

# JCP-LGS Commercial Property Disclosure Reports

## The Natural Hazard Disclosure Lease Report

### For ALAMEDA County

**Property Address:** BULLARD DR  
OAKLAND, ALAMEDA COUNTY, CA 94603  
("Property")

**APN:** 48C-7188-1-2  
**Report Date:** 03/29/2024  
**Report Number:** 3293575

This Report discloses information regarding the property address identified above ("Property") that is based upon review of the maps and data cited within. Other publicly available data not reported within this Report may also pertain to the Property. If site-specific information for the Property is required, a Certified Engineering Geologist or licensed Professional Engineer should be retained to conduct an investigation. In addition, geotechnical and other reports pertaining to the Property may be on file with the city or county and should be reviewed if site-specific information for the Property is required. Site-specific information may enhance or modify some of the information contained in this Report. This Report is compiled in accordance with all conditions and limitations stated within, including the Terms and Conditions which are incorporated here by reference. The following pages contain an explanation of each disclosure category reported on this page.

### THIS PROPERTY IS REPORTED AS:

### STATE LEVEL DETERMINATIONS

IN	NOT IN	Map N/A*	Hazards	Property is:	Refer to page:
	<b>X</b>		Flood	NOT IN a Flood Hazard Area.	<a href="#">2</a>
	<b>X</b>		Former Military Ordnance	NOT WITHIN one mile of a formerly used ordnance site.	<a href="#">2</a>
	<b>X</b>		Fault	NOT IN an earthquake fault zone designated pursuant to the Alquist-Priolo Act.	<a href="#">2</a>
	<b>X</b>		Landslide	NOT IN an area of earthquake-induced land sliding designated pursuant to the Seismic Hazard Mapping Act.	<a href="#">2</a>
	<b>X</b>		Liquefaction	NOT IN an area of potential liquefaction designated pursuant to the Seismic Hazard Mapping Act.	<a href="#">2</a>

### SUMMARY OF ADVISORIES

ADVISORY	ADVISORY NOTATION	Refer to page:
Registered Sex Offender Data Base (Megan's Law) Notice	Provides an advisory required pursuant to Section 290.46 of the Penal Code. Information about specified registered sex offenders is made available to the public. <b>Please refer to State required notification on page referenced herein.</b>	<a href="#">3</a>
Methamphetamine Contamination	Provides an advisory that a disclosure may be required pursuant to the "Methamphetamine Contaminated Property Cleanup Act of 2005".	<a href="#">3</a>
Mold	Provides an advisory that all prospective purchasers of residential and commercial property should thoroughly inspect the subject property for mold and sources for additional information on the origins of and the damage caused by mold.	<a href="#">4</a>

Determined by Third-Party Disclosure Provider(s) FIRST AMERICAN REAL ESTATE DISCLOSURES CORPORATION OPERATING THROUGH ITS JCP-LGS DIVISION  
Date 03/29/2024 Rept. No. 3293575

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## EXPLANATION

### Special Flood Hazard Areas

The Federal Emergency Management Agency (FEMA) has prepared Flood Insurance Rate Maps, which delineate flood zones based on estimated flood risk. The zones pertinent to the Natural Hazard Disclosure are Zones A and V (Special Flood Hazard Areas). Zone V is for coastal areas and Zone A is for inland areas. These zones are located within a 100-year flood plain. A 100-year flood has a one-percent chance of occurrence in any given year. Flood insurance is required by federally regulated lending institutions for properties located within Zones A or V. Local flood control projects to mitigate flood hazard potential can change the flood risk of a specific area or property. The flood risk of a specific area or property may be updated through a Letter of Map Change filed with FEMA. Specific updated flood risk information, not included on the Flood Insurance Rate Maps, is not provided in this Report. If a property is located within a Special Flood Hazard Area, recipient is advised to contact FEMA for future updates in flood risk assessment and flood insurance requirements. It should be noted that properties within a Special Flood Hazard Zone may never experience flooding, and conversely, properties not located within a Special Flood Hazard Zone may experience flooding. This disclosure is not meant to predict flooding, but rather to identify properties for which flood insurance may be required by federally regulated lending institutions.

### Former Military Ordnance Site

Former Military Ordnance (FUD) sites can include sites with common industrial waste (such as fuels), ordnance or other warfare materiel, unsafe structures to be demolished, or debris for removal. California Civil Code 1102 requires disclosure of those sites containing unexploded ordnance. "Military ordnance" is any kind of munitions, explosive device/material or chemical agent used in military weapons. Unexploded ordnance are munitions that did not detonate. NOTE: most FUD sites do not contain unexploded ordnance. Only those FUD sites that the U.S. Army Corps of Engineers (USACE) has identified to contain Military Ordnance or have mitigation projects planned for them are disclosed in this Report. Additional sites may be added as military installations are released under the Federal Base Realignment and Closure (BRAC) Act. Active military sites are NOT included on the FUD site list.

### Alquist-Priolo Earthquake Fault Zones

The State Geologist under the Alquist-Priolo Earthquake Fault Zoning Act has established regulatory zones around the mapped surface traces of active faults. These zones, typically one-quarter mile or less in width, have been delineated on maps around "sufficiently active and well-defined" faults and fault segments that "constitute a potential hazard to structures from surface faulting or fault creep." Faults that demonstrate movement during the past 11,000 years are considered active. The purpose of the Act under Section 2621-2630 of the Public Resources Code is to assist cities and counties in land use planning and developing permit requirements. The State Mining and Geology Board provides additional regulations to guide cities and counties in their implementation of the law under California Code of Regulations, Title 14, Division 2. Local agencies must regulate most types of development projects located within the zones. The results of our search only indicate whether a property is situated or not situated within an Earthquake Fault Zone, as shown on the Alquist-Priolo Earthquake Fault Zone Maps. Our search does not indicate whether or not a surface trace of an active fault is located on the Property. If this Report indicates the subject property is located within an Earthquake Fault Zone, recipient is advised to consult a Certified Engineering Geologist to assess the site-specific potential for surface fault rupture. It should be noted that the State Earthquake Fault Zoning Program is ongoing and properties currently not situated in a zone may be located in a zone established in the future.

### Seismic Hazard Zones

The California Division of Mines and Geology under the Seismic Hazards Mapping Act has prepared maps delineating zones of potential seismic hazards. The legislation for this Act may be found in the California Public Resources Code, Division 2, Chapter 7.8, Sections 2690-2699.6 and Chapter 8, Article 10, Sections 3720-3725. The purpose of the Act is to provide cities and counties with zones where sitespecific geotechnical studies are required prior to development. Local agencies must regulate most types of development projects located within the zones. The currently available Official Maps of Seismic Hazard Zones contain zones for the seismic hazards of liquefaction and earthquake-induced landsliding for limited geographic areas only. However, future maps may contain additional seismic hazards and may cover the entire state. Company's search indicates whether a property is situated or not situated within a mapped Seismic Hazard Zone. If the Property is not located in an area mapped by the state Seismic Hazards Mapping Program, this Report indicates that the map for the site has not yet been released by the State. Due to the limitations of the state Seismic Hazards Mapping Program, recipient is advised to retain a Certified Engineering Geologist to address any concerns regarding the seismic hazard potential of the subject site.

The Liquefaction Hazard Zones delineate areas where liquefaction has been recorded in the past and areas where local soil and groundwater conditions indicate a potential for permanent ground displacement from liquefaction that would require mitigation. Site specific geotechnical studies are required prior to new development. Liquefaction is a process whereby saturated, unconsolidated, sandy soils, temporarily become liquefied as a result of strong ground shaking. Liquefaction is considered most likely when the ground water table is located less than 50 feet below the ground surface. Ground displacement may occur and buildings may be damaged as a result of liquefaction.

Earthquake-Induced Landslide Zones include areas where geologic materials are considered susceptible to slope failure during strong earthquake ground shaking. Also included are areas with identified past landslide movement and areas with known earthquake-induced slope failure during historic earthquakes. Site specific geotechnical studies are required prior to new development. It should be noted that the maps may not show all areas of potential liquefaction or earthquake-induced landsliding. In addition, the mapped areas within each zone will not be affected uniformly during an earthquake. As noted on the maps, "Liquefaction zones may also contain areas susceptible to the effects of earthquake-induced landslides. This situation typically exists at or near the toe of existing landslides, downslope from rockfall or debris flow source areas, or adjacent to steep stream beds".

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**ADVISORIES**

**REGISTERED SEX OFFENDER DATABASE DISCLOSURE REQUIREMENT**  
**("MEGAN'S LAW")**

**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](http://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.

**DISCUSSION:** California law (AB 488), signed by the Governor on September 24, 2004, provides the public with Internet access to detailed information on registered sex offenders. The Sex Offender Tracking Program of the California Department of Justice (DOJ) maintains the database of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.46 of the Penal Code. The online database is updated with data provided by local sheriff and police agencies on an ongoing basis. It presents offender information in 13 languages; may be searched by a sex offender's specific name, zip code, or city/county; provides access to detailed personal profile information on each registrant; and includes a map of your neighborhood.

**California Department of Justice Information Sources:**

Megan's Law Sex Offender Locator Web Site: <http://www.meganslaw.ca.gov>

California Department of Justice Megan's Law Email Address: [meganslaw@doj.ca.gov](mailto:meganslaw@doj.ca.gov)

**Local Information Locations For The Property:**

All sheriffs departments and every police department in jurisdictions with a population of 200,000 or more are required to make a CD-ROM available free to the public for viewing. Although not required, many other law enforcement departments in smaller jurisdictions make the CD-ROM available as well. Please call the local law enforcement department to investigate availability.

***The following are the law enforcement departments in your county that are REQUIRED to make information available:***

<b>Alameda County Sheriff's Department</b>	(510) 667-3190
<b>Fremont Police Department</b>	(510) 790-6860
<b>Oakland Police Department</b>	(510) 238-2188

**Explanation and How to Obtain Information**

For over 50 years, California has required certain sex offenders to register with their local law enforcement agencies. However, information on the whereabouts of the sex offenders was not available to the public until implementation of the Child Molester Identification Line in July 1995. The available information was expanded by California's "Megan's Law" in 1996 (Chapter 908, Stats. of 1996). Megan's Law provides certain information on the whereabouts of "serious" and "high-risk" sex offenders. The law specifically prohibits using the information to harass or commit any crime against the offender. The information on a registered sex offender includes: name and known aliases; age and sex; physical description, including scars, marks and tattoos; photograph, if available; crimes resulting in registration; county of residence; and zip code (from last registration). Accessing the online database requires agreement to the DOJ's terms of use on the web page.

**METHAMPHETAMINE CONTAMINATED PROPERTY DISCLOSURE ADVISORY**

**DISCUSSION:** According to the "Methamphetamine Contaminated Property Cleanup Act of 2005" a property owner must disclose in writing to a prospective buyer if local health officials have issued an order prohibiting the use or occupancy of a property contaminated by meth lab activity. The owner must also give a copy of the pending order to the buyer to acknowledge receipt in writing. Failure to comply with these requirements may subject an owner to, among other things, a civil penalty up to \$5,000. Aside from disclosure requirements, this new law also sets forth procedures for local authorities to deal with meth-contaminated properties, including the filing of a lien against a property until the owner cleans up the contamination or pays for the cleanup costs.

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**MOLD ADVISORY**

**DISCUSSION:** The Buyer is hereby advised that naturally occurring molds may exist both inside and outside of any home and may not be visible to casual inspection. Persons exposed to extensive mold levels can become sensitized and develop allergies to the mold or other health problems. Extensive mold growth can damage a structure and its contents. All prospective purchasers of residential and commercial property are advised to thoroughly inspect the Property for mold. Be sure to inspect the Property inside and out for sources of excess moisture, current water leaks and evidence of past water damage.

As part of a buyer's physical inspection of the condition of a property, the buyer should consider engaging an appropriate and qualified professional to inspect and test for the presence of harmful molds and to advise the buyer of any potential risk and options available. This advisory is not a disclosure of whether harmful mold conditions exist at a property or not. No testing or inspections of any kind have been performed by The Company. Any use of this form is acknowledgement and acceptance that The Company does not disclose, warrant or indemnify mold conditions at a property in any way and is not responsible in any way for mold conditions that may exist. Information is available from the California Department of Health Services Indoor Air Quality Section fact sheet entitled, "Mold in My Home: What Do I Do?" The fact sheet is available at [https://www.cdph.ca.gov/Programs/CCDCPHP/DEODC/EHLB/IAQ/CDPH%20Document%20Library/MMIMH\\_050619\\_ADA.pdf](https://www.cdph.ca.gov/Programs/CCDCPHP/DEODC/EHLB/IAQ/CDPH%20Document%20Library/MMIMH_050619_ADA.pdf) or by calling (510) 620-3620.

The Toxic Mold Protection Act of 2001 requires that information be developed regarding the potential issues surrounding naturally occurring molds within a home. Information was written by environmental authorities for inclusion in the *Residential Environmental Hazards: A Guide for Homeowners, Buyers, Landlords and Tenants* booklet developed by the California Environmental Protection Agency and the Department of Health Services. It is found in Chapter VII of that booklet, and includes references to sources for additional information.

**For local assistance, contact your county or city Department of Health, Housing, or Environmental Health.**

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## TERMS AND CONDITIONS

### ACCEPTANCE OR USE OF THIS REPORT CONSTITUTES APPROVAL AND ACCEPTANCE OF THE TERMS, CONDITIONS, AND LIMITATIONS STATED HEREIN.

This Report was prepared by JCP-LGS Disclosure Reports ("JCP-LGS"). This Report is for the exclusive use and reliance of the lessor, lessee and their respective agents ("Recipients"), if any. It may be used only in conjunction with the transaction contemplated by the Recipients. This Report is not intended to be and may not be used for any other purposes, including but not limited to appraisal or valuation of the Property.

This Report is valid solely for the transaction presently contemplated between this lessor and this lessee relating to the Property address and assessor's parcel number (APN) furnished by the lessor or the leasing agent as shown on page one (1) of this Report. Lessor is responsible for verifying the accuracy of the property address and APN within five (5) days of receipt of this Report. Upon timely notification of an inaccurate address or APN, JCP-LGS will issue a replacement report.

- A. No Third Party Reliance on This Report.** This Report may not be used by or relied upon by any other parties, including but not limited to lenders or subsequent lessors or lessees, nor shall there be any third party beneficiaries regardless of their relationship with or to the Recipients, or the Property. JCP-LGS makes no representation or covenant as to the Report's effect on the value of the Property as a result of the various disclosures contained in this Report.
- B. Multiple Parcels Are Treated as One.** If multiple adjacent parcels are being leased as a single property or in a single transaction, this Report treats them as if they were a single parcel. That is, hazards that affect an individual parcel will be disclosed as affecting all parcels. Should Recipients desire a disclosure with regard to each parcel separately, a separate report must be ordered for each such parcel.
- C. Changes to Government Record After Report Date.** The disclosures contained in this Report are valid only as of the date shown on page one (1) of this Report. JCP-LGS shall have no duty or obligation to inform Recipients of any changes or governmental actions pertaining to or affecting the Property coming effective after the date shown on page one (1) of this Report. It is recommended that a request for an updated Report be made if the Property remains inactive for an extended period of time after this Report is issued.
- D. Government Record Sources.** JCP-LGS has relied solely upon records and information specifically referred to in this Report for preparation of this Report. These records and information were supplied by various governmental agencies. JCP-LGS assumes that the records and information supplied by various governmental agencies are complete and accurate. Consequently, JCP-LGS shall not be responsible for any inaccuracies or omissions in public records or in information reported by various governmental agencies. No physical inspection of the Property has been made.
- E. Report Is Not an Insurance Product.** JCP-LGS shall have no responsibility or liability for any costs or consequences arising due to the need, or lack of need, for earthquake insurance or flood hazard insurance. The National Flood Insurance Program or an insurance agent should be contacted for information regarding flood insurance. An insurance agent should be contacted for earthquake insurance information.
- F. JCP-LGS Limitation on Liability**
1. JCP-LGS is not responsible for:
    - Any inaccuracies or incompleteness of the information in the Public Records.
    - Inaccurate address information provided for the Property.
    - Any other information not contained in the Public Records as of the Report Date.
    - Any information which would be disclosed by a physical inspection of the Property.
    - Any information known by one of the Parties.
    - The health or risk to humans or animals that may be associated with any of the disclosed hazards.
    - The costs of investigating or remediating any of the disclosed hazards.
  2. JCP-LGS's total liability and responsibility to all Recipients collectively for any and all liabilities, causes of action, claim or claims, including but not limited to claims for breach of contract or negligence, shall be limited to the price paid for the Report. JCP-LGS expressly disclaims any liability for Recipients indirect, incidental and/or consequential damages, including without limitation lost profits even if such damages are foreseeable. In the event of any error, omission or inaccuracy in the JCP-LGS Report for which JCP-LGS is liable, JCP-LGS shall have no duty to defend or pay any attorneys' fees, costs or expenses incurred by the Recipients, or any of them. The Recipients, and each of them, expressly waive the benefits of California Civil Code Section 2778. JCP-LGS has not conducted an independent investigation of the accuracy of the information provided by the Recipient. JCP-LGS assumes no responsibility for the accuracy of information provided by the Recipient. JCP-LGS shall be subrogated to all rights of any claiming party against anyone including, but not limited to, another party who had actual knowledge of a matter and failed to disclose it to the Recipients in writing prior to the close of escrow.
- G. Reporting of Risk Elements for Condominium Projects, Planned Unit Developments, and Other Properties with Common or Undivided Interests ("Common Interests")** Unless otherwise noted, this report is based solely on the real Property referenced by the Property's Assessor's Parcel Number ("APN"). An APN whose boundary does not include all Common Interests associated with the parcel will generate a report which does not identify the natural hazards relating to the Common Interests that extend beyond the APN parcel boundary. Accordingly, it is imperative that you consult with the property's homeowners association(s) to determine those risks.
- H. JCP-LGS's Database Updates.** Each database used in this Report is updated by the responsible agency at various intervals. Updates for a database are determined by the responsible agency and may be made at any time and without notice. JCP-LGS maintains an update schedule and makes reasonable efforts to use updated information. For these reasons, JCP-LGS reports information as of the date when the database was last updated by JCP-LGS. That date is specified as the "Database Date" for each database.
- I. Governing Law.** The Report shall be governed by, and construed in accordance with, the laws of the State of California.
- J. Small Claims or Arbitration.** This provision constitutes an agreement to arbitrate disputes on an individual basis. Any party may bring an individual action in small claims court instead of pursuing arbitration, so long as the action remains in that court. All disputes and claims arising out of or relating to the Website, Customer Service, or any Report, must be resolved by binding arbitration. This agreement to arbitrate includes, but is not limited to, all disputes and claims between Company, transferor(s) and transferee(s) and claims that arose prior to purchase of the Report. This agreement to arbitrate

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applies to transferor(s) and transferee(s) successors in interest, assigns, heirs, spouses, and children. As noted above, a party may elect to bring an individual action in small claims court instead of arbitration, so long as the dispute falls within the jurisdictional requirements of small claims court.

Any arbitration must take place on an individual basis. Company, transferor(s) and transferee(s) agree that they are waiving any right to a jury trial and to bring or participate in a class, representative, or private attorney general action, and further agree that the arbitrator lacks the power to grant relief affecting anyone other than the individual claimant. If a court decides that any of the provisions of this paragraph are invalid or unenforceable as to a particular claim or request for a particular remedy (such as a request for public injunctive relief), then that claim or request for that remedy must be brought in court and all other claims and requests for remedies must be arbitrated in accordance with this agreement.

The arbitration is governed by the Consumer Arbitration Rules (the "AAA Rules") of the American Arbitration Association ("AAA"), as modified by this Agreement, and will be administered by the AAA. Company will pay all AAA filing, administration and arbitrator fees for any arbitration it initiates and for any arbitration initiated by another party for which the value of the claims is \$75,000 or less, unless an arbitrator determines that the claims have been brought in bad faith or for an improper purpose, in which case the payment of AAA fees will be governed by the AAA Rules. A COPY OF THESE RULES IS AVAILABLE FROM THE AAA'S WEB SITE AT [WWW.ADR.ORG](http://WWW.ADR.ORG) OR ON REQUEST FROM THE COMPANY. THE ARBITRATION AWARD MAY INCLUDE ATTORNEY'S FEES IF ALLOWED BY FEDERAL, STATE, OR OTHER APPLICABLE LAW AND MAY BE ENTERED AS A JUDGMENT IN ANY COURT OF PROPER JURISDICTION.

The arbitration will take place in the same county in which the property covered by the Report is located. The Federal Arbitration Act will govern the interpretation, applicability and enforcement of this arbitration agreement. This arbitration agreement will survive the termination of the Report.

- K. **Severability.** If any provision of the Terms and Conditions to this Report is determined to be invalid or unenforceable for any reason, then such provision shall be treated as severed from the remainder of the Terms and Conditions, and shall not affect the validity and enforceability of all of the other provisions of the Terms and Conditions.
- L. **Other Agreements.** This Report constitutes the entire, integrated agreement between JCP-LGS and Recipients, and supersedes and replaces all prior statements, representations, negotiations, and agreements.

**END OF REPORT**