



# NOTICE OF INTENTION (COMMON INTEREST)

RE 624 Part III (Rev. 12/08)

**Note:** Submit this package and one photocopy of pages 1 and 2; attach filing fee to page 1 photocopy.

## QUESTIONNAIRE

### 1. GENERAL INFORMATION (1.A-1.O)

#### A. THIS APPLICATION IS FOR A: [Check box(es)]

- FINAL PUBLIC REPORT
- PRELIMINARY PUBLIC REPORT
- OVERALL PRELIMINARY PUBLIC REPORT (MULTI-PHASE MAP PROJECTS ONLY)
- CONDITIONAL PUBLIC REPORT

#### B. TYPE OF SUBDIVISION [Check box(es)]

- CONDOMINIUM
- UNDIVIDED INTEREST
- PLANNED DEVELOPMENT
- CONVERSION
- COMMUNITY APARTMENT
- MOBILE HOME

#### C. SUBDIVISION IDENTIFICATION AND LOCATION

NAME OF SUBDIVISION \_\_\_\_\_

TRACT NUMBER \_\_\_\_\_

NAME TO BE USED IN ADVERTISING \_\_\_\_\_

SUBDIVISION LOCATION (address/main access roads/cross streets) \_\_\_\_\_

CITY \_\_\_\_\_

COUNTY \_\_\_\_\_

NEAREST CITY \_\_\_\_\_

MILES/DIRECTION FROM CITY \_\_\_\_\_

#### D. THIS APPLICATION IS BEING SUBMITTED AS: [Check one]

- SINGLE PHASE PROJECT
  - FIRST PHASE OF A MASTER PLANNED DEVELOPMENT (MPD) THAT WILL CONTAIN MULTIPLE OWNERS' ASSOCIATIONS.
  - FIRST PHASE OF A MULTIPLE-PHASE SUBDIVISION WITH ALL PHASES SUBJECT TO ONE OWNERS' ASSOCIATION.
- WILL THIS SUBDIVISION ALSO BE PART OF AN EXISTING MASTER PLANNED DEVELOPMENT?
- NO
  - YES PROVIDE FILE NUMBER & DEPUTY NAME BELOW.
- SUBSEQUENT PHASE TO AN EXISTING SUBDIVISION. PROVIDE FILE NUMBER & DEPUTY NAME BELOW.

MASTER FILE # OR MPD FILE # (or MPD name, if number unknown) \_\_\_\_\_

DEPUTY ASSIGNED TO MOST RECENT SUBSEQUENT OR MPD PHASE \_\_\_\_\_

#### E. WILL YOU ALSO FILE WITH HUD? (Refer to Question 1.O)

- NO  YES

#### F. WERE PRE-APPROVED MASTER MANAGEMENT DOCUMENTS USED?

- NO
- YES MMD # \_\_\_\_\_

FOR DRE USE ONLY

FILE NUMBER \_\_\_\_\_

AMOUNT REQUIRED

\$ \_\_\_\_\_

AMOUNT RECEIVED

\$ \_\_\_\_\_

REFUND AMOUNT

\$ \_\_\_\_\_

AMT TRANSFERRED

\$ \_\_\_\_\_

FOR LOTS

FROM FILE # \_\_\_\_\_

#### G. SIZE OF THIS FILING

NUMBER OF RESIDENTIAL LOTS/UNITS/INTERESTS (Do not count common area lots) \_\_\_\_\_

NUMBER OF COMMON AREA LOTS \_\_\_\_\_

NUMBER OF ACRES IN THIS FILING \_\_\_\_\_

LIST COMMON AREA LOT NUMBERS/LETTERS \_\_\_\_\_

#### Check appropriate box(es)

Lots/Units to be:  Sold  Leased

All residential lots to be sold vacant

All residential lots to be sold with completed residential structures.

Indicate type of structure:

Conventional  Manufactured  Factory-built

Residential lots to be sold both vacant and improved with residential structures.

Vacant lots to be sold under agreement obligating buyer to enter into construction contract with seller or seller controlled entity.

All lots to be sold with age restrictions.

At least 50% of the lots/units will be sold subject to affordable housing financing programs. (Submit evidence.)

#### H. WAS A PRELIMINARY (OR OVERALL PRELIMINARY) PUBLIC REPORT ISSUED FOR THIS FILING?

NO If NO, submit basic filing fee, lot fee, 15 address labels for SRP and another 15 for subdivider.

YES If **PRELIMINARY** issued, enter assigned file number below. If **OVERALL PRELIMINARY** issued (covering all lots in the subdivision), enter assigned file number below and submit basic filing fee (except first phase) and 15 address labels for each party. *Note:* Any difference between originally paid lot fees and the current fees, plus a basic filing fee, must be paid for each filing in a phased project (see RE 605).

\_\_\_\_\_  
[Assigned File Number]

#### WHEN PUBLIC REPORT IS READY:

MAIL TO SRP

CALL SRP FOR PICK-UP

**I. SUBDIVIDER INFORMATION**

NAME

ATTENTION

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER (INCLUDE A/C)

FAX NUMBER

**J. SINGLE RESPONSIBLE PARTY (SRP)**

NAME

ATTENTION

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER (INCLUDE A/C)

FAX NUMBER

**K. HOA BUDGET PREPARER**

NAME

ATTENTION

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER (INCLUDE A/C)

FAX NUMBER

**L. MANAGEMENT DOCUMENTS PREPARER**

NAME

ATTENTION

BUSINESS ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER (INCLUDE A/C)

FAX NUMBER

**M. OVERALL PROJECT PLAN** (See Part I, Figure C, for explanation of multiple-maps and phases.)

- 1) This application is for: (check one box)  
(Enter 1st, 2nd, 3rd, etc. and 1, 2, 3, etc. in the spaces below as appropriate.)
  - a)  Single phase project. (One public report covering the entire project).
  - b)  This is a condominium project located on a single lot. This is the \_\_\_\_\_ phase of a \_\_\_\_\_ phase project.
  - c)  The \_\_\_\_\_ phase of a \_\_\_\_\_ phase project with no additional tract maps.
  - d)  This is a multiple-map filing, and this application covers the \_\_\_\_\_ map of \_\_\_\_\_ total single-phase maps.
  - e)  This is a \_\_\_\_\_ phase, \_\_\_\_\_ map filing, and this application covers the \_\_\_\_\_ phase of the \_\_\_\_\_ map.

2) If "b," "c," "d" or "e" is checked above, answer the following questions.

What is the total number of acres in the overall project? .....

What is the total number of lots/units in the overall project? .....

How many lots/units, other than common area, in the overall project to date, including this filing? .....

What is the approximate completion date for the overall project? .....

List residential and common area lot numbers/letters for each phase in this overall project plan.

DRE File Number	Tract Number	Phase	Residential Lot/Unit Number	Common Area Lot Numbers/Letters

N. Improvements

- 1) Number of buildings containing residential units: ..... \_\_\_\_\_
- 2) Estimated completion date of residential units: ..... \_\_\_\_\_
- 3) Estimated completion date of common area improvements and facilities included in this filing: ..... \_\_\_\_\_
- 4) *Describe* type of car storage, if any, such as garage, carport or open space, and total number of each type:  
 \_\_\_\_\_  
 \_\_\_\_\_

O. Will you also file with the HUD Office of Consumer and Regulatory Affairs, Interstate Land Sales/RESPA Division (HUD-OCRA)? .....  Yes  No

If YES, see instructions in SPRAG and submit contract (deposit receipt/purchase agreement) with HUD-OCRA required provisions *underlined in red*.

*Note:* If YES and you are considering obtaining a conditional public report, you should be aware that HUD has advised the Department of Real Estate that sales of a HUD project under the authority of a conditional public report would be unlawful. Also, if a conditional public report is issued, it would be without the HUD certification.

**\*2. SUBDIVIDER STATUS [Master File Item]**

A. Is subdivider a California resident? .....  Yes  No

If a nonresident of the State of California, *submit* an irrevocable consent (original and one copy of appropriate RE 608) that if any action is commenced against the subdivider in the State of California and personal service of process upon the entity or individual cannot be made in this State, a valid service may be made by delivering the Consent To Service of Process (RE 608s) to the Department of Real Estate of the State of California.

B. Is the subdivider an entity organized under the laws of a state other than California? ...  Yes  No

If YES, *submit* a Certificate of Status for the foreign entity to transact business in California, issued by the California Secretary of State.

**3. LOCATION OF SUBDIVISION SALES RECORDS**

NAME OF CUSTODIAN		TELEPHONE NUMBER
BUSINESS ADDRESS (POST OFFICE BOX IS NOT ACCEPTABLE)		
CITY	COUNTY	ZIP CODE

**4. CONDITIONAL/PRELIMINARY PUBLIC REPORT**

A. Are you requesting a conditional public report? (B&P Code §11018.12; Reg. 2790.2)  Yes  No

If YES, §11018.12(f) of the Business and Professions Code requires a subdivider, principal, or his or her agent shall provide a prospective purchaser with a copy of the conditional report and a written statement which includes all of the following: (Submit a copy of the statement.)

*Note:* If you are considering obtaining a conditional public report and the response to question 1“O” above is YES, you should be aware that HUD has advised the Department of Real Estate that sales of a HUD project under the authority of a conditional public report would be unlawful. Also, if a conditional public report is issued, it would be without the HUD certification.

- 1) Specification of the information required for issuance of a public report.
- 2) Specification of the information required in the public report which is not available in the conditional public report, along with a statement of the reasons why that information is not available at the time of issuance of the conditional public report.
- 3) A statement that no person acting as a principal or agent shall sell or lease or offer for sale or lease lots or parcels in a subdivision for which a conditional public report has been issued except as provided in this article.
- 4) Specification of the requirements of Section 11018.12.

B. If you are requesting a conditional public report, provide the name and address of the neutral escrow depository where all purchase money will be impounded, pursuant to Section 11013.2(a) or 11013.4(a) of the Business and Professions Code, until such time as the final public report is furnished to the purchaser.

NAME		CODE SECTION (CHECK ONE) <input type="checkbox"/> 11013.2(A) <input type="checkbox"/> 11013.4(A)
BUSINESS ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

C. Are you requesting a preliminary public report? .....  Yes  No

If YES, submit:

- the Reservation Deposit Handling Agreement (RE 612A) completed in sample form and executed with original, not photocopied, signatures of escrow holder and subdivider;
- the Reservation Instrument (RE 612) completed in sample form; and
- an original typed preliminary public report and three pink copies (see Part I, Section VIII for specific instructions).

**5. ADVERTISING AND PROMOTION [Master File Item]**

A. Indicate which of the following inducements or representations will be made in the advertising and marketing of subdivision interests.

*Note:* If the answer to any of the following questions is YES, enter YES on item 5A(1-8) on Part II.

*Note:* For each YES answer, submit details, copies of all documents proposed to be used, proposed financial arrangements, e.g., bond, letter of credit or escrowing of developer's funds, to carry out these programs, where applicable. Include RE 609 Escrow Instructions (Promotional Gifts), if item 5A(3) is answered YES. See SPRAG for further details.

- 1) Investment merit or appreciation potential of lots, parcels or units? .....  Yes  No
- 2) Construction or equipment guarantees, including guarantees to repair latent construction defects which extend beyond one year?.....  Yes  No
- 3) Gift, free trip, rebates or other similar promotional marketing devices? .....  Yes  No
- 4) Membership in club or association other than homeowners' association or the use or availability for use, of commercial or recreational facilities (whether within or outside the boundaries of the subdivision) which will not be owned or controlled by the homeowners' association? .....  Yes  No
- 5) Program or arrangements for resale by purchasers of subdivision interests, money back guarantee or repurchase agreement?.....  Yes  No
- 6) Program or plan for leasing or renting of subdivision interests on behalf of non-occupying owners? .....  Yes  No

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7) Other inducements or representations that will be a part of the sales program including any program, plan or arrangements whereby a purchaser may further divide the lot, parcel or unit being offered for sale? .....  Yes  No

8) If subdivision is part of a “master planned community,” answer YES and submit RE 624E. ....  Yes  No

**\*6. TITLE/MINERAL RIGHTS**

A. *Submit* preliminary report signed by an authorized employee of the title company, or a title policy, that shows true condition of title for this subdivision.

B. Is applicant presently in title? .....  Yes  No

If NO, *submit* evidence of future vesting including a date certain by which title must be conveyed.

1) If NO, will applicant be in title when final public report is issued?.....  Yes  No  NA

C. Are there or will there be reservations of water, mineral, oil or gas rights?.....  Yes  No

If YES, the sample grant deed (item 25) must reflect reservations.

D. Have all rights to surface entry been waived? .....  Yes  No  NA

If NO, *submit* arrangements for protection against surface entry.

E. Are there now any mineral rights reserved by the U.S. Government? .....  Yes  No  
(See SPRAG relative to this question before answering.)

1) If YES, are rights of surface entry also reserved?.....  Yes  No  NA

a) If YES, will you purchase these rights from the U.S. Government and convey them to each purchaser of a subdivision interest? .....  Yes  No  NA

b) If NO, and if this is a subdivision improved with residential structures, will a title insurance policy be issued to each purchaser that includes an endorsement to insure against losses caused by surface entry? (100.29 endorsement) .....  Yes  No  NA

F. Will lots/units be subject to transfer fees as defined in Section 1098 of the Civil Code?.  Yes  No

If yes, submit a copy of the recorded document required by Section 1098.5 of the Civil Code.

**\*7. LEASES AFFECTING TITLE [Master File Item]**

A. Are there now any leases which affect title or are there any leases proposed? .....  Yes  No

If YES, *submit* a copy of all leases affecting title.

**8. COASTAL ZONE PERMIT OR EXEMPTION [Master File Item]**

A. Is project located within the Coastal Zone?.....  Yes  No

If YES, *submit* copy of permit or exemption.

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**9. USES, ZONING, HAZARDS, AIRPORTS, NUCLEAR POWER PLANTS**

A. For what use or uses will the property be offered?

- Single-Family Residential
- Residential-Income
- Recreational
- Agricultural
- Age restrictions
- Other (describe) \_\_\_\_\_

B. *Indicate the zoning of the land surrounding this project. (Use descriptive language, NOT CODES. If multi-family, specify type.)*

North \_\_\_\_\_

South \_\_\_\_\_

East \_\_\_\_\_

West \_\_\_\_\_

C. Is the subdivision within two (2) statute miles of any existing airport or any proposed airports shown on the general plan of the city or county? .....  Yes  No

1) If YES, *state* name, location and distance to airport(s).

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2) Is the property within an “airport influence area,” also known as an “airport referral area,” as determined by an airport land use commission? .....  Yes  No

If YES, the following statement shall be included in the public report:

**Notice of Airport in Vicinity**

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

D. Are there any significant surrounding property uses that need to be disclosed in the public report? .....  Yes  No

1) If YES, describe and give location, direction and distance.

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E. Are there or will there be any hazards or unusual conditions in or near this subdivision such as: railroads, rock quarries, oil sumps, high tension wires, open canals, toxic and/or solid waste dumps, freeways, neighboring agricultural production, timber land production, etc.? .....  Yes  No

If YES, *describe* and give location, direction and distance.

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F. Has property in or near this subdivision been previously used as a toxic and/or solid waste dump site, oil sump, or for military training purposes? .....  Yes  No

If YES, *describe* and give location, direction and distance.

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G. Does this subdivision lie within a Nuclear Power Plant Basic Emergency Planning Zone? (*Counties of San Luis Obispo, San Diego, Orange, Sacramento, San Joaquin and Amador only.*) .....  Yes  No

If YES, *state* the name of the nuclear power plant and the distance from this subdivision.

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H. Are you aware of any of the following: Substances, materials, or products which may be an environmental hazard such as, but not limited to, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, and contaminated soil or water on the subject property? .....  Yes  No

If YES, *explain*.

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- I. 1) Are you aware, or have any reason to believe, that the subject property contains any rock material which includes natural occurrences of asbestos? .....  Yes  No

*Note:* Serpentine rock may include asbestos fibers.

- 2) Is the property covered by a State prepared map indicating the likelihood of the presence of natural occurrences of asbestos? .....  Yes  No

*Note:* You may wish to contact the State Department of Conservation, Division of Mines and Geology for information regarding available maps.

- 3) Has any geologic testing been conducted on the property for the purpose of identifying the presence of asbestos fibers? .....  Yes  No

If yes, did the results indicate that asbestos fibers are present? .....  Yes  No

*Note:* A YES response to 9I(1) or 9I(2) above will result in a public report disclosure regarding the possibility that this subdivision contains natural occurrences of asbestos, unless geologic testing is conducted on the property and it is determined that the subdivision does not contain naturally occurring asbestos.

- J. Does the subject project include residential structures built prior to 1978 (do not include properties sold at a foreclosure sale or housing designated for the elderly)? .....  Yes  No

If YES, pursuant to federal Real Estate Disclosure and Notification Rule (24 CFR Part 35 and 40 CFR Part 745), the seller is required to disclose to prospective buyers that this property may contain lead-based paint and/or lead-based paint hazards as well as provide certain written materials as mandated by current law. The seller is required to offer all prospective buyers an opportunity to conduct a risk assessment for lead-based paint and lead-based paint hazards prior to being obligated under a purchase contract. This risk assessment may be waived by written agreement between buyer and seller. For more information on seller's obligations, you should contact the local office of the Environmental Protection Agency.

- K. 1) Is any part of this subdivision located within a *Special Flood Hazard Area* (any type Zone "A" or "V") as designated by the Federal Emergency Management Agency (FEMA)? .....  Yes  No

If YES, pursuant to Government Code Section 8589.3, the seller shall disclose to any prospective purchaser of property within a *Special Flood Hazard Area* the fact that the property is within this Area.

Do not know and information not available from local jurisdiction\*

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Special Flood Hazard Area* as designated by the Federal Emergency Management Agency. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Government Code Section 8589.3.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

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- 2) Is any part of this subdivision located within an *Area of Potential Flooding* shown on an inundation map designated pursuant to Government Code Section 8589.5?..

Yes  No  
 Do not know and information not available from local jurisdiction\*

If YES, pursuant to Government Code Section 8589.4, the seller shall disclose to any prospective purchaser of property within an *Area of Potential Flooding* shown on an inundation map the fact that the property is within this Area.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within an *Area of Potential Flooding* as shown on an inundation map. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Government Code Section 8589.4.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 3) Is any part of this subdivision located within a *Very High Fire Hazard Severity Zone* pursuant to Government Code Section 51178 or 51179?.....

Yes  No

If YES, pursuant to Government Code Section 51183.5, the seller shall disclose to any prospective purchaser of property within a *Very High Fire Hazard Severity Zone* the fact that the property is within this Zone and is subject to the maintenance requirements of Section 51182.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Very High Fire Hazard Severity Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Government Code Section 51183.5.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 4) Is any part of this subdivision located within a *State Responsibility Area* (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry pursuant to Public Resources Code Section 4125?.....

Yes  No

If YES, pursuant to Public Resources Code Section 4136, the seller shall disclose to any prospective purchaser of property within a *State Responsibility Area* the fact that the property is within this Area and is subject to the maintenance requirements of Section 4291.

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If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *State Responsibility Area* (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Public Resources Code Section 4136.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 5) Is any part of this subdivision located within a delineated *Earthquake Fault Zone* pursuant to the Alquist-Priolo Earthquake Fault Zoning Act? (Public Resources Code Section 2622).....  Yes  No

If YES, pursuant to Public Resources Code Section 2621.9, the seller shall disclose to any prospective purchaser of property within a delineated *Earthquake Fault Zone* the fact that the property is within this Zone.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within an *Earthquake Fault Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Public Resources Code Section 2621.9.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 6) Is any part of this subdivision located within a *Seismic Hazard Zone* pursuant to the Seismic Hazards Mapping Act (Public Resources Code Sections 2690-2699.6)? .....  Yes  No
- Landslide zone?  
 Yes  No
- Liquification zone?  
 Yes  No
- Map not yet released by state\*

If YES, pursuant to Public Resources Code Section 2694, the seller shall disclose to any prospective purchaser of property within a *Seismic Hazard Zone* the fact that the property is within this Zone.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Seismic Hazard Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Public Resources Code Section 2694.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execu-

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tion of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

\* **Future changes which place any part of the unsold lots/units in this subdivision within a natural hazard area will be considered a material change requiring the filing of an amended public report application.**

L. Is the property located within the jurisdiction of the San Francisco Bay Conservation and Development Commission? .....  Yes  No

If YES, the following statement shall be included in the public report.

**Notice of San Francisco Bay Conservation and Development Commission Jurisdiction**

This property is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission. Use and development of property within the commission's jurisdiction may be subject to special regulations, restrictions, and permit requirements. You may wish to investigate and determine whether they are acceptable to you and your intended use of the property before you complete your transaction.

M. Is this subdivision located within one mile of property designated as "Prime Farmland," "Unique Farmland," "Farmland of Statewide Importance," "Farmland of Local Importance, or "Grazing Land" on the most current "Important Farmland Map" issued by the Department of Conservation, Division of Land Resource Protection?.....  Yes  No

If YES, the following statement shall be included in the public report.

**Notice of Right to Farm**

This property is located within one mile of a farm or ranch land designated on the current county-level GIS "Important Farmland Map," issued by the California Department of Conservation, Division of Land Resource Protection. Accordingly, the property may be subject to inconveniences or discomforts resulting from agricultural operations that are a normal and necessary aspect of living in a community with a strong rural character and a healthy agricultural sector. Customary agricultural practices in farm operations may include, but are not limited to noise, odors, dust, light, insects, the operation of pumps and machinery, the storage and disposal of manure, bee pollination, and the ground or aerial application of fertilizers, pesticides, and herbicides. THESE AGRICULTURAL PRACTICES MAY OCCUR DURING ANY 24-HOUR PERIOD. Individual sensitivities to those practices can vary from person to person. You may wish to consider the impacts of such agricultural practices before you complete your purchase. Please be advised that you may be barred from obtaining legal remedies against agricultural practices conducted in a manner consistent with proper and accepted customs and standards pursuant to Section 3482.5 of the Civil Code or any pertinent local ordinance.

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**10. FIRE PROTECTION** *[Master File Item]*

A. Will the subdivision be served by fire hydrants? .....  Yes  No

If NO, *describe* what provisions, if any, are available for fire protection and *identify* the fire protection water source.

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B. Is the subdivision within five miles of a fire station *and* served by a public fire protection agency (other than volunteer fire department, U.S. Forest Service or California Department of Forestry)? .....  Yes  No

If YES, *name* the fire protection agency, *state* distance from fire station to project.

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IF NO to A or B above, *describe* what fire protection service, if any, is available and *submit* the fire protection agency will-serve letter as outlined in SPRAG. If there is no fire protection service, so state.

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C. Does this subdivision lie within the boundaries of land classified as State Responsibility Area (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry pursuant to Section 4125 of the Public Resources Code? .....  Yes  No  NA

*Note:* Maps of State Responsibility Areas should be on file with the County Planning Department or County Assessor's Office.

*Note:* Check NA, if this subdivision is located in any of the following counties: Kern, Los Angeles, Marin, Orange, San Francisco, Santa Barbara, Sutter or Ventura.

If YES, submit a will-serve letter from fire protection agency, if any, providing structural fire protection and a will-serve letter from the appropriate Ranger Unit of the California Department of Forestry as to wildland fire protection. If the California Department of Forestry is the sole provider of fire protection, the will-serve letter requested under item B above will suffice.

**11. SEWAGE DISPOSAL** *[Master File Item]*

A. Will the project use public sewers? .....  Yes  No

If YES, *list* the name of the sewer system and the service charge per lot/unit. .... \$ \_\_\_\_\_

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B. Will the project use private sewers? .....  Yes  No

If YES, *comply* with 1, 2 and 3 below.

1) Furnish the name and address of the sewer entity.

NAME		
ADDRESS		
CITY	STATE	ZIP CODE

2) *Submit* evidence of financial arrangements for installation of the sewer system OR verification that it is already installed.

3) *Submit* evidence of clearance by the Public Utilities Commission, if applicable.

C. Will the purchaser be responsible for any of the following public/private sewer system costs (*excluding Septic Systems*):

1) Installation of system?.....  Yes  No

If YES, *state* estimated cost per lot/unit ..... \$ \_\_\_\_\_

2) Extension to lot/unit? .....  Yes  No

If YES, *state* estimated cost per lot/unit ..... \$ \_\_\_\_\_

3) Hook-up fees for vacant lots (including meter or other fees)?.....  Yes  No

If YES, *state* estimated cost per lot. .... \$ \_\_\_\_\_

D. Will the project use septic systems or other individual sewage systems? .....  Yes  No

If YES, *submit* a letter from the local health authority stating that a septic tank or other individual sewer system is the acceptable method of sewage disposal and will be permitted on *each and every lot* included in the application. If the letter from the local health authority does not specify that *each and every lot* is suitable for the proposed sewage disposal system, the sample escrow instructions and the sample sales agreement must provide that no sale will be closed until the purchaser has received a written opinion, satisfactory to the purchaser, from the local health authority, a registered civil engineer or geologist, that the lot/parcel is suitable for installation of a septic system or other individual sewer system and a permit would be issued on the date of the opinion, if an application for a permit were made in compliance with local permit requirements on that date.

If *purchaser* is to pay for installation, *state* estimate of cost and date estimate was made. \$ \_\_\_\_\_  
If none, so state. .... \_\_\_\_\_ (Date)

**12. SOILS, FILLED GROUND & GEOLOGICAL INFORMATION**

A. Give the name and street address of the local *public agency* where information concerning soil conditions and/or filled ground, and/or geologic condition, in this project will be available. If such reports were not prepared *specific* to this subdivision, fill-in “none.”

NAME OF SOIL PUBLIC AGENCY

ADDRESS

CITY

STATE

ZIP CODE

NAME OF FILLED GROUND PUBLIC AGENCY

ADDRESS

CITY

STATE

ZIP CODE

NAME OF GEOLOGICAL REPORT PUBLIC AGENCY

ADDRESS

CITY

STATE

ZIP CODE

B. Soils Report — Check applicable box:

- Conversion project — soils report not required.
- Soils report waived.
- Not applicable, if a public agency is listed in item 12A above.

C. If vacant lots will be offered, will there be any special costs incurred by the lot buyer as a result of the installation of a building foundation or any other construction due to unusual soil conditions? (*Note: Check NA, if no vacant lots will be offered.*) .....

Yes  No  NA

If YES, *explain and provide* an estimate of such costs:

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D. Check applicable box:

- There will be no fill in excess of 2 feet.
- Some lots have or will have fill in excess of 2 feet.
- All lots have or will have fill in excess of 2 feet.

**13. NOT APPLICABLE TO RE 624**

**14. WATER SUPPLIER** *[Master File Item]*

*If WELLS, answer NA to questions 14A-14D and proceed to question 14E.*

NA

A. State name and address of water supplier:

SUPPLIER NAME

ADDRESS

CITY

STATE

ZIP CODE

B. Water supplier:

1) Is water supplier one of the following? .....  Yes  No  NA

If YES, check appropriate box.

- municipality       county water district       irrigation district  
 community service district       state water district

2) Is water supplier a mutual water company? .....  Yes  No

a) If YES, was the mutual water company formed prior to January 1, 1998? .....  Yes  No  NA

(1) If YES, submit either a copy of the current permit to issue shares granted by the Department of Corporations or all of the items under (2) below.

(2) If NO, submit all of the following:

- Executed RE 699B (Mutual Water Company Certification);
- A copy of the certificate of the State Director of Health Services satisfying Sections 116300 to 116385 of the Health and Safety Code;
- A copy of the statement signed either by the engineer who prepared the engineer's report pursuant to Section 14312(a)(7) of the Corporations Code or a person employed or acting on behalf of the public agency or other independent qualified person, that the water supply and distribution system has been examined and tested and operates in accordance with the design standards of Chapter 2, Part 7 of Division 3, Title 1 of the Corporations Code; and
- Evidence of completion of the water supply and distribution system which will serve all lots to be covered by the public report.

b) Will purchaser have to pay to acquire shares? .....  Yes  No  NA

If YES, state an estimate of the total per lot cost to secure water service: ..... \$ \_\_\_\_\_



E. Will the purchaser have to drill a well? .....  Yes  No  NA

If YES, comply with 1, 2 and 3 below:

1) *Submit* the following:

- a) A letter from a California licensed well driller giving estimated cost for drilling and casing a well, cost of pressure pump and system and any required conditioning equipment; and depth at which water may be found.
- b) A letter from local health authority stating that individual wells will be permitted; the type of sewage disposal system permissible with wells on the size of lot proposed; and that the water is potable.

2) Is a geologist's report as to availability of underground water required by local authorities? .....  Yes  No  NA

If YES, *submit* report. Upon review of your file, the Department may require a geologist's report even if one is not required by local authorities.

3) Are there any special requirements or conditions imposed by local city/county authorities for the installation of individual wells?.....  Yes  No  NA

If YES, *submit a* statement or notice from the local authority citing the special requirements or conditions.

*Note:* Subdivider should check with the local authorities to determine if there is a requirement that a well must be installed on each lot at the subdivider's expense prior to closing the escrow or, alternatively, that a statement from the purchaser must be obtained waiving installation of the well as a condition of sale. If the subdivider must/will install a well on each lot and the offering is vacant lots, submit exhibit 14E(1)(b) and verification of installation or pertinent escrow instructions.

F. Was this subdivision subject to the imposition of a condition pursuant to subdivision (b) of Section 66473.7 of the Government Code?.....  Yes  No

If YES, submit a copy of the written verification of the available water supply obtained pursuant to Section 66473.7 of the Government Code.

**15. SERVICES AND SCHOOLS [Master File Item]**

A. Complete the following information regarding utilities:

GAS COMPANY	
CITY (NOT APPLICABLE IF "800" TELEPHONE NUMBER PROVIDED)	TELEPHONE NUMBER
ELECTRIC COMPANY	
CITY (NOT APPLICABLE IF "800" TELEPHONE NUMBER PROVIDED)	TELEPHONE NUMBER
TELEPHONE COMPANY	
CITY (NOT APPLICABLE IF "800" TELEPHONE NUMBER PROVIDED)	TELEPHONE NUMBER

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B. Will the subdivider extend the above-listed gas, electric and telephone lines to the project?  
(Note: If utility supplier lines are already adjacent to the project, mark NA.)

- 1) Gas                     Yes     No     NA
- 2) Electric             Yes     No     NA
- 3) Telephone          Yes     No     NA

For each YES answer to 1, 2 or 3, *submit* evidence of financial arrangements for extension/installation.

C. Will the purchaser have to pay the cost for installation and/or extension of utility service from the suppliers named above, other than a normal connection charge?

- 1) Gas                     Yes     No     NA
- 2) Electric             Yes     No     NA
- 3) Telephone          Yes     No     NA

If YES, to 15C 1, 2 or 3 above, *submit* a letter from the appropriate utility company estimating the cost to purchaser of bringing service to the farthest lot/unit in the tract, and stating distance of free extension and extension cost per foot.

D. Has a statement been approved by the school district (*one for each school district serving the subdivision*) that shows the location of every school serving the subdivision?.....  Yes  No

If YES, submit the statement.

If NO, submit documentation that a statement to that effect was asked of the governing body of the school district and a copy of the letter requesting this information.

**16. OFF-SITE IMPROVEMENTS [Master File Item]**

A. List the off-site improvements which the subdivider is/was required to construct for this subdivision, such as streets, drainage, cable television, etc. If none, so state.

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B. Will off-site improvements be covered by an agreement with the local governing body secured by a bond, cash deposit or instrument of credit? .....  Yes  No  NA

Note: If the city or county has a current master geographic letter (MGL) on file with the Department of Real Estate which *specifically* covers each improvement listed above, check NA.

1) If YES, *submit* the agreement(s) and copy of the bond(s), instrument(s) of credit, or evidence(s) of cash deposit.

2) If NO, *submit* evidence that adequate financial arrangements have been made for all off-site improvements included in the offering or *submit* evidence of completion.

C. State the amount of indebtedness, if any, which is a lien upon the subdivision or any part thereof under provisions of Section 66499(a)(4) of Government Code (Map Act), and which was incurred to pay for the construction of any off-site improvements. .... \$ \_\_\_\_\_

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**17. FLOOD AND DRAINAGE [Master File Item]**

A. Is this project covered by a current master geographic letter (MGL), containing a flood clause, on file with the DRE?.....  Yes  No

If NO, *submit* a report on flood and drainage conditions from the local flood control agency or a similar authority.

*Note:* If the local flood agency will not issue a report until after final map approval, *submit* a statement to that effect, signed by the subdivider, and tabbed as 17A. Then *submit* the report as soon as it is available (prior to issuance of the final public report).

B. Is the project located within the San Joaquin and/or Sacramento Drainage Districts? ...  Yes  No

If YES, *submit* evidence that the property does not lie within the areas covered by floodway or flood plain maps of the Reclamation Board.

C. Were you required to secure an approved application from the Reclamation Board for work within or near the channel of any stream or other areas subject to flooding? .....  Yes  No  NA

**18. TAXES, SPECIAL DISTRICTS AND SPECIAL ASSESSMENT DISTRICTS [Master File Item]**

A. Taxes.

1) What is the tax area code for this subdivision?..... \_\_\_\_\_

2) What is the total tax rate for this subdivision (use the most recent tax rate information available)? ..... \_\_\_\_\_  
\_\_\_\_\_ (tax yr)

B. Does this project lie within a landscape lighting district (LLD) or a county service area (CSA)? .....  Yes  No

1) If YES, name and describe the function of the LLD or CSA.

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2) Name the administrating agency of this district.

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3) What is the assessment for the current tax year? ..... \$ \_\_\_\_\_

What is the anticipated assessment if not currently assessed? ..... \$ \_\_\_\_\_

4) Does this district or agency have authorized but unissued bonds? .....  Yes  No  N/A  
If YES, submit RE 624C.

C. 1) Does the project lie within a community facilities district?.....  Yes  No

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2) If YES, name the district(s). If district not yet formed, submit RE 624C.

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D. 1) Does this project lie within a special district or special assessment district? .....  Yes  No

2) If YES, name and describe function of the district and submit RE 624C.

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3) If D1) was answered YES, does this district have any authorized but unissued bonds?  Yes  No  N/A

What is the current per lot/unit assessment for the district(s)? ..... \$ \_\_\_\_\_  
\_\_\_\_\_ (tax yr)

**19. STREETS, COMPLETION AND MAINTENANCE [Master File Item]**

A. Describe the roads within (interior) and to (access) the Subdivision with some specificity (e.g. gravel, bladed, county standard asphalt, decomposed granite, etc.). Also describe any special conditions (e.g. road maintenance agreement, not improved to county maintenance standard, not regularly snow-plowed in winter, subject to flooding in rainy season, etc.).

Access: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Interior: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Are all streets (including driveways or easements which provide access) to the subdivision maintained by a public agency (city, county, etc.)? .....  Yes  No

C. Are all streets (including driveways or easements which provide access) to the individual lots/units within the subdivision maintained by a public agency (city, county, etc.)? .....  Yes  No

D. Are there streets and/or driveways providing access to lots in or to the subdivision which are neither publicly maintained, nor homeowners' association maintained? .....  Yes  No

If YES, *submit* a registered civil engineer's letter stating the total number of linear feet of streets to be privately maintained, the annual cost per linear foot to maintain, the per lot annual maintenance obligation and the information requested in 19A.

- E. Will all streets and/or private driveways providing access to lots be fully improved at the time of final map approval? .....  Yes  No
- 1) If NO, is there a master geographic letter on file which includes financial assurances for street and/or private driveway completion?.....  Yes  No  NA

If NO, *submit* evidence of adequate financial arrangements to assure completion of streets and/or private driveways providing access to lots.

**\*20. PURCHASE MONEY HANDLING**

- A. Is there a blanket encumbrance now or will there be at the time of sale or lease? .....  Yes  No
- B. Will all money of purchaser, lessee or contract vendee be impounded in a neutral escrow or trust account, (see NOTE below), until proper releases are obtained from all blanket encumbrances, if any, and until legal title, or leasehold interest, as applicable, is conveyed to the purchaser, lessee or vendee [Section 11013.2(a) or 11013.4(a) of the Business and Professions Code]? (*Check code section.*) .....  Yes  No  
 §11013.2a  
 §11013.4a
- 1) If YES, list where purchase money will be impounded.

NAME		
BUSINESS ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

*Note:* A trust account may only be used if there is not a blanket encumbrance. It may *not* be used as compliance with Section 11013.2(a) Business and Professions Code.

- 2) If NO, will a blanket bond (RE 600A) be submitted (or has one been submitted) to the State of California pursuant to Section 11013.2(c) [*bond*], 11013.4(b) [*bond*], of the Business and Professions Code? (*Check code section*) .....  Yes  No  NA  
 §11013.2c  
 §11013.4b

*Note:* All purchase money received under the authority of a conditional public report must be placed in a neutral escrow depository per Section 11013.2a or 11013.4a. Refer to question 4 for identification of the escrow depository to be used under a conditional public report.

- a) If YES, *submit* original blanket bond (RE 600A). If already on file, submit a copy and complete the following:

SECURITY NUMBER	AMOUNT
PRINCIPAL	
ISSUER	

- b) Will funds received in excess of the security be impounded in a neutral escrow or trust account, pursuant to Section 11013.2(a) or 11013.4(a) of the Business and Professions Code? (*Check code section.*) .....  Yes  No  NA  
 §11013.2a  
 §11013.4a

(1) If YES, complete the following information.

NAME		CHECK ONE <input type="checkbox"/> ESCROW <input type="checkbox"/> TRUST ACCOUNT
BUSINESS ADDRESS (POST OFFICE BOX IS NOT ACCEPTABLE)		
CITY	STATE	ZIP CODE

- (2) If NO, is some other arrangement proposed? (*Check code section*) .....  Yes  No  NA  
 §11013.2d  
 §11013.4f

If YES, explain fully on a separate sheet.

- C. Does the owner, subdivider or agent have an interest equal to, or greater than, 5% ownership in the entity shown in 20B(1) or (2) above? .....  Yes  No

If YES, see SPRAG regarding Section 2995 of the Civil Code.

**\*21. REAL PROPERTY SALES CONTRACTS [Master File Item]**

- A. Do you intend to use real property sales contracts with installment payments (also known as contracts of sale or land contracts), other than Cal-Vet loans?.....  Yes  No

If YES, see SPRAG for details and submit sample documents.

**22. NOT APPLICABLE TO RE 624**

**23. SAMPLE DEPOSIT RECEIPT/AGREEMENT TO PURCHASE**

- A. *Submit* a copy of the purchase agreement (deposit receipt) to be used, *completed in sample form*, to show the substance of a typical transaction (must be in compliance with Regulation 2791 and applicable sections of the Civil Code), *signed* by the subdivider to affirm that all purchase agreements will conform to the sample. If the purchase agreement is pre-approved, submit the approval letter with the agreement.

If a conditional public report will be issued the purchase agreement must provide for the return of the entire sum of money paid or advanced by the purchaser if the final subdivision public report has not been issued within six months of the issuance date of the conditional public report or the purchaser is dissatisfied with the final public report because of a change pursuant to Section 11012. In addition, all purchase money received under the authority of a conditional public report must be placed in a neutral escrow depository per Section 11013.2a or 11013.4a.

See SPRAG for details.

**24. FINANCING [Master File Item]**

- A. Will the buyer be offered financing by *other than* a state- or federally-regulated lender?  Yes  No

If YES, *submit* exemplar promissory note(s) and deed(s) of trust *completed in sample form*.

*Note:* Entities licensed by the Department of Real Estate do not qualify as “state regulated lenders” for purposes of this question.

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- B. Will you be offering loans with balloon payments, subsidized interest and loan payments, “creative financing” plans, equity sharing plans, any type of “affordable housing” financing or other similar financial programs? .....  Yes  No

If YES, *submit* all details along with documents (including fact sheets, if any, for approval) which will be used.

- C. Are sales in this subdivision subject to the requirements of Sections 2957 or 2963 of the Civil Code? .....  Yes  No

See SPRAG for information concerning “arranger of credit” obligations.

**\*25. SAMPLE GRANT DEED**

- A. Will you be offering only leasehold estates? .....  Yes  No

If NO, *submit* a copy of the proposed grant deed *completed in sample form*.

See SPRAG for details.

**\*26. LEASING/RENTING [Master File Item]**

- A. Is it your present intention to rent any units in this subdivision? .....  Yes  No

If YES, approximately how many units do you intend to rent, rather than to sell?..... \_\_\_\_\_

- B. Will the subdivider be offering lease options or leasehold estates for terms of one year or longer? .....  Yes  No

If YES, *submit* proposed copies of the lease and/or lease option *completed in sample form*, and, if known, indicate the approximate number of units to be leased. .... \_\_\_\_\_

**\*27. SUBDIVISION MAP (cc for DBP) [Master File Item]**

- A. Are you submitting a recorded subdivision map or waiver at this time? .....  Yes  No

If NO, *submit* a tentative subdivision map and *submit* evidence of tentative map approval.

A recorded map or waiver must be submitted before a final public report can be issued.

- B. Is there additional information pertinent to this subdivision filed or recorded in the city or county which is not fully set forth on the recorded map, i.e., a “separate document” or “additional map sheet” pursuant to Government Code §66434.2?.....  Yes  No

If YES, submit a complete set of copies of any and all such “separate documents” or “additional map sheets.”

- C. Is this a vacant lot offering?.....  Yes  No

- 1) If YES, will any special fees be charged to the lot purchaser when said purchaser obtains a building permit or prior to occupancy for school impact, sewer, water, drainage, traffic mitigation, park, street tree, transportation improvement, fire and/or police department impact, etc.? .....  Yes  No  NA

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2) If YES, will there be any special building requirements imposed upon a purchaser due to any existing hazards or unusual uses on or near the property or due to any natural hazard area?.....  Yes  No  NA

If YES, describe.

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D. If this is a vacant lot offering, will purchasers be required as a condition of purchase to enter into an agreement with the subdivider to build his/her residential dwelling? .....  Yes  No  NA

If YES, submit a copy of the agreement together with a detailed explanation of the program.

**\*28. CONDOMINIUM PLAN (cc for DBP)**

A. Is this project a condominium?.....  Yes  No

If YES, *submit* a proposed large-scale, dimensioned, condominium plan with definition page. A recorded condominium plan, including definition page, must be submitted before a final public report can be issued.

**\*29. PLOT PLAN (cc for DBP) [Master File Item]**

A. *Submit* a large scale, legible plot plan (site plan) showing all improvements, including location of recreational amenities and boundaries of future phases, if any.

**30. VICINITY MAP (cc for DBP) [Master File Item]**

A. *Submit* a large scale, legible vicinity map showing the location of the subdivision and identifying “landmarks” to help locate the subdivision.

**31. RE 624A/COMMON AREA (cc for DBP)**

A. *Submit* a completed RE 624A for any common areas and common facilities covered in this application. (If a phased project, *submit* a separate RE 624A for **each phase** containing common facilities.)

B. Will facilities be open for public use? .....  Yes  No

If YES, *submit* an attachment/statement describing the facilities and the fees which will be charged for the use of each facility.

C. If there is a common area lot to be owned by the homeowners’ association on which construction will *not* be completed prior to conveyance to the HOA, will the subdivider provide liability insurance to protect the HOA during construction (and protection to cover individual unit purchasers in a single lot phased condominium project)?.....  Yes  No  NA

If YES, indicate the amount:..... \$ \_\_\_\_\_

See SPRAG for “Special Note” if the answer is NO or the amount is less than \$1,000,000.

**32. COMPLETION OF COMMON AREAS AND FACILITIES [§11018.5]**

See SPRAG for sample escrow instruction language.

- A. [§11018.5(a)(1)] Is this a “cluster housing” type planned development or a condominium project? .....  Yes  No  NA

Note: Answer NA if project is completed or will be completed prior to the issuance of the final public report.

If YES, submit evidence of arrangements that have been made to assure completion of all on-site improvements, both common and individually owned. (Financial arrangements include recognized lender’s commitment to finance all the construction work pursuant to Section 11018.5(a)(1) or evidence that the subdivider has his own funds for completion of the development work. See SPRAG for options.)

- B. [§11018.5(a)(2)] Will all common area improvements including any condominium units and cluster planned development residences be completed prior to issuance of the public report? .....  Yes  No  NA

Note: Check YES, if this project is a condominium conversion with absolutely no renovation work to be done and no common area improvements to be added.

- 1) If YES, upon completion, submit a copy of Notice of Completion bearing evidence of recordation and answer NA to the balance of 32B and to all points under 32C.

Note: If you answer YES to 32B, the public report will not be issued until the Notice of Completion is submitted, even if all other requirements for issuance have been met. If obtaining the notice of completion will delay the issuance of the public report, you are advised to answer NO to this question and to comply with requirements for assurance of completion specified in 32B(2).

- 2) IF NO, select one method of compliance cited below that will be used to comply with Section 11018.5(a)(2). All security devices must be accompanied by a security agreement and escrow instructions.

- a) I will utilize Subsection A of Section 11018.5(a)(2) of the Business and Professions Code (RE 611 BOND) (CC for DBP). .....  Yes  No  NA

If YES, submit a copy of completed RE 611A for this filing and proforma security agreement and escrow instructions. (It is not necessary to submit proposed instruments if unmodified DRE forms will be used.)

- (1) If a condominium, or a planned development containing attached “cluster” type construction, does the amount of the security cover the cost of all improvements and cluster residential structures not completed at time of issuance of the public report? .....  Yes  No  NA

Note: If NO, buyer’s escrow instructions must include appropriate provisions to assure completion of the residential structures prior to the first close of escrow.

- b) I will utilize Subsection B of Section 11018.5(a)(2) of the Business and Professions Code, escrow instructions or the “621 Procedure” escrow instructions. (Specify which one.) .....  Yes  No  NA

If YES, submit escrow instructions or submit RE 621.  Escrow Instructions  621 Procedure

- c) I will utilize Subsection D of Section 11018.5(a)(2) of the Business and Professions Code.....  Yes  No  NA

If YES, *submit* a copy of the proposed title insurance endorsement that insures against any mechanic’s liens that may be incurred as a result of construction in this phase or any future phases of the project, whether the construction is performed by the present subdivider or any successor-in-interest and *submit* a statement from the title company verifying that such an endorsement will be provided.

See SPRAG for additional requirements if 32B(2)(c) is to be used.

- d) I will utilize Subsection E of Section 11018.5(a)(2) of the Business and Professions Code (Alternative Plan) (CC for DBP). .....  Yes  No  NA

If YES, *indicate* what will be utilized and submit in proposed form along with security agreement and escrow instructions and completed RE 611A: (It is not necessary to submit proposed instruments if *unmodified* DRE forms will be used.)

- Set-aside letter from an institutional lender
- Letter of credit from an institutional lender
- Other (submit proposal)

*Note:* DRE forms are available for security instruments and related agreement and escrow instructions.

C. Is this project:

- 1) A “cluster housing” type planned development? .....  Yes  No
- 2) A “non-cluster housing” type planned development? (*All houses are separate, detached structures.*) .....  Yes  No
- 3) A condominium project wherein unit owners will not receive an undivided interest in the underlying land, i.e., wherein the “land” parcel is a separate legal parcel from the residential building parcel(s), which “land” parcel will be conveyed to the homeowners’ association? .....  Yes  No

**33. EXISTING SUBDIVISION INTERESTS / CONDOMINIUM CONVERSIONS** (*cc for DBP*)

- A. Is this project an "Existing Subdivision Interest" as defined by Regulation 2790.8?.....  Yes  No

If YES, submit an "Existing Subdivision Interest Disclosure Statement" in sample form and an RE 639.

- B. Is this project a conversion?.....  Yes  No

If YES, submit an RE 639.

*Note:* See SPRAG and Regulations 2790.8/2790.9 for details.

**34. SUBSIDY/MAINTENANCE AGREEMENT** [*Master File Item*] (*cc for DBP*)

- A. Will any of the costs of operating and maintaining common areas and providing common services be subsidized in any manner by the subdivider? .....  Yes  No

If YES, *submit* evidence of compliance with Regulation 2792.10, Subsidization By Subdivider, including the following in proposed form:

- 
- 1) Security instrument (not applicable for a cash deposit or if *unmodified* DRE form will be used).
  - 2) Contract for subsidy and/or maintenance.
  - 3) Security agreement and escrow instructions. (Not applicable if *unmodified* DRE form will be used.)
  - 4) Description of the accounting procedure for non-cash subsidy arrangement.

*Note:* DRE forms are available for security instruments, and related agreement and escrow instructions. The amount of the security must be deemed acceptable by DRE.

**35. CONTRACTS OBLIGATING HOMEOWNERS ASSOCIATION [Master File Item] (cc for DBP)**

- A. Are there any existing or proposed contracts (including management arrangements) obligating the homeowners' association *wherein the subdivider or his subsidiary is a party to the contract?* .....  Yes  No

If YES, *submit* a copy of each such contract.

**36. USE OF COMMON AREAS FOR SALES [Master File Item] (cc for DBP)**

- A. Will any portion of the common area be used by the subdivider to carry out the sales program subsequent to close of the first escrow? .....  Yes  No  NA

If YES, *submit* a copy of the agreement to be entered into with the homeowners association.

**37. PROPOSED HOMEOWNERS ASSOCIATION BUDGET(S) INCLUDING PROJECT INVENTORY (cc for DBP)**

- A. *Submit* a copy of the proposed budget on RE 623 including project inventory and all worksheets. RE 684A, Certification (Reviewed Budget), may not be used if there have been (or will be) any changes to the previously approved budget, including changes as a result of any natural hazard area.

*Note:* See Part I, items XIII and XIV, Figures A and B; the Operating Cost Manual for Homeowners Associations; and SPRAG for details. The Operating Cost Manual and SPRAG are available free of charge on the DRE Web site, [www.dre.ca.gov](http://www.dre.ca.gov) by clicking on the Publications tab. Use RE 350 to order a hard copy of the publications.

- B. Will there be a capital contribution or start-up fund requirement imposed on the homeowners? .....  Yes  No

- 1) If YES, submit necessary documentation creating the funding .....  Yes  No  NA

See SPRAG for details.

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**38. INFORMATION ON FUTURE PHASES** [*Master File Item*] (*cc for DBP*)

- A. Is this a phased project with subsequent phases to be completed? .....  Yes  No
- 1) If YES, and this is a subsequent phase to an initial phase already filed, are there any changes from the original phase (such as subsidy arrangements, change in facilities, set up of the project or change in natural hazard areas)? .....  Yes  No  NA
- a) If YES, state the changes.

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2) If YES to 38A(1), *submit* a proposed homeowners' association budget(s) for the project for each annexation that is planned to occur within the next three years. Use RE 623. Separately tab each budget as item 38A.

- B. If YES to A, does the map for this phase show proposed future phases?.....  Yes  No  NA
- If NO, *submit* a map of the entire project with proposed phases delineated.

- C. Has a final public report on a previous phase(s) been issued?.....  Yes  No  NA

- 1) If YES,
- a) Was the most recent budget review over 24 months ago or longer? .....  Yes  No  NA
- b) Has at least one escrow in phase one been closed for at least one year?.....  Yes  No  NA

- 2) If YES to 38C(1)(a) or 38C(1)(b), submit:
- a) A copy of the most recent financial report of the Association.
- b) A copy of the most recent budget.
- c) A statement from the association showing the dollar amount of past due assessments, if any, for the most recent time period available, including information pertinent to the developer's payment of assessments.
- d) A reserve analysis. (If this is not available, submit financial reports for last three years or from start-up, whichever is less.)
- e) State the date (month and year) of the most recent DRE budget review. (If uncertain, check the Maintenance and Operational Expenses section of the most recently issued final public report for this project.)..... \_\_\_\_\_ (*Date*)
- f) Provide the DRE File No. of the file containing the most recent DRE Budget Review..... \_\_\_\_\_

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**\*39. ESCROW INSTRUCTIONS**

- A. Submit a copy of escrow instructions, *completed in sample form*, to show the substance of a typical transaction. If a conditional public report is to be issued, include information from items 1(a) and 1(b) below **or** an additional copy of escrow instructions must be submitted containing additional provisions referred to in items 1(a) and 1(b). In addition to any other applicable provisions, escrow instructions must include the following:
- 1) Escrow instructions must provide for return of all purchase funds to non-defaulting buyers in the event escrows are not closed on a reasonable date, e.g., 3 months, 6 months, 9 months up to a maximum of one year, which amount of time must be specified in the instructions.
    - a) If a conditional public report will be issued, also provide for the return of the entire sum of money advanced by the purchaser if a final subdivision public report has not been issued within six months of the date of issuance of the conditional public report or the purchaser is dissatisfied with the public report because of a change pursuant to Section 11012.
    - b) If a conditional public report will be issued, also provide that no escrow will close, funds will not be released from escrow, and the interest contracted for will not be conveyed until a current final public report for the subdivision is furnished to the purchaser.
  - 2) In addition, they shall provide that the escrow is not to be closed and funds are not to be released from impound until title has been conveyed to the purchaser of a lot, parcel or unit, free and clear of any blanket encumbrance [except for funds covered by any purchase money security posted pursuant to Section 11013.2(c), 11013.2(d), 11013.4(b) or 11013.4(f) of the Business and Professions Code].
  - 3) Escrow instructions must be signed with original signatures (not photocopies) of the escrow officer or his designee and the subdivider verifying that all escrow instructions will conform to the sample.

B. Will the closing of the first sales escrow be conditioned in any way upon the sale of a stated percentage (presale; e.g., lender requirements, etc.) of the lots/units in the project? .....  Yes  No

If YES, *state*: \_\_\_\_\_

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*Note: Condominium Conversions Only*

- C. If the application is for a condominium conversion, the escrow instructions must provide that escrows will not close and funds are not to be released from impound until the prospective purchaser has acknowledged receipt of either 1) a statement listing all substantial defects or malfunctions or 2) a statement of disclaimer and the required rescission period has expired pursuant to Civil Code Section 1134. (Reference statement 1 or 2 but not both.)

**40. CONVEYANCE OF COMMON AREA [§11018.5(d) and REGULATIONS 2792.15(a) and 2792.8(a)(3)]**  
*[Master File Item]*

A. Will purchasers receive a fractional undivided interest in the common area?.....  Yes  No

B. Will the common area be conveyed to the homeowners' association in this filing/phase?...  Yes  No

- 1) If YES, submit *one* of the following three items: (check box)

- A recorded grant deed accompanied by evidence of lien-free title.
- A trust agreement providing for conveyance to trust for the homeowners' association.
- Irrevocable escrow instructions to be certified prior to public report issuance by both escrow officer and subdivider which state that no escrow for the sale of a subdivision interest will close until conveyance of the common area to the Association has occurred, free of all liens and encumbrances, and which state that a policy of title insurance *will* be issued showing title free and clear of all liens and encumbrances, including an endorsement against future liens if the statutory periods for mechanics' and materialmen's liens have not expired, *along with* a copy of the proforma grant deed conveying title to the homeowners' association. An executed and notarized grant deed must be submitted prior to public report issuance.

C. List lots/units which  *will be*  *have been* conveyed to homeowners association in this filing.

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**41. REGULATION 2792.9 — ASSESSMENT GUARANTEES**

*Submit* evidence of compliance with Regulation 2792.9 to assure subdivider's payment of assessments for maintenance and operational expenses. Indicate below how you will comply.

A. I will comply with Regulation 2792.9(a)(1).....  Yes  No

If YES, escrow instructions, item 39, must provide that the first 80% of all interests in the subdivision covered by the final public report have been sold and escrows will close simultaneously.

B. I will comply with Regulation 2792.9(a)(2).....  Yes  No

*Submit* proforma security agreement and escrow instructions as well as the proforma security device if using other than a cash deposit. (Not applicable if *unmodified* DRE forms will be used.)

C. I will comply with Regulation 2792.9(a)(3).....  Yes  No

If YES, *submit* the complete proposed alternative plan.

*Note:* DRE forms are available for security instruments and related agreement and escrow instructions. The amount of the security must be deemed acceptable by DRE.

**\*42. RE FORMS 616, 648 [Master File Item]**

A. Are the management documents submitted with this application pre-approved under the master management document (MMD) system?.....  Yes  No  NA

*Note:* Check NA if this is a subsequent phase for which the documents were approved as part of the phase one filing.

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- 1) If NO, *submit* a completed RE 648.
  - 2) If YES, comply with a, b and c below:

- a) *submit* a completed RE 616B, and
- b) *submit* a copy of RE 616C issued by DRE
- c) *list* Master Management Document Number:.....

MMD# \_\_\_\_\_

*Note:* The submitted “master management documents” must be red-lined to show project-specific additions and/or deletions as well as revisions to comply with current statutes. See SPRAG for red-lining guidelines.

Proposed master management documents may not be submitted with an original filing with the intent of having them approved as MMD/s. They must be submitted alone, separate from any public report application.

**43. PREVIOUS MANAGEMENT DOCUMENTS**

- A. Is this application for a subsequent phase/map of a phased/multiple-map project? .....  Yes  No
- B. If YES, has a previous filing been designated as a “master file”? .....  Yes  No  NA
  - 1) If YES, have there been any changes or amendments to the previously-approved management documents subsequent to the issuance of the final public report? .....  Yes  No  NA
    - a) If NO, it is not necessary to submit duplicates of recorded, previously-approved documents (enter “M. File” in Part II for the appropriate items).
    - b) If YES, *submit* the amended pages of the previously-approved documents, red-lined to show changes.

**\*44. ARTICLES OF INCORPORATION OR ASSOCIATION [Master File Item]**

- A. Is the homeowners’ association to be incorporated?.....  Yes  No  
If YES, *submit* a copy of the proposed articles of incorporation.
- B. Will articles of association be used? .....  Yes  No  
If YES, *submit* a copy of proposed articles of association.

**\*45. BYLAWS (CC FOR DBP) [Master File Item]**

- A. Will bylaws be used? .....  Yes  No  
If YES, *submit* a copy of the proposed bylaws.

**\*46. EXISTING COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS) [Master File Item] [Master File Item]**

- A. Are there presently any recorded CC&Rs other than those master file items under item 43?  Yes  No  
If YES, *submit* a copy of *all* existing restrictions bearing evidence of recordation.

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**\*47. COVENANTS, CONDITIONS AND RESTRICTIONS (CC&RS) (cc for DBP) [Master File Item]**

- A. *Submit* a copy of the CC&Rs to be used for this project. **Do not record the CC&Rs until after DRE's review and approval of the proposed CC&Rs.**

*Note:* If this filing is to serve as a master file for a phased project, proposed declaration of annexation item 49 should be submitted for review with this filing.

**48. SUBORDINATION**

- A. Will lots/units be subject to any monetary encumbrance(s), recorded prior to the final recorded CC&Rs, that will remain on the subdivision after the closing of the first escrow?  Yes  No

If YES, *submit* proposed subordination document. See SPRAG for acceptable methods.

- B. If the subdivision covered by this application is a subsequent phase/map of a phased/multiple-map project, will lots/units be subject to any monetary encumbrance which was recorded prior to the declaration of annexation or any additional CC&Rs? .....  Yes  No  NA

If YES, *submit* evidence of subordination to the declaration of annexation or to any additional CC&Rs.

**\*49. DECLARATION OF ANNEXATION/SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS (cc for DBP)**

- A. If this is a subsequent phase of a phased project, will a Declaration of annexation or supplemental declaration of covenants, conditions & restrictions be utilized? .....  Yes  No  NA

If YES, *submit* a copy of proposed document. (Refer to restrictions of record to determine time period for annexation of this phase.)

**50. DOCUMENTS TO BE FURNISHED**

*Note:* See Section 11018.6 of the Business and Professions Code and Section 1368 of the Civil Code for an enumeration of the documents which must be given to the purchaser prior to the transfer of an interest.

*Note:* See Real Estate Commissioner's Regulation 2792.23 for a list of the documents which must be delivered to the homeowners' association by the subdivider within the stated time period. (Refer to Section 11018.5 of the Business and Professions Code and Section 1363 of the Civil Code.)

- A. Will you give a copy of the DRE-approved budget to each purchaser and to the homeowners' association? .....  Yes  No

- B. Is this project a condominium? .....  Yes  No

If YES, will each purchaser be provided with a copy of the condominium plan? .....  Yes  No  NA

- C. Is this project a condominium conversion? .....  Yes  No

If YES, will the homeowners' association be provided with copies of contracts for construction and/or renovations affecting the common areas of the project? .....  Yes  No  NA

**51. DUPLICATE BUDGET PACKAGE**

- A. *Submit* a duplicate budget package (DBP) as described and enumerated in Part I. All items must be tabbed. Or, if applicable, submit RE 684A, Certification (Reviewed Budget).

52.

### CERTIFICATION

*I/We hereby certify under penalty of perjury that the information contained in Parts II and III of this form constitutes my/ our Notice of Intention to sell or lease subdivision lands, and that the information, together with any documents submitted herewith are full, true, complete and correct; and that I/we am/are the owner(s) of the lots, units or parcels herein described, or will be the owner(s) at the time lots or parcels, improved or otherwise, are offered for sale or lease to the general public – or that I am the agent authorized by such person(s) to complete this statement.*

- Note:*
- Certification signed outside the State of California must be acknowledged by a notary public.
  - Prior to signing, review all answers submitted. Errors or omissions must be corrected and initialed by the subdivider(s).
  - If the subdivider is a corporation, limited liability company (LLC), partnership, etc., the individual(s) signing the certification must stipulate the capacity (e.g., president, manager, general partner, etc.) of the signer and an authorization to sign (e.g., a corporate resolution, LLC statement, partnership statement, etc.) must be submitted. *[Master File Item]*
  - If an agent will be submitting documents to Department of Real Estate on behalf of the subdivider, the subdivider must provide written authorization to that effect. *[Master File Item]*

SIGNATURE OF SUBDIVIDER ➤	DATE
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PRINTED NAME OF SUBDIVIDER	CAPACITY
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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

BUSINESS ADDRESS

CITY	COUNTY	STATE
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SIGNATURE OF SUBDIVIDER ➤	DATE
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PRINTED NAME OF SUBDIVIDER	CAPACITY
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NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.

BUSINESS ADDRESS

CITY	COUNTY	STATE
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