



Alameda Association of REALTORS®
LOCAL DISCLOSURE SUPPLEMENT



TO
THE REAL ESTATE TRANSFER DISCLOSURE STATEMENT

FOR RESIDENTIAL PROPERTIES LOCATED IN THE CITY OF ALAMEDA, CALIFORNIA

This supplement ("Supplement") is in addition to the Real Estate Transfer Disclosure Statement required by Civil Code 1102, ET SEQ., and refers to the Real Estate Purchase Contract and Receipt for Deposit ("Contract") which is dated ... between ... (Buyer) and ... (Seller), for the real property located at ...

INSPECTIONS, DISCLOSURES, AND OTHER IMPORTANT INFORMATION

The parties should carefully read the information provided and take action where needed with the respect to the following local issues related to the purchase and sale of real property in the city of Alameda.

- 1. SEWER LATERAL CERTIFICATION - City Ordinance No. 2404: Prior to sale, properties over 25 years old must have their sewer lateral tested for infiltration. If a property is tested and passes, it is certified for 5 years and need not be re-tested if resold during that period. If it fails, the lateral must either be repaired or replaced and then re-tested. Replaced laterals are certified for 25 years, and those that have been repaired are certified for 5 years. The owner is responsible for having the mandatory test performed, obtaining the permit and providing the certification. Condominiums and Co-op Apartments over 15 years old must also be tested. The city is currently exempting these types of properties along with Townhouses; however, enforcement could be initiated at any time at City of Alameda's sole discretion. For more information, contact City of Alameda Planning and Building Department at (510) 747-6850.
2. DRAINAGE: Due to occasional heavy rains, high water table, and variation in yard elevations, some property owners have experienced standing ground water and poor water runoff from their yards. The standing water problem has been exacerbated in some cases by the elimination of roof drains which were previously connected to the sanitary sewer and subsequently disconnected to comply with current City of Alameda codes. Drains are now required to be disconnected before the sewer lateral compliance is signed off. For more information, contact City of Alameda Planning and Building Department at (510) 747-6850.
3. EARTHQUAKE FAULTS AND SEISMIC HAZARDS/EARTHQUAKE INSURANCE: Earthquake faults are known to exist near Alameda creating the potential for future earthquakes and seismic hazards. California's Geological Survey Seismic Hazard mapping program has released final maps for the city of Alameda which designate all Alameda as being in a seismic hazard/liquefaction zone. Earthquake insurance may be purchased, but it is in addition to standard home insurance. For more information on earthquake faults and seismic hazards, contact the State of California's Geological Survey by writing to: Office of the State Geologist, 801 K St., MS 12-30, Sacramento, CA, 95814, or by calling (916) 445-1825, or at www.consrv.ca.gov/CGS/. For more information on earthquake insurance, contact your insurance provider.
4. POSSIBLE SOIL INSTABILITY: Landfill conditions exist in areas of Alameda such as, but not limited to, Marina Village, Ballena Bay, Alameda Point, Harbor Bay Isle, South Shore, and the areas east and north of Fernside Blvd. Please refer to your statutory natural hazard disclosure. For more information, contact the City of Alameda Planning and Building Department at (510) 747-6850.
5. DEMOLITION CONTROL OF BUILDINGS CONSTRUCTED PRIOR TO 1942: Any property constructed prior to 1942, as determined by City of Alameda records, may not be demolished or removed without the approval of the Historical Advisory Board. For more information, contact City of Alameda Planning and Building Department at (510) 747-6850.
6. HISTORICAL PRESERVATION: Properties which have been deemed to have historical merit may have been placed on the Historical Building Study List. For certain properties, special permit restrictions may apply to exterior alterations and demolition. In some cases, the state code, designated "Historical Building Code", may apply. For more information and a copy of Alameda's Historical Building Study List, contact the City of Alameda Planning and Building Department at (510) 747-6850.
7. UN-REINFORCED MASONRY - City Ordinance No. 2573: Establishes acceptable standards for structural seismic resistance in un-reinforced masonry bearing wall buildings. If the subject property is or may be subject to the provisions of this ordinance, further investigation by prospective purchasers is important. For more information, contact City of Alameda Planning and Building Department at (510) 747-6850.
8. ZONING, ALLOWED BUILDINGS, AND OTHER USE RESTRICTIONS - Those contemplating exterior modifications or additions to any property should be aware that the City of Alameda has specific Design Review requirements. Information on zoning and other use restrictions that may be material to buyers may be obtained from various city departments. Zoning maps are available online at http://www.ci.alameda.ca.us/planning/ZoningMaps.html For more information contact City of Alameda Planning and Building Department at (510) 747-6850.
9. UNDERGROUND FUEL/OIL TANKS: An underground storage tank built to contain heating fuel/oil or other petroleum products may exist on or near the subject property. Any leakage in such tanks may have contaminated the surrounding soil. Fuel tank permit records are available that date from the early 1900's. They identify those properties for which fuel tank permits were issued. Some properties may have fuel tanks without an issued permit. For more information, contact City of Alameda Fire Dept. (510) 337-2100.

Buyer and Seller acknowledge receipt of copy of this page, which constitutes Page 1 of 3 Pages.

Property Address: _____

10. **BAY FARM ISLAND RECLAMATION DISTRICT:** Homes located in Harbor Bay Isle may have fees assessed by the City of Alameda for dike maintenance. *For more information, contact the Community of Harbor Bay Isle (510) 865-3363.*
11. **PUBLIC SCHOOLS:** The quality, availability, or suitability of school facilities is not guaranteed. This may be important in making a decision to purchase a particular property. It is possible that students residing at this property may not be attending the nearest elementary, middle, or high school. *To determine the location of the school the student will be attending, contact the administrative offices of the Alameda Unified School District (510) 337-7000.*
12. **SPECIAL TAXES, FEES, 1915 BOND IMPROVEMENT ACT & MELLO-ROOS BONDS:** The subject property may be located in a special tax assessment or Mello-Roos Bond area. Special taxes, fees, and Mello-Roos Bonds are billed with your County Property Taxes. It should be noted that they are in addition to the county property tax and not subject to limitations related to your Prop. 13 tax base. Some of these fees and bonds may not be tax deductible. *For more information, contact City of Alameda Finance Dept. (510) 747-4881 or CA Tax Data (949) 645-3698.* A Mello-Roos Bond may have a maximum allowable tax, which is higher than the tax listed with the Alameda County Property Tax Bill. Any seller in a Mello-Roos district must provide the buyer with the disclosure "Notice of Special Tax." *For exact information, contact N.B.S. Government Finance Group (800) 676-7516.*
13. **NEIGHBORS & NEIGHBORHOODS:** Neighbors may be a valuable source of information about possible neighborhood noise, odors, disturbances, lawsuits, unnatural deaths, building and street repairs that are planned or in progress, and any other neighborhood concerns. In addition, information may be obtained from various City Departments. *For more information, contact City of Alameda Planning and Building Department at (510) 747-6850, Public Works Dept. (510) 749-5840, or Police Dept. (510) 337-8347.*
14. **ALAMEDA POINT (Formerly Naval Air Station (NAS)) AND PROXIMITY TO FORMER AND CURRENT MILITARY ORDINANCE LOCATIONS:** NAS closed in April 1997. After many public hearings, a General Use Plan was developed and presented to the Navy and Dept. of Defense. The land, which has been renamed Alameda Point, will be turned over to the City of Alameda. Timing for this transfer is at the discretion of the Navy, but is anticipated to be complete in the year 2005. Future plans for the land call for mixed use of businesses and homes. NAS and Coast Guard Facility at Coast Guard Island have been, or are currently, military ordnance locations (military training grounds which may contain explosives and/or hazardous wastes). Usually Alameda property is within one mile of these former or current military locations. *For more information, contact the City of Alameda Base Reuse & Redevelopment (510) 749-5800.*
15. **INDUSTRIAL ZONE:** Most Alameda property is located within one mile of an industrial zone. *For more information, contact the City of Alameda Planning and Building Department at (510) 747-6850.*
16. **AIRCRAFT NOISE:** Alameda is adjacent to the Oakland International Airport and across the bay from the San Francisco International Airport. The Oakland Airport currently has plans for expansion to accommodate their projections for passenger and cargo growth. In a 1976 settlement between interested parties, including the Oakland Airport, City of Alameda, and Harbor Bay Isle Associates, some aviation easements associated with newer housing development were granted. These easements may limit some Homeowner's rights in litigation with the Oakland Airport. The City of Alameda and the Citizen's League for Airport Safety and Serenity (CLASS - an organization of several homeowner's associations and private citizens) monitor activities of the Oakland Airport and have acted on behalf of its citizens and/or members. In 1997, CLASS and the cities of Alameda and San Leandro filed a lawsuit against the Port of Oakland over their airport expansion activities. This lawsuit was settled in October, 2002. *For more information, contact Oakland Airport (510) 563-6463, City of Alameda (510) 747-4700, and CLASS (510) 433-7949.*
17. **RENTAL AND INCOME PROPERTIES BUSINESS TAX:** The City of Alameda imposes a Business Tax on rental properties. This tax is based on the number of rental units. *For more information, contact the City of Alameda Finance Dept. (510) 747-4881.*
18. **SPECIAL PARCEL TAXES:** Alameda has several special property tax assessments. Among these are parcel taxes to support the Alameda Unified School District, the Alameda Hospital and the Alameda Public Library. *More information regarding these special assessments and other property tax information can be found online at http://www.acgov.org/prop_tax_info_app/ or by calling the Alameda County Tax Collector at (510) 272-6800.*
19. **PARKING ADVISORY:** Parking of vehicles both on and off street is governed by city code and homeowners association rules and regulations. Buyer should verify with the City of Alameda and the HOA the legality of on and off street parking, including use of front, side and back yards, driveways, garages, carports and temporary structures. *For more information, contact the appropriate HOA or the City of Alameda Planning and Building Department at (510) 747-6850.*
20. **DATA BASE REGARDING REGISTERED SEX OFFENDERS ("Megan's Law):** The California Department of Justice and Alameda Police Department maintain for public access a data base of the location of persons required to register pursuant to paragraph (1) of Section 290.4 of the Penal Code. The data base is updated periodically and is a source of information about the presence of these individuals in any neighborhood. *For more information visit the Department of Justice website at www.meganslaw.ca.gov and the Alameda Police Department website at www.ci.alameda.ca.us/police.*
21. **UNDERGROUND UTILITY DISTRICTS:** The Alameda City Council has declared certain streets as Underground Utility Districts as per Alameda Municipal Code Sec. 19-4. These districts are areas where utility poles and overhead wiring will be removed and all property owners must be prepared, at their own expense, to receive underground utility services. In addition property owners in these areas will likely incur special assessments from the city for their share of the costs of these improvements. *For more information, contact the Alameda Public Works Department (510) 748-5840.*

Buyer and Seller acknowledge receipt of copy of this page, which constitutes Page 2 of 3 Pages.

Revised 04/09

Buyer's Initials (_____) (_____)

Seller's Initials (_____) (_____)

Property Address: _____

- 22. **ALAMEDA PROPERTIES LOCATED ADJACENT TO THE OAKLAND INNER HARBOR CANAL:** Properties adjacent to the Oakland Inner Harbor Canal may have buildings, fences, seawalls, boat docks, or other structures that may be encroaching on or over Federal Property with or without appropriate permit(s). *For more information, contact the City of Alameda Planning and Building Department at (510) 747-6850.*
- 23. **SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION (BCDC):** Properties located on or near the bay or the estuary may be within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). Property owners who wish to place fill in, extract materials from, or make any substantial changes in the use of any water, land, or structure within the area of the commission’s jurisdiction will be required to secure a permit from BCDC prior to taking these actions. *For more information, contact the BCDC (415) 352-3600.*
- 24. **BUILDING PERMITS:** The City of Alameda Planning and Building Department actively investigates reports it receives regarding work done without permits. Failure to obtain a required building permit and have it finalized may result in significant consequences for the property owner including, but not limited to, the levying of fines, the demand that the offending structure be demolished, and/or the inability of the property owner to rebuild such structures in the event of damage. Responsibility for all unreported or unresolved violations will transfer at Close of Escrow to the subsequent owners. Real Estate Agents are not experts on what improvements, additions, repairs or upgrades require a building permit and which do not. Without Seller’s written consent, Buyer shall not discuss with city officials any specifics about the subject property. However, buyers may obtain general information to determine whether or not a specific type of improvement, addition, repair or upgrade would have required a building permit. In any event Buyer is reminded that they shall neither make nor cause to be made any harm to Seller or Seller’s property. Permit Histories for specific properties are available from the City of Alameda Planning and Building Department. *This general information may be obtained from the City of Alameda’s Planning and Building Department at (510) 747-6850.*
- 25. **AUTOMATIC GAS SHUTOFF VALVES** – Effective January 1, 2008 the City of Alameda requires that buildings that have natural gas service shall have installed an Earthquake actuated gas shutoff valve certified by the State Architect as conforming to California Referenced Standard 12-16-1 if either of the following situations exist: 1) The property is being sold or 2) The homeowner has been issued a permit for gas piping. In the case where the property is being sold, the code requires that the valves must be installed prior to close of escrow. Before the installation, a permit must be obtained from the City of Alameda Planning and Building Department. *For more information, please contact City of Alameda Planning and Building Department at (510) 747-6850 or the Fire Marshal for the Alameda Fire Department at (510) 337-2120.*
- 26. **BEDROOM DEFINITIONS** – The number of bedrooms a property contains is subject to different, and occasionally contradictory, definitions. County tax records often indicate the number of bedrooms that are recorded in the county’s tax assessor’s office; owners and residents of a property may describe a room as a bedroom according to how the room is used or could be used. While there is no statewide definition of what a bedroom is, California Building Code provides for requirements for “Sleeping Rooms.” The City of Alameda’s Planning & Building Department follows these requirements for its use in determining whether or not a room meets minimum standards as a Sleeping Room. *For more information, please contact City of Alameda Planning and Building Department at (510) 747-6850.*
- 27. **PROTECTED TREES** - Certain types of trees and trees in certain locations in Alameda are protected and may not be removed without a certificate of approval from the Historical Advisory Board. *For more information contact the City of Alameda Planning and Building Department at (510) 747-6850.*
- 28. **SOFT STORY ORDINANCE** - The City of Alameda will create and maintain an inventory of multi-unit residential apartment and condominium buildings with five or more residential units which are designated by the City as containing a soft, weak, or open front ground floor and which are deemed to be potentially hazardous in the event of an earthquake. Owners of these buildings must comply with various requirements including (but not limited to) notifying residents of these buildings, posting conspicuous warning notices of its potential dangers, and submitting to the City a detailed seismic engineering evaluation report prepared by a qualified professional. *For the complete set of requirements on owners of these buildings and for more information contact the City of Alameda Planning and Building Department at (510) 747-6850.*

I ACKNOWLEDGE RECEIPT OF THE ABOVE DISCLOSURE

Buyer: _____ **Date:** _____ **Seller:** _____ **Date:** _____

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