



ADVISORY/DISCLOSURE RE: BUILDING PERMITS, NON-PERMITTED CONSTRUCTION

PROPERTY: 16 Ledyard St. SF CA
BUYER:
SELLER:

Many residential properties bought and sold locally are to some extent out of compliance with building permit and Uniform Building Code requirements. Some such violations are minor and inconsequential, posing little or no risk or concern to owners; some have a potential for greater concern. Some non-permitted items of construction or repair add value to a property, while others will adversely affect value.

It is, therefore, worthwhile for Buyer to understand that there are potential risks in purchasing any property on which unpermitted or non-complying work has been done, and to seek sufficient information that will enable Buyer to decide whether to assume those risks, which include, without limitation; (1) the risk that a city (or county) agency may require, at Buyer's expense, the remediation or removal of the unpermitted or non-complying item, may prohibit its use as "habitable living space," or may deny permits for other, unrelated building projects at the Property; (2) the risk that the Property may be in violation of zoning use, and/or occupancy limit ordinances (e.g., by existence of an illegal "in-law" unit), requiring removal or discontinued use; (3) the risk that a possible hazardous condition could be caused by a non-conforming or unpermitted construction; (4) the risk that a lender's appraisal of the Property, and the decision to extend financing, could be adversely affected; and (5) the risk that homeowner's insurance coverage might be made unavailable or that even if coverage is obtained, homeowner claims might be denied and/or coverage canceled.

Buyer has the right to seek an examination and analysis of the Property's building permit file, the contents of which may indicate whether structural modifications and other items of construction were done with benefit of property issued building permits which were duly "finalized" (i.e. written verification of successful final inspection by an appropriate city (or county) official has been obtained). Coldwell Banker Residential Brokerage strongly urges Buyer to exercise this right.

Since permit documentation varies among cities and counties, and since such documentation and entries made thereon are often subject to interpretation, Coldwell Banker Residential Brokerage strongly recommends that Buyer engage and rely on a construction professional (and not on the real estate agents) for proper examination and analysis of the permit file's contents. Buyer acknowledges that some building permit file documentation may be incomplete illegible, incorrect or missing, and that a permit review may or may not accurately establish the Property's true permit history or status, which in fact, may never be fully ascertainable for certain. The construction professional may recommend further research.

The parties to this transaction acknowledge and understand that neither Coldwell Banker Residential Brokerage nor its agent(s) will analyze the building permit file or render any opinion or interpretation as to its contents.

Date:

Buyer

Seller

Buyer

Seller

* California Civil Code 2079.3 expressly provides that a real estate agent's obligation to inspect the Property does not include "an affirmative inspection of areas off the site of the subject property or public records concerning the title or use of the property."

MEGAN'S LAW WEBSITE ADDENDUM

This Addendum is made a part of that Real Estate Purchase Contract by and

between _____ as Seller and _____ as Buyer

regarding that real property commonly known as:

16 Ledyard St, SF, CA

Buyer and Seller agree that the following disclosure is included in the Real Estate Purchase Contract:

Notice: Pursuant to Section 290.46 of the Penal Code, information about specified registered sex offenders is made available to the public via an Internet Web site maintained by the Department of Justice at www.meganslaw.ca.gov. Depending on an offender's criminal history, this information will include either the address at which the offender resides or the community of residence and ZIP Code in which he or she resides.

Date: 3/12/12

Seller [Signature]

Date: 3/12/12

Seller [Signature]

Date: _____

Buyer _____

Date: _____

Buyer _____

**ACKNOWLEDGMENT OF RECEIPT OF
Homeowner's Guide to:
Earthquake Safety
Environmental Hazards
Lead in Your Home
Toxic Molds
Home Energy Manual**

PROPERTY: 16 Ledyard St, SF

SELLER: _____

BUYER: _____

Regarding the purchase and sale of the above indicated property:

The undersigned acknowledges receipt of the booklet entitled "Homeowner's Guide to Earthquake Safety, Environmental Hazards, Lead in Your Home, Toxic Molds and Home Energy Manual."

Date: 3/12/12

Seller: x *Ellen Jazperter*

Date: 3/12/12

Seller: *Jennifer Hamilton*

Date: _____

Buyer: _____

Date: _____

Buyer: _____



DISCLOSURE REGARDING SAN FRANCISCO ENERGY AND WATER CONSERVATION ORDINANCES

This form is intended for use primarily in San Francisco and the northern peninsula.

The Residential Energy Conservation Ordinance requires that owners of San Francisco residential property who wish to sell that property must, unless the Ordinance has been complied with previously, obtain a valid energy inspection, install certain energy and water conservation devices, obtain a certificate of compliance, and provide a copy of that certificate to the Buyer prior to the transfer of title. Some exemptions apply, for example, for transfers pursuant to a court order and for transfers of properties built since July 1978.

RESIDENTIAL ENERGY CONSERVATION

First enacted in September 1982 and amended in 1983 in Ordinances 72-82 and 613-83, the Energy Conservation Ordinance requires Sellers to have their residential property inspected by a certified Energy Inspector (or a City inspector) who will prioritize the installation of such energy conservation measures as:

- (1) Insulating attic space (of sufficient average clearance) to a minimum value of R-19;
- (2) Weatherstripping doors (between heated and unheated space);
- (3) Insulating water heaters (if they have no internal insulation) and the first 4 feet of the hot water line;
- (4) Installing low-flow showerheads (also see below);
- (5) Caulking and sealing openings in the building's exterior greater than 1/4 inch wide;
- (6) Insulating heating and cooling ducts (asbestos-wrapped ducts may be exempt).

The maximum required expenditure is 1% of the assessed value of the building, or of the sale price, whichever is greater. For a one or two-family dwelling, the amount spent on energy conservation measures need not exceed \$1300. For buildings of three or more units, with steam or hot water boilers, additional requirements apply.

The Seller may transfer responsibility for compliance to the Buyer providing a valid energy inspection has been performed and a written agreement is signed by Buyer and Seller stating that the required energy conservation measures will be installed within 180 days of the transfer of title and that funds to perform the work have been placed in an escrow account.

RESIDENTIAL WATER CONSERVATION

In June and October 1991, additional water conservation measures were added in Ordinances 185-91 and 346-91. The cost of compliance with these measures is not included in the expenditure limitations above. They include:

- (1) Showerheads having a maximum flow rate of no more than 2.5 gallons per minute (showerheads that cannot be removed from the wall without structural work are exempt);
- (2) Aerators with approved flow restrictors attached to kitchen and bathroom faucets;
- (3) Low-flow toilets (3.5 gallons per flush) or the retrofitting of approved devices to limit the volume to that amount (note that toilet dams do not meet this criteria and that for toilets which are moved, replaced or added, the code now requires that the maximum flush volume is 1.6 gallons).

If an Energy Conservation compliance was recorded prior to June 1991, in lieu of a separate inspection and certification, owners may sign and file with the Water Department an affidavit that the above-listed water conservation devices have been installed.

ADVISORY

Buyer should be aware that proof of compliance with the Energy Conservation Ordinance does not mean that all of the above-mentioned energy and water conservation devices have been installed or are currently in place on the property. Buyer is advised to inspect for Energy and Water Conservation devices during Buyer's own professional inspections.

<i>Allen Dupont</i>	3/12/12		
Seller	Date	Buyer	Date
<i>Jimmie Hamulta</i>	3/12/12		
Seller	Date	Buyer	Date



DISCLOSURE REGARDING UNDERGROUND STORAGE TANKS IN SAN FRANCISCO

This form is intended for use primarily in San Francisco and the northern peninsula.

In July 1992, the San Francisco Board of Supervisors adopted amendments to Article 21 of the San Francisco Health Code to conform local hazardous materials regulations to Federal and State requirements. The amendments deal, in part, with a subject of increasing importance to residential property owners - underground storage tanks (USTs) and the hazardous materials which can leak from them.

According to the Public Health Department there are thousands of abandoned underground storage tanks in San Francisco's residential neighborhoods. The tanks were used in earlier years for the storage of home heating oil. These tanks remain potential sources of contamination of the ground and ground waters, and can pose other dangers to the public health and environment.

Described below are provisions of the code which relate to underground storage tanks.

GENERAL

Any person who owns an underground storage tank must either obtain a hazardous materials permit to operate the tank, as required by the local Health Code and the California Health and Safety Code, commencing with Section 25280, or cause removal of the tank and contaminated soils, if any. All closures and removals must be authorized by the Department of Public Health.

The Director of Public Health is empowered to issue directives as to what monitoring must be done to assess the degree of contamination present and to evaluate what clean-up must be undertaken in order to assure re-occupancy of the affected area.

Any person who has violated the requirements of the code is liable to the City for costs incurred in cleaning up and abating the effects of the violation or taking other remedial action.

ABANDONED STORAGE TANKS

Any owner of real property having reason to believe that an abandoned storage tank is located on or under the real property, or under the surface of any public street, sidewalk, alley, court or other place subject to an easement of public access that is immediately adjacent to the real property, must make a reasonable effort to locate and identify the tank. Whenever an abandoned tank is located, the owner must file a plan for the closing or permitting of the tank within 30 days of its discovery. Any closure plan must conform to the standards specified in the code, and regulations promulgated by the Director of Public Health to ensure that the threat to public health or the environment from residual hazardous materials stored in the tank is eliminated and that the removal, disposal and neutralization of the hazardous materials has been accomplished in an appropriate manner.

STATE STANDARDS FOR TANK CLOSURES

Section 25298 of the California Health and Safety Code provides in part, as follows:

No person shall close an underground tank system unless the person undertakes all of the following actions:

- (a) Demonstrates to the local agency that all residual amounts of the hazardous substances which were stored in the tank system prior to its closure have been removed, properly disposed of, and neutralized.
- (b) Adequately seals the tank system to minimize any threat to the public safety and the possibility of water intrusion into, or runoff from, the tank system.
- (c) Provides for, and carries out, the maintenance of the tank system as the local agency determines is necessary.
- (d) Demonstrates to the appropriate agency, which has jurisdiction over the site, that the site has been investigated to determine if there are any present, or were past, releases of hazardous substances, and if so, that appropriate corrective or remedial actions have been taken.

ADVISORY

If Seller does not provide Buyer with a written report by a licensed contractor specializing in USTs stating that no such tanks can be located, then Buyer is advised to conduct Buyer's own professional inspection.

<i>Anna Gandamana</i>	3/12/12		
Seller	Date	Buyer	Date
<i>James Hamilton</i>	3/12/12		
Seller	Date	Buyer	Date