

SANTA CLARA COUNTY ADVISORY

Address of the "Property": 2604 Camloop Dr. San Jose

This Advisory has been compiled by Coldwell Banker as a convenience for Buyers and Sellers of real property located in Santa Clara County. This Advisory consists of both county-wide and area-specific disclosures and disclaimers. It is not intended to replace any or all other Property Disclosures, Questionnaires or Advisories. This Advisory is not intended to alarm anyone but to educate and inform you that in purchasing or selling something as valuable as real estate you have a responsibility to yourself to take special precautions to investigate issues that could impact the sale of and/or the value and desirability of the Property. Buyers should only rely on appropriate experts, not on Sellers and/or Brokers (the term "Brokers" in this Advisory means real estate brokers or agents, regardless of who they represent in the transaction) when you have doubts, questions or concerns. For additional information about issues affecting property located in Santa Clara County go to the following website: <http://www.sccgov.org>.

HIGH SPEED RAIL

On November 5, 2008, California voters approved Proposition 1A authorizing funding of a high-speed rail transportation system linking various cities in the State. Both the location of the proposed system and the possible effect that the construction and operation of that system will have on residential areas has been the subject of concern and debate. Some news reports have indicated that, depending upon the location of the high-speed rail system, it may have a negative effect on some properties in the San Francisco Bay Area. It is anticipated that construction is likely to begin as early as 2011.

The California High-Speed Rail Authority ("Authority") is the state entity that is responsible for planning, constructing and operating that high-speed train system. The undersigned can obtain more information about the proposed high-speed rail system by contacting the Authority or by going online to <http://www.cahighspeedrail.ca.gov>.

Precisely what impact, if any, the proposed high-speed rail transportation system will have on any given property is unknown either before, during or after construction. The construction and/or use of the transportation system may affect people differently. Real estate agents are not experts in this area and Buyers are advised to satisfy themselves with regard to this issue during their inspection contingency period.

CAL-TRAIN

Cal-Train operates commuter trains from San Jose to San Francisco which run daily through and make various stops in Santa Clara County. The presence of these trains may impact the local streets and may also impact the value and desirability of some property located in Santa Clara County. Under regulations issued by the Federal Railroad Administration, these trains must produce a distinct, separate, sequential blast at various grade crossings (where a street crosses the tracks) and whenever a train engineer sees a trespasser near the tracks. To comply with those regulations, Cal-Train has temporarily relocated their horns onto the top of the locomotives which has increased the volume and range of the sound. Cal-Train is attempting to balance neighborhood noise concerns with the required safety regulations. The ultimate impact of Cal-Train on any particular property or any individual is subjective in nature. Brokers are not experts on this topic and Buyers are advised to investigate this issue independently so as to satisfy themselves with regard to the potential impact of Cal-Train during their inspection contingency period. For more information, go to the following website: <http://www.caltrain.org>.

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SOUTHERN PACIFIC RAILROAD

A Southern Pacific train runs from San Jose to Cupertino and back to San Jose multiple times a week. Sound from this train can carry over into portions of nearby communities. Brokers are not experts on this topic and Buyers are advised to investigate the impact, if any, of such trains on the Property.

HEIGHT RESTRICTIONS/OVERLAY DISTRICTS

Several cities, such as Mountain View, Los Altos and Palo Alto have enacted ordinances limiting the height of single family residences and/or preventing the construction of second story homes. These restrictions vary greatly throughout the County.

The State of California, the County of Santa Clara and certain cities and towns with the County have enacted and may in the future enact additional laws, ordinances, and regulations which affect and may restrict land uses, development construction (including remodeling and grading), and may require, among other things, specialized permits, setbacks or structural improvements.

If Buyer has any intent to expand, remodel or alter the Property, now or in the future, Buyer should consult with the local Planning Department regarding the effect of any and all types of building restriction ordinances upon the Property during the Buyer's inspection contingency period.

SCHOOL AVAILABILITY

The neighborhood school(s) normally serving this Property may or may not have space available in the upcoming school year due to overcrowding. Some areas, such as Morgan Hill, have imposed transportation fees. Brokers are not experts on school availability and thus Buyers are advised to make their own investigation of school availability as well as any applicable costs directly with the appropriate school district.

TREE ORDINANCES

Several cities, such as Cupertino, Mountain View, Palo Alto, San Jose and Sunnyvale have enacted ordinances identifying Heritage or other significant trees that must be protected or preserved and/or to regulate the type or number of trees in any given area. Permits may be required to cut down, destroy, remove or relocate designated trees. Brokers are not experts on and cannot determine the health of trees and/or whether or not any tree is subject to a tree preservation ordinance. The undersigned are strongly encouraged to read any applicable tree preservation ordinances before buying or selling any property in Santa Clara County. Buyers should consult with an arborist during their inspection contingency to determine the health of trees and whether or not any action can or must be taken with respect to the trees on the Property. Buyers should also check with relevant governmental entities during their inspection contingency period to determine whether any special acts or permits are required with respect to any trees on the Property.

The City of San Jose requires Sellers to make specific disclosures to Buyers regarding street trees on a separate form prior to the sale of residential property. Buyers of property in the City of San Jose should not close escrow without receiving the Seller's Street Tree Disclosure form.

GROUND WATER RELATED ISSUES

Many properties in Santa Clara County have natural springs and/or rain water runoff issues that may result in standing water, dry rot, flooding, mold, water damage, foundation failure or other potential damage to residences. Some parts of Santa Clara County have experienced periodic high water tables that may result in water intrusion

problems. In addition, some properties have faulty grading, clay soil or inadequate downspout and gutters which can also cause additional problems. Brokers are not experts in and cannot determine ground water related issues. If the Seller's disclosures, any visual inspection of the Property, or any professional inspection report indicates a past or current water-related issue, Buyers are strongly encouraged to thoroughly investigate the problem, its cause and the possible repair cost to rectify the problem with qualified professionals (e.g. Geo-Tech Engineer, Mold Inspector, Abatement Experts, Foundation Contractors, etc) during the Buyer's inspection contingency period.

Santa Clara County has implemented several land management programs to keep its creeks and groundwater clean. Due to pressures from development, all potential sources of environmental pollution are coming under public scrutiny, including horse property. Buyers should investigate the County's land management programs during their inspection contingency period at the following website: <http://www.sccgov.org>.

RESERVOIRS

The Santa Clara Valley Water District manages water resources and provides stewardship for the county's five watersheds, including 10 reservoirs (such as the Anderson Reservoir), hundreds of miles of streams and groundwater basins. The water district also provides flood protection throughout Santa Clara County. The District captures local rainfall in the reservoirs throughout the winter months. Then in the spring and summer, the District makes releases from the reservoirs to replenish the underground water supply. Because the amount of local rainfall cannot be predicted, there is no way to guarantee that any given Reservoir will fill up each winter or that there will be sufficient water for all purposes, including recreation facilities. Brokers are not experts on this topic. Buyers can obtain additional information from the Santa Clara Valley Water District by calling (408) 265-2607 or go to the following website: <http://www.valleywater.org>.

WELLS

Santa Clara County imposes a well tax on property that has a well. Buyer is advised to contact the County for additional information regarding the amount and frequency of this tax as well as the method of payment. Recent studies have revealed that some wells in Morgan Hill and San Martin contain the chemical perchlorate. Other wells in Santa Clara County may be contaminated by this or other chemicals. Additional information about possible chemical contamination at any given property can be obtained from the Santa Clara Valley Water District by calling (408) 265-2607 or go to the following website: <http://www.valleywater.org>. General information pamphlets regarding the use and maintenance of wells are also available. Brokers are not qualified to and will not determine the quality of well water, the productivity of well water and/or the potability of well water. Buyers are strongly encouraged to retain appropriate well inspections during the Buyer's inspection contingency period. .

SEPTIC SYSTEM/WASTEWATER TREATMENT SYSTEM REGULATIONS

The State of California has proposed and is in the process of refining and enacting new regulations for onsite wastewater treatment systems (OWTS) (sometimes also referred to as "septic systems"). Once these new regulations go into effect, they may affect the type of OWTS on the Property, if any. Brokers are not experts on this topic and are not qualified to and will not determine the condition of septic systems. Buyer can obtain more information about OWTS /Septic System regulations by contacting the State Water Resources Control Board, at (916) 341-5250 or go to the following website: http://www.waterboards.ca.gov/water_issues/programs/septic_tanks. General information pamphlets regarding the use and maintenance of septic systems are also available.

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POWER PLANT

The Calpine Metcalf Energy Center Power Plant is located on Monterey Road at the north end of the Coyote Valley, approximately six miles from Morgan Hill. The Power Plant encompasses approximately 126 acres in the vicinity of Tulare Hill. Brokers are not experts on this topic. Buyers are encouraged to investigate with the City of Morgan Hill, the State Utilities Commission or any other governing body as to the cause and effect, if any, that the existence of the Power Plant may have on any property in and around that area, during the Buyer’s inspection contingency period. For more information, go to the following website: www.metcalfenergycenter.com.

SANTA CLARA COUNTY PUBLIC AMENITIES

Santa Clara County has many public amenities which add to the richness of the community. However, these public amenities can also impact the use and enjoyment of some property due to noise, traffic and/or other problems. The following is a partial list of some of the amenities that Buyers are encouraged to investigate during their inspection contingency period:

Airfields

There are multiple airfields in Santa Clara County including but not limited to: San Jose International Airport, Reid-Hillview, Moffett Federal Airfield and Palo Alto Airport. Frequency of flights and air patterns create sound issues for some properties. Brokers cannot determine what impact, if any, the proximity of airfields have on any given property. Buyer needs to investigate the impact, if any, of flights and air patterns over the Property.

Shoreline Amphitheater, Mountain View

Concerts are held at this outdoor theater from time to time. Sound from these concerts can carry over into portions of Mountain View, Palo Alto and Los Altos. Brokers cannot determine what impact, if any, the proximity of this venue has on any given property. Buyer needs to investigate the impact, if any, of such concerts on the Property.

Paul Masson Winery/Montalvo Center for the Arts

These two (2) “Centers” sponsor outdoors concerts during the summer months. Sound from these concerts can carry over into portions of Saratoga. Brokers cannot determine what impact, if any, the proximity of these venues has on any given property. Buyer needs to investigate the impact, if any, of such outdoor concerts on the Property.

SPECIFIC LOCAL DISCLOSURES

Stevens Creek Elementary School

On March 31, 2009, the EPA announced that it would be assessing the outdoor air quality of 62 schools across the nation due to their proximity to industrial facilities. Stevens Creek Elementary School is one of the schools listed by the EPA for that monitoring program. The school is located approximately two miles from the Lehigh Southwest Cement and Limestone Quarry on Stevens Creek Boulevard.

For more information about the EPA air quality school monitoring program, Buyers should check the EPA website at <http://www.epa.gov/schoolair>.

City of Cupertino

On March 17, 2007, several Cupertino residents received a letter entitled “Urgent Message” regarding alleged air, water and soil contamination in Cupertino. No governmental material or scientific evidence was provided to support any of the allegations raised by the entity calling itself the Citizens of Cupertino whose contact person is Cathy Helgerson. For more information about the Citizens of Cupertino, call (408) 253-0490.

Coldwell Banker has not and will not investigate the claims of air, water and soil contamination raised by the Citizens of Cupertino nor will Coldwell Banker verify or refute their claims. Brokers are not experts on pollution. Buyers of real property located in the City of Cupertino are encouraged to investigate the allegations of air, water and soil contamination to their own satisfaction during their inspection contingency period by retaining the appropriate professionals. For information about the City of Cupertino, go to the following website maintained by the City: <http://www.cupertino.org> .

City of Palo Alto

Historic Preservation Ordinance - Buyers are advised that the City of Palo Alto imposes limitations and restrictions regarding the demolition, alteration or relocation of certain homes. Chapter 16.49 of the Municipal Code makes it unlawful for any person to tear down, demolish, construct, alter, remove or relocate any home which is on the Palo Alto Register or the Resource List, except as permitted. Brokers are not experts and will not determine if any particular property is on the Palo Alto Register or the Resource List. If Buyer has any intent to expand, remodel or alter the Property, now or in the future, Buyers should, during their inspection contingency period, consult with an architect and contact the City of Palo Alto Planning & Community Environment Department at (650) 329-2441.

Underground Utility Program - The City of Palo Alto is in the process of a multi-year project to place the aboveground utility wires underground. Buyers are advised to contact the City of Palo Alto Utility Department to find out when the neighborhood is scheduled for this conversion and what the approximate cost of this conversion is to each homeowner.

For more information about these or other issues affecting property in Palo Alto, go to the following website: <http://www.cityofpaloalto.org>.

City of Saratoga

Heritage Preservation – Buyers are advised that the City of Saratoga has enacted an ordinance to identify, preserve and enhance its Heritage Resources. Chapter 13-05 imposes limitations and restrictions regarding the demolition, alteration or relocation of any building, structure, parking facility, fence, gate, wall, work of art or other appurtenance or addition thereto constituting a physical betterment of real property, or any part of such betterment that is on the City’s official Heritage Resource Inventory. A property may be listed on the Heritage Resource Inventory without being designated as a historic landmark, heritage lane or historic district. Brokers are not experts and will not determine if any particular property is on the Saratoga Heritage Resource Inventory. If Buyer has any intent to expand, remodel or alter the Property, now or in the future, Buyers should, during their inspection contingency period, consult with an architect and contact the City of Saratoga Community Development Department at (408) 868-1222.


For more information about this or other issues affecting property in Saratoga, go to the following website: <http://www.saratoga.ca.us> .

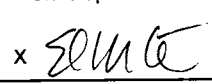
Town of Los Altos Hills

Los Altos has established standard for public and private roads and the Town has compiled a list of private streets. Private streets can be converted to public streets under specified conditions. Brokers do not have the requisite expertise to determine if any given street is public or private or whether any given private street can be dedicated to the Town. For information about this or any other issues affecting property in the Town of Los Altos Hills, go to the following website: <http://www.losaltoshills.ca.gov>.

THE UNDERSIGNED ACKNOWLEDGE AND UNDERSTAND THAT that Brokers do not warrant or guarantee the condition of the Property and are not responsible for determining the effect, if any, of the issues is this Advisory. Many of these issues are subjective, in that they can impact people differently. Therefore, Buyers are encouraged to investigate these matters to their own satisfaction and to not rely on any representations made by Sellers or Brokers.

THE UNDERSIGNED ACKNOWLEDGE RECEIPT OF A COPY OF THIS SIX (6) PAGE ADVISORY.

Date: 12/10/09 Seller: x 
Christopher White

Date: 12/10/09 Seller: x 
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Date: _____ Buyer: _____

Date: _____ Buyer: _____