

Local Area Disclosures for San Diego County



 **SDAR**
San Diego Association of REALTORS®

Local Area Disclosures for San Diego County

The Local Area Disclosures for San Diego County (LAD) is intended to provide information which may impact Buyer's decision to purchase a property ("Property") in San Diego County. The LAD does not relieve Seller or Brokers from making disclosures legally required of them, nor does it 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 and not to rely solely on the information received from Seller and Brokers. Any information Buyer receives from Seller or Brokers on the condition of a Property or area upon which Buyer intends to rely should be in writing and signed by the person providing the information. Seller should provide to Buyer written disclosure of all material facts known to Seller which are applicable to Seller's property whether or not such facts may be also set forth in the LAD. Buyer should consult with qualified professional advisors, consultants and appropriate governmental authorities in evaluating all potential risks and information with respect to a Property regardless of the source of the information.**

Brokers do not verify the results of any inspections or guaranty the performance of any inspector or service. Any election by Buyer to waive the right to a physical inspection of the Property or to rely on someone other than an appropriate professional is against the advice of Brokers

DISCLAIMER: The information in this LAD has been gathered primarily from members of the San Diego Association of REALTORS® who conduct business in various areas of San Diego County and who are familiar with commonly used local disclosures in those areas. The sources of the information in the LAD are believed to be reliable by the San Diego Association of REALTORS®, but in many cases constitute the opinions of its members and have not been verified by the Association. In addition, conditions of a Property or area (especially those listed under the section entitled "Specific Area Disclosures") may have improved, been corrected, or otherwise changed since the information in this LAD was received.

THIS FORM HAS BEEN APPROVED BY THE SAN DIEGO ASSOCIATION OF REALTORS®. NO REPRESENTATION OR WARRANTY IS MADE TO THE VALIDITY OR ADEQUACY OF ANY OF ITS PROVISIONS IN ANY PARTICULAR TRANSACTION.

Important: LAD is intended to be used with Statewide Buyer and Seller Advisory. Parties should request SBSA if they have not received it.

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A. General Disclosures

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 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, various casinos and resorts throughout the county and other public event venues.

2. County of San Diego General Plan Update 2020

General Plan 2020 is a multi-year project which began in August 1998 to update the San Diego County General Plan. The current general plan for the unincorporated county has not been comprehensively updated since 1979 and has been the subject of substantial modification over the years. During this period, considerable growth and change has taken place, leading to the incorporation of a number of cities and to annexation of lands on the periphery of the unincorporated area. Today, the unincorporated area of the county is comprised of 84% of the total land area of San Diego County and is estimated to support 16% of the entire county's population of approximately 2.8 million inhabitants. According to the San Diego Association of Governments (SANDAG), the population of the entire County is estimated to grow to approximately 3.6 million by the year 2020 and the existing population of the unincorporated area (442,919) is projected to grow to approximately 627,142. General Plan 2020 will form a framework into which the unincorporated communities will grow, shaping the future of San Diego County. The end product will be a document that protects the environment, accommodates population growth, and links that growth to the provision of required facilities and services. For more information, visit www.co.san-diego.ca.us/cnty/cntydepts/landuse/planning/GP2020/index.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 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. Fireplaces

Buyer and Seller are advised that 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.

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 on the property, 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 a Property may be subject to one or more Homeowners' Associations (HOAs), to which membership is mandatory. Many planned communities in San Diego County 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 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.

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 satisfy him/herself with regard to the impact, if any, of such facilities.

8. Proposition 65

Buyer and Seller are advised that the California Safe Drinking Water and Toxic Act of 1986, also known as Proposition 65, which became effective on January 1, 1988, concerns potential health danger posed by use of 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. San Diego Historical Review

Buyer and Seller are advised that if a building is at least 45 years old it may be subject to historic review by the City of San Diego's and other cities' Historical Sites Boards. 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 City of San Diego Historical Resources Board at (619) 235-5224. For information on obtaining permits, contact the City of San Diego Development Services Department at (619) 446-5000.

10. Sunrise Powerlink – New Electric Transmission Line

SDG&E has proposed to build an electric transmission line from the Imperial Valley to San Diego called the Sunrise Powerlink, a new "energy super highway" to link to the state's energy grid. This project is in the public forum and application stages and an environmental report was expected in mid-2006. If approved, the project is expected to be in service by the year 2010. One of

the electric transmission line connectors is at State Highway 2, near Warner Springs, but the line may come through Ramona. Buyer is advised to review this information as to how this electric transmission line might affect the property. For more information, contact SDG&E's website:

www.sdge.com/sunrisepowerlink.com or by telephone at (877) 775-6818.

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 information can be accessed through *www.sdcommute.com*. Also refer to Section C.6 for additional information.

12. Water Retrofit

Buyer and Seller are advised that 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.

13. Illegal Encampments

Illegal encampments are located throughout San Diego County, often in open space or canyon areas. Law enforcement authorities have not eradicated such encampments which continue to exist. Concerned Buyers should investigate this potential issue.

B. Environmental Disclosures

1. Animals

Buyer and Seller are advised that 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

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 of a Property will 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, 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

Buyer and Seller are advised that 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

Buyer and Seller are advised that many areas of Southern California experience settling, slippage, earthquake and other land movement problems. Property in San Diego County may contain clay, adobe and other expansive soils or be on ocean front, cliff soil or slope, 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.

6. 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. 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

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. 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

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. 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. Nuclear Energy/Material

a. San Onofre Nuclear Generation Station.

Buyer and Seller are advised that this active nuclear power facility located on the San Diego coast, near the Orange County line, contains two nuclear power generators and stored radioactive nuclear waste. For further information, including an Emergency Plan and Evacuation Zone Map, view the following web sites: U.S. Government Nuclear Regulatory Commission: www.nrc.gov
Southern California Edison: www.sce.com/PowerandEnvironment/PowerGeneration/SanOnofreNuclearGeneratingStation
Nuclear Policy Research Institute: www.nuclearpolicy.org
Union of Concerned Scientists: www.uscsusa.org
Nuclear Information & Resource Service: www.nirs.org
Alliance for Nuclear Responsibility: www.a4nr.org

b. North Island Naval Air Station/

Naval Amphibious Base. Buyer and Seller are advised that 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.nbc.navy.mil.

10. Trees, Crops and Vegetation—Economic Significance

Buyer and Seller are advised that 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.

11. Waste Systems

a. Septic Systems. Buyer and Seller are advised that 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. Buyer and Seller are advised that 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.

12. General Environmental Concerns

Buyer and Seller are advised that 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.

For further information contact the Department of Transportation, District 11, P. O. Box 85406, San Diego, CA 92186-5406. Their website can be found at www.dot.ca.gov/dist11.

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

Buyer and Seller are advised that 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

Buyer and Seller are advised that 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

CalTrans has plans to extend State Route 52 in a west-to-east direction from its current connection at the junction of State Route 125 in Santee to State Route 67 in Lakeside/Santee. According to CalTrans, construction is scheduled to begin in the fall of 2007 with a completion date in approximately 2010.

4. Route 76 Expansion

Buyer and Seller are advised that 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.

5. Route 125 Construction

- a. Buyer and Seller are advised that 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. Buyer and Seller are advised that 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.

6. Mass Transit

Buyer and Seller are advised that 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.

7. 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 in which Buyer is considering purchasing a residence, for potential impacts from aircraft noise, flyovers or airports.

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. 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) 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.

2. Aircraft Noise—MCAS Miramar, Camp Pendleton

- a. Buyer and Seller are advised that 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. Buyer and Seller are advised that 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. Buyer and Seller are advised that 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. Buyer and Seller are advised that 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

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 Airport Authority, Airport Planner; (619) 400-2478, or visit the web site: www.san.org.

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)

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.

2. California Coastal Commission

Buyer and Seller are advised that 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

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 in North San Diego County. For further information, contact Camp Pendleton at (760) 725-4111.

4. Chula Vista and South County

Buyer and Seller are advised that:

- a. 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.
- b. Knott’s Soak City Waterpark** is located east of I-805 at the Main Street/Otay Valley Road exit.
- c. Tijuana International Airport** is located approximately five miles south of the U.S.-Mexico border.
- d. 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.
- e. Bay front Development.** Chula Vista may be subject to bay front development, currently under consideration, including the Gaylord Facility Convention Center and a potential football stadium. Bay front development is also under consideration for National City.

5. Coronado Island (City of Coronado)

Buyer and Seller are advised that:

- a. Naval Base Coronado.** This command comprises North Island Naval Station, Naval Amphibious Base Coronado, Outlying Landing Field Imperial Beach, and a number of other small facilities. Military ordinance, 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 web site: www.nbc.navy.mil

- b. Traffic.** Traffic to and from Naval Base Coronado can be heavy. Streets particularly affected are: First, Third, Fourth, Orange, Alameda, Ocean and Pomona. For more information about Naval Base Coronado, visit its web site: www.nbc.navy.mil.
- c. Development:** City of Coronado development and zoning standards have changed in recent years and may limit new construction or modifications to an existing structure. Buyer is urged to verify with the city before considering any such changes to a property.
- d. Historic Demolition Ordinances.** The City of Coronado has implemented an ordinance which may limit a Buyer’s ability to modify or demolish older homes. The City is developing a list of homes that require a Historic Review before a demolition permit may be issued. Buyer is urged to verify with the city whether a particular property is affected.
- e. 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.

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)

Buyer and Seller are advised that:

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.5.

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. 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)

Buyer and Seller are advised that:

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)

Buyer and Seller are advised that 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

Buyer and Seller are advised that 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 web site at www.co.san-diego.ca.us/deh/chdlgchome.html

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

Buyer and Seller are advised that 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

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. For further information, log on to the school district's web site at powayusd.sdcoe.k12.ca.us.

13. Ramona (Unincorporated)

Buyer and Seller are advised that:

- 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.12.
- 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.

14. Rancho Bernardo (City of San Diego)

Buyer and Seller are advised that:

- 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)

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 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. San Diego—Downtown (City of San Diego)

Buyer and Seller are advised that property in the Downtown San Diego area may be subject to noise from traffic, trains, trolleys and ongoing construction. Views from properties may also be subject to significant change due to new construction. The Downtown area is also subject to events at Petco Park, and for Mardi Gras, film productions, and other events which may cause temporary street closures. For more information, contact Centre City Development Corporation at (619) 235-2200 or visit www.ccdc.com. For Gaslamp Quarter events: www.gaslamp.org.

17. Santee (City of Santee)

Buyer and Seller are advised that 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. Also, see Section B.5.

18. Tierra Del Sol/Boulevard/Campo Area

Proposed Landfill. Buyer and Seller are advised that there is a proposed landfill known as the “Campo Municipal Solid Waste Landfill and Recycling: that would be built in 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 the web site: www.campolandfill.com.

19. Tierrasanta (City of San Diego)

Buyer and Seller are advised that:

- 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.

20. Borrego Springs

The Salton Sea east of Borrego Springs occasionally creates wind conditions that cause odors to be emitted from the Salton Sea to the Borrego Valley. For more information, contact the County of San Diego web site: www.co.san-diego.ca.us.

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



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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 BROKERS. SHOULD BUYER FAIL TO DO SO, BUYER IS ACTING AGAINST THE ADVICE OF BROKERS.

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 Broker to provide copy to Buyer.

Seller/Listing Broker's Copy

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Seller's Signature _____ / _____ Date _____

Seller's Typed or Printed Name _____ / _____

Buyer's Broker to provide copy to Seller.

