

Local Area Disclosures for San Diego County



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Table of Contents

A. General Disclosures	4	D. Air Traffic and Airport Disclosures	9
1. Attic Furnaces	4	1. Aircraft Noise—General	9
2. Attractions and Amusement Parks	4	2. Aircraft Noise—MCAS Miramar, Camp Pendleton	9
3. Construction and Soil Defects—Prior, Pending or Threatened Litigation	4	3. Proposed Airport Sites	9
4. Death On Property	4	E. Specific Area Disclosures	9
5. Errant Golf Balls	4	1. Bonsall (Unincorporated)	9
6. Fireplaces	4	2. California Coastal Commission	9
7. Historical Conservancy/Historical Review	4	3. Camp Pendleton	9
a. Historical Conservancy	4	4. Chula Vista and South County	10
b. San Diego Historical Review	4	a. Airport at Brown Field	10
8. Homeowners' Associations	4	b. Coors Amphitheater	10
9. Homeowner's Insurance	5	c. Knott's Soak City Waterpark	10
a. Water or Fire Damage	5	d. Olympic Parkway/Orange Avenue Interchange at I-805	10
b. California Fair Plan	5	e. Tijuana International Airport	10
10. Mold	5	f. Trolley Lines	10
11. Permits and Zoning	5	5. Coronado Island (City of Coronado)	10
12. Polybutylene Plumbing	5	a. Traffic	10
13. Roof Tiles	5	b. North Island Naval Air Station/Naval Amphibious Base	10
14. Schools	5	c. Coronado Shores—Spalling	10
15. Square Footage, Boundary Lines, Parcel Size and Age of Improvement	5	d. Coronado Shores—Voltage	10
16. Trolley and Trains	6	6. Escondido (City of Escondido)	10
17. Views	6	a. Agricultural Activity and Odors	10
18. Water Retrofit	6	b. Chatham Brothers Barrel Yard	10
19. Whirlpool Microwave/Hood Combinations	6	7. Fairbanks Ranch (Unincorporated)	10
B. Environmental Disclosures	6	8. Fallbrook (Unincorporated)	11
1. Animal Life	6	a. Naval Weapons Station	11
2. Coastal Cliffs and Beach Areas	6	b. Public Utility District	11
3. Electric and Magnetic Fields (EMFs)	6	c. Rosemary's Mountain Quarry	11
4. Flooding Valleys	6	9. Fletcher Hills (City of El Cajon)	11
5. Geological, Soil and Drainage Inspection	6	10. Gregory Canyon Landfill	11
6. Hazardous Materials	7	11. Navajo/San Carlos Area (City of San Diego)	11
7. Lead-Hazard Inspection	7	12. Poway Unified School District	11
8. Methane Gas	7	13. Ramona (Unincorporated)	11
9. Mold	7	a. Noise, Barona Raceway, Off-Road Vehicles	11
10. Nuclear Energy	7	b. Odors, Fumes and Dust	11
a. San Onofre Nuclear Power Plant	7	c. Environmental Concerns	11
b. North Island Naval Air Station/Naval Amphibious Base	7	d. Sewage	11
11. Trees, Crops and Vegetation—Economic Significance	7	e. Unavailability of Natural Gas	11
12. Waste Systems	7	f. Explosive Ordnance	11
a. Septic Systems	7	14. Rancho Bernardo (City of San Diego)	12
b. Private Waste Disposal Systems	7	a. Groundwater Seepage	12
13. Wells	7	b. Methane Gas	12
14. General Environmental Concerns	7	c. Soils	12
C. Traffic, Roads and Transportation	8	d. Poway Unified School District	12
1. Interstates 5 and 15/Highways 76 and 78—Traffic	8	15. Rancho Santa Fe/Del Rayo (Unincorporated and City of San Diego)	12
2. Interstate 5 Expansion	8	16. Rancho Santa Fe Farms Drive	12
3. Route 52 Extension	8	17. San Diego—Downtown (City of San Diego)	12
4. Route 56 Construction	8	18. Santee (City of Santee)	12
5. Route 76 Expansion	8	19. Tierrasanta (City of San Diego)	12
6. Route 125 Construction	8	a. Explosive Ordnance	12
7. Mass Transit	8	d. Quarry Noise	12
8. Buses	8	Signature Pages	13

A. General Disclosures

1. Attic Furnaces

Certain attic furnaces manufactured by Consolidated Industries and sold under various brand names in California between 1983 and 1994, have been identified as the cause of residential fires. Homes built before 1983 or after 1994 could still have these furnaces due to replacement or remodeling. For further information, contact the Consumer Products Safety Commission or log on to www.cpsc.gov.

2. Attractions and Amusement Parks

Various public attractions and amusement parks may impact the traffic in the area near the Property or create noise which may be of concern to some Buyers. Buyer is advised to investigate the impacts there may be from such attractions, including, but not limited to, the San Diego Zoo, Wild Animal Park, SeaWorld, Qualcomm Stadium, Petco Park, Legoland, Coors Amphitheater, Knott's Soak City Waterpark, Mission Bay, and other concert and public event venues.

3. Construction and Soils Defects—Prior, Pending or Threatened Litigation

Many subdivisions and condominiums in San Diego County have been subject to litigation for construction defects and soils defects arising out of the original construction of homes. The status of any legal action and the repairs necessary to remedy any construction defect may impact the value and use of a Property. It is important to verify the status of any threatened, pending or resolved legal action, including what repairs were made, for the residence and particular subdivision in which Buyer is considering purchasing. For further information, contact the Homeowners' Association, if one exists, or the original home builder.

4. Death on Property

Seller is required to disclose any death that occurred on the Property within the last three years, and any death known to Seller occurring on the Property beyond three years if Buyer makes a direct inquiry of Seller regarding the issue. An occupant's affliction with, or death related to the AIDS virus is not considered a material fact requiring disclosure.

5. Errant Golf Balls

Property located in the proximity of a golf course may be subject to (a) golf balls being hit from the golf course in a manner that may break windows, cause other property damage, or cause bodily injury to; and (b) persons coming onto the Property to retrieve golf balls, or for other purposes related to playing golf, even though such entry may be without permission.

6. Fireplaces

Some areas of San Diego County, including but not limited to areas in Santee, Tierrasanta, Rancho Penasquitos and Rancho Bernardo, may have had builders who used Rampart General fireplaces in some homes. Rampart General fireplaces were pre-cast concrete fireplaces, brought to the site and erected instead of built at the site through masonry work. These fireplaces have been known to crack, and repairs are limited and difficult. Many San Diego County fireplace inspectors, chimney sweeps and contractors will not attempt to repair the Rampart General fireplaces. Repairs may be costly, if and when available. Sometimes these fireplaces must be completely replaced.

7. Historical Conservancy/Historical Review

- a. **Historical Conservancy.** For Property located in a protected historical conservancy area or designated as a historical landmark, the ability to remodel or further develop the Property may be affected.
- b. **San Diego Historical Review.** If a building is at least 45 years old it may be subject to historic review by the City of San Diego's Historical Sites Board. Any such building, not located in an exempt area, may be subject to a "site-specific survey for the purposes of obtaining a construction permit, a neighborhood development permit or site development permit." Buyer may be prevented from performing extensive remodels or exterior renovations to any such building. For further information regarding historical status of a building or area, contact the Historical Resources Board at 619-235-5224. For information on obtaining permits, contact the Development Services Department at 619-446-5000.

8. Homeowners' Associations

A Property may be subject to one or more Homeowners' Associations (HOAs), to which membership is mandatory. Many planned communities in San Diego County, such as San Elijo Hills, Fairbanks Ranch, and Eastlake are managed by and through HOAs and subject to applicable Conditions, Covenants and Restrictions (CC&Rs) and Bylaws, copies of which should be provided to Buyer for Buyer's review and approval. Some of these communities, for example Fairbanks Ranch, are private and most have certain common areas owned by the HOA or easements which may be in proximity of and have an impact on a Property. HOAs may impose restrictions on the use and development of a Property and, if there are multiple HOAs, may charge separate and independent dues. The dues for some HOAs may be payable monthly, quarterly, or annually.

A. General Disclosures

(continued)

9. Homeowner's Insurance

- a. **Water or Fire Damage.** Obtaining new Homeowner's Insurance for the Property may be difficult if there has been a prior insurance claim, including for water intrusion or leaks, or flooding. Buyer should determine whether any such claims have been made and whether there will be any problem obtaining insurance for the Property. Buyer should start this process early in order to obtain the information during the inspection period.
- b. **California Fair Plan.** Homeowner's and earthquake insurance for hillside properties and properties near brush areas may only be available through California Fair Plan insurance. The costs and procedures for obtaining Fair Plan insurance may differ from standard insurance policies and may take substantially longer to obtain than standard insurance. Buyer should contact Buyer's insurance agent to determine whether Fair Plan insurance is required for the Property and, if so, the cost, timing and application procedure. In some circumstances, Buyer may assume Seller's existing Fair Plan insurance.
- c. Information on insurance claims history for a property can be obtained at www.choicepoint.com.

10. Mold

Buyer should have a mold test performed by an environmental professional as either a separate test or as an addition/adjunct to a professional home inspection with appropriate spores and carpet testing and other procedures as required. This is especially necessary if any of the inspection reports or disclosure documents indicate that there is evidence of past or present moisture, standing or ponding water, or water intrusion at the property, since most molds thrive on moisture. Current information indicates that the presence of some types of mold may cause health problems in certain individuals. Not all molds are detectable by visual inspection conducted by a professional home inspector. Properties may have hidden mold problems of which no one is aware. Any mold should be professionally evaluated. The Environmental Hazards booklet provides information about mold, including ways to identify it. For additional information obtain the publication *Mold in My Home: What Can I Do?* by contacting the California Department of Health at 916-445-4171, or logging on to www.dhs.ca.gov. Buyers may also contact the U.S. Environmental Protection Agency (EPA), EPA Indoor Air Quality Information, at the Clearinghouse Line at 800-438-4318 or 703-356-4020, or log on to www.epa.gov.

11. Permits and Zoning

Structural additions to a Property made without a valid building permit may not be in compliance with appli-

cable building codes and other laws, and may require additional expense to be brought up to current codes and other applicable laws or to be demolished. Agents are not required to search for building permits and are not qualified to interpret or explain building permits. Buyers should acquire copies of permits regarding a Property. A Property will be affected by building permits and other governmental requirements, including without limitation, the necessity for and/or existence of required building permits and certificates, inspections, zoning, use variances or restrictions and other laws, ordinances, regulations, or orders affecting the current or future uses, improvement, development, and size of the Property. For further information, contact the building permit offices of the County or appropriate city.

12. Polybutylene Plumbing

Many homes have been built with polybutylene (plastic) plumbing which may fail and has been the subject of civil litigation. Blue plastic pipe in the yard that delivers water from the curbside meter to the house or gray plastic pipe inside the house that is connected by either gray plastic or copper fittings may be indications of polybutylene plumbing. For further information, contact the Consumer Plumbing Recovery Center at 800-356-3496.

13. Roof Tiles

A class action lawsuit was instituted concerning certain Fire Free Tiles and Quantum Panels manufactured and installed by Re-Con Building Products, Inc., from December 1993 through November 1997, entitled *Shah v. Re-Con Building Products, Inc.*, Contra Costa County Superior Court, State of California Civil Action No. CC99-02919. It has been alleged that the tiles were designed defectively, causing them to fail prematurely. For further information, call 800-966-3696 or log on to www.bwclassaction.com/shahvsrecon001.htm.

14. Schools

Children living on the Property might not attend the school nearest to the Property. Various factors, including open enrollment policies, overcrowding and class size, may affect which public school serves the Property. For further information, contact the local school or school district.

15. Square Footage, Boundary Lines, Parcel Size and Age of Improvement

Representations regarding age of improvements, property size, building size (square footage), and location of property lines have not been independently verified by Seller or Brokers and may not be accurate. Apparent boundary line indicators such as fences, hedges, walls or other barriers may not represent the true boundary lines. Only a licensed surveyor can determine the actual boundary lines and thus, actual size of the lot, and only

A. General Disclosures

(continued)

through measuring the structure can the square footage be determined. If any of these issues are important to Buyer's decision to purchase, Buyer should obtain a boundary survey and/or consult with a qualified expert.

16. Trolley and Trains

Trolleys and trains run throughout San Diego County which may create noise and impact traffic. New or expanded tracks may also be proposed. For further information regarding train routes, development and possible expansions, visit www.gonctd.com for maps and updates. Trolley information can be accessed through www.sdcommute.com. Also refer to Section C.7 for additional information.

17. Views

Views from a Property may be affected by future development of buildings or walls, the growth of trees and other vegetation, and other factors. For further information, contact adjacent landowners and local governmental authorities.

18. Water Retrofit

Certain cities, including Del Mar and San Diego, may require the installation of low-flow water devices in sinks, shower heads and toilets upon transfer of a Property. It is generally Seller's responsibility to comply with these requirements, unless exemptions apply. Any necessary waiver or certificate showing compliance should be obtained from the applicable city authority prior to close of escrow.

19. Whirlpool Microwave/Hood Combinations

Whirlpool Corp. has voluntarily recalled approximately 1.8 million microwave-hood combinations that have been known to overheat and sometimes catch fire. The units at issue are installed above ranges and are sold under the Whirlpool, Kitchen Aid and Kenmore brand names. They have serial numbers beginning with "XC" which are displayed on the door unit. These units were sold from January 1998 through September 2001. These units should not be used and should be immediately unplugged. For information on replacing these units, contact Whirlpool at 800-785-8897 or log onto www.repair.whirlpool.com.

B. Environmental Disclosures

1. Animal Life

Property may be inhabited by many species of animals and pests, from insects, rodents and bugs to large animals such as mountain lions, bobcats, coyotes, bears, snakes and reptiles, which may pose hazards. Areas may also be subject to domestic and farm animals, including non-native and endangered species which may pose a hazard to, or affect the potential development of a Property.

2. Coastal Cliffs and Beach Areas

Building structures located near or on the edge of coastal cliffs and beach areas may be prone to erosion and resulting damage. The stability of the soils and other geological characteristics of a Property will impact the Property and the ability to build on the Property.

3. Electrical and Magnetic Fields (EMFs)

Electric and Magnetic Fields (EMFs) are found wherever there is electricity, including underground power lines. Agents are not qualified to explain potential risks associated with EMFs, if any, but it is generally believed that public concern with EMFs may affect the value of a Property in close proximity to high-voltage power lines. For further information, obtain "A Guide to Understanding Electric and Magnetic Fields" by calling 800-336-SDGE, or log on to www.sdge.com.

4. Flooding Valleys

Properties in river valleys, including Mission Valley, San Dieguito River Valley and San Luis Rey, may be subject to flooding in periods of heavy rain. A Property's history of flooding and its propensity to flood and experience related problems may impact its value and use.

5. Geological, Soil and Drainage Inspection

Many areas of Southern California experience settling, slippage, earthquake and other land movement problems. Property in San Diego County, in general, has clay, adobe and other expansive soils or may be ocean front or cliff soil, which may cause subsidence, structural, cosmetic, erosion, drainage or similar problems. Substantial grading typically takes place during the site preparation and construction of residential property. A Property may be constructed on fill or improperly compacted soil and may be subject to inadequate drainage, underground water, groundwater seepage, or other such conditions. Cracked slabs and foundations can result. Determining the geological, soils, and drainage condition of a Property requires a geological inspection, including, when necessary, having a manometer reading of the floor level, if necessary, by a licensed geological/soils expert.

B. Environmental Disclosures *(continued)*

6. Hazardous Materials

The Property may contain hazardous materials, including asbestos, lead, radon, and formaldehyde. Various hazardous materials, such as paint, solvents, cleaning supplies or insecticide, may remain on the Property after close of escrow. Information on these and other hazards is contained in the *Homeowner's Guide to Environmental Hazards*. Hazardous materials may impact a Property and its residents, and may require special handling, removal and disposal.

7. Lead-Hazard Inspection

The Centers for Disease Control and Prevention (CDC) has identified lead poisoning as the number one preventable environmental hazard facing children. The primary source of poisoning is found in deteriorated lead-based paint and associated dust in residential units built before 1978, the year lead was banned from residential paint. As a Buyer, you are to receive the Federal Lead-Based Paint Pamphlet and disclosure by owner of any known lead-based paint. Review this information carefully and consider hiring a certified lead-based paint inspector to assess potential lead hazards. For further information to inspect for lead, contact the California Department of Health Services certified inspector/assessor at 800-622-5000 or www.epa.gov/lead.

8. Methane Gas

Methane gas has been found in many areas of San Diego County. Methane is a colorless and odorless gas that exists naturally. When found in high concentrations, if not properly mitigated in accordance with county and city standards, methane can cause breathing problems and can burn or explode. According to an article in the *San Diego Union-Tribune* on August 3, 2002, methane gas was found in the following subdivisions: 4S Ranch, Bernardo Springs and Bernardo Lakes in Rancho Bernardo; The Bridges and Crosby Estates in Rancho Santa Fe; Sycamore Ranch in Fallbrook; and Lakeview Estates in the Spring Valley-Rancho San Diego Area. Methane gas does exist in other parts of the county as well, but with proper mitigation and venting, may not present a risk.

9. Mold

See Section A.10.

10. Nuclear Energy

- a. **San Onofre Nuclear Power Plant.** A nuclear power plant exists at San Onofre, California, on the coast in North San Diego County. For further information on the proximity of this facility to a Property, review a map. For further information regarding the hazards of nuclear power plants and/or

nuclear materials, please visit the U.S. Nuclear Regulatory Commission Website at www.nrc.gov.

- b. **North Island Naval Air Station/ Naval Amphibious Base.** The North Island Naval Air Station and Amphibious Base contain naval warships which may carry nuclear weapons or may be nuclear powered. For a list of contact information for the above or any military base you might be concerned with, please visit www.nasi.navy.mil/contact.htm.

11. Trees, Crops and Vegetation—Economic Significance

If any trees or crops located on a Property are of economic significance to Buyer, Buyer should obtain from a qualified professional a grove report, verifying tree or plant count and the costs to maintain the trees or crops. Commercial and private agriculture areas are also subject to land and air insecticide spraying which may impact surrounding areas.

12. Waste Systems

- a. **Septic Systems.** Many Properties in rural areas and some suburban areas operate on septic systems, rather than sewer lines. The operation and maintenance of a septic system, and the sufficiency of the existing septic system and leach field to support a Property or any proposed additions to a Property will affect the value and use of the Property.
- b. **Private Waste Disposal Systems.** If a Property is serviced by a private waste disposal system, its condition, its capacity and future expansion potential will affect the value and use of the Property. Changes in the use of the system may adversely affect its efficiency.

13. Wells

If a Property is serviced by an underground well, that service may be affected by a fluctuation of the groundwater table that can be caused by the well's usage and amount of rain. Wells are also subject to contamination and require periodic testing. There are also requirements for back-flow devices, and other components of the system. The adequacy, maintenance, age and condition of a well on the Property will affect the value and use of the Property.

14. General Environmental Concerns

Environmental concerns may affect the development and use of a Property including local restrictions on uses, contamination of grounds and wells, proximity to a county dump, requirement of an Environmental Impact Report prior to building, preservation of endangered plants and animals, preservation of Native American artifacts, percolation tests for septic systems and utility pumps.

C. Traffic, Roads and Transportation

These traffic and road disclosures are not an exhaustive list. There may be additional traffic and road conditions of concern to any Buyer. Buyer is advised to investigate the road conditions and traffic in the areas Buyer intends to travel.

1. Interstates 5 and 15 / Highways 76 and 78 – Traffic

Interstates 5 (I-5) and 15 (I-15) are major San Diego County north-south freeways. Highways 52, 76 and 78, and Interstate 8 (I-8) are major San Diego County east-west highways and freeways. Due to volume and timing (in either direction), one may experience delays relating to these traffic systems and their interconnecting arteries. Currently carpool lanes exist on Interstates 5 and 15. For further information on future repairs, improvements or configuration of these roads, contact the California Department of Transportation (CalTrans), San Diego office, at 619-688-6670.

2. Interstate 5 Expansion

Interstate 5, from Genesee Avenue north to Vandegrift Boulevard/Harbor Drive in Oceanside, is scheduled to undergo a large construction/expansion project, as follows:

- a. I-5 is scheduled to be widened to 12 lanes between Carmel Valley Road and Del Mar Heights Road;
- b. Three lanes separated from the existing freeways are scheduled to be constructed from the I-5/I-805 junction to Carmel Valley Road. These lanes are intended to be used for through truck traffic and motorists using State Route 56 and Carmel Valley Road;
- c. Carpool lanes are scheduled to be constructed from Del Mar Heights Road, in the south, to Vandegrift Boulevard/Harbor Drive in the north.

For further information, contact CalTrans at 619-688-6670.

3. Route 52 Extension

The Highway 52 extension to the east, connecting to Mission Gorge Road in Santee, was completed in 1993. As a result of that extension, the following units or subdivisions in Tierrasanta may be affected by traffic noise: Barbados North, Villa Antugua, Monteloma, Belsera, and Monterra. Tierrasanta Boulevard and Clairemont Mesa Boulevard dead-end at the east end of Tierrasanta Boulevard. Governmental officials are considering possible future connections to Jackson Drive or Princess View Drive or to other streets. For further information on these construction projects, contact CalTrans at 619-688-6670 or any other appropriate agencies.

4. Route 56 Construction

Construction has commenced on an east-west freeway between Interstates 5 and 15. Portions of State Route 56 have been completed or are in the process of being constructed. In addition, feeder roads are being changed or altered and will be impacted by the completion of State Route 56. There may be changes in traffic patterns and activity on other area roads in the Torrey Highlands, Santaluz, Carmel Valley, Del Mar and Penasquitos Canyon areas. For further information, contact CalTrans at 619-688-6670.

5. Route 76 Expansion

CalTrans has proposed the widening and realignment of State Route 76 East, from Mission Road west to Jeffreys Ranch. The proposed expansion includes widening Route 76 to four lanes. For further information, contact CalTrans at 619-688-6670.

6. Route 125 Construction

- a. **State Route 125 Extension.** CalTrans has future plans to extend State Route 125 to State Route 56 in Poway. For further information, contact CalTrans at 619-688-6670.
- b. **From State Route 905 (SR-905) to State Route 54 (SR-54).** Work between SR-905 and SR-54 is proposed to include interchanges at Otay Mesa Road, Olympic Parkway, Otay Lakes/Telegraph Canyon Road, East H Street, future Mt. Miguel Road and SR-54. Other interchanges may be constructed after future development occurs. For further information, contact CalTrans at 619-688-6670.

7. Mass Transit

The Metropolitan Transit Development Board has indicated that a trolley line is under consideration in the University City area of San Diego. At the present time, there are several proposed routes. For further information, contact the Metropolitan Transit Development Board at 619-231-1466.

8. Buses

For information on bus routes and/or potential bus routes, contact:

- a. For San Diego, go to www.sdcommute.com and/or www.gonctd.com.
- a. For North County, call the North San Diego County Transit District (NCTD) at 760-966-6500, and ask for the planning department.

D. Air Traffic and Airport Disclosures

These disclosures are not an exhaustive list of airport or airfields that may affect county residents. Buyer is advised to investigate the area Buyer is considering purchasing a residence to learn what impact there may be from aircraft noise, flyovers or airports.

1. Aircraft Noise—General

Some areas are subject to noise emitted by military and/or civilian aircraft including helicopters. A Property may be near a commercial airport or military facility, which may impact the use and enjoyment of the Property. If a Property is in the vicinity of the following civil airports or military air fields, further information may be obtained by contacting the appropriate airport management: (a) Borrego Valley Airport, (b) McClellan-Palomar, (c) Fallbrook Airpark, (d) Ocean-side, (e) Ramona, (f) Brown Field, (g) Montgomery Field, (h) San Diego International, (i) Gillespie Field, (j) Jacumba, (k) Ocotillo, (l) Agua Caliente Springs, (m) Marine Corps Air Station Miramar, (n) Naval Air Station North Island, (o) Naval Outlying Field Imperial Beach or (p) Marine Corps Base Camp Pendleton.

2. Aircraft Noise—MCAS Miramar, Camp Pendleton

- a. A Property may be located in an area subject to aircraft noise or impact associated with the over flight of aircraft, including helicopter, transition to

and from Marine Corps Air Station (MCAS) Miramar. Helicopters regularly fly over the coast and I-15 corridor to reach Camp Pendleton. Currently, there are no restrictions on the hours of operation for MCAS Miramar. If needed, it will operate 24 hours a day, seven days a week.

- b. Impacts generated by the use of aircraft at MCAS Miramar may occur at a Property and affect the use and enjoyment of the Property.
- c. Further information may be obtained by reviewing the Final Environmental Impact Statement for Realignment of MCAS Miramar, available at many San Diego area public libraries, and contacting the Commanding General, Community Plans and Liaisons, MCAS Miramar, P.O. Box 452000, San Diego, CA 92145; 858-577-6603.
- d. If a Property is located within a 25-mile radius of the U.S. Marine Corps Air Station, Camp Pendleton, the Air Station may have an impact on the Property.

3. Proposed Airport Sites

Numerous areas in San Diego County have been proposed as sites for future establishment or expansion of airport facilities. If you are concerned about whether a Property is near any such proposed sites, contact the San Diego County Airport Authority, Airport Planner, at 619-400-2478.

E. Specific Area Disclosures

These disclosures cover various communities and are not exhaustive. Buyer should not assume that any community not listed is free of concerns. Buyer is advised to investigate the area to learn what specific conditions may exist. Because services to the property are affected by whether the property is in an incorporated city or unincorporated area of the county, Buyer should verify the Property status.

1. Bonsall (Unincorporated)

A mushroom farm is located in Bonsall between Old River Road and Gopher Canyon Road. Under certain atmospheric conditions, odors can emanate from the mushroom farm and may affect Properties in the area.

2. California Coastal Commission

Development or construction on Properties within the coastal zone may be subject to the jurisdiction and

regulations of the California Coastal Commission. The coastal zone extends a great distance inland in various areas of San Diego County, depending upon the location of coastal habitat, sloughs, and other waterways affected by ocean tides. The development of beachfront property may also be impacted by the determination of "mean high tide lines" in relation to the boundary lines for beachfront property. For further information, contact the Coastal Commission at 619-767-2370.

3. Camp Pendleton

A live fire artillery range exists at the Marine Corps Base, Camp Pendleton. Periodic training exercises occur at Camp Pendleton which includes the detonation of military ordnance. During training exercises, noise from the artillery and ordnance can be heard in some areas in North San Diego County. For further information, contact Camp Pendleton at 760-725-4111.

E. Specific Area Disclosures *(continued)*

4. Chula Vista and South County

- a. **Airport at Brown Field.** Brown Field, located east of I-805 near the Main Street/Otay Valley Road exit, currently services general aviation. There is a proposal to develop Brown Field into an international cargo airport, which would increase the number of flights and the size of the aircraft utilizing Brown Field.
- b. **Coors Amphitheater,** located in south Chula Vista east of I-805 off the Main Street/Otay Valley Road exit, creates noise from concerts and events, as well as traffic, which may impact properties in the area.
- c. **Knott's Soak City Waterpark** is located east of I-805 at the Main Street/Otay Valley Road exit.
- d. **Olympic Parkway/Orange Avenue Interchange at I-805.** CalTrans and the City of Chula Vista will be widening the bridge over I-805 and increasing the on-ramps to access the freeway. Some properties nearby will be having sound walls installed. For more information contact Public Works Construction at 619-397-6128 or Engineering Division at 619-691-5118.
- e. **Tijuana International Airport** is located approximately five miles south of the U.S.-Mexico border.
- f. **Trolley Lines.** A trolley line is proposed to run along Palomar Street in Chula Vista. The median within East Palomar Street contains a right-of-way for a proposed trolley line and station. The station is proposed to be located east of the intersection of Palomar Street and Santa Cora Avenue. For more information, refer to Section A.16.

5. Coronado Island (City of Coronado)

- a. **Traffic.** Traffic from the San Diego-Coronado Bay Bridge to North Island Naval Air Station (North Island) can be heavy along Third and Fourth Streets depending on the level of activity at North Island. For a list of contact information, please visit www.nasi.navy.mil/contact.htm.
- b. **North Island Naval Air Station/Naval Amphibious Base.** The North Island Naval Air Station and Amphibious Base contain naval warships which may carry nuclear weapons or may be nuclear powered. For a list of contact information for the above or any military base you might be concerned with, please visit www.nasi.navy.mil/contact.htm.
- c. **Coronado Shores—Spalling.** Spalling of concrete has occurred in some areas of the Coronado Shores as a result, it is believed, of moisture seeping through the exterior concrete of the buildings, causing the metal reinforcing bars in the concrete to rust, and crack or chip the concrete under the pressure.
- d. **Coronado Shores—Voltage.** Coronado Shores condominiums were originally built with voltage of 208 volts, not 220 volts. Whether the voltage in a Property in Coronado Shores has been altered or modified, and the actual voltage at a Property, will affect the value and use of the Property.

6. Escondido (City of Escondido)

- a. **Agricultural Activity and Odors.** Areas of Escondido are rural which may contain farms, chicken ranches, horse ranches and dairies. As a result, there may be odors from these activities affecting a Property.
- b. **Chatham Brothers Barrel Yard.** The Chatham Brothers Barrel Yard, once used as a solvent recycling facility and oil drum storage area, is located near the intersection of Gamble Lane and Bernardo Avenue. Designated a hazardous waste site, it is the subject of an ongoing State cleanup project. The County of San Diego, in 1987 and prior to any cleanup efforts, established an area around the site within which proposed residential projects required special review. Subsequently, extensive residential construction has been approved within that area. For further information, contact the Project Manager, California Environmental Protection Agency, Department of Toxic Substances Control at 818-551-2877, or visit www.dtsc.ca.gov/database/Calsites and request a search on Document ID 37490029.

7. Fairbanks Ranch (Unincorporated)

- a. There are easement areas throughout Fairbanks Ranch, including various open space easement requirements that may be applicable to a Property. For further information, review a preliminary title report and contact the Fairbanks Ranch Association at 858-756-4415 or www.fairbanksranch.org.
- b. There is fill soil on many lots in Fairbanks Ranch, and Fairbanks Ranch has had soils problems on specific lots which may affect a lot's suitability for development. See Section B.5.
- c. Fairbanks Ranch is a private community, managed by and through its homeowners association, and subject to the applicable CC&Rs and Bylaws. See Section A.8.
- d. There are common areas throughout Fairbanks Ranch, including tennis courts, clubhouse, equestrian center, equestrian trails, roads, greenbelts and open space. The proximity of these areas to a Property may impact the value or use of the Property.

E. Specific Area Disclosures *(continued)*

- e. The Fairbanks Ranch Equestrian Center is an amenity of the Fairbanks Ranch community. The Association's long-range plans for the Equestrian Center, and the benefits and use of the Center impact the value of a Property. For further information, contact the Fairbanks Ranch Association.

8. Fallbrook (Unincorporated)

- a. **Naval Weapons Station.** The Naval Weapons Station stores explosives munitions, including napalm, and is located along the westerly boundary of Fallbrook, and may affect the value of a Property in the vicinity. See also Sections D.2, D.3 and E.3, above.)
- b. **Public Utility District.** If the utility account of a previous owner of a Property within the Fallbrook Public Utility District is closed, delinquent or remains unpaid, the amount due will be transferred to the new owner of the Property after normal collection procedures are exhausted. As a result, and to prevent conflict, the District will accept payment of closing bills through escrow. For further information, obtain the status of a Property's account by calling the District's Customer Service number at 760-728-1125. You can find additional information at www.fpud.com.
- c. **Rosemary's Mountain Quarry.** A rock quarry near the San Luis Rey River in Fallbrook has been proposed and is referred to as Rosemary's Mountain Quarry. Properties in the vicinities of rock quarries may experience occasional explosion noise, equipment noise and dust from the quarry operations.

9. Fletcher Hills (City of El Cajon)

Portions of the Fletcher Hills area of El Cajon have been designated as an ancient slide area, and may contain unstable soils conditions. See Section B.5.

10. Gregory Canyon Landfill

The County of San Diego has proposed various landfill sites in North San Diego County, one of which is known as Gregory Canyon. For further information on this and other landfills, please visit San Diego County's Website at www.co.san-diego.ca.us/deh/landfills.htm.

11. Navajo/San Carlos Area (City of San Diego)

Because of a high incidence of landslides over the past few years, the City of San Diego has established a geological hazard area in the Navajo community bounded by Mission Gorge Road, Golfcrest Drive, Navajo Road, Waring Road and Princess View Drive in San Diego. Development in this area may be restricted by City requirements for geologic reports and warranties against landslides.

12. Poway Unified School District

Owners of properties in the Poway Unified School District, except those in Mello-Roos assessment districts, are annually assessed \$55 per \$100,000 of the assessed property value for school bonds approved by the district's voters in November 2002. For further information, log on to the school district's Website at powayusd.sdcoe.k12.ca.us.

13. Ramona (Unincorporated)

- a. **Noise, Barona Raceway and Off-Road Vehicles.** Potential noise exists from farms, ranches, factories, animals, civilian/military aircraft, heavy equipment, off-road vehicles, motorcycles, schools, and related activities. The airfield at Miramar includes Marine helicopters and other aircraft which may travel over this area. See Section D.2. Ramona Airport has a variety of aircraft that use the facility, including the California Department of Forestry.
- b. **Odors, Fumes and Dust.** Potential odors and fumes exist from county waste facilities, farms, ranches and residences, herbicides, pesticides, chemical fertilizers, soil amendments, fumes and odors.
- c. **Environmental Concerns.** Ramona is an especially sensitive community with respect to environmental concerns such as those listed in Section B.14.
- d. **Sewage.** The Ramona Municipal Water District operates the water, sewer, and all related systems in the Ramona area. An expansion and upgrading of the sewer system may be necessary in the future and may affect the ability to connect to the sewer. Some unimproved lots in the San Diego Country Estates and Ramona may not have the ability to hook up to the public sewer system or may be subject to special fees or assessments. There may be additional fees in the future. For further information, contact the Water District to verify sewer availability for a Property. Those Properties that are not hooked up to the sewer will need to have septic systems in order to construct a home. Not all properties can support a septic system. For more information, visit www.rmwd.org or call 760-789-1330.
- e. **Unavailability of Natural Gas.** Natural gas is not yet readily available in Ramona and, therefore, propane is used. Propane and propane tanks are available for purchase from vendors. The tanks may also be leased.
- f. **Explosive Ordnance.** Areas in and immediately around the Ramona Airport have been used in the past (1942 through 1946) by the military for bombing practice. Some live, unexploded military ordnance has been found and other ordnance may exist.

E. Specific Area Disclosures (continued)

14. Rancho Bernardo (City of San Diego)

- a. **Groundwater Seepage.** There are areas in Rancho Bernardo where groundwater emerges, even in summertime, including certain areas of the Seven Oaks subdivision.
- b. **Methane Gas.** See Section B.8.
- c. **Soils.** Rancho Bernardo is known to have significant areas of expansive soils. Any areas that have had substantial grading may have locations where fill has been inadequately or improperly compacted. There is a possibility of or potential for subsidence and resultant structural or cosmetic problems in such locations. See Section B.5.
- d. **Poway Unified School District.** See Section E.12.

15. Rancho Santa Fe/Del Rayo (Unincorporated)

The Rancho Santa Fe area is known to have significant areas of expansive soils. Any areas (such as the greater Fairbanks Ranch area) that have had substantial grading may have locations where fill has been inadequately or improperly compacted. There is a possibility of or potential for subsidence and resultant structural or cosmetic problems in such locations. See Section B.5. A soils report dated January 13, 1992, prepared by MV Engineering, Inc., has concluded that a soils problem exists with the retaining wall behind 5867, 5859, 5851 and 5843 Saratoga Corte (lots 36-39, inclusive), in the Del Rayo Downs development.

16. Rancho Santa Fe Farms Drive (Unincorporated and City of San Diego)

Construction has commenced to the east of the Fairbanks Ranch and the Rancho Santa Fe Farms in an area commonly referred to as Black Mountain Ranch and Santaluz. For further information, contact the San Diego City Planner or the San Diego County Planning Department at 619-236-7065, which can provide specific information regarding Rancho Santa Fe Farms Drive and the surrounding areas and potential changes in traffic patterns and activity on other area roads.

17. San Diego—Downtown (City of San Diego)

A Property in a designated redevelopment area of Downtown San Diego may be subject to noise from

traffic, trains, trolleys and ongoing construction. For further information regarding any pending or future development proposed for the area that may affect view or otherwise impact a Property, contact the Center City Development Corporation at 619-235-2200 or visit www.ccdc.com. Views, and the nature and extent of future development, are subject to the possibility of significant change within the redevelopment area.

18. Santee (City of Santee)

Santee has many pockets of geologic hazardous zones including, but not limited to, areas of liquefaction and expansive soils. For further information, you may purchase from the City of Santee the "Geotechnical/Seismic Study for the Santee General Plan," dated May 25, 1982, and the revised geotechnical study entitled, "Geotechnical/Seismic Hazard Study for the Safety Element of the Santee General Plan," dated October 31, 2002, which when adopted will replace the May 25, 1982 study. You may also obtain from the City of Santee a courtesy evaluation of a Property. For further information, contact the City of Santee Engineering Division at 619-258-4100, extension 156, or visit www.ci.santee.ca.us. Also, see Section B.5.

19. Tierrasanta (City of San Diego)

- a. **Explosive Ordnance.** The Tierrasanta community was previously the site of a World War II military training base. Some live, unexploded military ordnance has been found and is known to exist in the open space and canyon areas of Tierrasanta and may underlie other areas of the community. A comprehensive program to clean up this ordnance was started in 1990 and completed in 1994. Caution is required when in the canyons and Mission Trails Park areas.
- b. **Quarry Noise.** El Dorado Terrace, El Dorado Ridge, Sunset Ridge, El Dorado Greens, Canterbury Hills, and Monte De Oro may occasionally experience quarry explosion noise caused by V.R. Dennis Construction Company, which is planning to upgrade the existing asphalt plant on its property. For further information, contact the V.R. Dennis Construction Company.

If you are aware of any local disclosure that is not included in this booklet, please contact the San Diego Association of REALTORS®, Legal Affairs Department, via e-mail at legal@sdar.com.

Buyer/Buyer's Agent's Copy

The above disclosures are believed to be accurate, but are not intended to be a complete compilation of all circumstances or conditions in San Diego County. There may be new or additional circumstances and conditions applicable to a Property under consideration which may be of concern to Buyer. BUYER SHOULD INVESTIGATE AND OBTAIN ADDITIONAL INFORMATION ON ALL ISSUES OF CONCERN AND NOT RELY SOLELY ON THE INFORMATION RECEIVED FROM SELLER AND AGENTS. SHOULD BUYER FAIL TO DO SO, BUYER IS ACTING AGAINST THE ADVICE OF AGENTS.

TO WHOM IT MAY CONCERN: The undersigned has received the 12 pages of text of the LAD and has read, or will read within two days of receipt, the entire LAD. The undersigned acknowledges it is his or her responsibility to read and understand the LAD.

Buyer's Signature

Date

Buyer's Typed or Printed Name

Seller's Signature

Date

Seller's Typed or Printed Name

Buyer's Agent to provide copy to Buyer.

Seller/Listing Agent's Copy

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Listing Agent to provide copy to Seller.

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