



# RESIDENTIAL PROPERTY DISCLOSURE REPORT

**80507 Avenida Santa  
Carmen,  
Indio, CA 92203**

**APN(s):  
691300043**

# NHD11A

# NATURAL HAZARD DISCLOSURE



This statement applies to the following property: 80507 Avenida Santa Carmen, Indio, CA 92203 691300043

The seller and the seller's agent(s) or a third-party consultant disclose 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. The seller 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 seller and the seller's agent(s) based on their knowledge and maps drawn by the state and federal governments. This information is a disclosure and is not intended to be part of any contract between the seller and the buyer.

### 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  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  Do not know and information not available from local jurisdiction

**A HIGH OR VERY HIGH FIRE HAZARD SEVERITY ZONE (FHSZ)** as identified by the Directory of Forestry and Fire Protection pursuant to Section 51178 or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 51182 of the Government Code.

Yes  No

High FHSZ in a state responsibility area

Very High FHSZ in a state responsibility area

Very High FHSZ in a local responsibility area

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

Yes  No

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

Yes  No

**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

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. SELLER(S) AND BUYER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

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

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

Signature of Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Agent(s) \_\_\_\_\_ Date \_\_\_\_\_

### Check only one of the following:

The seller(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).

The seller(s) and their agent(s) acknowledge that they have exercised good faith in the selection of a third-party report provider as required in Section 1103.7 of the Civil Code, 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 Section 1103.4 of the Civil Code. Neither the seller(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:

### This statement was prepared by:

Third-Party Disclosure Provider(s) **American Home Shield Natural Hazard Disclosure** Date 4/9/2024 Report 44996

The buyer represents that he or she has read and understands this document. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the seller's or agent's disclosure obligations in this transaction.

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

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

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. The transferee represents that he or she has read and understands this document AND the additional reports, if ordered, disclosures, and advisories contained herein: Former Military Ordnance, Commercial Industrial Zone, Airport Influence Area, Airport Noise, Airport Hazard, Airport Proximity, Right to Farm Disclosure, Mining Operations Notice, Coastal and Bay Conservation, Naturally Occurring Asbestos, Wind Hazards, and Supplemental Hazards: Landslides, Liquefaction, Floods, Dam Inundation, Geologic Hazard, and Fire.

**Advisories:** Megan's Law, Methamphetamine Contamination, Abandoned Mines, Duct Sealing, Toxic Mold, Oil and Gas Wells, Carbon Monoxide Poisoning, Gas Pipelines, Wood-Burning Heater, Williamson Act, and Radon.

**Environmental Report (if ordered):** NPL, SPL, LUST, SWIS, CERCLIS, TRI, Wells, Mines, and Gas Pipeline.

**Tax Report (if ordered):** Notices of Mello-Roos, 1915 Bond Act, and Voluntary Contractual Assessment, Supplemental Property Tax Calculator, and Property Tax Calculator.

**Government Booklets.**

## SUMMARY

This Disclosure Report applies to the following property:  
80507 Avenida Santa Carmen, Indio, CA 92203

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**DISCLAIMER:** No warranty, expressed or implied, is made whatsoever in connection with this report. **American Home Shield Natural Hazard Disclosure** specifically disclaims the making of any warranties. **American Home Shield Natural Hazard Disclosure** believes that the parcel-level information in this report is the most current and accurate publicly available information. Please review the disclaimer, copyright and trademark notice at the end of this report.

PLEASE NOTE: "Map N/A" indicates that the disclosure map is not available from the local jurisdiction.

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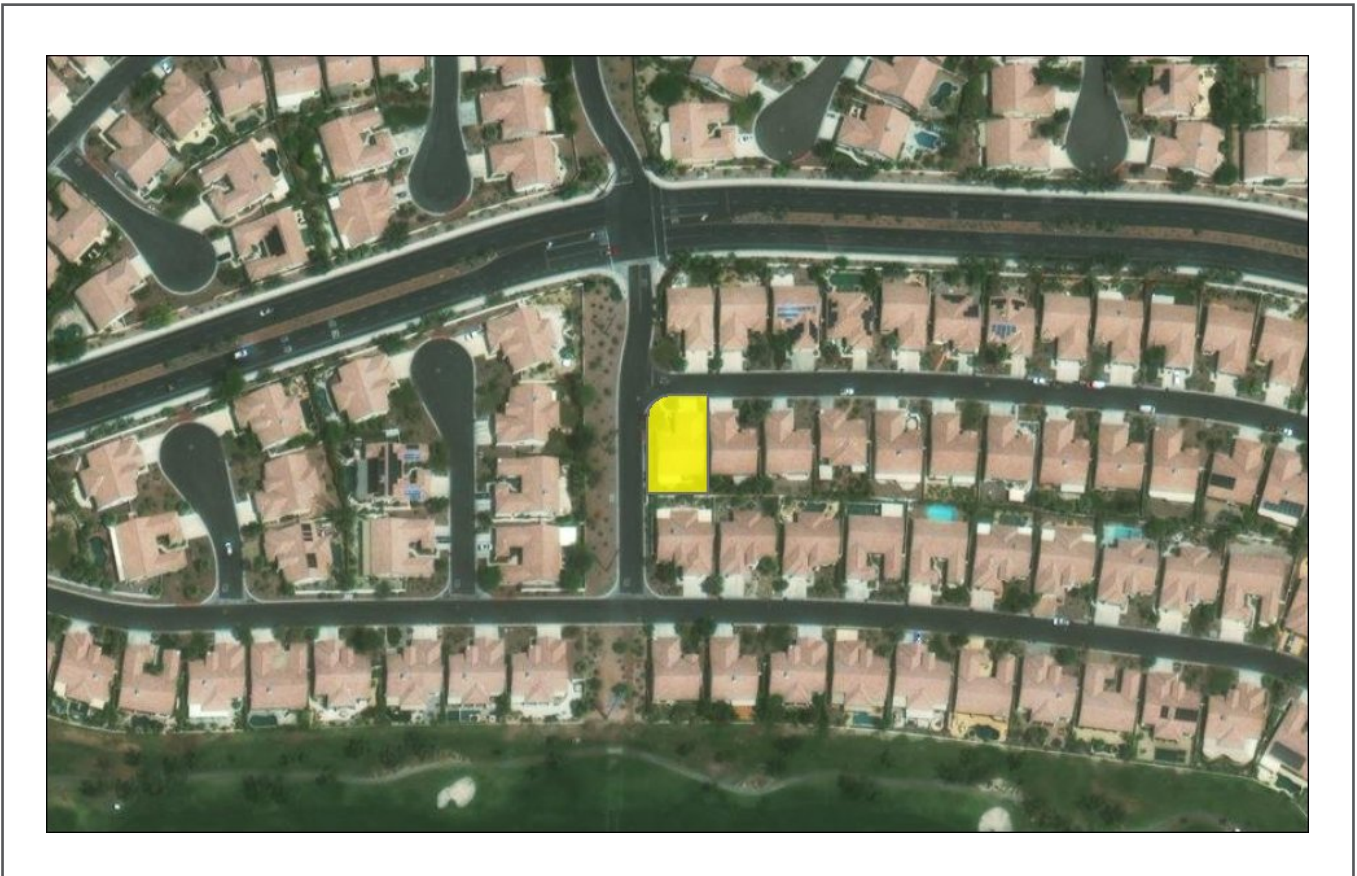
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# NATURAL HAZARD DISCLOSURE REPORT

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92203**

**APN: 691300043**

# NATURAL HAZARD DISCLOSURE MAP



Special Flood Hazard Area



Dam Inundation



Bates — Very High Fire Hazard



State Responsibility Area (SRA) Fire Layer



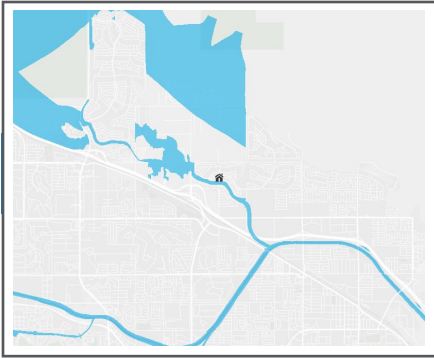
Alquist-Priolo Fault Rupture



California Geological Survey Landslide Zone



California Geological Survey Liquefaction Zone



## SPECIAL FLOOD HAZARD AREA

**PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.**

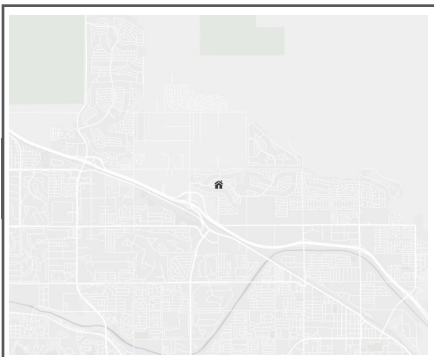
**The Special Flood Hazard Areas/Zones (SFHA/Z) require the homeowner to carry flood insurance. The SFHA includes zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V.**

The National Flood Insurance Act of 1968 established the National Flood Insurance Program (NFIP), which is administered by the Federal Insurance Administration of the Federal Emergency Management Agency (FEMA). This act required the establishment of flood-risk zones within the floodplain areas. These zones include Special Flood Hazard Areas where, in any given year, there is a 1 percent or higher probability that a portion or all of the property is likely to be inundated by floods. The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA), or zone (SFHZ), on NFIP maps. The SFHA is the area where the NFIP's floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. A particular parcel of land may be wholly or partially within an SFHZ, potentially requiring flood insurance. The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V. Some cities and/or counties publish their own maps, which designate local flood hazards that might vary from the FEMA maps. Where reasonably available, these maps are also used in the company reports.

**Note:** The company is not always able to determine if the property is subject to a LOMA or a LOMR. If the seller is aware that the property is subject to a LOMR or a LOMA, the seller shall attach a copy to the NHDS and notify the company.

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

For more information, please contact FEMA Map Service Center at 800-358-9616 or [FEMAMSCservice@dhs.gov](mailto:FEMAMSCservice@dhs.gov)



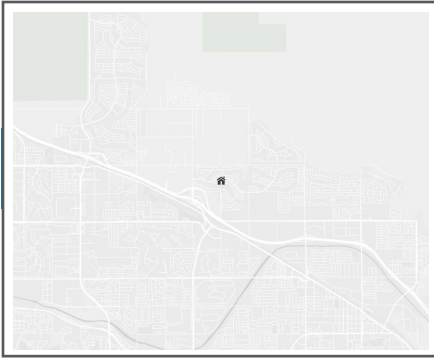
## DAM INUNDATION

**PROPERTY IS NOT LOCATED IN A DAM INUNDATION ZONE.**

A dam inundation map shows flooding that could result from a hypothetical failure of a dam or its critical appurtenant structure. In 2017, the California Legislature passed a law requiring all state jurisdictional dams, except low-hazard dams, to develop inundation maps and emergency action plans. The California Division Of Safety Of Dams approves inundation maps, and the California Office of Emergency Services approves emergency action plans.

For more information, visit <https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams/FAQs>.





## BATES — VERY HIGH FIRE HAZARD

**PROPERTY IS NOT LOCATED IN A VERY HIGH FIRE HAZARD ZONE (BATES).**

As a result of the Oakland Hills fire, which destroyed some 2,500 housing units and caused over \$2 billion in damages and 25 fatalities, Assemblyman Tom Bates introduced Assembly Bill 337 in the 1992 legislative session. This legislation was signed by the governor on September 29, 1992, and became known as the Bates Bill. It added sections 51175-51188 to the Government Code relating to Very High Fire Hazard Severity Zones (VHFHSZ).

VHFHSZ data were developed based on a hazard scoring schema using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather designed to delimit areas where urban conflagration could result in catastrophic losses. CDF Units developed initial recommendation maps for areas meeting threshold hazard criteria, and these areas were then reviewed, modified, adopted or rejected by the local fire authority.

For more information, go to <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>.

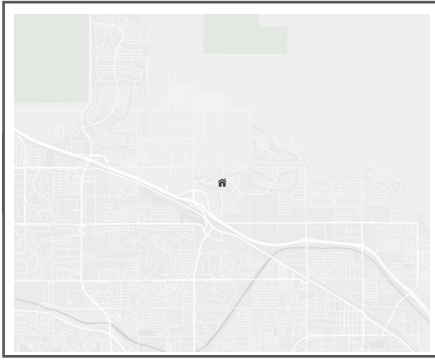
If the subject property of this report IS located IN an area designated as a high or very high fire hazard severity zone AND the subject property was constructed/built PRIOR to January 1, 2010, then the following statement applies:

*This home is located in a high or very high fire severity zone, and the home was built before the implementation of the Wildfire Urban Interface building codes which help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the Internet website <http://www.readyforwildfire.org>.*

Commencing July 1, 2021, a seller of a real property that is in a high or very high fire hazard severity zone, shall provide to the buyer documentation stating that the property complies with state defensible space requirements and/or local vegetation management ordinances. Specific requirements will vary based upon the local ordinances, if any. In areas where no such local ordinances exist, the seller must obtain documentation of compliance with state law within 6 months prior to entering into the transaction and provide such to a prospective buyer. In the event the subject property is not within compliance, both parties must enter into a written agreement whereby the buyer obtains documentation of compliance post close of escrow.

In addition, for homes constructed prior to January 1, 2010 when the Wildfire Urban Interface Building Codes went into effect, you may want to consider improvements for the fire hardening of your home. Guidelines for defensible space and fire hardening can be found at [www.readyforwildfire.org](http://www.readyforwildfire.org).

Beginning July 1, 2025 the seller must also provide to prospective buyers a written list of low-cost retrofits for home fire hardening, and indicate which ones, if any, have been completed at the subject property.



## STATE RESPONSIBILITY AREA (SRA) FIRE LAYER

**PROPERTY IS NOT LOCATED IN A STATE RESPONSIBILITY AREA.**

Existing law requires a seller of real property located in an SRA to disclose this information to buyers (Section 4136, California Code). State Responsibility Area (SRA) is defined as follows: "Lands exclusive of cities and federal lands regardless of ownership, classified by the State Board of Forestry as areas in which the primary financial responsibility for preventing and suppressing fires is that of the state. These are lands covered wholly or in part by timber, brush, undergrowth or grass, whether of commercial value or not, which protect the soil from erosion and retard runoff of water or accelerated percolation, and lands used principally for range or forage purposes."

Specifically, an SRA is not federally owned, not incorporated, does not exceed a housing density of three units per acre, contains wildland vegetation as opposed to agriculture or ornamentals, and has watershed value and/or has range/forage value (this effectively eliminates most desert lands).

Property owners in SRAs are responsible for organizing structural fire protection services. This can be a volunteer group or an officially organized service. If no such fire service exists, there may be significantly added risks associated with fires. In some SRAs, the CDF only provides seasonal fire services for wildland fires. Additionally, governmental institutions may force new or additional constraints in an SRA.

Official maps issued by the California Department of Forestry and Fire Protection (CDF) pursuant to California Public Resources Code Section 4125.

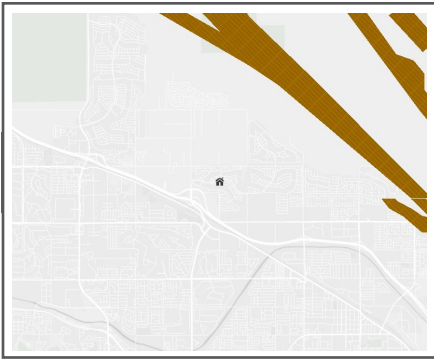
If the subject property of this report IS located IN an area designated as a high or very high fire hazard severity zone AND the subject property was constructed/built PRIOR to January 1, 2010, then the following statement applies:

*This home is located in a high or very high fire severity zone, and the home was built before the implementation of the Wildfire Urban Interface building codes which help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the Internet website <http://www.readyforwildfire.org>.*

Commencing July 1, 2021, a seller of a real property that is in a high or very high fire hazard severity zone, shall provide to the buyer documentation stating that the property complies with state defensible space requirements and/or local vegetation management ordinances. Specific requirements will vary based upon the local ordinances, if any. In areas where no such local ordinances exist, the seller must obtain documentation of compliance with state law within 6 months prior to entering into the transaction and provide such to a prospective buyer. In the event the subject property is not within compliance, both parties must enter into a written agreement whereby the buyer obtains documentation of compliance post close of escrow.

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Beginning July 1, 2025 the seller must also provide to prospective buyers a written list of low-cost retrofits for home fire hardening, and indicate which ones, if any, have been completed at the subject property.



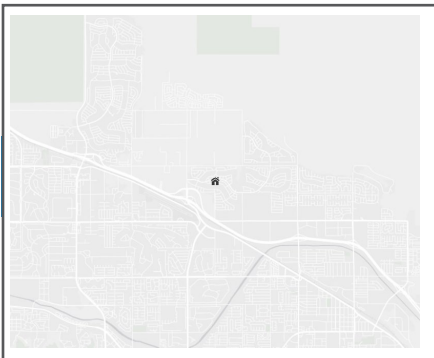
## ALQUIST-PRIOLO FAULT RUPTURE

**PROPERTY LISTED IS NOT LOCATED IN AN ALQUIST-PRIOLO FAULT RUPTURE ZONE.**

**Earthquake fault zones** are identified and adopted by the state of California as part of the Alquist-Priolo Special Studies Zone Act of 1972, which was passed to mitigate the hazard of surface faulting to structures for human occupancy. This state law was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. Surface rupture is the most easily avoided seismic hazard. These zones are areas on both sides of known or suspected active earthquake faults where a significant earthquake could cause the earth underneath the property to fracture. The purpose of identification of these zones is to ensure that any structures built for human occupancy are not constructed on top of active faults.

The law requires the State Geologist to establish regulatory zones (known as earthquake fault zones) around the surface traces of active faults and to issue appropriate maps. [Earthquake fault zones were called special studies zones prior to January 1, 1994.] A property being located in an earthquake fault zone does not necessarily mean that a fault line exists on the property, because in some areas, these zones are more than a quarter mile wide. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report on a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet). In addition, the availability of insurance and its relative costs could be impacted.

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 Section 2622.



## CALIFORNIA GEOLOGICAL SURVEY LANDSLIDE ZONE

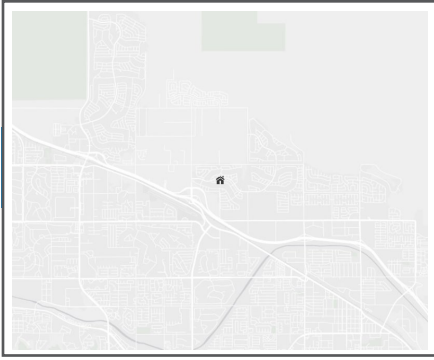
**PROPERTY IS LOCATED IN AN AREA WHERE A MAP IS NOT AVAILABLE.**

**A seismic hazard zone** is where there is likely weak soil and/or rock may be present beneath the property. Seismic hazard zones are determined by the state. If present, these weak materials can fail during an earthquake and, unless proper precautions are taken during grading and construction, can cause damage to structures. If a property is undeveloped, a site-specific investigation by a licensed engineering geologist and/or civil engineer may be required before the parcel can be subdivided or before most structures can be permitted. If the property lies within a mapped seismic hazard zone, that fact must be disclosed by the seller to prospective buyers.

**Landslides** occur when a slope changes from a stable to an unstable condition. A change in the stability of a slope can be caused by a number of factors, acting together or alone. Natural causes of landslides include:

- Loss or absence of vertical vegetative structure, soil nutrients, and soil structure (e.g., after a wildfire)
- Erosion of the toe of a slope by rivers or ocean waves
- Weakening of a slope through saturation by snow melt, glaciers melting, or heavy rains
- Earthquakes adding loads to barely stable slopes
- Earthquake-caused liquefaction destabilizing slopes

Official seismic hazard maps or digital data thereof approved by the State Geologist and issued by the California Department of Conservation, California Geological Survey, pursuant to California Public Resources Code Section 2696.



## CALIFORNIA GEOLOGICAL SURVEY LIQUEFACTION ZONE

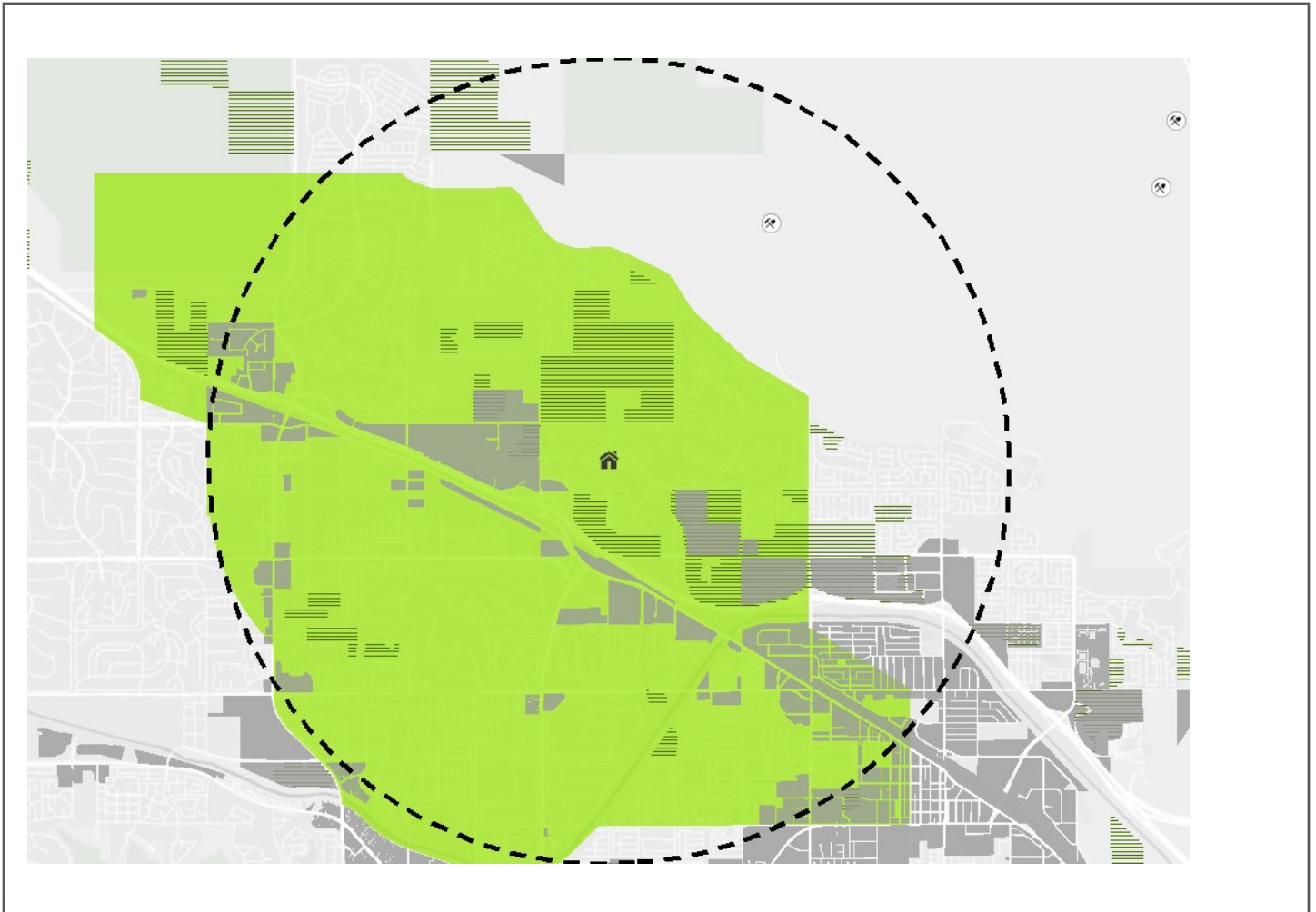
**PROPERTY IS LOCATED IN AN AREA WHERE A MAP IS NOT AVAILABLE.**

**A seismic hazard zone** is where the state has determined that it is likely that weak soil and/or rock may be present beneath the property. If present, these weak materials can fail during an earthquake and, unless proper precautions are taken during grading and construction, can cause damage to structures. If a property is undeveloped, a site-specific investigation by a licensed engineering geologist and/or civil engineer may be required before the parcel can be subdivided or before most structures can be permitted. If the property lies within a mapped seismic hazard zone, that fact must be disclosed by the seller to prospective buyers.

**Liquefaction** is a phenomenon in which the strength and rigidity of a soil is reduced by earthquake shaking or other rapid loading. When the ground liquefies in an earthquake, sandy or silty materials saturated with water behave like a liquid, causing pipes to leak, roads and airport runways to buckle, and building foundations to be damaged. Even if a property is located in a liquefaction zone, it is not necessarily the case that liquefaction will occur.

Official seismic hazard maps or digital data thereof approved by the State Geologist and issued by the California Department of Conservation, California Geological Survey pursuant to California Public Resources Code Section 2696.

# ADDITIONAL DISCLOSURES



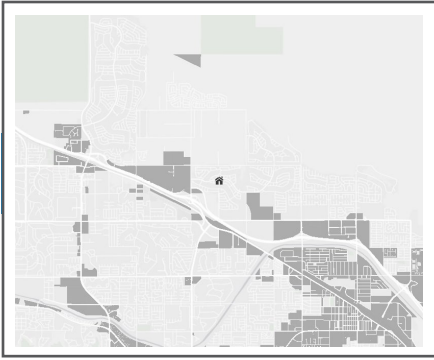
 Commercial/Industrial/Manufacturing Zones

 Military Ordinance

 Right to Farm Disclosure

 Airport Area

 Mining Operations



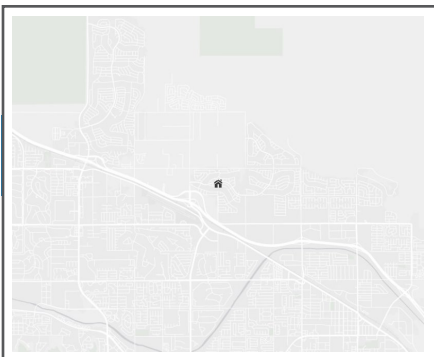
## COMMERCIAL/INDUSTRIAL/MANUFACTURING ZONES

**THE PROPERTY LISTED IS LOCATED WITHIN ONE MILE OF A COMMERCIAL/INDUSTRIAL/MANUFACTURING ZONED AREA. THE ZONING IS SCENIC HIGHWAY COMMERCIAL -COMMERCIAL**

As defined by and subject to article 1102.17 of the California Civil Code, any seller of residential real property who has actual knowledge that the property is affected by, or zoned to allow, industrial use as described in Section 731a of the Code of Civil Procedure shall give written notice of that knowledge as soon as practicable before transfer of title. Section 731a defines in detail certain expressly permitted uses and areas involving manufacturing, commercial, or airport areas.

### California Civil Code of Procedures 731a:

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



## MILITARY ORDNANCE

**THE PROPERTY LISTED IS NOT LOCATED WITHIN ONE MILE OF A MILITARY ORDNANCE ZONE.**

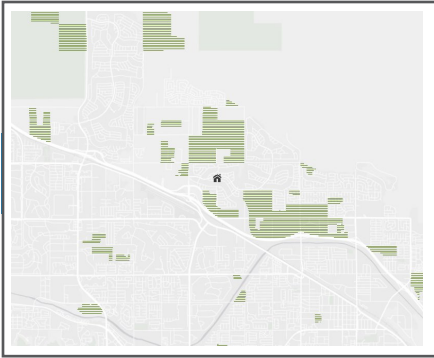
### California Civil Code 1102.15:

“The seller of residential real property subject to this article who has actual knowledge of any former federal or state ordnance locations within the neighborhood area shall give written notice of that knowledge as soon as practicable before transfer of title. For purposes of this section, ‘former federal or state ordnance locations’ means an area identified by an agency or instrumentality of the federal or state government as an area once used for military training purposes, which may contain potentially explosive munitions. ‘Neighborhood Area’ means within one mile of the residential real property.”

For sites where no maps were provided, the property boundaries were based on a one-mile distance from the center of the site.

For additional information on formerly used defense sites, please contact the U.S. Army Corps of Engineers Public Affairs Office at 202-528-4285 or access <https://www.usace.army.mil/Missions/Environmental/Formerly-Used-Defense-Sites/>.

ID	NAME	FILE REPORT
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## RIGHT TO FARM DISCLOSURE

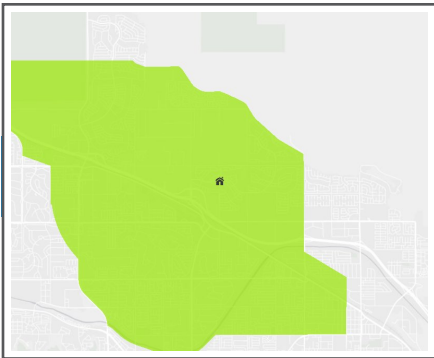
**THE PROPERTY LISTED IS LOCATED WITHIN ONE MILE OF FARMLAND. THE TYPES OF FARMLAND ARE L, P**

Legislation effective January 1, 2009, requires that as a part of real estate transactions, land sellers and agents must disclose whether the property is located within one mile of farmland as designated on the most recent Important Farmland Map. Any of the five agricultural categories on the map qualifies for disclosure purposes, including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land.

**The following statement ONLY applies if the subject property is within one mile of farmland:**

### NOTICE OF RIGHT TO FARM

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



## AIRPORT AREA

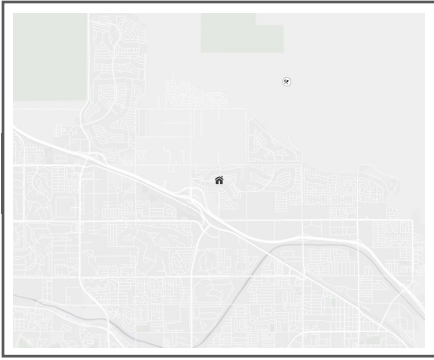
**THE PROPERTY LISTED IS LOCATED IN AN AIRPORT INFLUENCE AREA. AIRPORT NAME IS BERMUDA DUNES AIRPORT**

On January 1, 2004, Assembly Bill 2776 went into effect, which amends Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the California Civil Code, relating to aviation. AB 2776 requires that if the property is located within an Airport Influence Area, the statement Notice of Airport in Vicinity must be provided.

**The following statement ONLY applies if the subject property is within an Airport Influence Area:**

### NOTICE OF AIRPORT IN VICINITY

The 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, vibrations, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



## MINING OPERATIONS

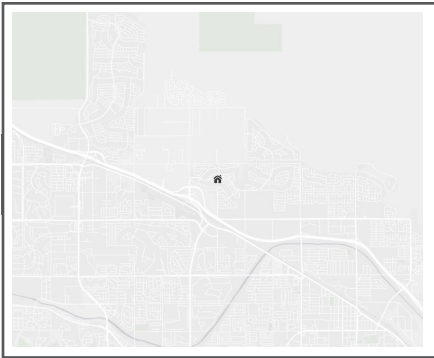
**THE PROPERTY LISTED IS NOT LOCATED WITHIN ONE MILE OF A MINING OPERATION.**

Effective January 1, 2012, Senate Bill 110 amends Section 1103.4 of the Civil Code and requires disclosure if the subject property is within one mile of a mining operation. The Office of Surface Mining, or OSM, was created in 1977 when Congress enacted the SMCRA. OSM works with state and Native American tribes to assure that citizens and the environment are protected during coal mining and that the land is restored to beneficial use when mining is finished. OSM and its partners are also responsible for reclaiming and restoring lands and water degraded by mining operations before 1977.

**The following statement ONLY applies if the subject property is within one mile of a mining operation:**

### NOTICE OF MINING OPERATIONS

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



## THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC)

**THE PROPERTY LISTED IS NOT LOCATED WITHIN THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION JURISDICTION**

The San Francisco Bay Conservation and Development Commission (BCDC) is the federally-designated state coastal management agency for the San Francisco Bay segment of the California coastal zone. This designation empowers the Commission to use the authority of the federal Coastal Zone Management Act to ensure that federal projects and activities are consistent with the policies of the Bay Plan and state law. If you are planning to build or somehow pursue a project that touches San Francisco Bay or touches any point along the Bay shoreline in the following Bay Area counties you likely need to apply for, and receive, a permit from BCDC prior to commencing the project: Alameda; Contra Costa; Marin; Napa; San Francisco; San Mateo; Santa Clara; Solano; and, Sonoma.

Section 1103.4 of the California Civil Code mandates disclosure to buyers if the subject property is within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined in Section 66620 of the Government Code.

**The following statement ONLY applies if the subject property is within, or could be within, the BCDC jurisdiction:**

### NOTICE OF SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION JURISDICTION

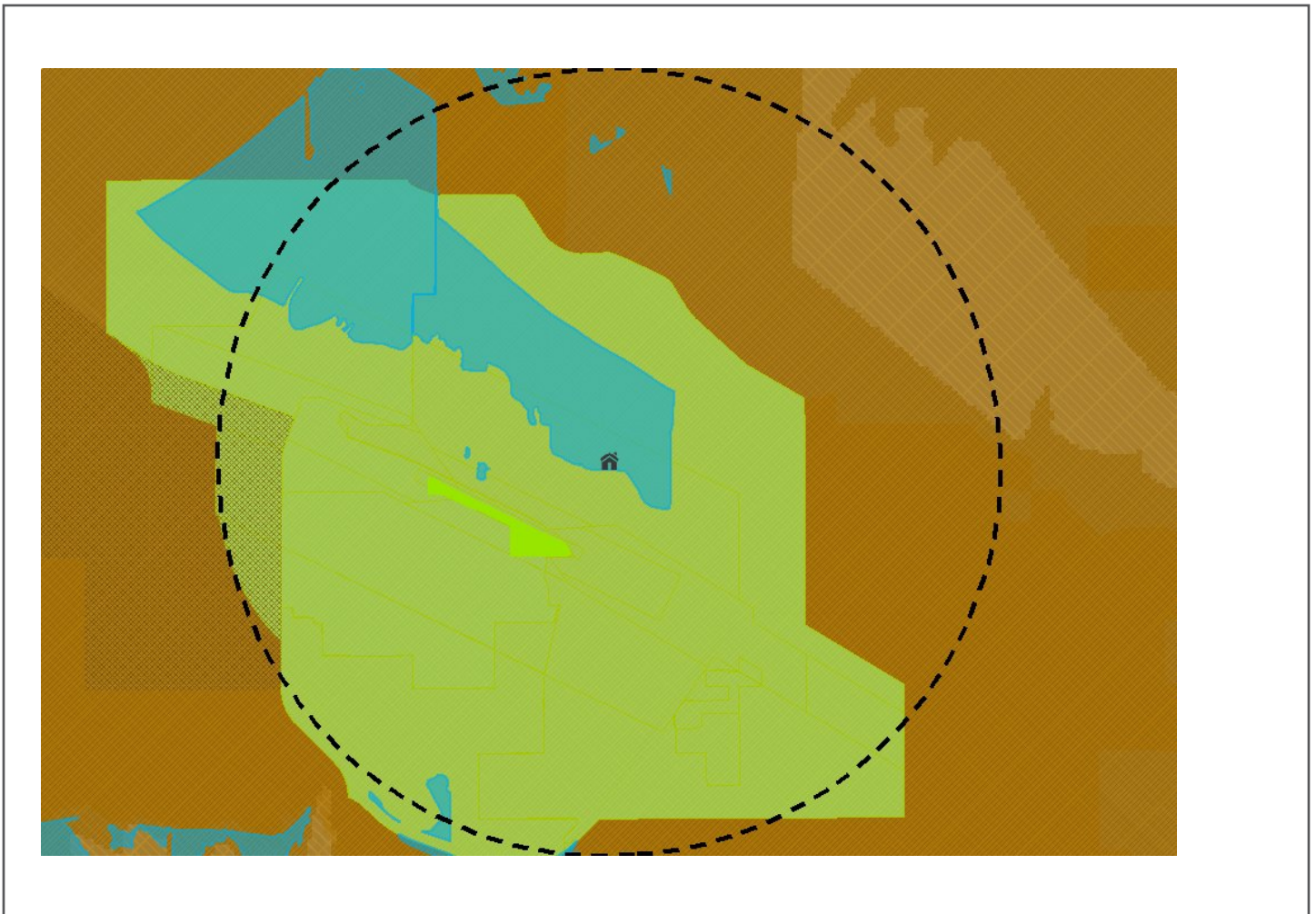
**This property is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission. Use and development of property within the commission's jurisdiction may be subject to special regulations, restrictions, and permit requirements. You may wish to investigate and determine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

The Bay is a changing, dynamic environment and there is an inherent uncertainty in any mapped shoreline position therefore the BCDC advises the buyer and other interested parties to contact its office if a more authoritative jurisdictional determination is desired.

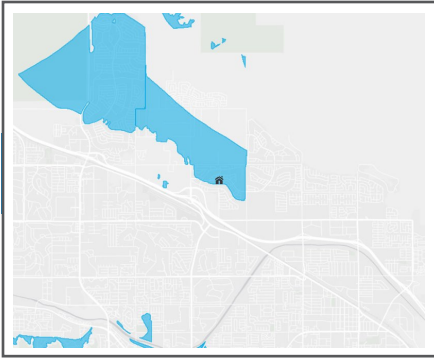
San Francisco Bay Conservation & Development Commission: <https://bcdc.ca.gov/>  
Email: [info@bcdc.ca.gov](mailto:info@bcdc.ca.gov)  
Phone: 415.352.3600



# SUPPLEMENTAL DISCLOSURES



- |  |                                      |   |   |
|--|--------------------------------------|---|---|
|  | <b>Supplemental Flood Hazards</b>    |  | <b>Supplemental Liquefaction</b>                |
|  | <b>Supplemental Dam Inundation</b>   |  | <b>Coastal Zone</b>                             |
|  | <b>Supplemental Fire Hazard</b>      |  | <b>Naturally Occurring Asbestos Hazard Zone</b> |
|  | <b>Supplemental Geologic Hazards</b> |  | <b>Airport Proximity</b>                        |
|  | <b>Supplemental Landslides</b>       |  | <b>Supplemental Airport Hazard</b>              |

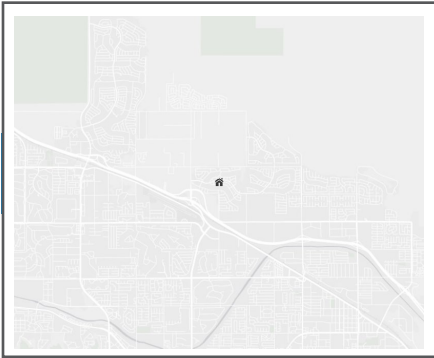


## SUPPLEMENTAL FLOOD HAZARDS

**THE PROPERTY LISTED IS AFFECTED BY A SUPPLEMENTAL FLOOD HAZARD AREA. THE FLOODING HAZARD IS 0.2 PCT ANNUAL CHANCE FLOOD HAZARD**

Floods are one of the most common hazards in the United States. Flood effects can be local, impacting a neighborhood or community, or very large, affecting entire river basins and multiple states.

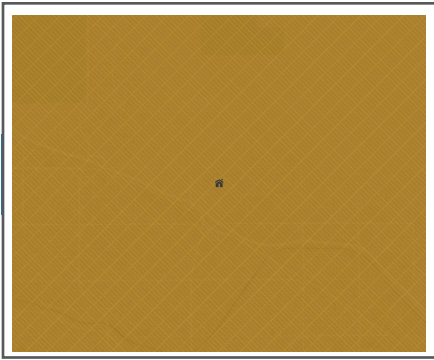
Some floods develop slowly over a period of days; however, flash floods can develop quickly, sometimes in just a few minutes without any visible signs of rain. Flash floods often have a dangerous wall of roaring water that carries rocks, mud, and other debris and can sweep away most things in their path. Overland flooding occurs outside a defined river or stream.



## SUPPLEMENTAL DAM INUNDATION

**PROPERTY IS LOCATED IN AN AREA WHERE A MAP IS NOT AVAILABLE.**

A property within an area of potential flooding caused by dam failure is subject to potential flooding in the event of a sudden and total dam failure with a full reservoir. Such a failure could result in property damage and/or personal injury. However, dams rarely fail instantaneously, and reservoirs are not always filled to capacity.

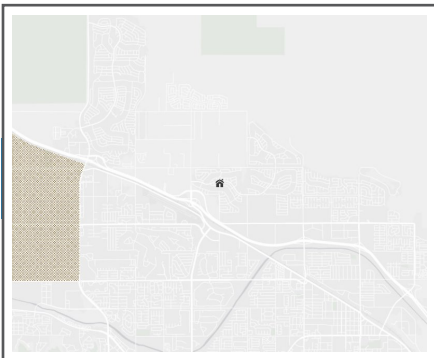


## SUPPLEMENTAL GEOLOGIC HAZARDS

**THE PROPERTY LISTED IS LOCATED IN A SUPPLEMENTAL GEOLOGIC HAZARD ZONE. THE GEOLOGIC HAZARDS ARE AREA OF SUBSIDENCE, EXTREMELY HIGH GROUND SHAKING RISK,**

Many local jurisdictions (city governments, safety commissions, etc.) have different or higher standards than the state for the identification of geologic hazards. Geologic hazards include active faults, potentially active faults, inferred faults, known fault locations, fault hazard management zones, soil erosion, subsidence, and expansive soil.

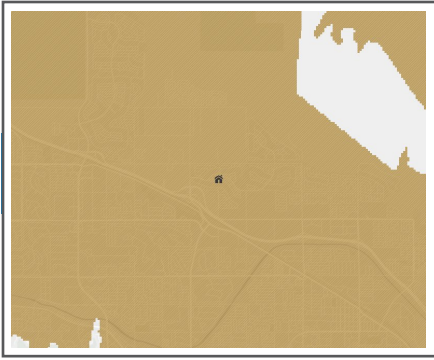
These local jurisdictions have created their own maps that indicate the geologic hazards according to these standards. Many cities and counties require geologic studies before any significant construction if the subject property is in or near a geologic hazard zone known to them, and certain types of construction may be restricted in these areas. We have included official and publicly available maps known by these jurisdictions.



## SUPPLEMENTAL LANDSLIDES

**PROPERTY IS LOCATED IN AN AREA WHERE A MAP IS NOT AVAILABLE.**

**Local Landslide Zones** are designated on the General Plan Safety Element Resource at either the city or county level, and are areas of landslide, erosion, and/or steep slope. Landslides move under the force of gravity. The nature of the movement is controlled by the type of earth materials involved, the internal friction of the landslide mass, and the slope over which the mass is moving. Landslide areas are subject to future movement unless appropriately stabilized. Heavy precipitation or abnormal groundwater may reduce the internal friction of a hillside unit, resulting in a landslide. Strong earthquakes often trigger renewed movement, and natural erosion may undercut stable slopes. Landslide areas generally require extensive remedial grading for development.



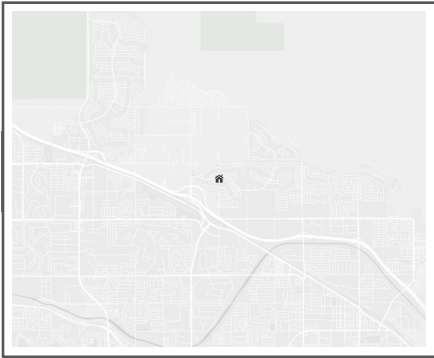
## SUPPLEMENTAL LIQUEFACTION

**THE PROPERTY LISTED IS LOCATED IN A SUPPLEMENTAL LIQUEFACTION AREA. THE LIQUEFACTION HAZARD IS MODERATE**

**Liquefaction** describes a phenomenon whereby soil substantially loses strength and stiffness in response to an applied stress, usually earthquake shaking or other rapid loading, causing it to behave like a liquid.

The phenomenon is most often observed in loose, sandy soils. This is because loose sand has a tendency to compress when a load is applied. The pressures generated during large earthquakes with many cycles of shaking can cause the liquefied sand and excess water to force its way to the surface from several meters below the ground.

The effects of soil liquefaction on the built environment can be extremely damaging. Buildings may settle unevenly, causing structural damage, including cracking of foundations and damage to the building structure itself. Bridges and buildings constructed on pile foundations may lose support from the adjacent soil and buckle. Sloping ground and ground next to rivers and lakes may slide on a liquefied soil layer (termed “lateral spreading”), opening large cracks or fissures in the ground, which can cause significant damage to buildings, roads and services such as water, natural gas, sewerage, power and communications installed in the affected ground. Buried tanks and manholes may float in the liquefied soil due to buoyancy. Earth embankments such as flood levees and earth dams may lose stability or collapse if the material composing the embankment or its foundation liquefies.

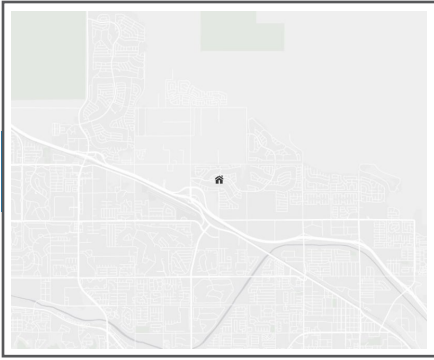


## COASTAL ZONE

**THE PROPERTY LISTED IS NOT IN A COASTAL ZONE.**

**The California Coastal Act of 1976** established a Coastal Zone along the State’s Pacific Coast. The Coastal Act includes specific policies (see Division 20 of the Public Resources Code) that address issues such as shoreline public access and recreation, lower-cost visitor accommodations, terrestrial and marine habitat protection, visual resources, landform alteration, agricultural lands, commercial fisheries, industrial uses, water quality, offshore oil and gas development, transportation, development design, power plants, ports, and public works. The policies of the Coastal Act constitute the statutory standards applied to planning and regulatory decisions made by the California Coastal Commission and by local governments pursuant to the Coastal Act.

For complete regulations in the Coastal Zone, see the California Coastal Commission website at <http://www.coastal.ca.gov>.

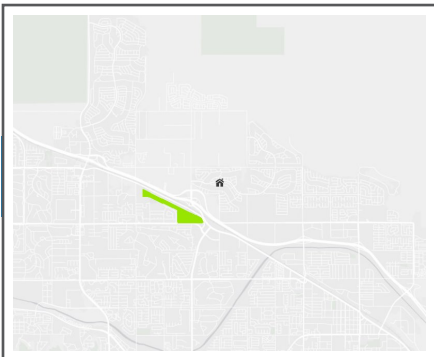


## NATURALLY OCCURRING ASBESTOS HAZARD ZONE

**THE PROPERTY LISTED IS NOT LOCATED IN A NATURALLY OCCURRING ASBESTOS HAZARD ZONE.**

**Asbestos** occurs naturally in certain geologic settings in California and is most commonly linked with ultramafic rocks and along associated faults. Ultramafic rocks form in high-temperature environments well below the surface of the Earth. By the time they are exposed at the surface by uplift and erosion, ultramafic rocks may be partially to completely altered to serpentinite, a type of metamorphic rock. Sometimes the metamorphic conditions are right for the formation of chrysotile asbestos or tremolite-actinolite asbestos in bodies of ultramafic rock or along their boundaries. Most commonly, asbestos occurrences are associated with serpentinite and partially serpentinized ultramafic rocks. Inhalation of asbestos fibers may result in the development of lung cancer or mesothelioma. While geologic conditions are more likely for asbestos formation in or near these areas, its presence is not certain. The only way to establish the presence or absence of asbestos at a specific location is through a detailed site examination by a qualified geologist.

For more information, go to the California Department of Conservation, Division of Mines and Geology website at <https://www.conservation.ca.gov/cgs/minerals/mineral-hazards/asbestos>



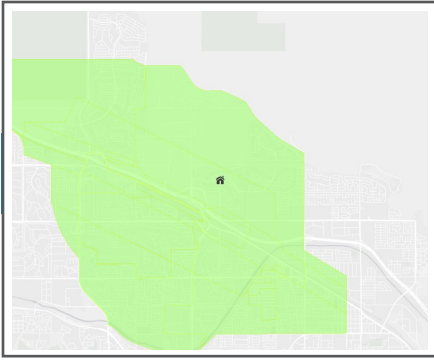
## AIRPORT PROXIMITY

**THE PROPERTY LISTED IS LOCATED WITHIN TWO MILES OF ONE OR MORE AIRPORT(S).**

**Airport Proximity** discloses any public airports, military airports or heliports, and some private airports within two miles of the subject property. The subject property's proximity to an airport is based upon currently available public records showing the present polygon boundary of the airport. Due to the nature of private airports, disclosure is made on a public record availability basis, so this disclosure may not include all private airports. This is not a noise (decibel level) disclosure, and no disclosure is made regarding the proximity of landing strips. No physical inspection of the subject property or the airport has been made, and this report does not consider the impact of any planned or approved airport expansion projects or modifications. No finding or opinion is expressed or implied in this report regarding the takeoff and landing patterns utilized by airports or the noise levels experienced at the subject property as a result thereof. Properties lying beneath or near airport takeoff or landing routes often experience significant and disturbing noise levels notwithstanding that they are located more than two miles from the airport. In addition, takeoff and landing patterns may change based upon weather conditions, wind conditions and airport expansion/modification projects. For more information, please contact the Federal Aviation Administration.

### AIRPORT NAME

Bermuda Dunes

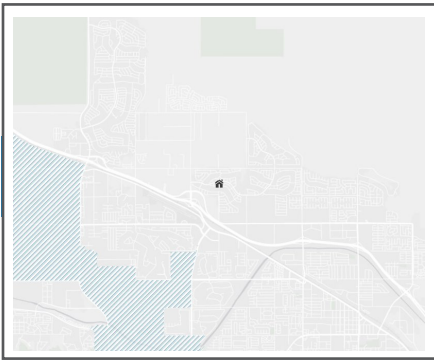


## SUPPLEMENTAL AIRPORT HAZARD

**THE PROPERTY LISTED IS AFFECTED BY A SUPPLEMENTAL AIRPORT HAZARD.**

Properties lying beneath or near airport takeoff, landing, turning, and traffic routes are subject to ground hazards that jeopardize the safety of current and future residents. The most obvious ground hazard is a flight-related accident, which may produce a serious, immediate risk to those residing in or using areas adjacent to the airport. Most accidents occur during takeoff and landing; therefore, the higher the density around an airport, the higher the hazard risk.

**Local airport hazards** are designated on the General Plan Safety Element Resource at either the city or county level.



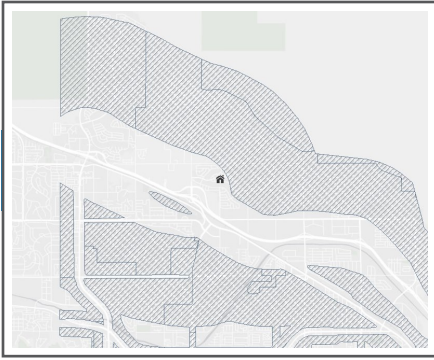
## WIND HAZARDS AREA

**PROPERTY IS LOCATED IN AN AREA WHERE A MAP IS NOT AVAILABLE.**

**Wind erosion** is a serious environmental problem attracting global attention. Soil movement is initiated as a result of wind forces against the surface of the ground. The presence of dust particles in the air is the source of several major health problems. Atmospheric dust causes respiratory discomfort, may carry pathogens that cause eye infections and skin disorders, and reduces highway and air traffic visibility. Dust storms can cause additional problems as well. Buildings, fences, roads, crops, trees and shrubs can all be damaged by abrasive blowing soil.

**Blowsand**, the most severe form of wind erosion, occurs largely due to natural conditions. Blown sand can cause significant damage to property and also results in the nuisance and expense of removing sand from roadways and other property, where it interferes with normal activity. Additionally, blowsand introduces a high level of suspended particulates into the air and can create respiratory problems due to poor air quality.

**Windstorms** can cause damage to heavy tree stands, road and highway infrastructure, and critical utility facilities. Both residential and commercial structures with weak reinforcement are susceptible to damage. Wind pressure can create a direct and frontal assault on a structure, pushing walls, doors, and windows inward. Conversely, passing currents can create lift suction forces that pull building components and surfaces outward. With extreme wind forces, the roof or entire building can fail, causing considerable damage. Debris carried along by extreme winds can directly contribute to loss of life and indirectly to the failure of protective building envelopes, siding, or walls. When severe windstorms strike a community, downed trees, power lines, and damaged property can be major hindrances to emergency response and disaster recovery.



## AIRPORT NOISE

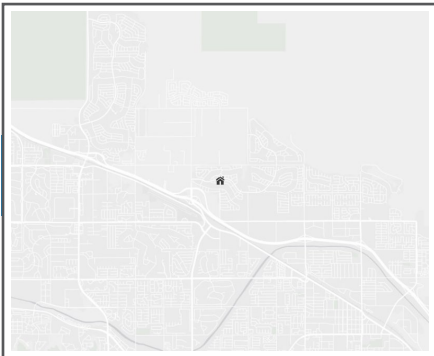
**THE PROPERTY LISTED IS NOT LOCATED IN AN AREA AFFECTED BY AIRPORT NOISE.**

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

Under the Federal Aviation Administration's Airport Noise Compatibility Planning Program Part 150, certain 65-decibel (dB) Community Noise Equivalent Level (CNEL) contour maps have been produced for some airports. 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.

**The Airport Noise Compatibility Planning Program** is voluntary, and not all airports have elected to participate. Furthermore, 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. The buyer should be aware that aviation noise levels can vary seasonally or change if airport usage changes.

Local areas affected by airport noise are designated on the General Plan Noise and/or Safety Element.



\*Sensitive data not displayed on map

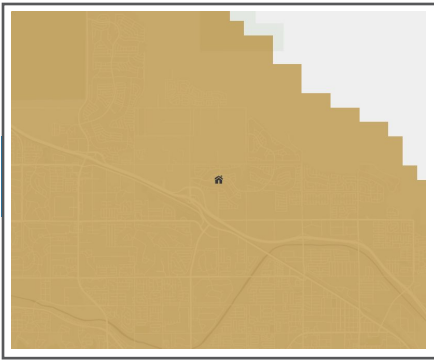
## CRITICAL HABITAT AREA

**THE PROPERTY LISTED IS NOT LOCATED IN A CRITICAL HABITAT AREA.**

**Critical habitat** is a specific geographic area(s) that is essential for the conservation of a threatened or endangered species (as per the Endangered Species Act of 1973) and that may require special management and protection. Critical habitat may include an area that is not currently occupied by the species but that will be needed for its recovery. Areas that are designated as Critical Habitats are protected from destruction or adverse modification through authorization requirements from the US Fish and Wildlife Service and California Department of Fish and Wildlife.

**The California Endangered Species Act (CESA)** states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The Department will work with all interested persons, agencies and organizations to protect and preserve such sensitive resources and their habitats. Landowners must obtain special permits to conduct development that will damage / harm a Critical Habitat.

For more information please contact the US Fish and Wildlife Service at <https://www.fws.gov/>, or California Department of Fish and Wildlife at <https://wildlife.ca.gov/>.



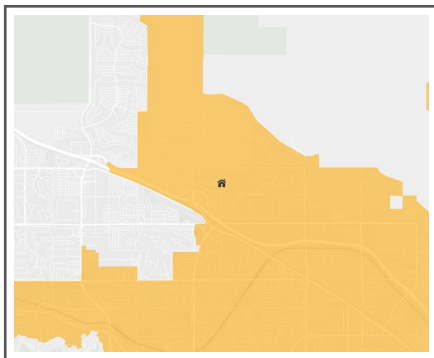
## SUBSIDENCE AREA

**THE PROPERTY IS LOCATED IN A SUBSIDENCE AREA. THE HISTORICAL (2015 - 2020) SUBSIDENCE IS -0.07 FEET.**

**Land subsidence** is the lowering of the land-surface elevation because of changes that take place underground. Subsidence is one of the most diverse forms of ground failure, ranging from small or local collapses to broad regional lowering of the Earth's surface. The causes (mostly due to human activities) of subsidence are as diverse as the forms of failure, and include dewatering of peat or organic soils, dissolution in limestone aquifers, first-time wetting of moisture-deficient low-density soils (hydrocompaction), natural compaction, liquefaction, crustal deformation, subterranean mining, and withdrawal of fluids (groundwater, petroleum, geothermal).

**Land subsidence causes many problems, including:** Changes in elevation and slope of streams, canals, and drains; damage to bridges, roads, railroad tracks, storm drains, sanitary sewers, canals, and levees; damage to private and public buildings; and failure of well casings from forces generated by compaction of fine-grained materials in aquifer systems.

This dataset represents measurements of vertical ground surface displacement in more than 200 of the high-use and populated groundwater basins across the State of California between January of 2015 and October of 2020 representing the average vertical displacement values for 100 meter by 100 meter areas. Data is provided by the state of California Department of Water Resources.



## SUPPLEMENTAL FIRE HAZARDS

**THE PROPERTY LISTED IS LOCATED IN A SUPPLEMENTAL FIRE HAZARD ZONE. THE FIRE HAZARD IS URBAN UNZONED**

If the subject property of this report IS located IN an area designated as a high or very high fire hazard severity zone AND the subject property was constructed/built PRIOR to January 1, 2010, then the following statement applies:

*This home is located in a high or very high fire severity zone, and the home was built before the implementation of the Wildfire Urban Interface building codes that help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the Internet website <http://www.readyforwildfire.org>.*

Commencing July 1, 2021, a seller of a real property that is in a high or very high fire hazard severity zone, shall provide to the buyer documentation stating that the property complies with state defensible space requirements and/or local vegetation management ordinances. Specific requirements will vary based upon the local ordinances, if any. In areas where no such local ordinances exist, the seller must obtain documentation of compliance with state law within 6 months prior to entering into the transaction and provide such to a prospective buyer. In the event the subject property is not within compliance, both parties must enter into a written agreement whereby the buyer obtains documentation of compliance post close of escrow.

In addition, for homes constructed prior to January 1, 2010 when the Wildfire Urban Interface Building Codes went into effect, you may want to consider improvements for the fire hardening of your home. Guidelines for defensible space and fire hardening can be found at [www.readyforwildfire.org](http://www.readyforwildfire.org).

Beginning July 1, 2025 the seller must also provide to prospective buyers a written list of low-cost retrofits for home fire hardening, and indicate which ones, if any, have been completed at the subject property.



# ADVISORY STATEMENTS

## “MEGAN’S LAW” REGISTERED SEX OFFENDER DATABASE ADVISORY

For more than 50 years, California has required sex offenders to register with their local law enforcement agencies. However, information on the whereabouts of these sex offenders was not available to the public until the implementation of the Child Molester Identification Line in July 1995. The information available was further expanded by California’s “Megan’s Law” in 1996 (Chapter 908, Stats. of 1996). California’s Megan’s Law provides the public with certain information on the whereabouts of sex offenders so that members of our local communities may protect themselves and their children.

A California law, Assembly Bill 488 (Nicole Parra), sponsored by the Attorney General, provides the public with internet access to detailed information on registered sex offenders. This expanded access allows the public to use their personal computers to view information on sex offenders required to register with local law enforcement under California’s Megan’s Law. Previously, the information was available only by personally visiting police stations and sheriff offices or by calling a 900 toll number. The new law was given final passage by the Legislature on August 24, 2004, and signed by the governor on September 24, 2004.

**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.

Megan’s Law sex offender locator website: <http://www.meganslaw.ca.gov>.

California Department of Justice Megan’s Law email address: [meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov).

## METHAMPHETAMINE CONTAMINATION ADVISORY

As defined by and subject to article 25400.10 et al. of the California Health and Safety Code, legislation effective January 1, 2006, the Methamphetamine Contaminated Property Cleanup Act of 2005, requires local health officers to make an assessment of a property after receiving notification from a law enforcement agency of potential contamination or of known or suspected contamination by methamphetamine laboratory activity. If the property is determined to be contaminated, an order prohibiting its use or habitation shall be issued. Unless the property owner receives a notice from a local health officer that the property identified in an order requires no further action, the property owner shall notify the prospective buyer in writing of the order and provide the prospective buyer with a copy of the order. The prospective buyer shall acknowledge, in writing, the receipt of a copy of the order. Failure to comply with these requirements may subject an owner to, among other things, a civil penalty up to \$5,000. This disclosure is meant to inform prospective buyers of California disclosure law regarding meth lab activity and does not indicate or imply that a particular property is or has been contaminated according to this law.

## TOXIC MOLD ADVISORY

**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.

**Molds** are part of the natural environment. Outdoors, molds play a part in nature by breaking down dead organic matter such as fallen leaves and dead trees. The growth of mold indoors should be avoided. Molds reproduce by means of tiny spores; the spores are invisible to the naked eye and float through outdoor and indoor air. Mold may begin growing

indoors when mold spores land on surfaces that are wet. There are many types of mold, and none of them will grow without water or moisture.

Molds have the potential to cause health problems, because they produce allergens (substances that can cause allergic reactions), irritants and, in some cases, potentially toxic substances (mycotoxins). Inhaling or touching mold or mold spores may cause allergic reactions in sensitive individuals. Allergic reactions to mold are common. They can be immediate or delayed. Molds can also cause asthma attacks in people with asthma who are allergic to mold. In addition, mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and nonallergic people. Symptoms other than the allergic and irritant types are not commonly reported as a result of inhaling mold.

The State Department of Health Services is designated as the lead agency for identifying, adopting, and determining permissible exposure limits to mold in indoor environments, mold identification and remediation efforts.

## RESIDENTIAL CARBON MONOXIDE POISONING PREVENTION ACT ADVISORY

**Carbon monoxide** is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death. Carbon monoxide poisoning from the use of fuel-burning appliances, such as furnaces, water heaters, portable generators, and stoves, in residential homes and other dwelling units kills at least 500 people each year and sends more than 20,000 to hospital emergency rooms for treatment. Research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

Effective January 1, 2011, California's Carbon Monoxide Poisoning Prevention Act of 2010 requires that all residential properties be equipped with a carbon monoxide detector when the property has a fossil-fuel-burning heater or appliance, a fireplace, or an attached garage. All single-family homes (owner or tenant occupied) must be equipped with a detector on or before July 1, 2011. All other residential units must be equipped with a detector on or before January 1, 2013.

Both the TDS (for residential one- to four-unit real property) and MHTDS (for manufactured homes and mobile homes) have been modified to include a reference to carbon monoxide detector devices. Also, the Homeowners' Guide to Environmental Hazards includes information regarding carbon monoxide. Under the law, a carbon monoxide device is "designed to detect carbon monoxide and produce a distinct audible alarm." It can be battery powered, a plug-in device with battery backup, or a device installed as recommended by Standard 720 of the National Fire Protection Association that is either wired into the alternating current power line of the dwelling unit with a secondary battery backup or connected to a system via a panel.

If the carbon monoxide device is combined with a smoke detector, it must emit an alarm or voice warning in a manner that clearly differentiates between a carbon monoxide alarm warning and a smoke detector warning. The carbon monoxide device must have been tested and certified pursuant to the requirements of the American National Standards Institute (ANSI) and Underwriters Laboratories Inc. (UL) as set forth in either ANSI/UL 2034 or ANSI/UL 2075, or successor standards, by a nationally recognized testing laboratory listed in the directory of approved testing laboratories established by the Building Materials Listing Program of the Fire Engineering Division of the Office of the State Fire Marshal of the Department of Forestry and Fire Protection.

## OIL AND GAS WELLS ADVISORY

**The California Division of Oil and Gas** oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. The regulatory program emphasizes the wise development of oil, natural gas, and geothermal resources in the state through sound engineering practices that protect the environment, prevent pollution, and ensure public safety.

According to the California Department of Conservation (DOC), to date, about 200,000 oil, gas, and geothermal wells have been drilled in California, and around 94,000 are still in use. The majority of remaining wells have been sealed ("capped") under the supervision of the DOC's Division of Oil, Gas and Geothermal Resources. A smaller number have been abandoned and have no known responsible operator—these are called "orphan" wells. To protect the environment, the wells must be properly abandoned, an activity financed with monies from the Hazardous and Idle Deserted Well Abandonment Fund. The California Division of Oil and Gas was mandated to administer the program to abandon or remedy improperly abandoned wells so that dangers to life, health, and natural resources are eliminated.

In recent decades, real estate development has rapidly encroached into areas where oil production has occurred. Because the state's oil production has been in decline since the 1980s, thousands of oil and gas wells have been shut down or

abandoned, and many of those wells are in areas where residential neighborhoods now exist. Health and safety hazards may be associated with oil and gas wells, including those that are active, have been capped, or have been abandoned. These hazards include, but are not limited to, soil and groundwater contamination, oil and methane seeps, fire hazards, air quality problems, and physical safety hazards to humans and animals. New construction may also be restricted in the vicinity of wells.

The buyer should be aware that abandoned wells may exist on any property. For more information, visit the California Department of Conservation, Division of Oil, Gas and Geothermal Resources, at: <https://www.conservation.ca.gov/CalGEM>.

## NOTICE REGARDING GAS AND HAZARDOUS LIQUID TRANSMISSION PIPELINES

This notice is being provided simply to inform you that information about the general location of gas and hazardous liquid transmission pipelines is available to the public via the National Pipeline Mapping System (NPMS) website maintained by the United States Department of Transportation at <https://www.transportation.gov/pipelines-hazmat>. To seek further information about possible transmission pipelines near the property, you may contact your local gas utility or other pipeline operators in the area. Contact information for pipeline operators is searchable by ZIP code and county on the NPMS website.

## WOOD-BURNING HEATER ADVISORY

**The Clean Air Act** is the law that defines the EPA's responsibilities for protecting and improving the nation's air quality and the stratospheric ozone layer. Using a nationwide network of monitoring sites, the EPA has developed ambient air quality trends for particle pollution, also called particulate matter (PM). Under the Clean Air Act, the EPA sets and reviews national air quality standards for PM. Air quality monitors measure concentrations of PM throughout the country. EPA, state, tribal and local agencies use that data to ensure that PM in the air is at levels that protect public health and the environment.

**Particulate matter**, also known as soot, consists of microscopically small solid particles or liquid droplets suspended in the air. The smaller the particles, the deeper they can penetrate into the respiratory system and the more hazardous they are to breathe.

Approximately 10 million woodstoves are currently in use in the United States, and 70 to 80 percent of them are older, inefficient, conventional stoves that pollute.

The Great American Woodstove Changeout is a voluntary program designed to reduce particle pollution from woodstoves by encouraging people to replace older, more polluting stoves with EPA-certified stoves and fireplace inserts. It also provides information on building more efficient, less polluting fires. Certain jurisdictions have established legal requirements to reduce woodsmoke. For example, some communities have restrictions on installing wood-burning appliances in new construction. For more information on possible regulations in your area, go to <https://www.epa.gov/burnwise/ordinances-and-regulations-wood-burning-appliances>.

## CALIFORNIA HIGH-SPEED RAIL ADVISORY

The approval by California voters of Proposition 1A in 2008 authorized the funding of a high-speed rail system in California and the creation of the California High-Speed Rail Authority, the entity responsible for planning, constructing and operating this rail system, intended to link various cities up and down the state.

The exact route that the proposed rail system would take and how its construction and operation might affect surrounding communities have been the subject of considerable concern and debate. Along with its benefits, possible negative impacts of the rail system could include, without limitation, noise, dust, traffic interruption, street closures and/or reconfigurations, visual impacts, possible diminution of property values and other consequences to a particular neighborhood. Precisely what impact, if any, the rail system would have on any particular piece of real property either before, during or after construction and placement in operation is unknown; certainly, it will affect people and properties differently.

Real estate agents are not experts regarding the rail system, and prospective buyers are advised to investigate and satisfy themselves in regard thereto during property inspection contingency periods. Important information about the rail system may be obtained by contacting the Authority directly or by visiting the website <https://hsr.ca.gov/>.

## SOLAR ENERGY SYSTEMS AND RESPONSIBILITIES NOTICE

Beginning January 1, 2018, California Civil Code 4746 requires a seller of residential real property within a common interest development (e.g., condos, townhomes, etc.) to disclose to the prospective buyer(s) the existence of any solar energy system owned by the seller and the related responsibilities for owning such systems.

### The related responsibilities include, but are not limited to, the following:

- Owner to maintain a homeowner liability coverage policy at all times and provide the association with the corresponding certificate of insurance within 14 days of approval of the application and annually thereafter.
- Owner is responsible for costs for damage to the common area, exclusive use common area, or separate interests resulting from the installation, maintenance, repair, removal, or replacement of the solar energy system.
- Owner is responsible for costs for the maintenance, repair, and replacement of solar energy system until it has been removed and for the restoration of the common area, exclusive use common area, or separate interests after removal.
- Owner is responsible for costs of disclosing to prospective buyers the existence of any solar energy system of the owner and the related responsibilities of the owner under this section.

## CALIFORNIA LAND CONSERVATION (WILLIAMSON ACT CONTRACTS)

**The California Land Conservation Act of 1965**—commonly referred to as the Williamson Act—enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open-space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Local governments receive an annual subvention of forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

A Williamson Act contract is initially for a minimum term of 10 years, but local jurisdictions have the option to increase the initial term up to 20 years. Williamson Act contracts run with the land and are binding on all subsequent landowners. The contract is automatically extended by one year after the 10th and subsequent years unless a request for nonrenewal is filed by either party. A request for nonrenewal begins a nine-year term during which the tax assessments gradually increase to the full fair market value, at which time the contract is terminated. The use of the property will then be controlled by the local jurisdiction's use and zoning laws.

Williamson Act contracts can be canceled only by the landowner's petition; however, the minimum penalty for canceling a contract is 12.5 percent of the unrestricted fair market value of the property. To approve a tentative contract cancellation, a county or city must make specific findings that are supported by substantial evidence. The existence of an opportunity for another use of the property or the uneconomic character of an existing agricultural use shall not, by itself, be a sufficient reason to cancel a contract. There are penalties for breach of a contract caused by the owner intentionally using the land for other than agriculture or making the land unusable for the contracted purposes. The penalties for breach of contract are as much as 25 percent of the unrestricted fair market value of the land rendered incompatible, plus 25 percent of the value of any building and any related improvements on the contracted land that cause the breach of contract. If a local jurisdiction allows a contract to be canceled and the state determines that there is a breach of contract, the penalties may be reduced, but not to less than 12.5 percent of the value of the land.

Local areas affected by Williamson Act contracts are designated on the General Plan Resource/Conservation Element at either the city or county level.

## ABANDONED MINES

**The Abandoned Mine Lands Unit (AMLU)** was created in 1997 to prepare a report to the governor and Legislature on the magnitude and scope of the abandoned mine lands issue in California. An inventory of abandoned mines was accomplished, culminating in a report to the governor and Legislature. Prior to that effort, the number of abandoned mines reported was based solely on legacy databases and ranged from a low of 7,000 to a high of 20,000. AMLU estimates of the number of abandoned mines in California include the following:

- Approximately **165,000** mine features on more than **47,000** abandoned mine sites exist statewide.
- More than **39,400** abandoned mines (84 percent of 47,000 sites) present physical safety hazards, and approximately **5,200** (11 percent) present environmental hazards.

- More than **62,000** abandoned mine features (38 percent of 165,000 features) are hazardous openings.
- Federal lands contain approximately **67** percent of the abandoned mines in the state (primarily on Bureau of Land Management, National Park Service, and U.S. Forest Service property). Approximately **31** percent are on private lands, and about **2** percent are on state or local lands.

No California law requires the disclosure of abandoned mines in a real estate transaction, unless the existence of an abandoned mine is within the actual knowledge of the seller and is deemed to be a fact material to the transaction. The Office of Mine Reclamation (OMR) and the U.S. Geological Survey maintain a database of abandoned mines—however, it is known to be incomplete and based on maps that are often decades out of date. Many mines are not mapped because they are on private land. The OMR warns that **the state's abandoned mines database “should NOT be relied upon for... the obligations of sellers of real property and their disclosure obligations under California law.”**

Parties with concerns about the existence or impact of abandoned mines in the vicinity of the property are advised to contact the State Office of Mine Reclamation at <http://www.conservation.ca.gov/DMR> and/or the local engineering, planning or building departments in the county where the property is located.

## DUCT SEALING REQUIREMENTS

The 2019 Building Energy Efficiency Standards improve upon the 2016 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. Buildings permitted on or after January 1, 2020, must comply with the 2019 Standards. The California Energy Commission updates the standards every three years.

“The Building Energy Efficiency Standards require testing of ducts after a central air conditioning or heating system is installed or replaced in homes. Duct systems that leak 15 percent or more must be sealed by the installing contractor. The work of contractors is checked by third-party field verifiers (more commonly referred to as Home Energy Rating System [HERS] raters) to ensure that ducts have been properly sealed. Before your contractor begins work, you will be given the option to require that your duct sealing is verified by a HERS rater. If you do not choose this option, your home’s ducts will be included in a random sample for verification. If your duct system is checked and the HERS rater finds that it leaks 15 percent or more, your contractor will need to return and properly seal your ducts.”

Note that duct sealing is not required for systems having less than 40 feet of ductwork in unconditioned spaces like attics, garages, crawlspaces, basements, or outside the building, or if the ducts were constructed, insulated, or sealed with asbestos.

For more information regarding these requirements and the 2008 standards, visit the CEC website at <https://www.energy.ca.gov/rules-and-regulations/building-energy-efficiency>.

## RADON POTENTIAL ZONES

Sections 307 and 309 of the Indoor Radon Abatement Act of 1988 (IRAA) directed the EPA to list and identify areas of the U.S. with the potential for elevated indoor radon levels. Radon is a naturally occurring, invisible, odorless gas that comes from deposits of uranium in soil, rock, and water. It is harmlessly dispersed in outdoor air, but when trapped in buildings, it can be harmful, especially at elevated levels. Radon is a radioactive decay product of radium, which is itself a decay product of uranium. Uranium and radium are both common elements in soil.

**Radon** is measured in picocuries per liter of air (pCi/L), a measurement of radioactivity. The U.S. EPA and the Centers for Disease Control and Prevention recommend remediation for homes with radon levels 4 pCi/L or greater.

The EPA’s Map of radon zones assigns each of the 3,141 counties in the U.S. to one of three zones based on radon potential:

- Zone 1** counties have a predicted average indoor radon screening level greater than 4 pCi/L
- Zone 2** counties have a predicted average indoor radon screening level between 2 and 4 pCi/L
- Zone 3** counties have a predicted average indoor radon screening level less than 2 pCi/L

For more information regarding radon zones, go to <https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/EMB/Radon/Radon-in-California.aspx>.

## FIRE HARDENING

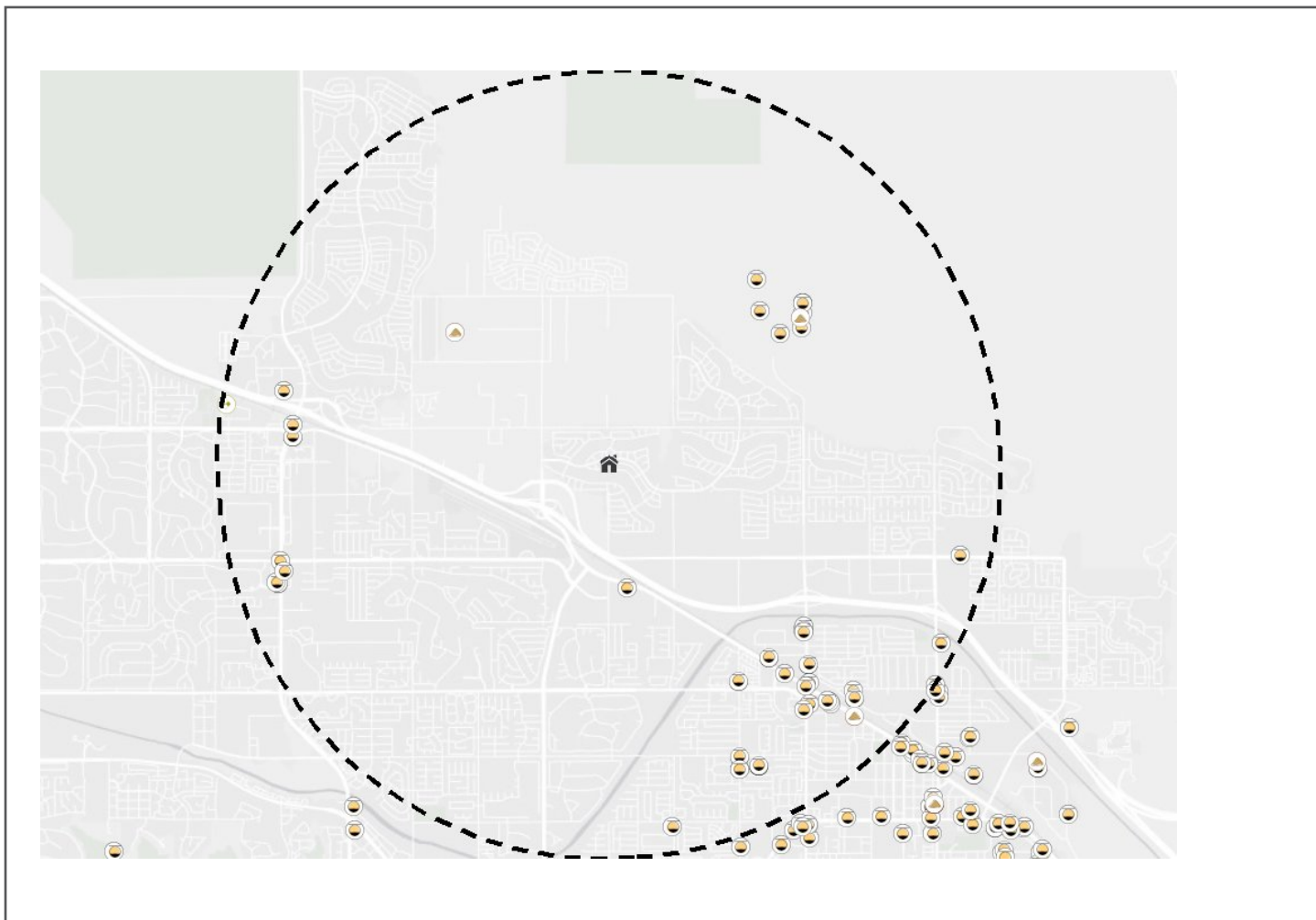
Assembly Bill 38, codified as Cal. Gov't Code §§ 51182 and 51189, requires sellers located in a high or very high fire hazard severity zone whose home was built prior to 2010 deliver a disclosure statement to prospective buyers starting January 1, 2021 as follows:

“This home is located in a high or very high fire hazard severity zone, and this home was built before the implementation of the Wildfire Urban Interface building codes which help to fire harden a home. To better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the internet website <http://www.readyforwildfire.org>.”

Starting July 1, 2021 sellers must also deliver documentation stating that the subject property is in compliance with local law regarding defensible space and/or local vegetation management ordinances. Specific requirements will vary based upon the local ordinances, if any. In areas where no such local ordinances exist, the seller must obtain documentation of compliance with state law within six months prior to entering into the transaction and provide such to a prospective buyer. In the event the subject property is not within compliance, both parties must enter into a written agreement whereby the buyer obtains documentation of compliance after close of escrow.

Beginning July 1, 2025, the seller must also provide to prospective buyers a written list of low-cost retrofits for home fire hardening, and indicate which ones, if any, have been completed at the subject property.

# ENVIRONMENTAL HAZARD DISCLOSURE REPORT



**Solid Waste Facilities**



**Leaking Underground Fuel Tanks**



**CERCLIS Sites**



**Geothermal Wells**



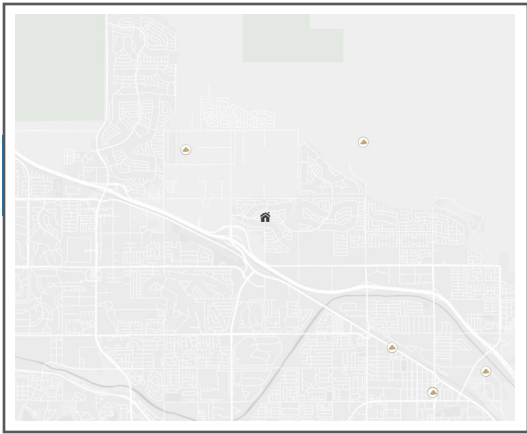
**State Priority List (EnviroStor) Sites**



**Toxic Release Inventory Sites**



**National Priority List Sites**



## SOLID WASTE FACILITIES

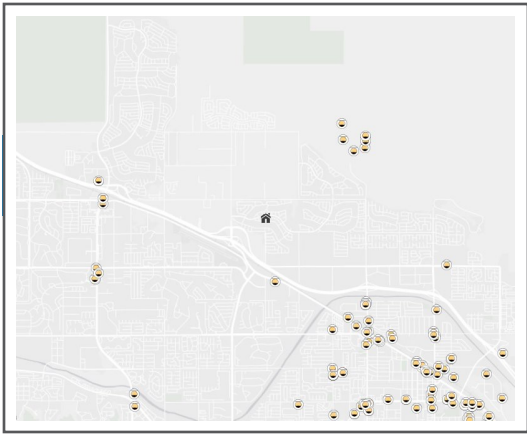
**THERE ARE NO SITES FROM THE SOLID WASTE INFORMATION SYSTEM DATABASE LOCATED WITHIN A HALF MILE OF THE PROPERTY LISTED.**

The California Waste Management Board maintains an inventory list of the solid waste facilities, operations, and disposal sites throughout the state of California pursuant to the Solid Waste Management and Resource Recovery Act of 1972. The types of facilities found in this inventory include landfills, transfer stations, material recovery facilities, composting sites, transformation facilities, waste tire sites, and closed disposal sites. Most communities dispose of solid waste in landfills. Some landfills accept only municipal solid waste, while others are approved to receive a variety of industrial and agricultural hazardous wastes. While properly designed and operated landfills may minimize environmental contamination, some landfills have been found to pollute surface and subsurface water supplies. In the past, many companies improperly dumped hazardous wastes (toxic/ignitable/corrosive/infectious solids, liquids, or sludge). The California Integrated Waste Management Board learns of disposal facilities through permit applications and from local enforcement agencies.

For more info, please access <https://www.calrecycle.ca.gov/swfacilities>.

SWINSO	NAME	SITE	LOCATION	ACTIVITY
No data available				





## LEAKING UNDERGROUND FUEL TANKS

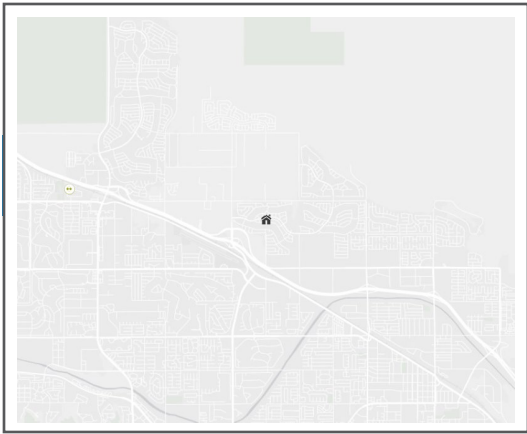
**THERE IS 1 SITE WITH LEAKING UNDERGROUND FUEL TANKS LOCATED WITHIN ONE MILE OF THE PROPERTY LISTED.**

Geotracker is a publicly available database maintained by the State Water Resources Control Board that contains a list of reported leaking underground fuel tanks (LUFT) for the state of California. This report incorporates the most updated data available in this database.

For more info, please access <https://geotracker.waterboards.ca.gov/>.

Under the California Civil Code, sellers of residential property must disclose whether they are aware of any substances on the property that may be environmental hazards. These include, but are not limited to, asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, or contaminated soil or water. If an environmental hazard is discovered, the affected parties should consult the appropriate environmental expert for further assessment. The purpose of this report is for a record search, and it is not a substitute for a Phase I Environmental Audit.

ID	NAME	CASE TYPE	STATUS
T0606500708	APPLE MARKET #5	LUST Cleanup Site	Completed - Case Closed



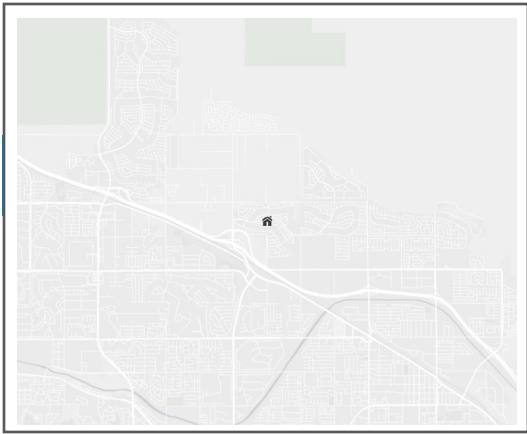
## CERCLIS SITES

**THERE ARE NO SITES FROM THE CERCLIS DATABASE LOCATED WITHIN A HALF MILE OF THE SUBJECT PROPERTY LISTED.**

The federal Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) is a database that includes all potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL.

The CERCLIS Public Access Database contains data that describes what has happened at Superfund sites. This database includes lists of involved parties (other federal agencies, states, and tribes), human exposure and groundwater migration, and sitewide ready for reuse, construction completion, and final assessment decision (GPRA-like measures) for fund lead sites.

ID	NAME	ADDRESS	STATUS
No data available			



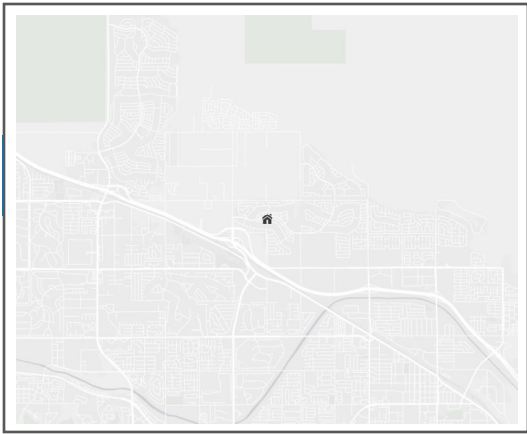
## GEOTHERMAL WELLS

**THERE ARE NO GEOTHERMAL WELLS LOCATED WITHIN A HALF MILE OF THE SUBJECT PROPERTY LISTED.**

A geothermal production well produces fluid heated by the natural heat of the Earth. Geothermal fluids may be steam or hot water and in California have total dissolved solid concentrations of up to 250,000 parts per million (about seven times above seawater). Very hot geothermal fluids may be used for electrical power generation. Cooler (but still quite hot) geothermal fluids are used for projects such as space heating, aquaculture, snow melting, food processing, dehydration, and hot tubs and spas.

There are about 470 producing steam wells and 230 high-temperature, hot-water wells in 10 high-temperature geothermal fields in California. In 2009, over 328 billion kilograms of water was produced from these wells. The Division of Oil, Gas and Geothermal Resources of the California Department of Conservation regulates all high-temperature geothermal wells on private and state lands. The U.S. Bureau of Land Management regulates all high-temperature geothermal wells on federal lands, except for wells on U.S. Navy and Marine bases, which are regulated by the Department of the Navy. All drilling, reworking, and abandonment operations for geothermal production wells on private and state lands require a permit from the Division. For exploratory wells, an environmental study is required under the California Environmental Quality Act (CEQA), and the Division will act as the lead agency. Division engineers monitor all production wells to ensure that they are operated properly and that well casings remain sound. Most well sites are inspected annually.

OPERATOR	STATUS
No data available	

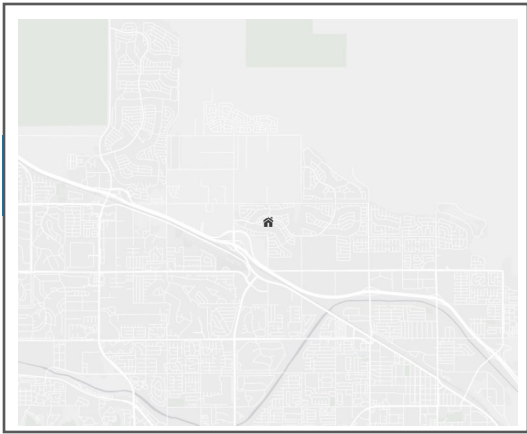


## STATE PRIORITY LIST (ENVIROSTOR) SITES

**THERE ARE NO STATE PRIORITY LIST SITES LOCATED WITHIN ONE MILE OF THE SUBJECT PROPERTY LISTED.**

The EnviroStor database contains detailed information on hazardous waste permitted and corrective action facilities, as well as existing site cleanup information. The Department of Toxic Substances Control (DTSC) manages this database and has developed a public website for informational searches on investigation, cleanup, permitting, and/or corrective actions that are planned, are being conducted or have been completed under DTSC's oversight. The EnviroStor database can be accessed through the DTSC webpage located at: <http://www.envirostor.dtsc.ca.gov>.

NAME	ADDRESS	TYPE	STATUS
No data available			



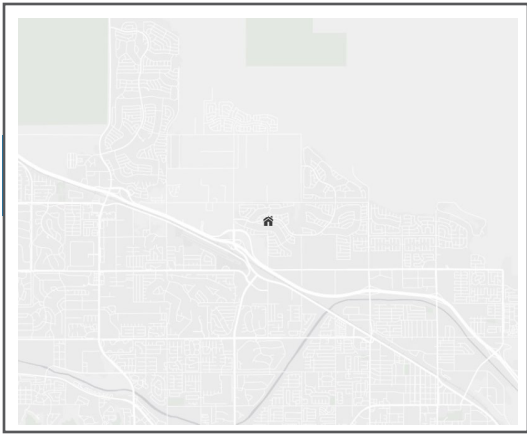
## TOXICS RELEASE INVENTORY SITES

**THERE ARE NO SITES FROM THE TOXICS RELEASE INVENTORY DATABASE LOCATED WITHIN ONE MILE OF THE PROPERTY LISTED.**

The Toxics Release Inventory (TRI) is a publicly available EPA database that contains information on specific toxic chemical releases and other waste management activities reported annually by certain covered industry groups as well as federal facilities. This inventory was established under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), which requires facilities to use their best readily available data to calculate their releases and waste management estimates. If facilities do not have actual monitoring data, submitted values are derived from various estimation techniques.

For more information about TRI, go to <https://www.epa.gov/enviro/tri-overview>.

FACILITY	REPORT URL
No data available	



## NATIONAL PRIORITY LIST SITES

**THERE ARE NO SITES FROM THE SUPERFUND DATABASE LOCATED WITHIN ONE MILE OF THE PROPERTY LISTED.**

### National Priority List (NPL) Sites

This list targets those sites that receive remedial funding under the Comprehensive Environmental Response Conservation and Liability Act (CERCLA). These sites are the national priorities among the known releases or threatened releases of hazardous substances, pollutants or contaminants throughout the United States. The purpose of the NPL is to serve as an information and management tool. Inclusion of a site on this list does not in itself reflect a judgment of the activities of its owner or operator, and it does not require those persons to undertake any action, nor does it assign liability to any person. Only NPL sites can receive CERCLA funding.

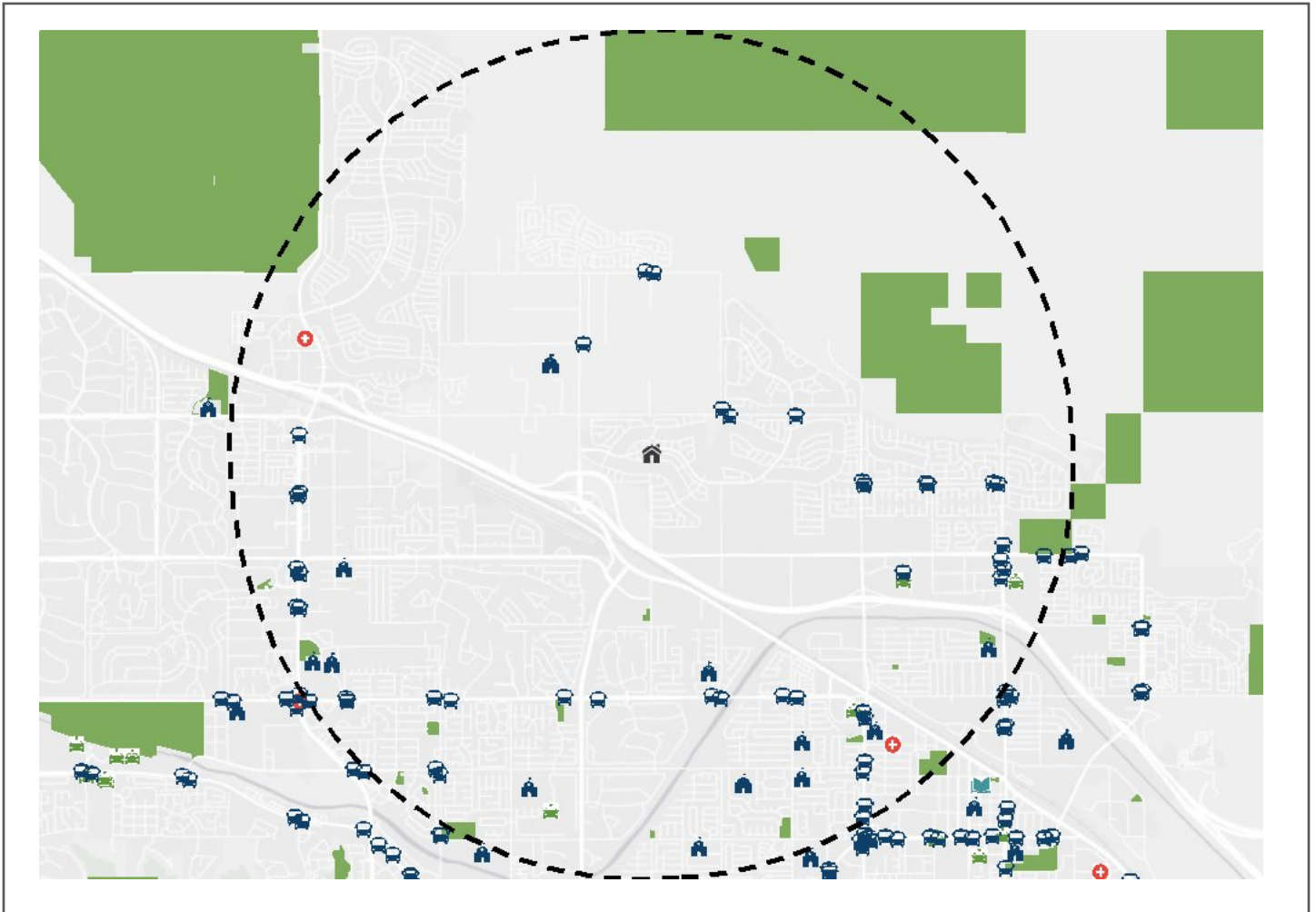
### U.S. Environmental Protection Agency Superfund Sites

Superfund is the federal government's program to clean up the nation's uncontrolled hazardous waste sites. The Superfund Program was established in 1980 to eliminate the health and environmental threats posed by hazardous waste sites. The U.S. Environmental Protection Agency (EPA) administers the Superfund Program through the Office of Superfund Remediation Technology Innovation (OSRTI) in cooperation with individual states and tribal governments.

Superfund locates, investigates and cleans up the worst hazardous waste sites throughout the United States. The EPA has compiled a list of contaminated properties (the National Priorities Sites List) that represent environmental concern for the discharge of hazardous materials by hazardous waste disposal sites and generators, and treatment and storage facilities.

ID	NAME	ADDRESS
No data available		

# KNOW YOUR NEIGHBORHOOD MAP



Note: This map is provided for informational purposes only and is not intended to substitute for disclosure under California Civil Code Section 1103.2.



**School** (Primary, Secondary, and Higher Education)



**Mass Transit** (BART and Amtrak stations)



**Library**



**Park and Ride Lot**



**Healthcare Facility**



**Electric Car Charging Station**



**Park/Open Space**

## KNOW YOUR NEIGHBORHOOD OVERVIEW



### Schools

School District(s):  
Desert Sands Unified

Community College: (nearest)  
College Of The Desert

Distance from property (miles): 3.4

University: (nearest)  
University Of Redlands

Distance from property (miles): 55.8



### Libraries

Nearest public library is:  
Riverside County Law Library, Indio Branch

Distance from property (miles): 3.2



### Licensed Healthcare Facilities

Nearest healthcare facility:  
Desert Springs Healthcare & Wellness Centre

Distance from property (miles): 2.7



### Parks and Open Space

Nearest park or open space area:  
Burr Park

Distance from property (miles): 1.1



### Mass Transit

Nearest mass transit station:  
Madison At Ave 40

Distance from property (miles): 0.6



### Park and Ride Lots

Nearest park and ride lot:  
139 S. Ramona Road

Distance from property (miles): 40.5

Number of parking spaces: 75



### Electric Car Charging Stations

Distance to closest charging station  
(miles): 2



### Walkability Index

The U.S. Environmental Protection Agency (EPA) devised a “walkability” index for neighborhoods. The index ranges from 1 being least walkable to 20 as most walkable. The EPA rates this neighborhood: 5



### Local Crime Rate

Crime rates are compiled using 2017 crime data statistics from the CA DOJ and 2017 population estimates from the U.S. Census Bureau.

Property local crime rate:  
20 In 1000  
vs. state property crime rate:  
1 in 40 people

Violent local crime rate:  
5 In 1000  
vs. state violent crime rate:  
1 in 221 people



# RESIDENTIAL TAX DISCLOSURE REPORT

## PROPERTY TAX DISCLOSURE

Section 1102.6b of the California Civil Code requires the transferor of real property (seller) to make a good-faith effort to obtain and deliver to the prospective transferee (buyer) a disclosure notice concerning a continuing lien securing the levy of special taxes pursuant to the Mello-Roos Community Facilities Act and assessment installments to secure bonds issued pursuant to the Improvement Bond Act of 1915 and Voluntary Contractual Assessments. 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. The 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. This information is a disclosure and is not intended to be part of any contract between the transferee and transferor.

**This statement applies to the following property:**

80507 Avenida Santa Carmen, Indio, CA 92203

- |  |   |  |
|--|---|--|
| <b>Subject to Mello-Roos Community Facilities District(s)</b>  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Subject to 1915 Bond Act Special Assessment District(s)</b> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <b>Voluntary Contractual Assessment</b>                        | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

The tax information in this report is derived from county tax collector's, assessor's and auditor's databases. While the company has made good-faith efforts to report from the databases as accurately as possible, the quality, accuracy, and currency of the information contained in these databases can vary greatly.

### BUYER'S ACKNOWLEDGEMENT

Buyer(s) acknowledge(s) receipt of this Tax Disclosure Report as well as the Notice of Special Tax, Notice of Special Assessment and/or Notice of Voluntary Contractual Assessment, if appropriate, contained herein by his/her/their signature(s) on the Acknowledgement of Receipt paragraph at the bottom of the Natural Hazard Disclosure Statement form that is a part of this report package.

## NOTICE OF SPECIAL ASSESSMENT

**To the prospective purchaser of the real property known as:**

**Assessor's Parcel Number:** 691300043

**Street Address:** 80507 Avenida Santa Carmen, Indio, CA 92203

**Assessment District Name:** Coachella Valley Rec and Park AD 93-1

**Assessment Amount:** \$9.90

**End Date:** in perpetuity

**Purpose:** maintenance and operations of the recreation facilities and services

**Contact:** Willdan Financial 866-807-6864

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

This property is within the above-named assessment district. The assessment district has issued bonds to finance the acquisition or construction of certain public improvements that are of direct and special benefit to property within the assessment district. The bonds will be repaid from annual assessment installments on property within the assessment district. This property is subject to annual assessment installments of the assessment district that will appear on your property tax bills but that are in addition to the regular property taxes and any other charges and levies that will be listed on the property tax bill. If you fail to pay assessment installments when due each year, the property may be foreclosed upon and sold.

These facilities 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/SERVICES FOR WHICH IT PAYS INTO ACCOUNT IN DECIDING WHETHER TO BUY THIS PROPERTY.**

I (we) acknowledge that I (we) have received a copy of this notice. I (we) understand that I (we) may terminate the contract to purchase or deposit receipt after receiving this notice from the owner or agent selling the property. The contract may be terminated within three days if the notice was received in person or within five days after it was deposited in the mail by giving written notice of that termination to the owner or agent selling the property.

**ACCELERATED FORECLOSURE:** Certain assessment or bond issues may contain accelerated foreclosure liens, which have priority over other real property taxes and are a legal right included as part of the security for the obligation. The issuers of such bonds are often contractually required to monitor and collect delinquent assessments quickly. Accordingly, these assessments are not subject to the five(5)-year waiting period applicable to ad valorem real property taxes. If the real property is subject to such an assessment and the taxes are not paid promptly, the real property may be foreclosed upon and sold at public auction on an expedited basis. Therefore, it is extremely important that the real property tax bill be paid on time to prevent the accelerated foreclosure.

## PROPERTY TAX INFORMATION

### To the prospective purchaser of the real property known as:

**Assessor's Parcel Number:** 691300043

**Street Address:** 80507 Avenida Santa Carmen, Indio, CA 92203

### PROPERTY ASSESSMENTS

The following is a summary of information obtained from the county's Secured Property Tax Roll. Changes made by the county or the underlying public agencies levying charges against the subject property after the county has released the tax roll may not be reflected in this report. This summary is provided for informational purposes only. The summary includes ad valorem taxes, which are based on the property's assessed value as well as other non-ad-valorem taxes. Upon transfer of ownership, the assessed value may be reset to the current market value or sale price, which can result in a substantial change in the ad valorem taxes assessed.

Assessment	Amount
Land Value	\$105,024.00
Improvements Value	\$336,534.00
Other Assessments	\$0.00
Less Exemption	\$7,000.00
<b>Net Value</b>	<b>\$434,558.00</b>

## AD VALOREM TAXES

The phrase “ad valorem” is Latin for “according to value.” In the case of municipal property taxes, property owners have their property assessed on a periodic basis by the county assessor. The assessed value of the property is then used to compute an annual tax, which is levied on the owner by his or her municipality. Proposition 13 (officially named the People’s Initiative to Limit Property Taxation) was enacted during 1978 and limits the tax rate for real estate to one percent (1 percent) of the full cash value of such property plus an amount for the debt service on any voter-approved bonds.

Description	Explanation	Contact	Phone	Amount
DESERT SANDS UNIFIED SCHOOL	School Bonds	AQUINO JORDAN	760-771-8509	\$325.92
DESERT COMMUNITY COLLEGE	School Bonds	JOHN RAMONT	760-773-2513	\$171.65
General Purpose	General Tax 1% Levy	Riverside County Auditor-Controller	(951) 955-3820	\$4,345.58
CV WATER DISTRICT STATE WTR PROJ	Water	ERIC SALAZAR	760-398-2661 Ext:2257	\$478.01

## DIRECT LEVIES/SPECIAL ASSESSMENTS

These are levied on the tax bill by the county tax collector on behalf of the local levying agency or district, not on behalf of the assessor, auditor-controller, and/or the county tax collector divisions. These assessments, if present, will vary depending on the location of the property. Typical examples of these types of levies are monies used to pay for municipally maintained lighting and landscaping, installation/upgrading of sewer systems and Mello-Roos bonds/special taxes.

**Total Taxes:** \$5969.20

Description	Explanation	Contact	Phone	Amount
DESERT REC DIST AD 93-1	1915 Act Bond	DC - WILLDAN FINANCIAL SERVICE	866-807-6864	\$9.90
CVWD SEWER SERVICE CHARGE ID81	Sewer Services	DC - CVWD	760-391-9600	\$345.48
COACHELLA VALLEY MOSQUITO & RIFA	Coachella Valley Mosquito and Vector Control District	DC - WILLDAN FINANCIAL SERVICE	866-807-6864	\$14.38
INDIO WASTE RECYCLE SURCHG	Solid Waste Services	DC - BURRTEC W & R SERVICES	760-340-2113	\$2.76
INDIO SOLID WASTE CHG	Solid Waste Services	DC - BURRTEC W & R SERVICES	760-340-2113	\$275.52

## POST-SALE PROPERTY TAX BILL CALCULATOR

Property tax is an ad valorem tax that an owner pays on the value of the property being taxed. Counties, cities, towns, villages, school districts, and special districts each raise money through the real property tax. The money funds schools, pays for police and fire protection, maintains roads, and funds other municipal services enjoyed by residents.

The amount of a particular property's tax bill is determined by two things: the property's taxable assessment and the tax rates of the taxing jurisdictions in which the property is located. The tax rate is determined by the amount of the tax levy to be raised from all or part of an assessed unit and the unit's total taxable assessed value. The assessment is determined by the assessor and should be based on the value of the property less any applicable property tax exemptions.

The table below is provided as a tool for you to estimate the amount of your property tax bill. NOTE: This is an estimate and does NOT include charges for new districts/fees or other changes. Note that numbers are rounded and may not match your property tax bill exactly.

### PROPERTY TAX CALCULATOR

Line 1	Enter sales price	
Line 2	Calculate total estimated Ad Valorem Taxes: Multiply the estimated Ad Valorem Tax Rate 0.0122 by Line 1	
Line 3	Estimated Total Direct/Special Assessments (if applicable)	648.04
Line 4	Total Estimated Annual Taxes After the Sale: Add Lines 2 and 3	

### Exemptions and Exclusions

The state constitution provides for a variety of full and partial exemptions. The following is a brief list of some of the major property tax exemptions in California. NOTE: The assessor's office should be consulted for detailed requirements regarding exemptions.

- **Homeowners' Exemption:** The constitution requires a \$7,000 reduction of taxable value for qualifying owner-occupied homes. The state reimburses local agencies for the loss in property tax revenue. The homeowner must make a simple one-time filing with the county assessor for the exemption.
- **Disabled Veterans' Exemption:** Current law provides a basic exemption of \$100,000 on the principal place of residence for veterans with specified disabilities or for unmarried surviving spouses of deceased disabled veterans. A one-time filing is required. This exemption may be raised to \$150,000 if the applicant meets the income limit of \$40,000. Annual filing is required for the \$150,000 exemption. The income limit and both the exemption amounts are adjusted annually for inflation.
- **Disaster Relief:** The taxable value of properties that have been substantially damaged or destroyed by a disaster may be reassessed to reflect the damage if the county where the property is located has adopted a disaster relief ordinance. Claims for this relief must be filed with the county assessor within the time period specified in the ordinance or within one year from the date the property was damaged or destroyed by the disaster, whichever is later. The reduced value remains until the property is fully repaired, restored, or reconstructed.
- **New Construction Exclusion for Disabled Access:** New construction may be excluded from reassessment if it consists of modifying an existing structure to make the structure more accessible to a physically disabled person.
- **Proposition 19 - The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act:** On November 3, 2020, California voters approved Proposition 19, which allows homeowners who are over 55 years of age, disabled, or victims of a wildfire or natural disaster to transfer their assessed value of their primary home to a newly purchased or newly constructed replacement primary residence up to three times. This legislation also limits people who inherit family properties from keeping the low property tax base unless they use the home as their primary residence. For more information visit <https://www.boe.ca.gov/prop19/>.

## SUPPLEMENTAL TAX BILL CALCULATOR

On July 1, 1983, California state law was enacted to require the assessor to appraise property on the date a change in ownership occurs. Taxes are computed from the first of the month following the change of ownership to the end of the fiscal year. In most cases, this assessment results in one or possibly two supplemental tax bills being sent to the property owner in addition to the regular secured property tax bill that is mailed annually.

The assessor appraises the property to determine the new base year value as of the date of the change of ownership. The assessor then calculates the difference between the new base year value and the existing roll value. The result is the new supplemental assessment. The assessor will send you a Notice of Supplemental Assessment and Impending Tax Bill.

If the reassessment results in an increase in property value, your supplemental taxes will be calculated by the auditor-controller based on the change in value, and one or possibly two supplemental tax bills will be created and mailed to you by the tax collector. If the reassessment results in a reduction in value, a refund will be prepared by the auditor-controller and mailed to you. A reduction in value WILL NOT reduce the amount due on the annual tax bill. The annual tax bill must be paid in the amount originally billed.

The tables below are provided as a tool for you to estimate the amount of your new supplemental tax bill(s). NOTE: Supplemental tax bills are not paid in escrow or impounded by your lender. Note that numbers are rounded and may not match your property tax bill exactly.

### PROPERTY TAX CALCULATOR

Line 1	New value at date of purchase (enter sales price)	
Line 2	Assessed value for current fiscal year (from tax bill)	434,558.00
Line 3	Supplemental assessment value (subtract Line 2 from Line 1)	
Line 4	Estimated annual supplemental tax amount (multiply Line 3 by 0.0122 )	

You must now prorate your supplemental bill based upon the portion of the year for which you have ownership.

**NOTE:** You will receive **ONE** supplemental bill if the date of the change in ownership is between June 1 and December 31, inclusive. You will receive **TWO** supplemental bills if the date of the change in ownership is between January 1 and May 31, inclusive. The **TWO** bills are the supplemental tax bill calculated below AND the annual supplemental bill (Line 4 above).

Jan	2 bills:	Bill 1 amount from Line 4 above; Bill 2 Multiply Line 4 from above by 0.4167
Feb	2 bills:	Bill 1 amount from Line 4 above; Bill 2 Feb Multiply Line 4 from above by 0.3333 \$
Mar	2 bills:	Bill 1 amount from Line 4 above; Bill 2 Mar Multiply Line 4 from above by 0.25
Apr	2 bills:	Bill 1 amount from Line 4 above; Bill 2 Apr Multiply Line 4 from above by 0.1667
May	2 bills:	Bill 1 amount from Line 4 above; Bill 2 Multiply Line 4 from above by 0.0833
Jun	1 bill:	Multiply Line 4 from above by 1.0
Jul	1 bill:	Multiply Line 4 from above by 0.9167
Aug	1 bill:	Multiply Line 4 from above by 0.8333
Sep	1 bill:	Multiply Line 4 from above by 0.75
Oct	1 bill:	Multiply Line 4 from above by 0.6667
Nov	1 bill:	Multiply Line 4 from above by 0.5833
Dec	1 bill:	Multiply Line 4 from above by 0.5

The Supplemental Tax Bill Calculator is designed to help you estimate your supplemental tax bill(s) and does NOT include exemptions or exclusions that may affect your assessed value. The company bears no liability for any losses or damages suffered resulting from the use of this Supplemental Tax Bill Calculator.

## NOTICE OF SUPPLEMENTAL PROPERTY TAX BILL

### Notice of Your Supplemental Property Tax Bill

Pursuant to Civil Code 1102.6c, the 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 questions concerning this matter, please call your local tax collector’s office.”

## PRIVATE TRANSFER FEE AND DOCUMENTARY TRANSFER TAX ADVISORY

**Transfer Fee Disclosure:** Pursuant to Civil Code 1102.6e, the seller or his or her agent is required to disclose specific information about any transfer fee that may affect the property. Please refer to the legal code or to the C.A.R. Form NTF (11/07), provided by the California Association of Realtors, for a standard format to use in making the transfer fee disclosure if you elect to investigate and make this disclosure personally. Civil Code 1098 defines a “transfer fee” as “any fee payment requirement imposed within a covenant, restriction, or condition contained in any deed, contract, security instrument, or other document affecting the transfer or sale of, or any interest in, real property that requires a fee be paid upon transfer of the real property.” Certain existing fees, such as government fees, court-ordered fees, mechanic lien fees, common interest development fees, etc., are specially excluded from the definition of “transfer fee.”

**Private Transfer Fees** are different from city or county documentary transfer taxes. Private transfer fees (also known as reconveyance fees, capital recovery fees, residential transfer fees, and transfer fee covenants) are a fee charged by private entity such as a property developer, home builder, or homeowner association when a property within a certain type of subdivision is sold or transferred. The fees are filed in the public record and may apply in addition to government Documentary Transfer Taxes that are due upon sale or transfer of the property.

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

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

**Documentary Transfer Taxes:** The documentary transfer tax (DTT) is NOT the same as the private transfer fee. It is a tax collected by the county or the city every time a real property exchanges hands or is sold in the public records. The DTT was enacted by Ch. 1332 of the Statutes of 1967 and became operative on July 1, 1968, to replace the repealed federal documentary stamp tax (former 26 U.S.C. Sections 4361, 4363). After approval of an ordinance, a county may impose a documentary transfer tax on the realty value of deeds of transfer within that jurisdiction. The documentary transfer tax is a fee based on a percentage of the sales price at a rate of \$0.55 for every \$500, commonly referred to as a rate of \$1.10 per \$1,000 of value (exclusive of liens existing at the time of transfer).

Following is a list of real estate transactions that are exempt from documentary transfer tax under sections 11911-11930 of the Revenue and Taxation (R&T) Code. When a transaction is exempt, the reason for the exemption must be noted on the document or on a separate signed affidavit. The reason must reference the R&T Code section and include the appropriate wording as shown below. Additional verification may be required to demonstrate that a specific exemption applies to the transaction.



## TAX BILL EXPLANATIONS

The following is a list of common terms used within this report and found on your tax bill, along with their definitions/explanations:

**Ad Valorem Tax:** Ad valorem taxes relating to property taxes are based on the assessed value of real estate property. Property ad valorem taxes are the major source of revenue for state and municipal governments. The phrase “ad valorem” is Latin for “according to value.” In the case of municipal property taxes, property owners have their property assessed on a periodic basis by a public tax assessor. The assessed value of the property is then used to compute an annual tax, which is levied on the owner by his or her municipality.

**Homeowner’s Exemption:** The California Constitution provides for the exemption of \$7,000 (maximum) in assessed value from the property tax assessment of any property owned and occupied as the owner’s principal place of residence. The exemption reduces the annual property tax bill for a qualified homeowner by up to \$70. (Article XIII Section 3 of the California Constitution, Rev & Tax 218). A qualifying dwelling can be any place you own as your principal place of residence and that is subject to property tax.

**Voter-Approved Bonds:** Under Proposition 13, the property tax rate is fixed at one percent of assessed value *plus any voter-approved bonds*. These bonds appear on annual property tax bills as “direct levies.”

Some common direct levies are:

- Library services
- Reclamation districts
- Neighborhood park maintenance
- Delinquent county utility billings
- Weed and hazard abatement charges
- Landscape and lighting

**Mello-Roos Facilities District:** The Mello-Roos Community Facilities Act of 1982 provides an alternative method for any city, county, special district, school district, joint powers of authority, or any municipal corporation for financing certain public capital facilities (with a useful life of five or more years) and/or services, especially in developing areas and areas undergoing rehabilitation. A local government may use these provisions instead of any other method of financing part or all of the cost of providing the authorized kinds of capital facilities and services.

**1915 Bond Act Special Assessment District:** The Improvement Bond Act of 1915 is a form of public financing that provides an alternative system that allows any city, county, special district, school district, joint powers of authority, or municipal corporation to form a special assessment district (SAD) for the issuance of bonds to represent and be secured by the assessments to finance the costs and expenses of the work or improvement services usually associated with off-site land improvements, such as roads, curbs, gutters and underground sewer and water infrastructure, that will particularly benefit the property.

**Voluntary Contractual Assessment:** California property owners may enter into voluntary contractual assessments under Assembly Bill 811. This bill enables property owners to obtain financing for energy efficiency, water conservation and solar energy improvements that is repaid as assessments on their property tax bills. The primary goals of the bill are to lower greenhouse gas levels and reduce energy and water consumption.

# STATEMENT OF LIMITATIONS AND LIABILITIES

This report is for the exclusive use of the individual(s), herein referred to as “Client,” involved in the transaction (as identified by the address on the report) for which this report, herein referred to as the “Report,” was created. This Report may not be referred to or relied upon by any party other than Client without the written consent of the company. The company has no accountability, obligation or liability to any third party.

This Report concerns the land identified in the Report, herein referred to as “Property,” which does NOT include any property beyond the lines of the area described or referred to in this Report, nor any real property described as an easement in the Report, nor any right, title, interest, estate or easement in abutting streets, roads, alleys, lanes, ways, or waterways. The company has not made a physical inspection of the Property. This Report is not a substitute for a physical inspection of the Property and examination of its physical conditions and/or its surroundings by Client and its consultants.

The company reviewed only those maps and records, herein referred to as “Records,” specifically referred to in the Report, which are readily available for public inspection and are provided by private and public government sources. Conditions frequently change, and recent changes may not be reflected on the “official” maps, government databases, or the Records. The company relies upon the information contained in the Records and assumes their accuracy without any further investigation or analysis of the underlying data supporting the information embodied in the Records. Some of the Records are available in electronic format. For Records that are not available in this medium, the company has transposed the data into electronic format. The process of transposing data could be imperfect, whether performed by the company or other entities. In situations where the Property appears to be close to a designated zone, the company recommends that any interested party consult with experts or perform additional research in order to be clear as to the conditions affecting the Property. No responsibility is assumed for the accuracy of information furnished by the Client, third parties, or Records.

The legal description of the Property in this Report was furnished to the company by Client and is assumed to be correct without independent verification by the company. The company is not responsible for the accuracy of the address or APN provided to the company. No opinion is rendered, nor responsibility assumed, and no representation is made as to the title to the Property, nor whether the Property comprises legal lots in conformance with the California Subdivision Map Act and local ordinances enacted pursuant thereto.

No responsibility is assumed, nor opinion rendered, and no representation is made concerning the condition of the Property, whether architectural, structural, mechanical, engineering or legal in character or nature. The company assumes no responsibility regarding structural integrity or adequacy, nor soil conditions, potential for flooding, settlement, drainage, subsidence, fire, compliance with applicable laws and zoning regulations or other occurrences or problems arising from neither soil conditions, zones, areas, nor marketability of the Property. No opinion is expressed with respect to the presence or absence of hazardous or toxic materials or substances or any other defects on or within the Property. The company assumes no responsibility for conditions or consequences resulting from information that was withheld, concealed, misrepresented or not fully disclosed at the time the Report was compiled. The company is in no way responsible for any costs incurred to correct any deficiencies of any type present in the Property.

The company assumes no responsibility for any costs or consequences arising due to the need or the lack of need for earthquake, flood, casualty and/or liability insurance. The decision to insure or not to insure is a personal one of the owner and should be made in consultation with an insurance advisor.

This Report is intended to include only information pertaining to zones affirmatively addressed in the text hereof. This Report does not purport, either explicitly or by implication, to include or provide information regarding any other matters not specifically addressed herein, including, without limitation: (a) state of title of the Property, including, without limitation, any liens, encumbrances, covenants, conditions, restrictions, reservations, easements, mining claims, water rights, encroachments, or any other title matters adversely affecting the title that would be identified through a correct survey of the Property and/or a real estate title examination; (b) status of the Property in relation to ordinances and regulations of the state of California, city and county where the Property is located, including, but not limited to, the California Subdivision Map Act and federal and state laws; (c) environmental protection laws and regulations; (d) legal proceedings before any judicial or other adjudicative tribunal or any regulator or administrative agency or any governmental entity; (e) building codes, permits of any nature, income taxes, liquor licenses or other laws restricting, regulating or relating to the character, dimensions or location or any improvement now or hereafter erected on the Property or the occupancy, use, anticipated use, or enjoyment of the Property; (f) in rem forfeiture laws; (g) rights of eminent domain; and (h) ordinances, administrative decisions, rules and regulations of any special political subdivision, whether created or enabled through legislative action at

## STATEMENT OF LIMITATIONS AND LIABILITIES

the federal, state or regional level, such as, but not limited to, water agencies, school districts, flood control districts, and the Coastal Commission or joint powers districts.

The tax data contained within this report is the data purchased from the county tax collector/assessor annually each new property tax year. Changes that occur during the tax year will not be reflected in the data until the following tax year. If the subject property in this transaction is a mobile home, be aware that not all mobile homes are taxed through the county. The Department of Housing and Community Development (<http://www.hcd.ca.gov/>) bills some mobile homes, so for mobile homes billed from HCD, the tax report will not be the actual taxes for the subject property but a representation of the types of taxes that may be assessed. If the subject property in this transaction is a newly subdivided parcel, the new assessor's parcel number (APN) may not yet have taxes assessed, leaving the property taxes from the parent parcel to be used for disclosure purposes.

This Report is issued as of the date specified herein. The company has no obligation to advise Client or any other interested party of any fact, circumstance or change that occurs after the date specified herein that pertains to the Property or that, modified or otherwise, affects the information provided in this Report.

American Home Shield Natural Hazard Disclosure accepts full responsibility for any errors or omissions in the contents of this report caused by its negligence or willfully wrongful conduct after payment in full for this report is received, and does not hold responsible for such damages any real estate broker, property owner, property purchaser, agent, escrow company, or transaction coordinator involved in the transaction for which this report was prepared. **UNDER NO CIRCUMSTANCES WILL AMERICAN HOME SHIELD NATURAL HAZARD DISCLOSURE BE LIABLE TO ANY PERSON OR ENTITY FOR ANY SPECIAL, INDIRECT, INCIDENTAL, EXEMPLARY, PUNITIVE, OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE PREPARATION, ISSUANCE, OR USE OF THIS REPORT.**

**MANDATORY ARBITRATION.** Unless you make written application to American Home Shield Natural Hazard Disclosure and American Home Shield Natural Hazard Disclosure agrees in writing to allow you to bring a small claims lawsuit against American Home Shield Natural Hazard Disclosure solely in your individual capacity, any claim, dispute or controversy, regarding any contract, tort, statute, or otherwise ("Claim"), arising out of or relating to this agreement or the relationships among the parties hereto shall be resolved by one arbitrator through binding arbitration administered by the American Arbitration Association ("AAA"), under the AAA Commercial or Consumer, as applicable, rules in effect at the time the Claim is filed ("AAA Rules"). Copies of the AAA rules and forms can be located at [www.adr.org](http://www.adr.org), or by calling 1-800-778-7879. The arbitrator's decision shall be final, binding, and nonappealable. Judgment upon the award may be entered and enforced in any court having jurisdiction. This clause is made pursuant to a transaction involving interstate commerce and shall be governed by the Federal Arbitration Act. Neither party shall sue the other party other than as provided herein or for enforcement of this clause or of the arbitrator's award; any such suit may be brought only in Federal District Court for the District or, if any such court lacks jurisdiction, in any state court that has jurisdiction. The arbitrator, and not any federal, state, or local court, shall have exclusive authority to resolve any dispute relating to the interpretation, applicability, unconscionability, arbitrability, enforceability or formation of this Agreement, including any claim that all or any part of the Agreement is void or voidable. However, the preceding sentence shall not apply to the clause entitled "Class Action Waiver."

**CLASS ACTION WAIVER.** Any Claim hereunder must be brought in the parties' individual capacity and not as a plaintiff or class member in any purported class, collective, representative, multiple plaintiff, or similar proceeding ("Class Action"). The parties expressly waive any ability to maintain any Class Action in any forum. The arbitrator shall not have authority to combine or aggregate similar claims or conduct any Class Action nor make an award to any person or entity not a party to the arbitration. Any claim that all or part of this Class Action Waiver is unenforceable, unconscionable, void, or voidable may be determined only by a court of competent jurisdiction and not by an arbitrator. **THE PARTIES UNDERSTAND THAT THEY WOULD HAVE HAD A RIGHT TO LITIGATE THROUGH A COURT, TO HAVE A JUDGE OR JURY DECIDE THEIR CASE AND TO BE PARTY TO A CLASS OR REPRESENTATIVE ACTION; HOWEVER, THEY UNDERSTAND AND CHOOSE TO HAVE ANY CLAIMS DECIDED INDIVIDUALLY, THROUGH ARBITRATION.**

This Report shall be governed by and construed in accordance with the laws of the state of California.

**ACCEPTANCE OF AND/OR USE OF THIS REPORT BY CLIENT OR ANY OTHER INTERESTED PARTY CONSTITUTES ACCEPTANCE OF THE ABOVE LIMITATIONS, CONDITIONS, TERMS AND ASSUMPTIONS.**