

# CITY OF SAN JOSE TREE MAINTENANCE FOR SAN JOSE, CALIFORNIA

The City of San Jose ("City") requires the seller or transferor of residential real property ("Property") in the City to disclose to the acquirer of the Property whether the Property fully complies with the City's requirements to have, maintain and if necessary, replace street trees pursuant to the San Jose Municipal Code ("SJMC").

### 13.28.195 Disclosure Obligations Upon Sale or Transfer of a Residential Real Property

- A. Not less than seven (7) business days before the sale or other transfer of residential real property concludes a selling or transferring property owner must disclose to the acquiring property owner, on a disclosure form provided by the City, whether the residential real property to be sold or transferred fully complies with the City's street tree and replacement requirements of Sections 13.28.130.B and 13.28.190.
- B. If the selling or transferring property owner cannot determine whether street trees located on the residential property are substantially in compliance with the approved development permits for the property, or the property's approved development permits are inconclusive as to the requirements for the presence and location of street trees on the property, then the following requirements for the planting and presence of street trees shall apply:
  - 1. The property must have one (1) street tree for any adjacent street if it is an interior lot and at least three (3) street trees if it is a corner lot, unless otherwise modified by the Director in the interest of public safety.
  - 2. If the current General Plan requirements for street trees on the property differ from the requirements specified in Subsection B.1, then the current General Plan requirements shall govern the number and location of street trees required on the property at the time of sale or transfer. If the property meets the General Plan requirement, then the selling property owner must indicate such compliance with the General Plan on the disclosure to the acquiring property owner.
  - 3. All street trees shall be planted in accordance with the requirements of Section 13.28.070.
- C. Upon a written request, the Director may grant the selling or transferring property owner an exemption in writing from the requirements of this Section if the Director determines in the interest of public safety that planting and maintaining street trees on the residential property at the time of sale or transfer is not appropriate. Such an exemption does not run with the land and shall not allow any deviations from the disclosure requirements upon residential real property sales or transfers for the future sellers or transferors.

**To the best of my/our knowledge but without any investigation, I/WE, \_\_\_\_\_ disclose that the street tree(s) on the Property to be sold or transferred and located at 1487 TIERRA BUENA DR, San Jose, California 95121, are in the following condition:**

- 1. The Property fully complies with the street tree requirements outlined in the SJMC.
- 2. The Property does not have the required number of trees as required by the SJMC
- 3. The Property has the required number of street trees but the street trees have not been maintained as required by the SJMC
- 4. Seller/Transferor is unaware if the requirements to have and maintain street trees on the Property have been met.

Seller\* Bidabadi Homa (Trustee) 5/7/2024 | 8:56 PDT  
B5E8198C87EE44C... Signature(s) Print name(s) Date

The undersigned hereby acknowledges receipt of a copy of this document.

Buyer\* \_\_\_\_\_  
 Signature(s) Print name(s) Date

\*NOTE: Your signature on the NHDS Report Receipt page is sufficient to acknowledge delivery/receipt of this information.

# NATURAL HAZARD DISCLOSURE STATEMENT AND DISCLOSURE REPORT RECEIPT

This statement applies to the following property: 1487 TIERRA BUENA DR SAN JOSE, CA 95121; SANTA CLARA COUNTY; APN: 670-04-031 Date: 05/07/2024

The seller and the seller's agent(s) or a third-party consultant disclose the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the Subject Property. Seller hereby authorizes any agent(s) representing any principal(s) in this action to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. The following are representations made by the seller and the seller's agent(s) based on their knowledge and maps drawn by the state and federal governments. This information is a disclosure and is not intended to be part of any contract between the seller and buyer. THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):

**A SPECIAL FLOOD HAZARD AREA** (Any type Zone "A" or "V") designated by the Federal Emergency Management Agency. Refer to Report.  
Yes \_\_\_ No X Do not know and information not available from local jurisdiction \_\_\_

**AN AREA OF POTENTIAL FLOODING SHOWN ON A DAM FAILURE INUNDATION MAP** pursuant to Section 8589.5 of the Government Code. Refer to Report.  
Yes \_\_\_ No X Do not know and information not available from local jurisdiction \_\_\_

**A HIGH or VERY HIGH FIRE HAZARD SEVERITY ZONE (FHSZ)** as identified by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 51182 of the Government Code. Refer to Report.  
Yes \_\_\_ No X

High FHSZ in a state responsibility area \_\_\_  
Very High FHSZ in a state responsibility area \_\_\_  
Very High FHSZ in a local responsibility area \_\_\_

**A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS** pursuant to Section 4125 of the Public Resources Code. The owner of this property is subject to the maintenance requirements of Section 4291 of the Public Resources Code. Additionally, it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code. Refer to Report.  
Yes \_\_\_ No X

**AN EARTHQUAKE FAULT ZONE** pursuant to Section 2622 of the Public Resources Code. Refer to Report.  
Yes \_\_\_ No X

**A SEISMIC HAZARD ZONE** pursuant to Section 2696 of the Public Resources Code. Refer to Report.  
Yes (Landslide Zone) \_\_\_ Yes (Liquefaction Zone) X No \_\_\_ Map not yet released by state \_\_\_

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. SELLER(S) AND BUYER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

Signature of Seller(s) \_\_\_\_\_  
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Date 5/7/2024 | 8:56 PDT

Signature of Seller(s) \_\_\_\_\_  
Fariba Lance

Date \_\_\_\_\_

Seller's Agent(s) \_\_\_\_\_  
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Date 5/7/2024 | 8:54 PDT

Seller's Agent(s) \_\_\_\_\_

Date \_\_\_\_\_

Check only one of the following:

- Seller(s) and their agent(s) represent that the information herein is true and correct to the best of their knowledge as of the date signed by the transferor(s) and agent(s).
- Seller(s) and their agent(s) acknowledge that they have exercised good faith in the selection of a third-party report provider as required in Section 1103.7 of the Civil Code, and that the representations made in this Natural Hazard Disclosure Statement are based upon information provided by the independent third-party disclosure provider as a substituted disclosure pursuant to Section 1103.4 of the Civil Code. Neither seller(s) nor their agent(s) (1) has independently verified the information contained in this statement and report or (2) is personally aware of any errors or inaccuracies in the information contained on the statement. This statement was prepared by the provider below:

Third-Party Disclosure Provider(s) \_\_\_\_\_ Property I.D. \_\_\_\_\_ Date 05/07/2024

Buyer represents that he or she has read and understands this document. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the seller's or agent's disclosure obligations in this transaction.

The items listed below indicate additional statutory disclosures and legal information that are provided in the report.

- Additional Reports that are enclosed herein if ordered:
  - (A) ENVIRONMENTAL RISK REPORT (Enclosed if ordered)
- Additional Statutory Disclosures:
  - (A) INDUSTRIAL USE ZONE DETERMINATION (where available) pursuant to Section 1102.17 of the California Civil Code. Refer to Report. (B) MILITARY ORDNANCE FACILITIES pursuant to California Civil Code Sections 1102.15 and 1940.7. Refer to Report. (C) AIRPORT INFLUENCE AREA pursuant to Civil Code Section 1103.4. Refer to Report. (D) NOTICE OF RIGHT TO FARM pursuant to California Civil Code Section 1103.4. Refer to Report. (E) MELLO-ROOS & SPECIAL ASSESSMENTS pursuant to Section 53311-53365.7 / 53754 of the California Government Code; Refer to Report.
- Additional Local Jurisdiction Hazards - May include the following:
  - Airports, Avalanche, Coastal Protection, Conservation Areas, Critical Habitats, Dam Failure Inundation, Duct Sealing Requirements, Erosion, Fault Zone, Fire, Groundwater, Sea Level Rise, Landslide, Liquefaction, Methane Gas, Mines, Naturally Occurring Asbestos, Oil and Gas Well Proximity, Petrochemical Contamination, Property Taxes, Radon, Right to Farm, Soil Stability, Tsunami, Williamson Act, Wind Erosion. Refer to Report.
- General Notices and Additional Forms:
  - Methamphetamine Contamination, Megan's Law - Sex Offender Database, Mold, Abandoned Wells, Carbon Monoxide Devices, Natural Gas and Hazardous Liquid Pipelines, Water Conserving Plumbing Fixtures, Notice of Supplemental Property Tax Bill, AB 38 Notice, CALFIRE Defensible Space, CALFIRE Low Cost Retrofit List, Fire Safety & Home Hardening Form, California Waterway Setback Requirements, SGMA Groundwater Basin Priority, San Jose Tree Maintenance Disclosure, BAAQMD Wood-Burning Devices Notice, Historical Significance Notice. Refer to Report.
- Governmental Guides are delivered with printed reports and linked on electronically delivered reports (also available at <https://propertyid.com/downloads>)
  - (A) ENVIRONMENTAL HAZARDS: "A Guide for Homeowners, Buyers, Landlords and Tenants" pursuant to California Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (B) EARTHQUAKE SAFETY: "The Homeowner's Guide To Earthquake Safety", including the "Residential Earthquake Risk Disclosure Statement", pursuant to California Business and Professions Code Section 10149, and Government Code Sections 8897.1, 8897.2, and 8897.5. Refer to Report. ; (C) LEAD-BASED PAINT: "Protect Your Family From Lead In Your Home" pursuant to HUD Mortgage Letter 92-94, Title X of Housing and Com. D.V. Act of 1992. Refer to Report. ; (D). MOLD: "Mold or Moisture in My Home: What Do I Do?", pursuant to Health and Safety Code Section 25100 et seq., 25417, and 26100, Business and Professions Code Section 10084, and Civil Code Section 2079.7. Refer to Report. ; (E). "What Is Your Home Energy Rating?", pursuant to California Civil Code Section 2079.10. Refer to Report.

This Report contains the Mandatory Natural Hazard Disclosure Report. The Environmental Risk Report is only enclosed if it has been ordered. To order the Environmental Risk Report, please contact Property I.D. Customer Service at 800-626-0106.

Signature of Buyer(s) \_\_\_\_\_

Date \_\_\_\_\_

Signature of Buyer(s) \_\_\_\_\_

Date \_\_\_\_\_

## Residential Safety Guides: Acknowledgment of Delivery/Receipt

My signature below and/or on the Property I.D. NHDS Report Receipt page is my acknowledgment that the Residential Safety Guides listed on this page have been delivered to me via the links below. I have received them, I have access to them, and I understand that if I want to receive the guides, booklets, and pamphlets listed below in a different format I can provide Property I.D. with a written request to [platinumservices@propertyid.com](mailto:platinumservices@propertyid.com):

- ◆ The California "**Residential Environmental Hazards**" (© 2011) booklet (<https://propertyid.com/government-booklets>) including information on:
  - Asbestos
  - Carbon Monoxide
  - Formaldehyde
  - Hazardous Waste
  - Household Hazardous Waste
  - Lead
  - Mold
  - Radon
- ◆ The California "**Homeowner's Guide to Earthquake Safety**" (© 2020) (<https://propertyid.com/government-booklets>) including information on:
  - Earthquake Weaknesses
  - Natural Gas Safety
  - Geologic Hazards
- ◆ California Department of Public Health (CDPH) Indoor Air Quality (IAQ) Info Sheet: "**Mold or Moisture in My Home: What Do I Do?**" (© 2016) (<https://propertyid.com/government-booklets>)
- ◆ U.S. EPA "**Protect Your Family From Lead in Your Home**" (© 2021) pamphlet (<https://propertyid.com/government-booklets>)
- ◆ The California Energy Commission "**Home Energy Rating**" (© 2011) pamphlet (<https://propertyid.com/government-booklets>)

Property Address: 1487 TIERRA BUENA DR, SAN JOSE, CA 95121

Buyer \_\_\_\_\_ Date \_\_\_\_\_

Buyer \_\_\_\_\_ Date \_\_\_\_\_

Buyer's Agent \_\_\_\_\_ Date \_\_\_\_\_

Seller DocuSigned by:  
*Bidabadi Homa (Trustee)* \_\_\_\_\_ Date 5/7/2024 | 8:56 PDT  
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Seller \_\_\_\_\_ Date \_\_\_\_\_

Seller's Agent DocuSigned by:  
*Fariba Lance* \_\_\_\_\_ Date 5/7/2024 | 8:54 PDT  
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NOTE: Signatures on the Property I.D. NHDS Report Receipt page are sufficient to acknowledge delivery/receipt of the Residential Safety Guides.

# SANTA CLARA COUNTY RIGHT TO FARM NOTICE

## REAL ESTATE TRANSFER DISCLOSURE

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY LOCATED IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS 1487 TIERRA BUENA DR, SAN JOSE, CA 95121, APN: 670-04-031. THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH ORDINANCE NUMBER NS-300.705, § 3 OF THE COUNTY CODE AS OF JANUARY 14, 2003. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPLE(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

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#### SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, perspective buyers may rely upon this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property. THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER AS REQUIRED BY THE COUNTY OF SANTA CLARA AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

THE COUNTY OF SANTA CLARA RECOGNIZES AND SUPPORTS THE RIGHT TO FARM AGRICULTURAL LANDS AND PERMITS OPERATION OF PROPERLY CONDUCTED AGRICULTURAL OPERATIONS WITHIN THE COUNTY. If the subject property is adjacent to or near property used for agricultural operations or on agricultural lands, you may be subject to inconveniences or discomforts arising from such operations, including but not limited to noise, odors, fumes, dust, the operation of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. Santa Clara County has determined that inconveniences or discomforts associated with such agricultural operations shall not be considered to be a nuisance if such operations are consistent with accepted customs and standards. Santa Clara County has established a Grievance Committee to assist in the resolution of any disputes which might arise between residents of this County regarding agricultural operations. If you have any questions concerning this policy or the Grievance Committee, please contact the Santa Clara County Department of Agriculture and Resource Management.

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller\* Bidabadi Homa (Trustee) Date 5/7/2024 | 8:56 PDT  
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Seller\* \_\_\_\_\_ Date \_\_\_\_\_

BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Seller\* Bidabadi Homa (Trustee) Date \_\_\_\_\_ Buyer\* \_\_\_\_\_ Date 5/7/2024 | 8:56 PDT  
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Seller\* \_\_\_\_\_ Date \_\_\_\_\_ Buyer\* \_\_\_\_\_ Date \_\_\_\_\_  
Agent (Broker) Representing Seller\* Fariba Lance Date 5/7/2024 | 8:54 PDT  
17480CF56BE4484...

By (Associate Licensee or Broker)\* \_\_\_\_\_ Date \_\_\_\_\_

Agent (Broker) Representing Buyer\* \_\_\_\_\_ Date \_\_\_\_\_

By (Associate Licensee or Broker)\* \_\_\_\_\_ Date \_\_\_\_\_

Present A.P. No. \_\_\_\_\_

A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT WITH YOUR ATTORNEY.

\*NOTE: Your signature on the NHDS Report Receipt page is sufficient to acknowledge delivery/receipt of this information.

Property Address:

1487 TIERRA BUENA DR



SAN JOSE, CA 95121

I have received a copy of the WHAT IS YOUR HOME ENERGY RATING? booklet (CEC-400-2009-008-BR)

Buyer's Signature

Printed Name

Date

Buyer's Signature

Printed Name

Date

XX

Buyer's Agent Signature

Printed Name

Date

Broker's Name

DocuSigned by:

Bidakadi Homa (Trustee)

5/7/2024 | 8:56 PDT

Seller's Signature

Printed Name

Date

Seller's Signature

Printed Name

Date

DocuSigned by:

Fariba Lance

5/7/2024 | 8:54 PDT

Listing Agent's Signature

Printed Name

Date

BRG Realty

Broker's Name

ALL SIGNERS SHOULD RETAIN A COPY OF THIS PAGE FOR THEIR RECORDS

California Civil Code Section 2079.10 states that if this booklet is provided to the buyer by the seller or broker, then this booklet is deemed to be adequate to inform the home buyer about the existence of California Home Energy Rating Program.

For more information, visit: [www.energy.ca.gov/HERS/index.html](http://www.energy.ca.gov/HERS/index.html)