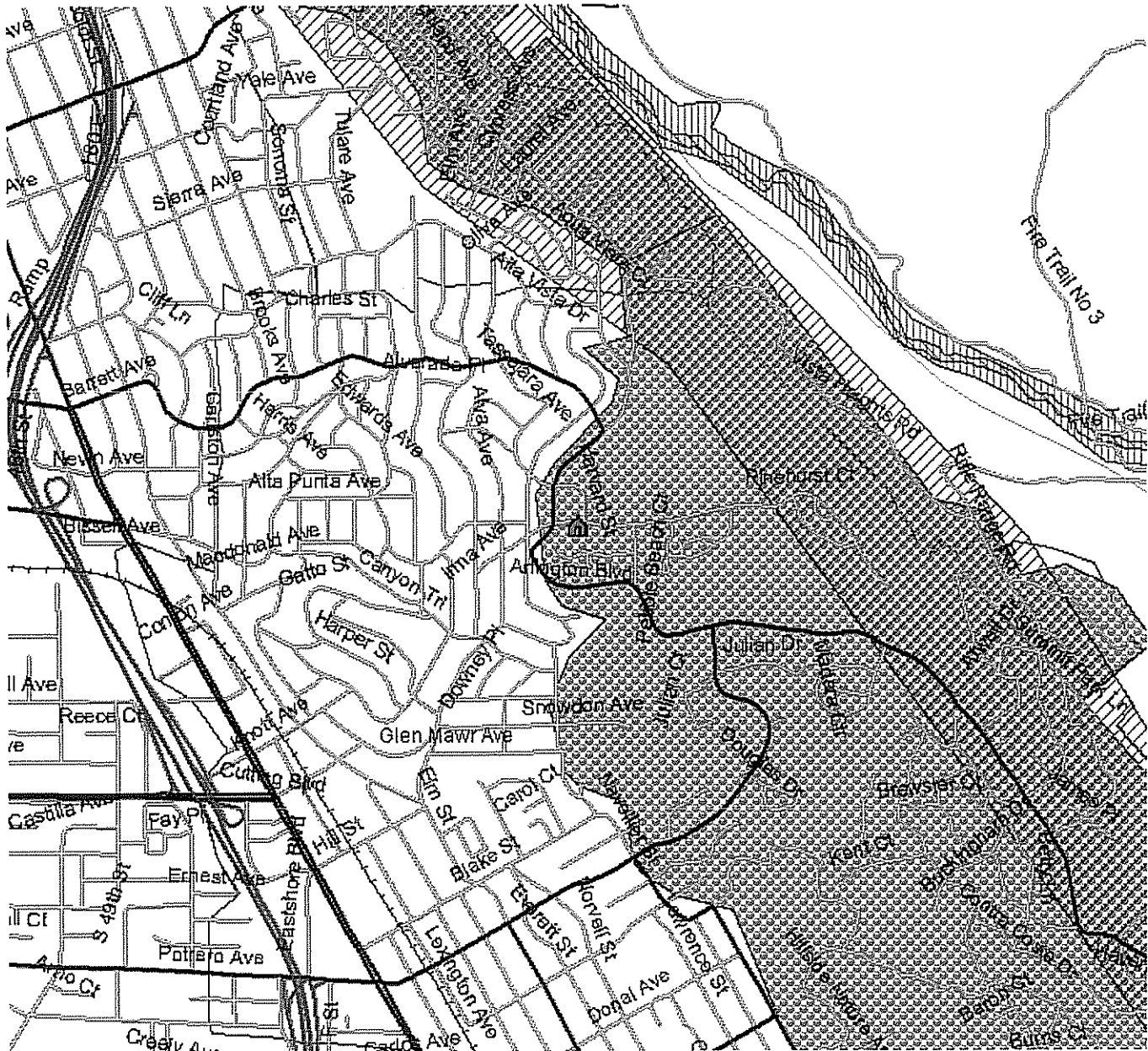
**BY ACCEPTING OR USING THIS REPORT, THE BUYER AND SELLER HEREBY AGREE TO BE BOUND BY ALL OF THE TERMS, CONDITIONS, AND LIMITATIONS OF LIABILITY STATED HEREIN.**

Property Address: 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

APN: 505 021 003 7

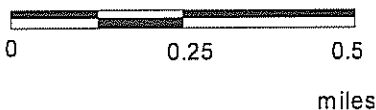
Date: 1/4/2006








Report Number: 2006010400087



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

 Subject Property



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



# The JCP Property Disclosure Report™

Property Address: 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

APN: 505 021 003 7  
Date: 1/4/2006  
Report Number: 2006010400087

## 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  X  No \_\_\_\_\_

**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) \_\_\_\_\_ Yes (Liquefaction Zone) \_\_\_\_\_  
No \_\_\_\_\_ Map not yet released by state  X

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

Signature of Transferor (Seller) \_\_\_\_\_ Date \_\_\_\_\_  
Signature of Transferor (Seller) \_\_\_\_\_ Date \_\_\_\_\_  
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)  Scott Roecklein, Sr. Vice President  Date  1/4/2006  Rept. No. 2006010400087  
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 \_\_\_\_\_

Statutory Form



**JCP**  
Property Disclosure Reports

# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7

**Date:** 1/4/2006

**Report Number:** 2006010400087

## Summary Declaration of Liability Provisions

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

### Recipients

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

### Member Companies

- Property Disclosure Services, Inc.
- JCP Property Disclosure Reports
- FANHD, Inc.
- California Property Disclosure
- Safe Real Estate
- PhD (Professional Hazard Disclosure)
- NHD (Natural Hazard Disclosures)

### Protections

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

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

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

By: First American      Scott Roecklein, Sr. Vice President      Date: 1/4/2006



Confirmation of Coverage



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## The JCP Report™

Map Cover Page  
Statutory Form  
Confirmation of Coverage

## SUMMARY AND INDEX OF DISCLOSURES AND ADVISORIES

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

### SECTION 1

#### State level Statutory Zone Disclosures

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

\* N/A = The map is not yet released by the State.

### SECTION 2

#### County Level Natural Hazard Disclosures

FAULT	OUT	See Section 2 Page 1
LANDSLIDE	OUT	See Section 2 Page 1
LIQUEFACTION POTENTIAL	LOW	See Section 2 Page 1

#### City Level Zone Disclosures

FAULT	OUT	See Section 2 Page 3
HIGH LANDSLIDE RISK AREA	OUT	See Section 2 Page 3
VERY HIGH FIRE HAZARD SEVERITY AREA	OUT	See Section 2 Page 3



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## SECTION 3

### OTHER DISCLOSURES, ADVISORIES AND TERMS AND CONDITIONS

#### Other Zone Disclosures

##### Military Ordnance

FORMER MILITARY ORDNANCE SITE DISCLOSURE NOT IN See Section 3 Page 1

##### Determination

##### Commercial/ Industrial

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

##### Airports

AIRPORT NOISE 65 DECIBEL ZONE NOT IN See Section 3 Page 2

AIRPORT INFLUENCE AREA NOT IN See Section 3 Page 2

##### Megan's Law

See Section 3 Page 3

##### San Francisco Bay Conservation and Development Commission Disclosure

OUT See Section 3 Page 4

#### Advisories

METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY See Section 3 Page 5

##### Mold Advisory

See Section 3 Page 5

##### Radon Advisory

See Section 3 Page 6

#### Special Tax Disclosures

##### DESCRIPTION OF PROPERTY TAX CHARGES

MELLO-ROOS SPECIAL ASSESSMENT DISTRICT NO See Full Tax Report

1915 IMPROVEMENT BOND ACT DISTRICT NO See Section 3 Page 7

#### Terms and Conditions

See Section 3 Page 8



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## SECTION 4

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





# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## 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**

**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.



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

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

**Determination**

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

**Discussion**

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

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

◦ ◦ ◦ **EARTHQUAKE FAULT ZONE** ◦ ◦ ◦

**Determination**

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

**Discussion**

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

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

◦ ◦ ◦ **SEISMIC HAZARD MAPPING ACT ZONE** ◦ ◦ ◦

**Determination**

**In an area not included on the current inventory of Official Seismic Hazard Maps. Maps may become available for this area in the future. For more information on this Act or when maps may become available, contact the California Geological Survey or visit their website at <http://www.consrv.ca.gov/dmg/shezp/>.**

**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.



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## 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.

#### Contra Costa 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 an area of generally low potential for liquefaction. In an area of no identified fault or landslide hazards on the adopted General Plan maps.**

**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.

### CONTRA COSTA COUNTY GEOLOGIC ZONES DISCUSSION

The County of Contra Costa, 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 1991. The local-level disclosure in this JCP report was based on the following official County map(s): "Preliminary Photointerpretation Map of Landslides and Other Surficial Deposits of [various] Quadrangles, Contra Costa and Alameda Counties, California," prepared by T. H. Nilson (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:

- High Ground-Shaking Intensity Areas are defined as high geologic hazard zones by the county, but maps showing these areas are currently unavailable at a scale that permits disclosure on an individual property basis. Ground-shaking intensity is a factor of soil type and condition under the property, water content of the soil, distance to the earthquake epicenter and other conditions.
- Inactive faults are faults without evidence of recent surface displacement (fracturing along the fault trace) and are not considered to be a high hazard by the county. Such faults are not shown on the county maps, but building setbacks may be required by the county or city prior to construction near them due to information contained in city or county records and other sources.
- Areas characterized by slopes greater than 15 percent and/or generally unstable geologic rock types are considered "landslide prone" areas by Contra Costa County, but are not shown on the county maps. Development on open hillsides and significant ridgelines through-out the County is restricted, and hillsides with a grade of 26 percent or greater are protected from development through zoning measures and other actions by Contra Costa County.

#### **FAULT**

Earthquake Faults are divided into three categories: active faults, potentially active faults and inactive faults. "Active faults" have been determined to have ruptured (cracked along the fault trace) the ground surface during Holocene geologic time (the last 11,000 years). "Potentially active" faults have displaced Quaternary geologic units (rocks and sediments formed in the last 2 million years). The county has

Section 2 – Page 1



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7

**Date:** 1/4/2006

**Report Number:** 2006010400087

zoned sites within 600 feet of a potentially active fault to be at some risk of fault rupture. Alquist-Priolo Earthquake Fault Zones (active faults) are included on the county fault maps, as well. Inactive fault traces are not shown.

## LANDSLIDE

Landslide Deposit Areas are landslide deposits mapped in the field and landslides mapped by air-photo interpretation. Properties in these areas are subject to some risk of damage due to slope failure. Site studies are necessary before judgments are made about the slope stability of the property.

## LIQUEFACTION POTENTIAL

Generally **High** Liquefaction Potential Areas refer to areas where certain types of subsurface materials may settle and spread laterally during earthquake shaking. If the water table is close to the ground surface and the subsurface material is loose and lacks cohesion (sandy soils and sediments), the ground may become soft and liquid-like during earthquake shaking.

Generally **Moderate** or Generally **Low** Liquefaction Potential Areas are NOT considered to be high geologic hazard areas by the County. The potential for these geotechnical hazards and problems in lower hazard zones is a great deal less than in zones of high hazard. For an explanation of liquefaction, see the liquefaction section above.



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## City of El Cerrito Geologic and Seismic Zone Determination

Based on the officially adopted city-level Seismic Safety Element natural hazard maps, the subject property is:  
**NOT in a zone of high geologic hazard. In an zone of no active faults, very high fire, or high landslide risk as defined by the City of El Cerrito as shown on the City Special Study Map as shown on the adopted General Plan maps used in this report. For explanation of zones see the explanation section included with this report.**

### **CITY OF EL CERRITO GEOLOGIC ZONES DISCUSSION**

The City of El Cerrito, separately from the County, State and Federal governments, has officially produced or adopted maps to delineate potential hazards such as fault rupture and landslide zones that are recognized at the local level. Those hazard maps are incorporated into the Seismic Safety Element of the General Plan, adopted by the El Cerrito City Council in 2000. The local-level disclosure in this JCP report was based on the following official local map(s): "Special Study Map" prepared by Harris & Associates (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.

**City vs. County Information:** County and city-level information sources are developed independently of each other and do not necessarily define or delineate hazards in the same way. A site can be *in* a geologic hazard zone according to the city and *not in* the corresponding zone according to the county and vice versa. Cities and counties may use other information in addition to their General Plan sources to determine if hazards exist at a site or which sites may require geologic studies prior to new or additional construction. Such information could be a material fact to be disclosed in addition to General Plan information. Such potential sources are not reviewed in this report. To investigate other sources of natural hazard information that may be available and used at the local level, contact the Engineering, Planning or Building Departments in the subject City and County.

The official City-level information addresses the potential natural hazards itemized below:

#### **FAULT**

El Cerrito's Alquist-Priolo Earthquake Fault Zone represents areas in the Hayward Fault Zone. Ground rupture (surface cracking) and distortion may occur along the fault trace during a significant earthquake. Fault creep or slow movement along the fault trace may also occur with or without accompanying earthquakes. For additional information on active faults, see the section "Earthquake Fault Zone".

#### **HIGH LANDSLIDE RISK AREA**

High Landslide Risk Areas represent potentially unstable ground with a known history of landslides. Also the city of El Cerrito may require geologic studies prior to new construction in landslide areas

#### **VERY HIGH FIRE HAZARD SEVERITY AREA**

VHFHSZ's 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 local fire department for a complete list of requirements and exceptions.

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



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## SECTION 3

### FORMER MILITARY ORDNANCE SITE DISCLOSURE

#### Determination

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

#### Discussion

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

---

### COMMERCIAL OR INDUSTRIAL ZONING DISCLOSURE

#### Determination

Based on publicly-available parcel zoning records only:

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

#### Discussion

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

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





# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## AIRPORT INFLUENCE AREA DISCLOSURE

### Determination

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

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

### Discussion

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

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

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

## AIRPORT NOISE DISCLOSURE

### Determination

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

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

### Discussion

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

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

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

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



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

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

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

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

### California Department of Justice Information Sources:

Megan's Law Sex Offender Locator Web Site: <http://www.meganslaw.ca.gov>  
California Department of Justice Megan's Law Email Address: [meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov)

### Local Information Locations For The Subject Property:

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

According to current records your local law enforcement department phone number is 510-215-4425.

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

Contra Costa County Sheriff's Department	(925) 335-1570
--	----------------

### 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.





# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

**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.



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## ADVISORIES

### METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY

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

### MOLD ADVISORY

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

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

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

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

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



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## 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*.



# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

## 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.



Property Disclosure Reports

# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087



**JCP**  
Property Disclosure Reports

# The JCP Property Disclosure Report™

**Property Address:** 7238 Cutting Bl,  
El Cerrito, Contra Costa County, CA

**APN:** 505 021 003 7  
**Date:** 1/4/2006  
**Report Number:** 2006010400087

