

# The Commercial Natural Hazard Disclosure Report FOR ANY COUNTY

Property Address: 123 Any Street  
Any City, Any County, CA

APN: SAMPLE  
Date: 01/25/08  
Report Number: 012508

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

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

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

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

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

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

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

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

Yes (Landslide Zone) \_\_\_\_\_ Yes (Liquefaction Zone)  X

No \_\_\_\_\_ Map not yet released by state \_\_\_\_\_

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. 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  1/1/2006

Rept. No. 2005072600221

Transferee represents that he or she has read and understands this document. I (We) also have read and understand the added Local Hazard, Airport, Military Ordinance, BCDC and Energy Efficiency Disclosures, as well as the Mold, Radon, Meth Lab, and Endangered Species 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 \_\_\_\_\_

**Additional Signatures Required – See Section 4, Tax Disclosure Report and Section 5, EnviroCheck™ Disclosure Report**

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## Summary Declaration of Liability Provisions

It is hereby declared 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

- FANHD, Inc.
- JCP-LGS Property Disclosure Reports

### Protections

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

- (1) We will resolve the claim promptly and in good faith.
- (2) We 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 us 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, we 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:** Scott Roecklein, Sr. Vice President

**Date:** 1/25/2008

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## The Natural Hazard Disclosure Report™

Map Cover Page  
Statutory Form  
Summary Declaration of Liability Provisions

### SUMMARY AND INDEX OF DISCLOSURES AND ADVISORIES

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

#### SECTION 1

##### State level Statutory Zone Disclosures

		<u>Determination</u>	
Flood	A SPECIAL FLOOD HAZARD AREA	OUT	See Section 1 Page 1
	AN AREA OF POTENTIAL FLOODING	IN	See Section 1 Page 1
Fire	A VERY HIGH FIRE HAZARD SEVERITY ZONE	OUT	See Section 1 Page 1
	A WILDLAND FIRE AREA (SRA)	OUT	See Section 1 Page 2
Seismic	AN EARTHQUAKE FAULT ZONE	OUT	See Section 1 Page 2
	A SEISMIC HAZARD LANDSLIDE ZONE	OUT	See Section 1 Page 2
	A SEISMIC HAZARD LIQUEFACTION ZONE	IN	See Section 1 Page 2

#### SECTION 2

##### County Level Natural Hazard Disclosures

<b>FAULT</b> Located within a potentially active fault zone as defined by the County of Any City.	IN	See Section 2 Page 1
<b>LANDSLIDE</b>	OUT	See Section 2 Page 2
<b>LIQUEFACTION</b> Located in an area of low liquefaction susceptibility.	ZONE LL	See Section 2 Page 2
<b>HILLSIDE AREA</b>	OUT	See Section 2 Page 2
<b>TSUNAMI</b>	OUT	See Section 2 Page 2
<b>DAM INUNDATION</b>	IN	See Section 2 Page 2
<b>FIRE HAZARD</b>	OUT	See Section 2 Page 2
<b>AREAS OF SHALLOW METHANE ACCUMULATION</b>	OUT	See Section 2 Page 2

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## City Level Zone Disclosures

<b>FAULT</b> Located within 500 feet of a moderately-well located trace of the North Branch of the Any City Fault.	<b>IN</b>	<b>See Section 2 Page 3</b>
<b>LANDSLIDE</b>	<b>OUT</b>	<b>See Section 2 Page 4</b>
<b>LIQUEFACTION SUSCEPTIBILITY</b>	<b>VERY LOW TO NO</b>	<b>See Section 2 Page 4</b>
<b>TSUNAMI</b>	<b>OUT</b>	<b>See Section 2 Page 4</b>
<b>DAM INUNDATION</b>	<b>OUT</b>	<b>See Section 2 Page 4</b>

## SECTION 3

### OTHER DISCLOSURES, ADVISORIES AND TERMS AND SERVICES

#### Other Zone Disclosures

	<u>Determination</u>	
<b>Military Ordnance</b> 1 MILE FORMER MILITARY ORDNANCE SITE RADIUS	<b>WITHIN</b>	<b>See Section 3 Page 1</b>
<b>Airports</b> AIRPORT NOISE 65 DECIBEL ZONE	<b>NOT IN</b>	<b>See Section 3 Page 1</b>
AIRPORT INFLUENCE AREA	<b>IN</b>	<b>See Section 3 Page 2</b>
San Francisco Bay Conservation & Development Commission Disclosure	<b>OUT</b>	<b>See Section 3 Page 3</b>

#### Advisories

<b>Methamphetamine Contaminated Property Disclosure Advisory</b>	<b>See Section 3 Page 4</b>
<b>Mold Advisory</b>	<b>See Section 3 Page 4</b>
<b>Radon Advisory</b>	<b>See Section 3 Page 5</b>
<b>Endangered Species Advisory</b>	<b>See Section 3 Page 5</b>

#### Services Section

**See Section 3 Page 6**

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**SECTION 4**

**CALIFORNIA PROPERTY TAX DISCLOSURE REPORT**

*<<Requires Additional Signature on Section 4, Page 1>>*

**SECTION 5**

**The EnviroCheck Report™**

*<<Requires Additional Signature on Section 5, Page 1>>*

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## SECTION 1

### 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 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

**IN an Area of Potential Flooding Caused By Dam Failure according to the maps adopted by The State of California Office of Emergency Services.**

##### Discussion

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

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

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

##### Determination

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

##### Discussion

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

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

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

### Determination

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

### Discussion

A wild land area where the CDF's fire protection services are responsible for suppressing fires is called a "State Responsibility Area" (SRA). These are generally rural areas where a significant wild land fire potential exists. Unless the county has assumed the fire suppression responsibility or has an agreement with a local fire agency, property owners in an SRA are responsible for organizing structural fire protection services. Such information is not available on maps; therefore, it can't be provided here. For very isolated properties with no local fire services or only seasonal fire services, there may be significant fire risk. 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.

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## ••• 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.

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## ••• SEISMIC HAZARD MAPPING ACT ZONE •••

### Determination

**In an Official Seismic Hazard Zone. Located in a Liquefaction Hazard Zone. Other Seismic Hazards that may eventually be addressed on these maps have not yet been evaluated for Any County.**

### Discussion

Seismic Hazard Zone maps delineate areas subject to earthquake hazards. New development in a Seismic Hazard Zone is only permitted if it can be shown that mitigation makes the site acceptably safe. Maps are only available for limited areas now, but will eventually cover all of California. The hazards addressed are or will be: liquefaction, enhanced ground shaking, earthquake induced landslides, and various other ground failures. The first release of maps only addresses liquefaction and/or landslide zones.

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

**Earthquake-Induced Landslide Hazard Zones** are areas where there has been a recent landslide, or where the local slope, geological, geotechnical, and ground moisture conditions indicate a potential for landslides as a result of earthquake shaking.

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

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## SECTION 2 COUNTY AND CITY NATURAL HAZARD DISCLOSURE STATEMENT

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

### **Any County Geologic and Seismic Zone Determination**

Based on the officially adopted county-level Seismic Safety Element natural hazard maps, the subject property is:

**Located in a Potentially Active Fault Zone as defined by the County of Any City. Also located on surficial alluvial materials of Low Liquefaction Susceptibility (Zone LL) and in a Dam Inundation Area.**

**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.

### **ANY COUNTY GEOLOGIC ZONES DISCUSSION**

The County of Any City, 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 1990. The local-level disclosure in this report was based on the following official County map(s): "Geologic and Seismic Hazard Maps," prepared by Any County Department of Regional Planning and Leighton & Associates (a part of 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 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, this company 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, this company recommends that a geotechnical consultant be retained to study the site and issue a report.

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

### **FAULT**

**Active Faults:** Several faults and fault segments not included as part of the Earthquake Fault Zone Act are considered active by the County. Zones from 1000 feet to 1.2 miles wide have been defined by the County around these faults. Properties in these zones are at some risk for fault rupture (surface cracking along the fault).

**Potentially Active Faults:** Faults active in the last 750,000 years but with no historical activity (past 10,000 years) are considered "potentially active" by Any County. Zones from 1000 feet to 1.2 miles wide have been defined by the County around these faults. Properties in these zones may be at some risk for fault rupture, but the risk is probably lower than that for active faults.

**Conditionally Active Faults:** Faults active between 750,000 and 2,000,000 years ago are considered "conditionally active" by Any County. Properties located directly on one of these faults are at an undetermined but relatively small risk of rupture.

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## **LANDSLIDE**

**Slope Stability Zones** The County Safety Element inventories landslides and slope stability hazards. The minimum size of a slide is five acres, but clusters of slides may be shown as a single landslide. A delineated landslide is not a definitive statement of a site's stability, either now or in the future. Many slides are mitigated during development. For detailed stability information, a geotechnical consultant should be retained.

**Hillside Areas:** Areas subject to slope instability, particularly if slope gradients exceed 25 percent. If a property is in a designated "Hillside Area," it does not necessarily mean that landslides exist on the property or that landsliding is imminent or probable.

**Area Impacted by Storm-Induced Landsliding:** Areas that experienced storm-induced shallow landsliding during the particularly wet years of 1969, 1978, and 1980 have been delineated on the maps.

**Area Impacted by Mud and Debris Flooding:** Areas that have experienced storm-induced shallow landsliding mud and debris flows. Such flows may happen during periods of exceptionally high rainfall as that which occurred in 1969, 1978, and 1980.

**Area of Shallow Surficial Landslides:** These areas include regions in the Any City and San Gabriel Mountains and the Puente Hills where abundant shallow landslides may occur.

**Identified Bedrock Landslide:** These included definite and probable landslides ranging from five to hundreds of acres in size.

## **LIQUEFACTION**

Liquefaction is a liquid-like soil condition which may occur during strong earthquake shaking if the groundwater is shallow and the subsurface soils are loose and cohesionless (such as sands). The factors can combine to produce liquefaction in certain local areas.

**Liquefiable Areas (Zone L):** Groundwater is less than 30 feet deep in these areas, however, it does not necessarily mean that liquefaction will occur during earthquake shaking. This zone has a higher potential for liquefaction than other zones.

**Potentially Liquefiable Areas (Zone PL):** Flat-lying valley areas with a relatively low liquefaction potential.

**Low Liquefaction Susceptibility (Zone LL):** Flat to gently sloping areas with relatively low liquefaction potential.

**Very Low Liquefaction Susceptibility (Zone VL):** Areas underlain by bedrock not normally susceptible to liquefaction.

## **HILLSIDE AREA**

Hillside areas are subject to slope instability, particularly if slope gradients exceed 25 percent. If a property is in a designated hillside area it does not necessarily mean that landslides exist on the property or that landsliding is imminent or probable.

## **TSUNAMI**

Tsunami inundation areas have been designated as a zone of moderate risk for tsunami (seismic sea wave or "tidal wave") run-up. The tsunami zone may be inundated by waves which recur on average of once every 500 years.

## **DAM INUNDATION**

Dam inundation areas may be subject to flooding in the event of dam failure. They are defined assuming an instantaneous dam failure with a full reservoir. However, dams rarely fail instantaneously and reservoirs are not always filled to capacity.

## **FIRE HAZARD**

**Fire Zone 4** encompasses most of the areas having a potential for woodland and brush fires. These areas require strategies to enforce stringent fire enforcement measures including fire-resistant construction materials, brush clearance, fire breaks, and fuel load management requirements.

**Areas of High Fire Hazard** represents areas outside Fire Zone 4 but having features similar to those included in Fire Zone 4. Within wildland areas, fires are most likely to start in areas of man's activity such as roads, campgrounds, cabins, wood cutting areas, power lines, and the urban-wildland interface.

## **AREAS OF KNOWN SHALLOW METHANE ACCUMULATION**

Several areas in the County are known to be the sites of shallow methane gas accumulations. The absence of methane gas areas on the map is not a guarantee of the absence of gas in the soil. Most of the shallow methane found to date seems to be spatially associated with shallow oil and gas fields.

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## City of Any City Geologic and Seismic Zone Determination

Based on the officially adopted city-level Seismic Safety Element natural hazard maps, the subject property is:

**Located within 500 feet of a moderately-well located trace of the North Branch of the Any City Fault as shown on the adopted General Plan maps used in this report. Also in an area of very low to no liquefaction susceptibility. In an area of no identified landslide, tsunami, or dam inundation hazards. For explanation of zones see the city explanation section included with this report.**

## CITY OF ANY CITY GEOLOGIC ZONES DISCUSSION

The City of Any City, separately from the County, State and Federal governments, has officially produced and adopted maps to delineate potential hazards such as earthquake fault hazards, liquefaction potential, dam failure inundation zones, coastal inundation from seismically induced sea waves (tsunami), slope instability areas, and other possible geologic 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 Any City City Council in 1995. The local-level disclosure in this report was based on the following official local map(s): "Seismic Hazards Map" and "Inundation Hazards Map" prepared by Leighton & Associates (incorporated 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 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, this company 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, this company 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

#### **Any City Fault**

The Any City Fault, as shown on city maps, consists of two parallel fault traces. This fault is considered to be "potentially active" and to have ruptured (cracked) the ground surface sometime within the last 750,000 years. Active faults are defined as those that have ruptured the surface sometime within the last 11,000 years. Some faults that may in fact be active are necessarily classified as "potentially active" because there is a lack of precise information regarding them. Because of recent and ongoing studies, the city of Any City suggests that the Any City Fault should be considered an "active ground rupturing structure." If a strong earthquake occurs on the Any City Fault, fault rupture could occur along either a fault trace or in a fault scarp area. The city of Any City is monitoring geologic studies in the area in order to more clearly define both the location and activity of the Any City Fault.

#### **The city defines two types of fault areas:**

**Fault traces** are surface expressions of fault rupture (ground cracking along a fault trace). Three types of fault traces have been defined and mapped by the city: "well located", "moderately-well located" and "poorly located."

**Fault scarps** are topographic features representing deformation of the ground surface due to faulting. The city of Any City delineates two types of fault scarp areas: scarps that form relatively strong surface expressions and those that form relatively weaker surface expressions

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## **LANDSLIDE**

**Coastal Bluff Stability** Slope instability within the city of Any City is of concern only in the coastal bluff areas north of McClure Tunnel in Palisades Park. Some properties on Ocean Avenue may be affected by coastal bluff instability as well. If site-specific information regarding slope stability is desired, this company recommends that a geotechnical consultant be retained.

**Abandoned Clay Pits and Landfills** Former clay mining activities produced open pits in the central, industrial part of the city. In many cases, these open clay pits were backfilled with uncertified fill or landfill materials. These areas may be subject to subsidence, differential settlement and hazards associated with hazardous waste.

## **LIQUEFACTION SUSCEPTIBILITY**

**Liquefaction Susceptibility** is a liquid-like condition of the soil that may occur during strong earthquake shaking where the groundwater is at shallow depth and the subsurface materials are loose and lack cohesion (such as sandy soils). These factors can combine to produce liquefaction in local areas where all of these factors occur together. Zones of high, medium, low, and very low to no liquefaction susceptibility have been defined by the city.

## **TSUNAMI**

**Tsunami Inundation** (seismic sea wave or "tidal wave") areas delineated by the city of Any City reflects a worst case scenario, with run-up heights of 16.6 feet. This scenario is thought to occur once every 500 years, on average. A tsunami hazard only exists relatively close to the Any City beach and pier area.

## **DAM INUNDATION**

**Dam Failure Inundation** areas may be subject to flooding in the event of dam failure. They are defined assuming an instantaneous dam failure in conjunction with a full reservoir. However, dams rarely fail instantaneously, and reservoirs are usually not filled to capacity.

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

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## SECTION 3 FORMER MILITARY ORDNANCE SITE DISCLOSURE

### Determination

The subject property is WITHIN one mile of a Formerly Used Defense (FUD) site containing military ordnance.

### **Any City AAF Redistribution Station #3**

Various uses in the 1940's but mostly for lodging and recreation.

### 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 US Army Corps of Engineers (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.

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## 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. We obtain 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 we receive the updated maps within the schedule set by us. We use the most seasonally conservative noise exposures provided.

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

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## 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 IN an Airport Influence Area for Any City Airport.**

### **NOTICE OF AIRPORT IN VICINITY**

**This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. (California Civil Code, Section 1103.4)**

### Discussion

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

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

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

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

### Determination

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

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

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

### Discussion

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

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

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## ADVISORIES

### METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY

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

### MOLD ADVISORY

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

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

As part of a buyer's physical inspection of the condition of a property, the buyer may consider engaging an appropriate and qualified professional to inspect and test for the presence of harmful molds and to advise the buyer of any potential risk and options available. This advisory is not a disclosure of whether harmful mold conditions exist at a property or not. No testing or inspections were performed in the preparation of this report. Any use of this form is acknowledgement and acceptance that we do not disclose, warrant or indemnify mold conditions at a property in any way and is not responsible in any way for mold conditions that may exist. Information is available from the California Department of Health Services Indoor Air Quality Section fact sheet entitled, "Mold in My Home: What Do I Do?" The fact sheet is available at [www.cal-iaq.org](http://www.cal-iaq.org) or by calling (510) 540-2476.

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

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

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## RADON ADVISORY

This Radon Advisory relies on 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, this 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:** We do 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*.

## ENDANGERED SPECIES ACT ADVISORY

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

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

### **ADVISORY**

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

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

### **For more information**

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

**For Northern California visit:**

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

**For Southern California visit:**

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

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## ••• SERVICES SECTION •••

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

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

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

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

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

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

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