

## EL DORADO COUNTY LOCAL BUYER AND SELLER ADVISORY

NOTE: THIS ADVISORY HAS BEEN PREPARED BY THE EL DORADO COUNTY ASSOCIATION OF REALTORS® FOR THE PURPOSE OF PRESENTING ADDITIONAL INFORMATION TO BUYERS AND SELLERS CONCERNING PROPERTY LOCATED IN EL DORADO COUNTY, CALIFORNIA. THE EL DORADO COUNTY ASSOCIATION OF REALTORS® WEBSITE IS [WWW.EDCAR.ORG](http://WWW.EDCAR.ORG).

**Property Address:** \_\_\_\_\_

### A. REQUIRED LOCAL REAL ESTATE DISCLOSURE STATEMENTS:

ATTACHED TO THIS ADVISORY ARE THE FOLLOWING REAL ESTATE TRANSFER DISCLOSURE STATEMENTS THAT ARE MANDATED BY THE COUNTY OF EL DORADO AND WHICH PROVIDE INFORMATION ON IMPORTANT LOCAL MATTERS:

- FIRE PROTECTION**
- SERPENTINE ROCK/NATURALLY OCCURRING ASBESTOS**
- AGRICULTURAL PROTECTIONS**
- OTHER:** \_\_\_\_\_

**B. COUNTY FIRE PROTECTION AGENCIES:** It is very important that Buyer or Buyers determine and/or confirm which local fire protection has jurisdiction with respect to the property which is the subject matter of this transaction. Attached to this Advisory is a list of state and local fire agencies which may have jurisdiction for the property in question. Additional information may be available online at [www.cpf.org](http://www.cpf.org).

**C. SERPENTINE ROCK/NATURALLY OCCURRING ASBESTOS:** Serpentine Rock is present in the soils of the Sierra Nevada Foothills and may either exist at the above property, in its vicinity, and/or at other locations within El Dorado County. Serpentine Rock, which can contain naturally-occurring asbestos, may pose a health hazard to those exposed to ambient asbestos fibers in dust caused by surface mining, grading and the use of Serpentine Rock as a surface material for unpaved roads, some counties, such as El Dorado County, have adopted ordinances to reduce the risk of exposure to harmful forms of naturally occurring asbestos fibers and the County may be a source of information concerning such hazards. Section 8.44.060 of the El Dorado County Code provides that a specific real estate transfer disclosure statement (noted above and which is attached) is to be delivered by the Seller to the Buyer concerning serpentine rock/naturally occurring asbestos on the subject property.

Date: \_\_\_\_\_

Buyers' Initials: \_\_\_\_\_ : \_\_\_\_\_

Sellers' Initials: \_\_\_\_\_ : \_\_\_\_\_

The undersigned Buyer acknowledges that Real Estate Agents do not have the background, skill and expertise necessary to evaluate the existence of or the potential risk presented by the existence of Serpentine Rock on or within the vicinity of the Property. As with any other potential environmental hazard, Real Estate Agents recommend that Buyers fully investigate and satisfy themselves as to the existence of exposed Serpentine Rock on the Property or within its vicinity or any Serpentine-surfaced roads within the vicinity of the Property and the hazards, if any, posed thereby. That investigation should include consulting with appropriate expert(s) who can identify and test any exposed Serpentine Rock on the Property or within its vicinity to determine whether it may present a health risk to Buyer. Such experts may include a geologist, environmental engineer, and/or a state certified asbestos inspector. Third party report preparation companies that review state and local maps are not an appropriate source for making these site-specific determinations.

The U.S. Environmental Protection Agency (U.S.EPA), the Agency for Toxic Substances and Disease Registry (ATSDR) and the State of California Department of Toxic Substances Control (DTSC) have recently conducted studies on the asbestos exposures in El Dorado County and in El Dorado Hills. Buyers are encouraged to review all relevant information resulting from these studies and other information pertaining to the risk of exposure to harmful forms of naturally occurring asbestos fibers prior to removing their inspection contingency. The following governmental agencies have set up websites that Buyers can check:

1. El Dorado County Department of Environmental Management <http://www.co.el-dorado.ca.us/emd/index.html> ; <http://www.co.el-dorado.ca.us/emd/apcd/asbestos.html>
2. DTSC <http://dtsc.ca.gov/index.html>
3. ATSDR: <http://www.atsdr.cdc.gov>
4. USEPA: U.S. EPA Region 9, 75 Hawthorne Street, San Francisco, CA94105, Attn: Jere Johnson, Site Assessment Manager, 415-972-3094 <http://www.epa.gov/region09/toxic/noa>

Alternatively, Buyers can review information at the following locations:

1. Oak Ridge High School Library, 1120 Harvard Way, El Dorado Hills, CA.
2. El Dorado County Main Library, 345 Fair Lane, Placerville, CA.
3. El Dorado County Public Health Department, 931 Spring Street, Placerville, CA.
4. El Dorado Hills Community Services District, 1021 Harvard Way, El Dorado Hills, CA.

Brokers cannot and will not verify the information provided by any governmental agency. The Real Estate Agents involved in this transaction are providing this information as a customer service and this disclosure should not be considered to be an exhaustive or inclusive list of resources that a Buyer can and should review to determine for themselves whether or not to proceed with the transaction.

Broker makes no representations or guarantees as to the timeliness or accuracy of the information supplied at the websites referenced or at the other listed locations.

Date: \_\_\_\_\_

Buyers' Initials: \_\_\_\_\_ : \_\_\_\_\_

Sellers' Initials: \_\_\_\_\_ : \_\_\_\_\_

**D. AGRICULTURAL PROTECTIONS AND RIGHT TO FARM ORDINANCE:** Buyer and Seller are advised that the County of El Dorado has adopted a Right to Farm ordinance which is found in Chapter 17.13 of the El Dorado County Code. The stated purpose of the Right to Farm ordinance is to conserve and protect agricultural lands and encourage agricultural operations. A further stated purpose is to ensure that agricultural lands and operations are not curtailed or limited due to nuisance complaints by neighboring residential land. The ordinance provides in part that no nuisance shall result due to a present or future agricultural operation provided that such operation is consistent with accepted practices in the agricultural industry; nor shall such operations be become a nuisance due to the change in use of adjacent land. The ordinance defines what constitute "agricultural operations" and requires both the Seller and the real agent for the seller to make specific disclosures to the Buyer, including information concerning special setbacks. Seller and Buyer are advised to consult with the County to ensure that all requirements of the ordinance will be complied with and that the ordinance will not affect Buyer's intended uses of the property.

**E. ECOLOGICAL PRESERVE:** El Dorado County has five ecological preserves established for the purpose of protecting certain rare plants found in serpentine and gabbro soils that exist in the western slope of El Dorado County. The County collects mitigation fees in order to finance the acquisition of the preserves. In certain areas, an on-site inspection is required in order to obtain a building permit. Buyer and Seller should consult with the El Dorado Planning Department and the El Dorado Building Department to determine any ramifications due to the establishment of the preserves and the effect, if any, on Buyer's intended purposes in purchasing the property. Seller and Buyer acknowledge that Real Estate Agents are not required to advise them concerning the effect of the preserves on the subject transaction.

**F. LOCAL AIRPORTS:** El Dorado County has five airports as follows: (a) Cameron Air Park which is located two miles north of U.S. Highway 50 on Cameron Park Drive in Cameron Park; (b) Placerville Airport located approximately three miles east of Placerville; (c) Georgetown Airport which is located approximately two miles northwest of Georgetown; (d) Swansboro Country Airport located in the Swansboro Development north of Placerville; and (e) South Lake Tahoe. Commercial aircraft operating out of Mather Field in Sacramento also fly over western El Dorado County. Buyer is advised to satisfy himself or herself as to the location of any of these airports and whether noise from aircraft operating in the vicinity of the airports is of concern to Buyer.

**G. INDIAN GAMING:** The Shingle Springs Band of Miwok Indians is proceeding with plans to establish an indian gaming casino at the Shingle Springs Rancheria in Shingle Springs. Announced plans also include a hotel and other facilities. During construction of the casino and other facilities and after the casino opens, there may be traffic and other impacts on property located in the vicinity of the Rancheria and within other areas of Western El Dorado County. Buyer is advised to investigate all issues concerning the casino and the effect, if any, on Buyer's purchase.

Date: \_\_\_\_\_

Buyers' Initials: \_\_\_\_\_; \_\_\_\_\_

Sellers' Initials: \_\_\_\_\_; \_\_\_\_\_

**H. SMUD IOWA HILL PUMPED STORAGE PROJECT:** The Sacramento Metropolitan Utility District (SMUD) is proposing to build a pumped-storage hydroelectric power generation project above SMUD's Slab Creek Reservoir on the American River near the communities of Camino, Swansboro/Mosquito and Pollock Pines. As currently planned, the project will include the construction of a new 6,400-acre-foot reservoir atop Iowa Hill, the excavation of underground tunnels and shafts, the construction of an underground powerhouse and pumping facility, electrical transmission lines, and other facilities. Existing roads will also be upgraded and improved. If the project is built, there may be significant impacts to Camino and surrounding communities including but not limited to construction traffic, noise impacts from blasting and construction activities, as well as visual impacts both during construction and after the project is completed. If Buyer is purchasing property in Camino or surrounding areas, Buyer should obtain further and more current information on the project by contacting SMUD at (916) 732-6155 or by visiting SMUD's website at <http://www.hydrorelicensing.smud.org>.

**I. PURCHASE OF NON-SUBDIVISION/RURAL PROPERTY:** Many properties offered for sale in El Dorado County are rural properties (one acre or larger) or lots that were not developed as part of a planned unit subdivision. A Buyer purchasing such properties should more fully investigate (a) the need for a survey to accurately determine boundaries and parcel size; (b) the existence of easements and encroachments which may or may not be of public record; (c) the quality and quantity of well water if well water is used; (d) the condition of any septic system; (e) if access is by a private road whether there is a recorded right-of-way and a road maintenance agreement in place; (f) the location of any mine shafts on the property and the hazards posed thereby; (g) any special requirements due to wild fire hazards; (h) whether a Certificate of Compliance may be needed before a building permit may be obtained; and (i) whether the abandoned Southern Pacific Railroad right-of-way to be developed by the County for recreational use is near the property. The above issues often involve title and legal opinions or require investigation, survey, and evaluation by an appropriate professional, which evaluations real estate agents are not qualified to render or perform.

**J. GENERAL PLAN CONSISTENCY CHECKLIST:** In accordance with El Dorado County Ordinance No. 4666, any property owner applying for a grading permit or for any development of a structure greater than 120 square feet in size (including additions, garages, barns, accessory buildings, etc.) must demonstrate consistency with the County General Plan and with the County Ordinances. Unless the project is one which must be approved by the County Planning Commission or Board of the Supervisors, this requirement may be satisfied by completing a checklist available at the El Dorado County Planning Department or at such agency's website at <http://www.co.el-dorado.ca.us/DevServices/gpchecklist.asp>

**K. PURCHASE OF IMPROVED PROPERTY:** It is often prudent for a buyer to have a qualified professional, e.g., structural engineer, soil engineer, etc. inspect all major improvements constructed on the property to ensure that there are no design or construction defects and that such improvements are structurally sound in light of wind, snow or soil conditions which may exist in the particular area.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Buyer: \_\_\_\_\_

Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_

Seller: \_\_\_\_\_