

**EL DORADO COUNTY ASSOCIATION OF REALTORS®
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 LOCATED AT: WWW.EDCAR.ORG.

Property Address: _____

Please Note: 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 Advisory 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.

A. REQUIRED LOCAL REAL ESTATE TRANSFER DISCLOSURE STATEMENTS:

ATTACHED TO THIS ADVISORY ARE THE FOLLOWING REAL ESTATE TRANSFER DISCLOSURE STATEMENTS THAT ARE MANDATED BY THE COUNTY OF EL DORADO AND EACH DISCLOSURE IS TO BE DELIVERED BY THE SELLER TO THE BUYER:

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

B. FIRE PROTECTION AGENCIES/DISTRICTS: It is very important that Buyer or Buyers determine and/or confirm which local fire protection agency/district has jurisdiction with respect to the property which is the subject matter of this transaction. Attached to the disclosure is a list of local, state and federal fire agencies/districts which may have jurisdiction for the property in question. Additional information may be available online at Fire Safe Council, www.edcfiresafe.org; U.S. Forest Service, www.fs.fed.us; Cal Fire, www.readyforwildfire.org.

Buyer's Initials (____) (____)

Seller's Initials (____) (____)

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EDCAR LOCAL ADVISORY FORM

C. ASBESTOS IN EL DORADO COUNTY: The El Dorado County Air Quality Management District (District) regulates Naturally Occurring Asbestos. However, the District has not been delegated the authority to regulate demolition or renovation of facilities that may contain asbestos containing building materials. The California Air Resources Board (CARB) regulates facility demolition and renovation by requiring notification, conducting inspections, investigating complaints, collecting asbestos samples and taking enforcement actions. In this context "Facility" means any institutional, commercial, public, industrial or building containing condominiums or individual dwelling units operated as a residential cooperative (but excluding residential buildings having four or fewer dwelling units); and any active or inactive waste disposal site Facility owners and operators must notify CARB at least 10 days prior to any demolition or renovation activity.

Naturally Occurring Asbestos (NOA) in El Dorado County: Naturally Occurring Asbestos is prevalent in at least 44 of California's 58 counties. Asbestos is the name for a group of naturally occurring silicate minerals. Asbestos may be found in serpentine, other ultramafic and volcanic rock. Serpentine is the California State Rock. When rock containing NOA is broken or crushed, asbestos may be released and become airborne, causing a potential health hazard.

El Dorado County Air Quality Management rule 223-2: Requires activities to reduce asbestos dust created from earth moving activities. An Asbestos Dust mitigation plan must be prepared, submitted, approved and implemented when more than 20 cubic yards of earth will be moved at all sites identified as being in an Asbestos Review Area.

Additional information may be found on the El Dorado County Air Quality Management District's website at: <http://edcgov.us/Government/AirQualityManagement/Asbestos.aspx>

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 currently found in Chapter 17.13 of the El Dorado County Code. It is the declared policy of the county to conserve and protect agricultural lands and encourage agricultural operations within the county. A stated purpose is to ensure that agricultural lands and operations are not curtailed or limited due to nuisance complaints which could cause detriment of the economic viability of the Agricultural industry. "Agricultural operations" means activities relating to agricultural use including, but not limited to, the cultivation and tillage of the soil, the burning of agricultural waste products or other agricultural burning, protection of crops and livestock from insects, pests, diseases, birds, predators or other pests damaging or could potentially damage crops, the proper and lawful use of agricultural chemicals, including but not limited to the application of pesticides and fertilizers, or the raising, production, irrigation, pruning, harvesting, or processing of an agricultural commodity, including any type of crop or livestock, and any forestry improvements and timber harvesting and processing. 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. Additional information may be found on the El Dorado County Agricultural Departments website at: <http://edcgov.us/Ag/> and http://edcgov.us/Government/Ag/Right_to_Farm_Ordinance.aspx?terms=Right%20to%20Farm

E. 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 southeast 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 on U.S. Highway 50. 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, air pollution or the land use policies surrounding any airport is of concern to Buyer. El Dorado County's airports each has a Comprehensive Land Use Plan which may be obtained at the County.

Buyer's Initials (_____) (_____)

Seller's Initials (_____) (_____)

F. INDIAN GAMING CASINO: The Shingle Springs Band of Miwok Indians has established an Indian gaming casino at the Shingle Springs Rancheria in Shingle Springs (known as Red Hawk Casino). Buyer is advised to investigate all issues concerning the casino and the effect, if any, on Buyer(s) purchase.

G. PARCEL INQUIRY INFORMATION SYSTEM: Data for any El Dorado County Assessor’s Parcel regarding its Acreage, Census Tract, Fire District, Flood Zone, General Plan Land Use, Rare Plant Mitigation, School District, Supervisorial District, Water District and Zoning may be found on the El Dorado County Surveyor’s website at:
http://edcgov.us/Government/Surveyor/Parcel_Inquiry_Application-GOTNET.aspx

H. GENERAL PLAN AND ZONING ORDINANCES

El Dorado County has a responsibility to develop, adopt and maintain a General Plan pursuant to State Planning and Zoning Law. The 2004 El Dorado County General Plan provides for long range direction and policy for the use of land within the county. The Zoning Ordinance is adopted to be consistent with the General Plan. Where an inconsistency is discovered between the General Plan and the Zoning Designation for a lot, the General Plan designation shall govern. Buyer is advised to satisfy himself or herself on the General Plan land use designation and Zoning of the subject property, surrounding properties and other properties of interest to the Buyer.

The 2004 El Dorado County General Plan may be found online at:

http://edcgov.us/Government/Planning/Adopted_General_Plan.aspx

The El Dorado County Zoning Ordinance may be found online at:

http://edcgov.us/Government/Planning/Zoning_Ordinance_September_2013.aspx

I. GENERAL PLAN CONSISTENCY FOR BUILDING AND GRADING PERMITS:

- When applying for a grading or building permit, the applicant may also be required to complete a checklist to verify the application is consistent with the El Dorado County General Plan and County Ordinances. Ordinance No. 4777 pertains to Single Family Residential property, and Ordinance No. 4666 pertains to Non-Residential and Multifamily Property. Information may be found on the El Dorado County Development Services website at: <http://edcgov.us/DevServices>
- Regulations to protect Endangered Species/Special Status Species, and the Ecological Preserves Ordinance, may be found on the El Dorado County Planning Services website at: <http://edcgov.us/Planning> and http://edcgov.us/Government/Planning/Endangered_Species/Special_Status_Species.aspx
- Regulations to protect Oak Woodlands and Oak Trees may be found on the El Dorado County Planning Services website at: <http://edcgov.us/Planning> and Specific information for the removal of an Oak Tree may be found online in General Plan Policy 7.4.5.2., through a link to General Plan Policies Related to Oak Woodland Conservation at: http://edcgov.us/Government/Planning/General_Plan_Oak_Woodlands.aspx

Buyer’s Initials (____) (____)

Seller’s Initials (____) (____)

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J. 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; (i) whether the abandoned Southern Pacific Railroad right-of-way to be developed by the County for recreational use is near the property; and (j) whether the existence of a well or a septic system on a neighboring property may impact the use of the subject 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.

K. RECORDING FEE ALLOCATION: As per the California State Government Code 27388, the El Dorado County Board of Supervisors adopted Resolution 015-2009 that set a \$3.00 fee to be attached with the recording of certain real estate instruments. The fees are placed into a real estate trust fund and primarily utilized by the District Attorney to pay for the costs incurred for the prevention of real estate fraud. These costs include educating the public through various media venues as well as providing funding for the investigation and prosecution of persons involved in real estate fraud. Should an individual who resides within the County of El Dorado encounter what they perceive to possibly be some type of real estate fraud, they should contact the District Attorney's Office at 866-629-0171, or visit their website at: <http://edcgov.us/Government/ELDODA/Fraud.aspx>

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

Date _____

Date _____

BUYER _____

BUYER _____

(Print Name)

(Print Name)

Date _____

Date _____

SELLER _____

SELLER _____

(Print Name)

(Print Name)

**REAL ESTATE TRANSFER
DISCLOSURE STATEMENT**

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE COUNTY OF EI DORADO, STATE OF CALIFORNIA, DESCRIBED AS

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH ORDINANCE NO. 4548, SECTION 8.44.060, OF THE EL DORADO COUNTY CODE AS OF JUNE 12, 2003. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

**I
SELLER'S INFORMATION**

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF EL DORADO AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

1. Seller discloses that the subject property may be located in an area containing naturally occurring asbestos. Disturbance of naturally occurring asbestos may result in the release of asbestos in the environment potentially triggering federal, state and local laws and regulations and threatening public health. Seller further discloses that naturally occurring asbestos on the subject property has _____ has not _____ been disturbed by Seller.

2. Seller discloses the following details regarding disturbed naturally occurring asbestos

3. The seller discloses that the subject property _____ does/ _____ does not contain aggregate materials imported to the property after June 12, 2003, containing more than 0.25 percent naturally occurring asbestos. Disturbance of naturally occurring asbestos may result in the release of asbestos in the environment potentially triggering federal, state and local laws and regulations and threatening public health. Seller

Real Estate Transfer
Disclosure Statement
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discloses that naturally occurring asbestos on the subject property is in the following location(s); _____, and has _____/has not _____ been disturbed by the Seller.

4. The seller discloses that a geologic evaluation has _____/has not _____ been performed by a Registered Geologist qualified to perform a NOA assessment to determine whether naturally occurring asbestos does or is likely to occur on the property. The geologic evaluation was performed by _____ on _____ (date). Based on the assessment, naturally occurring asbestos is likely to or does _____ / in not likely to or does not _____ occur on the property.

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

Seller: _____ Date: _____

Seller: _____ Date: _____

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

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

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Agent (Broker Representing Seller): _____

By: _____ Date: _____
(Associate Licensee or Broker-Signature)

Agent (Broker obtaining the Offer): _____

By: _____ Date: _____
(Associate Licensee or Broker-Signature)

s:\jon\asbestos disclosure stmt

**REAL ESTATE TRANSFER DISCLOSURE STATEMENT
(Fire Protection, Vegetation Management and Defensible Space)**

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, DESCRIBED AS _____ . THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH ORDINANCE NO. 4261 OR COUNTY CODE AS OF DECEMBER 10, 2003 AND ORDINANCE 5101, CHAPTER 8.09 AS OF APRIL 30, 2019. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPALS IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTION OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

SELLERS INFORMATION

The seller hereby discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether, and on what terms, to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF EL DORADO AND ARE NOT THE REPRESENTATION OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN BUYER AND SELLER.

1. Buyer is advised that this property is within an area of state responsibility for fire protection and is within a wild land area which may contain substantial forest or wildfire risks and hazards, subject to the fire prevention measures of Public Resources Code Section 4291. Further, that it is not the State's responsibility to provide fire protection services to any building or structure located therein; which is therefore the responsibility of the local fire district.
2. Buyer is advised that vegetation management and defensible space is required by law. The buyer or new property owner is required to provide defensible space in accordance with El Dorado County Ordinance 5101, Chapter 8.09, which creates the minimum rules for vegetation management in the County.
3. Understanding and cooperation of property owners is essential to provide adequate fire protection services. The buyer or new property owner can help by providing a defensible space around structures, reducing flammable vegetation on roads and driveways, widening of narrow roadways or driveways, and providing proper road signs and number signs which meet fire safety requirements for existing properties. Your local fire agency (local fire district, California Department of Forestry & Fire Protection - CAL FIRE, or United States Forest Service - USFS) may provide additional information regarding the risks and hazards of forest fires and wild land fires for specific properties.

TO BE FILLED OUT BY THE SELLER:

Local Fire District: _____ Telephone Number: _____

Local Fire District Office Address: _____

California Department of Forestry & Fire Protection (CAL FIRE): 2840 Mt. Danaher Road, Camino, CA 95709 (530) 644-2345
U.S.D.A. Forest Service: 4260 Eight Mile Road, Camino, CA 95709 (530) 644-2324

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

Signature of Seller: _____ Date Signed: _____

Signature of Seller: _____ Date Signed: _____

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

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

Seller _____ Date _____ Buyer _____ Date _____

Seller _____ Date _____ Buyer _____ Date _____

Agent (Broker Representing Seller): _____ By _____ Date _____
(Signature)

Agent (Broker Obtaining Offer): _____ By _____ Date _____
(Signature)

A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT AN ATTORNEY.
This disclosure is made in accordance with El Dorado County Ordinances #4261 and #5101.

Local Fire District	Office Address	Mailing Address	Phone
C.D.F (CAL FIRE) (Amador/El Dorado)	2840 Mount Danaher Road, Camino, CA	(Same as Physical Address)	(530) 644-2345
Cameron Park CSD (CAL FIRE)	3200 Country Club Drive Cameron Park, CA 95682	(Same as Physical Address)	(530) 677-6190
Diamond Springs / El Dorado FPD	501 Main Street Diamond Springs, CA 95619	P.O. Box 741 Diamond Springs, CA	(530) 626-3190
El Dorado County FD	4040 Carson Rd. Camino, Ca 95709	P.O. Box 807 Camino, CA 95709	(530) 644-9630
El Dorado Hills FD	1050 Wilson Blvd El Dorado Hills, CA 95762	(Same as Physical Address)	(916) 933-6623
Garden Valley FDP	4860 Marshall Grade Rd. Garden Valley,	P.O. Box 408 Garden Valley, CA 95633	(530) 333-1240
Georgetown FPD	6281 Main Street Georgetown, CA 95634	P.O. Box 420 Georgetown, CA 95634	(530) 333-4111
Lake Valley FPD	2211 Keetak St. South Lake Tahoe, CA 96150	(Same as Physical Address)	(530) 577-3737
Meeks Bay FPD	8041 Emerald Bay Rd. Meeks	P.O. Box 189 Tahoma, CA 96142	(530) 525-7548
Mosquito FPD	8801 Rock Creek Road Placerville, CA 95667	8801 Rock Creek Road Placerville, CA 95667	(530) 626-9017
Pioneer FPD	7061 Mt Aukum Rd.	P.O. Box 128 Somerset, CA 95684	(530) 620-4444
Rescue FPD	5221 Deer Valley Rd. Rescue, CA	P.O. Box 201 Rescue, CA 95762	(530) 677-1868
City of South Lake Tahoe FD	2101 Lake Tahoe Blvd South Lake		(530) 542-6160
U.S.F.S.	100 Forni Road Placerville, CA 95667		(530) 622-5061

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

AGRICULTURAL PROTECTIONS

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, DESCRIBED AS _____
THIS STATEMENT IS A DISCLOSURE PROVIDED IN COMPLIANCE WITH CHAPTER 17.13 OF THE EL DORADO COUNTY ORDINANCE CODE, KNOWN AS THE RIGHT TO FARM ORDINANCE. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

**I
SELLERS INFORMATION**

The seller discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE DISCLOSURES MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF EL DORADO, AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S) IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

The County of El Dorado recognizes the statewide policy to protect and encourage Agriculture. Section 17.13.030 of Chapter 17.13 of the El Dorado County Code (*Nuisance*) states in substance that no present or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards of the agricultural industry on agricultural land shall become or be a nuisance, private or public, due to any changed condition of the use of adjacent land in or about the locality thereof, provided, that the provisions of this section shall not apply whenever a nuisance results from negligent or improper operation of any such agricultural operation and its appurtenances or if the agricultural activity or appurtenances obstruct the free passage or use in the customary manner of a navigable lake, stream, river, canal or basin or any public park, square, street or highway.

Intensive agricultural activity may take place on agricultural land. Therefore, if the property you are purchasing is in the vicinity of agricultural land, you may at times be subject to one or more inconveniences and/or discomfort arising from operations on the agricultural land. Such inconveniences may include (depending upon the type of agricultural operation) but are not necessarily limited to the following: noise, odors, fumes, dust, legal pesticide use, fertilizers, smoke, insects, farm personnel and truck traffic, visual impacts, night time lighting, operation of machinery, and the storage, warehousing and processing of agricultural products or other inconveniences or discomforts associated with the protected agricultural operations. For additional information pertaining to this disclosure and the Right to Farm Ordinance, or concerns with an agricultural operation, please contact the El Dorado County Agricultural Commissioner's Office.

AGRICULTURAL SETBACKS

Pursuant to Section 17.06.150 of Chapter 17.06 of the El Dorado County Code, your property may be subject to special setbacks for agricultural protection from the adjoining agricultural properties, as measured from the property line. Non-compatible uses such as residential structures, nursing homes, public schools, playgrounds, swimming pools, ponds and churches may not be built or placed within the agricultural setbacks, if applicable. For further information regarding applicable setbacks or other zoning regulations, please contact the El Dorado County Developmental Services Department- Planning Services Division.

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

Seller: _____ Date: _____

Seller: _____ Date: _____

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

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT

Seller: _____ Date: _____ Buyer: _____ Date: _____

Seller: _____ Date: _____ Buyer: _____ Date: _____

Agent (Broker Representing Seller): _____ By: _____ Date: _____
(Associate Licensee or Broker-Signature)

Agent (Broker Obtaining the Offer): _____ By: _____ Date: _____
(Associate Licensee or Broker-Signature)

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

EL DORADO COUNTY PLANNING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667

<http://www.co.el-dorado.ca.us/planning>

phone: (530) 621-5355 | fax: (530) 642-0508

Chapter 17.13**RIGHT TO FARM**

- 17.13.010 Purpose.
- 17.13.020 Definitions.
- 17.13.030 Nuisance.
- 17.13.040 Role of agricultural commission.
- 17.13.050 Disclosure Notice

17.13.010 Purpose. It is the declared policy of the county to conserve and protect agricultural land and to encourage agricultural operations within the county. Where nonagricultural land uses, including but not limited to residential development, extend into or adjoin areas of agricultural land, agricultural operations have become the subject of nuisance complaints. As a result, agricultural operations are sometimes forced to curtail or cease operations, and operators are discouraged from making investments in farm improvements to the detriment of the economic viability of the county's agricultural industry as a whole. It is the purpose and intent of this chapter to reduce the loss to the county of its agricultural resources by limiting circumstances under which agricultural operations may be considered a nuisance. This chapter is not to be construed as in any way modifying or abridging state law relative to nuisances, but is to be utilized in the interpretation and enforcement of the provisions of this code and other applicable county regulations. (Ord. 3990 §1(part), 1988)

17.13.020 Definitions. When used in this chapter:

- A. "Agricultural land" means those lands of the county which are zoned as A (agriculture), AE (exclusive agriculture), AP (agricultural preserve), PA (planned agriculture), SA (select agriculture), RA-20, RA-40, RA-60, RA-80, RA-160 (residential agriculture), and TPZ (timberland preservation zone).
- B. "Agricultural operations" means activities relating to agricultural use including, but not limited to, the cultivation and tillage of the soil, the burning of agricultural waste products or other agricultural burning, protection of crops and livestock from insects, pests, diseases, birds, predators or other pests damaging or could potentially damage crops, the proper and lawful use of agricultural chemicals, including but not limited to the application of pesticides and fertilizers, or the raising, production, irrigation, pruning, harvesting, or processing of an agricultural commodity, including any type of crop or livestock, and any forestry improvements and timber harvesting and processing. (Ord. 4663 §1 (part), 2005; Ord. 4636 §2, 2003; Ord. 3990 §1(part), 1988)

17.13.030 Nuisance. No present or future agricultural operation or any of its appurtenances conducted or maintained for commercial purposes and in a manner consistent with proper and accepted customs and standards of the agricultural industry on agricultural land shall become or be a nuisance, private or public, due to any changed condition of the use of adjacent land in or about the locality thereof; provided, that the provisions of this section shall not apply whenever a nuisance results from the negligent or improper operation of any such agricultural operation and its appurtenances or if the agricultural activity or appurtenances obstruct the free passage or use in the customary manner of any navigable lake, stream, river, canal or basin or any public park, square, street or highway. (Ord. 3990 §1(part), 1988)

17.13.040 Role of agricultural commission. An interested party may submit a written request to the agricultural commission for an opinion as to whether a particular agricultural operation constitutes a nuisance. In the event a dispute arises between an owner of an agricultural operation and a resident (or residents) in or about the locality thereof as to whether a particular agricultural operation constitutes a nuisance, an interested party may submit a written request to issue an advisory opinion or mediate a dispute. The agricultural commissioner may promulgate such regulations as are necessary for the implementation of this section. The farm advisor from the University of California Cooperative Extension Service, El Dorado County, may serve as technical advisor to the agricultural commission. (Ord. 3990 §1(part), 1988)

17.13.050 Disclosure Notice. Every seller of any real property in the unincorporated areas of the County of El Dorado, either directly or through his/her authorized agent, shall provide to any prospective buyer a written disclosure statement advising the buyer of the existence of a Right to Farm Ordinance enacted by the County of El Dorado. Such disclosure statement shall contain or be accompanied by a copy of the county's Right to Farm Ordinance, El Dorado County Ordinance Code Chapter 17.13 or successor, and the brochure provided by the county entitled "Agricultural Land Use in El Dorado County. The disclosure statement shall be substantially in the form promulgated by the county's Agricultural Commissioner, or his designee. The written disclosure statement shall include any agricultural setback requirements applicable to the property. The written disclosure statement also shall include a statement that intensive agricultural activities may be conducted on agricultural land within the county. The buyer shall sign a copy of the written disclosure statement acknowledging receipt of the disclosure and accompanying documents and deliver the signed copy to the seller or his/her authorized agent. The seller or his/her authorized agent shall retain the copy of the disclosure statement executed by buyer in the escrow process. (Ord. 4663 §1 (part), 2005)

Last amended June 21, 2005

Effective April 1, 2005

Ordinance No. 4663