

Local Area Disclosures for San Diego County



GREATER SAN DIEGO ASSOCIATION OF REALTORS®

The Trusted Voice of San Diego Real Estate

Local Area Disclosures for San Diego County

The Local Area Disclosures for San Diego County (LAD) is intended to be reviewed by Buyer and Seller along with the Statewide Buyer and Seller Advisory (California Association of Realtor form SBSA). If you do not have the SBSA, request a copy.

- The LAD provides information on conditions in San Diego County which may impact Buyer's decision to purchase the Property, and is an advisory to Buyer and Seller.
- The LAD does not relieve Seller or Brokers from making disclosures legally required of them.
- The LAD does not eliminate Buyer's duty to conduct a thorough physical inspection of the Property.
- Buyer is advised to investigate, and obtain additional information on, all issues of concern to Buyer and not to rely solely on the information received from Seller and Brokers.
- Buyer is advised to obtain in writing all information on the condition or area of the Property received from Seller and Brokers.
- Buyer is advised to consult with qualified professional advisors, consultants and appropriate governmental authorities in evaluating all information related to the Property.
- Buyer is advised that Brokers do not verify the results of any inspections, or guarantee the performance of any inspector.
- Buyer's waiver of the right to conduct a physical inspection of the Property, or to rely on someone other than an appropriate professional for such inspection, is against the advice of Brokers.

DISCLAIMER: The LAD was prepared by the Greater San Diego Association of REALTORS® ("SDAR") based on information obtained primarily from its members who conduct business throughout San Diego County and are familiar with commonly used local disclosures in those areas. SDAR believes the sources of information is reliable but has not verified all information. Conditions impacting the Property or area (especially those listed in "Specific Area Disclosures") may have changed since the LAD was published.

THE LAD HAS BEEN APPROVED BY SDAR. NO REPRESENTATION OR WARRANTY IS MADE AS TO THE VALIDITY OR ADEQUACY OF ANY OF ITS PROVISIONS IN ANY PARTICULAR TRANSACTION.

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A. General Disclosures

The best source for regional information of all kinds, but especially for transportation, is San Diego County's regional agency, the San Diego Association of Governments (SANDAG): www.sandag.org.

1. Attractions, Amusement Parks and Casinos

Buyer and Seller are advised that various public attractions and amusement parks may impact the traffic in the area near the Property or create noise which may concern some Buyers. Buyer is advised to investigate the impacts from such attractions, including the San Diego Zoo and Safari Park, SeaWorld, Qualcomm Stadium, Petco Park, Legoland, Mattress Firm Amphitheater, Aquatica Waterpark, Mission Bay, various casinos and resorts throughout the county and other public event venues.

2. County of San Diego County General Plan Update

The County of San Diego adopted a new General Plan on August 3, 2011. During the 2011 hearings a number of property owners expressed concerns with the land use designations that were applied to their land. On June 27, 2012, the Board of Supervisors directed staff to process a General Plan Amendment (GPA) for 47 separate property specific requests along with their associated study areas. It is currently estimated that this GPA should be ready for Board of Supervisors consideration by summer 2017. For more information on the General Plan, the Property Specific Requests GPA and its impact, contact the City of San Diego or visit www.sandiegocounty.gov/pds.generalplan.html.

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

Buyer and Seller are advised that many subdivisions and condominiums in San Diego County have been subject to litigation for construction and soils defects arising out of the original construction of homes. The status of any legal action and the repairs to remedy the defect may impact the value and use of the 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 subdivision. For further information, contact the Homeowners Association, if one exists, or the original home builder.

4. Fireplaces

Buyer and Seller are advised that some areas of San Diego County, including areas in Santee, Tierrasanta, Scripps Ranch, Rancho Peñasquitos and Rancho Bernardo, may have 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 Rampart General fireplaces. Repairs may be costly, if available, and replacement may be necessary.

5. High Wind and Flooding Conditions

Buyer and Seller are advised that if the Property is located in an area subject to high winds, or during storms, the Property may experience damage from blowing dust, sand and debris which can disengage roof tiles, shingles or other materials and cause trees to fall. Flooding can also occur throughout the county during storms, resulting in property damage, slippage of embankments, or leaks to structures that occur during such weather conditions.

6. Homeowners' Associations

Buyer and Seller are advised that the Property may be subject to mandatory membership in one or more Homeowners' Associations (HOAs). HOAs may impose restrictions on the use and development of the Property according to the HOA's Conditions, Covenants and Restrictions (CC&Rs) and Bylaws. If there are multiple HOAs, they may each charge separate dues.

7. Prisons and Jails

Buyer and Seller are advised that there are prisons, jails and detention centers located in the County of San Diego which may influence Buyer's decision to purchase. Buyer is advised to investigate the impact, if any, of such facilities.

8. Proposition 65

Buyer and Seller are advised that the California Safe Drinking Water and Toxic Enforcement Act of 1986, also known as Proposition 65, which became effective on January 1, 1988, concerns potential health danger from hazardous chemicals. Proposition 65 requires all businesses (including all builders of residential homes) to provide a warning to the public of the danger of potential harm by exposure to these chemicals.

9. Historic Review/Historic Districts

Buyer and Seller are advised that many municipalities in San Diego County have historic resource ordinances which can impact a property owner's ability to modify or demolish a property. In the City of San Diego, for example, a building not located in an exempt area that is at least 45 years old may be subject to historic review before demolition or exterior modification is permitted. The City of San Diego also has a number of Historic Districts that may impact whether a property may be modified. Buyer should contact the planning department of the city (or the county) to determine what impact a historic ordinance may have on the Property. For properties located in unincorporated areas, contact the County Department of Planning and Land use, Historic Site Board, (858) 694-2960, or visit www.sandiego.gov/planning/programs/historical/districts. For more information on historic districts, visit www.sohosandiego.org/resources/historicdistricts.htm.

10. Sycamore to Peñasquitos Electric Transmission Line

Construction is underway on a new 230-kv transmission line that will run between SDG&E's existing Sycamore Canyon and Penasquitos substations. SDG&E anticipates completion of the project in Summer of 2018. For more information on the affected neighborhoods, visit www.sdge.com/sx-pq.

11. Trolley and Trains

Buyer and Seller are advised that 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 and train information can be accessed at www.511sd.com. Refer to Section C.7 below for additional information.

12. Water Retrofit

Buyer and Seller are advised that various cities, including Del Mar and San Diego, may require installation of low-flow water devices in sinks, shower heads and toilets upon transfer of a property. Compliance with these local regulations may be required in addition to those imposed under California Civ. Code section 1101.4 and 1101.5. 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 before closing escrow on the property.

13. Illegal Encampments

Illegal encampments are located throughout San Diego County, often in open space or canyon areas. Law enforcement authorities have not been able to eradicate all such encampments. Concerned Buyers should investigate this potential issue.

14. Soil and Geologic Conditions

See paragraphs 3 and 4 of the California Association of REALTORS® Statewide Buyer and Seller Advisory (SBSA).

15. Gas Pipelines

Buyer and Seller are advised of the existence of underground "transmission" pipelines used to transport natural gas, crude petroleum, and refined petroleum liquids such as gasoline, jet fuel, and ethanol in San Diego County. In addition, smaller "distribution" pipelines that operate at lower pressures also exist in San Diego County. Each home that uses natural gas is connected to an underground gas distribution pipeline. Pipeline proximity has become a concern to some homeowners following a number of pipeline disasters in the U.S. While buried pipelines can pre-sent a risk of explosion, fire, and other health hazards, proximity to a pipeline does not of itself indicate a safety risk. Information on the location of transmission pipelines can be obtained from Natural Hazard Disclosure (NHD) providers. At this time, not all NHD providers report this information. Information on the location of hazardous liquid and natural gas transmission pipelines can also be obtained from the National Pipeline Mapping System at <http://www.npms.phmsa.dot.gov/default.htm>. San Diego Gas & Electric provides gas pipeline information which can be accessed at <http://www.sdge.com/safety/gas-safety/putting-safety-first>.

16. Property Photographs and Data Online

Buyer and Seller acknowledge and understand that the Property was likely listed in the Multiple Listing Services and advertised for sale on the internet. As such, persons listing or entering onto the Property may have photos and/or videos of the Property. Once images of

the Property are taken or put on the internet or otherwise, neither the Broker nor the Seller has control over the use of the images, how long they are available to the public via the internet, or who views such images after the sale of the Property.

B. Environmental Disclosures

1. Animals and Insects

Buyer and Seller are advised that the Property may be inhabited by various species of animals and pests, from insects and bees, 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

Buyer and Seller are advised that 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 can impact the Property and the ability to build on the Property.

3. Electrical and Magnetic Fields (EMFs)

Buyer and Seller are advised that Electric and Magnetic Fields (EMFs) are found wherever there is electricity, including underground power lines. Brokers are not qualified to explain potential risks associated with EMFs, if any. 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, visit www.sdge.com and type “emf” in the search line.

4. Flooding Valleys

Buyer and Seller are advised that properties in river valleys, including Mission Valley, San Dieguito River Valley and San Luis Rey River Valley may be subject to flooding in periods of heavy rain. A property’s history of flooding and potential to flood may impact its value and use, and availability and cost of flood insurance.

5. Landfills

Buyer and Seller are advised that within San Diego County there are several active landfills, including the Borrego Landfill, Las Pulgas Landfill, Miramar Landfill, Otay Landfill, San Onofre Landfill and Sycamore Landfill located in Santee. There may be other known or undiscovered, inactive landfills located within San Diego County. For more information about these and other possible landfills visit www.sandiego.gov/environmental-services.com.

6. Chinese Drywall

Buyer and Seller are advised that some homes built between 2003 and 2008 may contain imported defective drywall known in the press as “Chinese drywall.” Some residents of properties with this drywall have reported problems, including a strong sulfur smell, like rotten eggs; health issues, like irritated and itchy eyes and skin; difficulty breathing; a persistent cough and headaches; and premature corrosion or deterioration of certain metal components in their homes, like air conditioner coils and wiring behind electrical outlets and inside electrical panel boxes. Eliminating problems associated with the drywall may require its removal from the home. For more information, visit the Consumer Product Safety Commission website at www.cpsc.gov/infodrywall/index.html.

7. Hazardous Materials

Buyer and Seller are advised that the Property may contain hazardous materials, including asbestos, lead, radon, and formaldehyde. Various hazardous materials, such as paint, solvents, cleaning supplies or insecticides, may remain on the Property after close of escrow and require special handling, removal and disposal. Information on these and other hazards is contained in the Homeowner’s Guide to Environmental Hazards.

8. Lead Hazard Inspection

Buyer and Seller are advised that 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. For residences built before 1978, Buyer is to receive the Federal Lead-Based Paint Pamphlet and disclosure by seller 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, contact the California Department of Health Services certified inspector/assessor at www.cdph.ca.gov/programs/CLPPB or www.epa.gov/lead.

9. Methane Gas

Buyer and Seller are advised that 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. For more information, visit www.sdge.com/methane-gas/methane-gas.

10. Nuclear Energy/Material

a. San Onofre Nuclear Generation Station

Buyer and Seller are advised that this inactive nuclear power facility located on the San Diego coast, near the Orange County line, contains two nuclear power generators and stores radioactive waste. For further information, including an Emergency Plan and Evacuation Zone Map, please view the following websites:
U.S. Government Nuclear Regulatory Commission: www.nrc.gov
Southern California Edison: www.sce.com and type "San Onofre" in the search line.
Beyond Nuclear Institute: www.beyondnuclear.org
Union of Concerned Scientists: www.ucsusa.org
Nuclear Information & Resource Service: www.nirs.org
Alliance for Nuclear Responsibility: www.a4nr.org

b. Naval & Military Bases

Buyer and Seller are advised that various military bases, including North Island Naval Air Station,

Naval Amphibious Base, Pt. Loma Submarine Base and 32nd Street Naval Station contain naval vessels which may carry nuclear weapons and/or may be nuclear powered. For further information, visit www.militarybases.com.

11. Trees, Crops and Vegetation—Economic Significance

Buyer and Seller are advised that if any trees or crops located on the 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. Private Waste Disposal Systems

Buyer and Seller are advised that if the Property is serviced by a private waste disposal or septic system, its condition, capacity and future expansion potential will affect the value and use of the Property. Changes in the use or condition of the system may also require that the Property be connected to the municipal sewer system, at the owner's expense. For more information, contact the local municipal water and sewer department.

13. Toxic Mold Advisory

Buyer and Seller are advised that the presence of certain kinds of mold, fungi, mildew and other organisms may cause health problems in certain individuals. Not all hazardous organisms are detectable by visual inspection by Brokers or even by a professional home inspector. If concerned, Buyer should retain the services of an environmental expert to conduct appropriate tests of the property. For more information on toxic mold and other health hazards, visit California Dept. of Public Health (CDPH): www.cdph.ca.gov
U.S. Environmental Protection Agency (EPA): www.epa.gov/mold

14. General Environmental Concerns

Buyer and Seller are advised that environmental concerns may affect the development and use of a Property including local restrictions on use, 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

Buyer is advised to investigate road conditions and traffic in the areas Buyer intends to travel. For highway conditions, call 1-800-427-7623. The CalTrans website, www.dot.ca.gov, includes information on traffic, road closures and upcoming projects. Its local San Diego telephone number is (619) 688-6699. These traffic and road disclosures are not an exhaustive list. If concerned, Buyer should investigate further.

1. Major Freeways – Traffic

Buyer and Seller are advised that Interstates 5 (I-5), 15 (I-15) and 805 (I-805) and State Routes 125 and 163 are major San Diego County north-south freeways. Highways 52, 56, 76, 78 and 94 and Interstate 8 (I-8) are major San Diego County east-west freeways. Due to increased traffic volume and timing, these freeways and their interconnecting roads may regularly experience traffic resulting in delays. For current traffic information, visit <https://traffic.511sd.com>.

2. Route 76 Expansion

Buyer and Seller are advised that a project widening and realigning a portion of State Route 76 East, from Mission Road west to Jeffrey's Ranch is underway. CalTrans expects this final phase of the project to be completed in the summer of 2017. For further information, visit www.keepsandiegomoveing.com.

3. Mass Transit

Buyer and Seller are advised that construction is underway on a Mid-Coast Trolley Blue Line to run adjacent to I-5 between Old Town and Voight Drive, then to a new transit center at Westfield UTC. Completion of this project is set for Fall 2021. For further information, contact the Metropolitan Transit Development Board at (619) 231-1466 or visit www.sandiego.gov/planning/programs and look for the "Transportation Planning" link.

4. Buses

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

- a. For San Diego, visit www.sdmts.com.
- b. For North County, call the North San Diego County Transit District (NCTD) at (760) 966-6500, or visit www.gonctd.com.

If you are aware of any local disclosure that should be included in this booklet and is not, please contact the SDAR Risk Management Department via e-mail at legal@sdar.com. Thank you.

D. Air Traffic and Airport Disclosures

Buyer is advised to investigate the area in which the Property is located before purchasing for potential impacts from aircraft noise, flyovers or airports. These disclosures are not an exhaustive list of airport or air fields that may affect county residents:

1. Aircraft Noise—General

Buyer and Seller are advised that some areas are subject to noise emitted by military and/or civilian aircraft including helicopters. Properties near a commercial airport or military facility may impact the Property. If a Property is in the vicinity of the following civilian airports or military air fields, further information may be obtained by contacting the appropriate airport management:

(a) Agua Caliente Springs, (b) Borrego Valley Airport, (c) Brown Field, (d) Fallbrook Airpark, (e) Gillespie Field, (f) Jacumba, (g) Marine Corps Air Station Miramar, (h) Marine Corps Base Camp Pendleton, (i) McClellan-Palomar, (j) Montgomery Field, (k) Naval Air Station North Island, (l) Naval Outlying Field Imperial Beach, (m) Oceanside, (n) Ocotillo, (o) Ramona, (p) San Diego International, or private airports. Buyer and Seller are further advised that flight paths may be temporarily or permanently altered without notice to affected residents.

2. Aircraft Noise—MCAS Miramar, Camp Pendleton

- a. Buyer and Seller are advised that the Property may be located in an area subject to aircraft noise or over flights of aircraft, including helicopters transitioning 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, and if necessary can operate 24 hours a day, seven days a week.
- b. Buyer and Seller are advised that impacts generated by the use of aircraft at MCAS Miramar can affect the use and enjoyment of the Property. 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.

- c. Buyer and Seller are advised that if the Property is located within a 25-mile radius of the U.S. Marine Corps Air Station or Camp Pendleton, military operations may have an impact on the Property.

3. Proposed Airport Sites

Buyer and Seller are advised that various areas in San Diego County have been proposed, or are being considered, as sites for a future international airport, including expanding Lindberg Field. For further information contact the San Diego County Regional Airport Authority at www.san.org or visit SANDAG at www.sandag.org.

4. Air Installation Compatible Use Zone (AICUZ) Program

The goal of the Department of Defense's (DOD) Air Installation Compatible Use Zone (AICUZ) Program is to protect the health, safety, and welfare of those living on and near a military airfield while preserving the operational capability of the airfield. AICUZ seeks to identify areas near airfields that might be impacted by noise or aircraft mishaps. If you are considering a property purchase in Coronado, Imperial Beach, Point Loma or areas surrounding MCAS Miramar, the studies may be of interest to you.

- a. The San Diego Airport Land Use Commission has issued a draft (May 2017) of their latest Airport Land Use Compatibility Plan (ALUCP) for North Island/Imperial Beach based on the Navy AICUZ study released in 2011. This ALUCP may mandate the City of Coronado to change the zoning, specific use, and permitting process for parcels located in the zones identified in the AICUZ and ALUCP. Prospective purchasers are advised to read both reports, and should contact the Coronado and Imperial Beach Planning Departments for additional information.
- b. The USMC AICUZ study for Marine Corps Air Station (MCAS) Miramar is more dated, but is available at the MCAS Miramar website: www.miramar.usmc.mil. Portions of Sorrento Valley, Carmel Valley and University City are included in what the Marine Corps refer to as Accident Potential Zones.

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. COASTAL

a. California Coastal Commission

Buyer and Seller are advised that development or construction on property within the coastal zone may be subject to the jurisdiction and regulations of the California Coastal Commission, or local regulations approved by the 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 California Coastal Commission at (619) 767-2370 or www.coastal.ca.gov.

b. Camp Pendleton

Buyer and Seller are advised that 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 of North San Diego County. For further information, contact Camp Pendleton at (760) 725-4111 or visit www.pendleton.marines.mil. For noise inquiries, contact Range Operations Division Office at (760) 725-0358 during the hours of 7:30 a.m. to 4:30 p.m., Monday through Friday. After normal business hours (and weekends), contact the Command Duty Officer at (760) 725-5061.

c. Coronado Island (City of Coronado)

Buyer and Seller are advised that:

- i. **Naval Base Coronado.** This base comprises North Island Naval Station, Naval Amphibious Base Coronado, Outlying Landing Field Imperial Beach, and a number of other small facilities. Military ordnance, possibly including

nuclear weapons, may be stored at these facilities. Nuclear powered warships moor at NAS North Island. For more information about Naval Base Coronado, visit its website:

www.cnmc.navy.mil/coronado/index.htm.

ii. Coastal Campus Expansion - Coronado Cays.

The Navy is currently developing 170 acres on the south end of Coronado for a training and administrative center.

- iii. **Traffic.** Traffic to and from Naval Base Coronado can be heavy. Streets particularly affected are: First, Third, Fourth, Orange, Alameda, Ocean, Pomona, and Silver Strand Boulevard. For more information, visit www.cnmc.navy.mil/coronado/index.htm.

- iv. **Development.** City of Coronado development and zoning standards have changed in recent years. Buyer should verify with the City of Coronado any proposed changes to existing structures and/or zoning constraints on new construction. Many structures no longer comply with the current zoning code.

- v. **Historic Demolition Ordinance.** The City of Coronado has implemented an ordinance which may limit a Buyer's ability to modify or demolish older homes. Homes older than 75 years are automatically subject to City review before any significant changes are allowed. Buyer is urged to consult with the City if demolition or modifications are contemplated.

- vi. **Coronado Shores Condominiums.** Of the 10 Coronado Shores buildings, the following five buildings are without fire sprinklers: 1720, 1730, 1760, 1770 and 1830 Avenida del Mundo. The same buildings have tested positive for asbestos. 1830 Avenida Del Mundo has leased rooftop space for wireless communication carriers. Buyers are urged to contact individual building managers for building specific information.

- vii. **Hotel Del Coronado.** The City of Coronado has approved a master plan for expansion of the Hotel Del Coronado. Details can be found at www.coronado.ca.us.

2. NORTH COUNTY INLAND

a. Fallbrook (Unincorporated)

Buyer and Seller are advised that:

i. Naval Weapons Station. The Naval Weapons Station stores explosive munitions, including napalm, and is located along the westerly boundary of Fallbrook. For further information, contact (760) 731-3609, or www.cnmc.navy.mil. (See also Sections D.2 and E.1.b, above.)

ii. 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. Additional information is at www.fpubd.com.

iii. Rosemary's Mountain Quarry. Rosemary's Mountain Quarry is an active rock quarry located near the San Luis Rey River. Properties in the vicinities of the rock quarries may experience occasional explosion and equipment noise, increased industrial traffic and dust from the quarry operations.

iv. New Development. Construction is underway on a master planned community known as Horse Creek Ridge located east of the I-15 and Highway 76 junction. When completed the residential segment of the development will include 500+ single family residence and 230 condominiums. For more information, visit www.drhorton.com.

b. Bonsall (Unincorporated)

Buyer and Seller are advised that 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.

c. Escondido (City of Escondido)

Buyer and Seller are advised that:

i. Agricultural Activity and Odors. Areas of Escondido may contain farms, chicken ranches,

horse ranches and dairies. As a result, there may

be odors and noise from these activities that affect a property.

ii. 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 subject to an ongoing State cleanup project. In 1987 the County of San Diego established an area around the site within which proposed residential projects required special review. 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 (800) 728-6942, or visit www.dtsc.ca.gov/database and request a search on Document ID 37490029.

d. Ramona (Unincorporated)

Buyer and Seller are advised that:

i. 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. Marine helicopters and other aircraft from MCAS Miramar may travel over this area. See Section D.2 above. The Ramona Airport has a variety of aircraft that use the facility, including the California Department of Forestry.

ii. 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.

iii. Environmental Concerns. Ramona strictly enforces the rules regarding the use of private waste disposal or septic systems. See B.12 above.

iv. Sewage. The Ramona Municipal Water District operates the water, sewer, and 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. A Property that is not hooked up to the sewer will need to have a septic system to construct a home. Not all properties can support a septic system. For more information, visit www.rmwd.org or call (760) 789-1330.

v. Unavailability of Natural Gas. Natural gas is not yet readily available in Ramona and, therefore, propane is used. Propane tanks are available for purchase or lease from vendors.

vi. 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. Rancho Bernardo (City of San Diego)

Buyer and Seller are advised that:

i. Groundwater Seepage. There are areas in Rancho Bernardo where groundwater emerges, even in summertime, including certain areas of the Seven Oaks subdivision.

ii. Methane Gas. See Section B.8 above.

iii. Soils. Rancho Bernardo is known to have significant areas of expansive soils. Any area that has had substantial grading may have locations where fill has been inadequately or improperly compacted. There is a potential for subsidence and resultant structural or cosmetic problems in such locations. See paragraph 3 of the Statewide Buyer and Seller Advisory.

iv. Poway Unified School District.
See next paragraph.

f. Poway Unified School District

Buyer and Seller are advised that 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 (Proposition U). For further information, visit the school district's website at www.powayusd.com.

g. Rancho Santa Fe / Del Rayo (Unincorporated)

Buyer and Seller are advised that 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 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., 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.

h. Fairbanks Ranch (Unincorporated)

Buyer and Seller are advised that:

i. There are easement areas throughout

Fairbanks Ranch, including various open space easement requirements that may be applicable to the Property. For further information, review a preliminary title report and contact the Fairbanks Ranch Association at (858) 756-4415 or www.fairbanksranch.org.

ii. There is fill soil on many lots in Fairbanks

Ranch, and soils problems on specific lots may affect a lot's suitability for development. See paragraph 3 of the Statewide Buyer and Seller Advisory.

iii. Fairbanks Ranch is a private community,

managed by and through its homeowners association, and subject to applicable CC&Rs and Bylaws. See Section A.6 above.

iv. 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 the Property may impact its value or use.

v. The Fairbanks Ranch Equestrian Center is an amenity of the Fairbanks Ranch community.

The Fairbanks Ranch Association's long-range plans for the Equestrian Center, and the benefits and use of the Center impact the value of the Property. For further information, contact the Fairbanks Ranch Association at (858) 756-4415.

3. EAST COUNTY

a. Santee (City of Santee)

Buyer and Seller are advised that:

- i. **The Las Colinas Women's Jail** is to be significantly enlarged in the future.
- ii. **The Sycamore Landfill** facility is due to be enlarged by approximately three times its current capacity.

For information on these and other matters in Santee, visit www.ci.santee.ca.us.

b. Fletcher Hills (City of El Cajon)

Buyer and Seller are advised that portions of Fletcher Hills in the area of El Cajon have been designated as an ancient landslide area, and may contain unstable soils conditions. See Statewide Buyers and Sellers Advisory (SBSA), paragraph 3, "Soils and Geologic Conditions," and paragraph 4, "Geologic Hazards."

c. Tierra Del Sol/Boulevard/Campo Area

Buyer and Seller are advised that there is a proposed landfill known as the "Campo Municipal Solid Waste Landfill and Recycling" to be built near the southern end of the Campo Indian Reservation. This proposed landfill may impact the environment, including creating additional traffic. For further information on this, visit www.campo-nsn.gov/campolandfill.html.

4. SAN DIEGO (City of San Diego)

a. Tierrasanta

Buyer and Seller are advised that:

- i. **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 began in 1990 and was completed in 1994. Caution is required when traveling in the canyons and Mission Trails Park areas.
- ii. **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.

b. Navajo/San Carlos Area

Buyer and Seller are advised that due to 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.

c. Downtown San Diego

Buyer and Seller are advised that:

- i. **Traffic and Noise.** Downtown San Diego (including the Gaslamp Quarter) is subject to noise from trolley, trains, and heavy traffic at times, especially when there is a baseball game or other event at Petco Park. There are also other events such as Mardi Gras, symphony Summer Pops Concerts, marathons, and music and sports events that cause street closures and other traffic problems, and noise, including but not limited to fireworks.
- ii. **New Buildings.** Views may be altered or obstructed by new buildings, parks, trees and other projects. From time to time, there are noise issues related to construction.
- iii. **The Homeless.** Downtown and adjacent areas experience the congregation of homeless and transients. Programs exist that service them, such as temporary housing, food distribution centers, and healthcare outreach facilities.
- iv. **Governments.** Downtown is home to administrative offices of the City of San Diego, the County of San Diego, the State of California, and the U.S. (federal) government, including the U.S. District Court, IRS, Navy, Customs, Social Service Administration, and others. Both the federal government and the County operate correctional facilities downtown. For specific information, visit the websites of the appropriate agencies.
- v. **Information.** For more information, visit the website of the agency in question. Information may also be obtained from Civic San Diego at (619) 235-2200 or visit www.civicsd.com. For Gaslamp Quarter events: www.gaslamp.org.

5. SOUTH COUNTY

a. Chula Vista

Buyer and Seller are advised that:

- i. **Mattress Firm 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.
- ii. **Aquatica SeaWorld Waterpark** is located east of I-805 at Main Street/Otay Valley Road exit.
- iii. **Tijuana International Airport** is located approximately five miles south of the U.S.-Mexico border.
- iv. **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.10.
- v. **Bayfront Development**. Both Chula Vista and National City may be subject to bay front development including a Convention Center and resort hotel. If approved, the project is expected to be carried out in four major phases over the next two decades.
- vi. **Eastern Urban Center (EUC)**. Chula Vista has approved a 20-year project, the Eastern Urban Center, which will create an urban epicenter in the middle of the suburban 23,000-acre Otay Ranch community in eastern Chula Vista. The EUC is currently being designed to include over 3.4 million square feet of commercial space (office, civic and retail) and approximately 3,000 multifamily housing units. The EUC is located along the recently opened South Bay Expressway between Birch Road and Hunte Parkway.

b. All Border Areas – Impacts from Mexico

- i. South County may experience air, water, sewage, and noise pollution from activities in Mexico. For information on air pollution go to www.sdapcd.org. For water pollution, go to www.waterboards.ca.gov/sandiego/. The noise is primarily from the Tijuana airport.
- ii. Buyer should evaluate the impact to the Property that illegal crossings along the U.S.-Mexico border may have, as well as any new construction or activity along the border. For further information, visit www.usborderpatrol.com.

6. DESERT

a. Borrego Springs

The Salton Sea, east of Borrego Springs, occasionally experiences wind conditions that cause odors to be transmitted from the Salton Sea to the Borrego Valley. For more information, visit the County of San Diego website: www.saltonsea.ca.gov/about/faq.htm.

b. Border Problems. See Section E.5.b., above.



If you are aware of any local disclosure that should be included in this booklet and is not, please contact the SDAR Risk Management Department via e-mail at legal@sdar.com. Thank you.

SIGNATURE PAGE

The LAD does not list all conditions in San Diego County that may affect the Property. There may also be new conditions since the LAD was published, or conditions of concern to the Buyer. BUYER SHOULD INVESTIGATE AND OBTAIN ADDITIONAL INFORMATION ON ALL ISSUES OF CONCERN, AND NOT RELY SOLELY ON THE INFORMATION RECEIVED FROM SELLER AND BROKERS. SHOULD BUYER FAIL TO DO SO, BUYER IS ACTING AGAINST THE ADVICE OF BROKERS.

Buyer and Seller are encouraged to read the LAD carefully. By signing below, Buyer and Seller acknowledge that each has read, understands and received a copy of the LAD (16 pages).

BUYERS

Date

Date

Buyer Signature

Buyer Signature

Buyer Printed Name

Buyer Printed Name

SELLERS

Date

Date

Seller Signature

Seller Signature

Seller Printed Name

Seller Printed Name

