

Lake County Association of REALTORS®

Lake County Real Estate Disclosure Advisory

(To be used in conjunction with the CAR form SBSA-Statewide Buyer and Seller Advisory)

This advisory applies to the following property: \_\_\_\_\_, Lake County, California.

AP Number: \_\_\_\_\_.

In considering whether or not to buy or sell property in Lake County, you should read and understand the matters contained in this Disclosure Advisory, as well as the information from the following sources: Seller’s Transfer Disclosure Statement and any Natural Hazards Disclosures, as well as the California Association of REALTORS® Statewide Buyer and Seller Advisory (‘SBSA’), the booklet entitled “Environmental Hazards: A Guide for Homeowners, Buyers, Landlords and Tenants (Includes Toxic Mold Update)/The Homeowners Guide to Earthquake Safety,” the Buyers Inspection Advisory, and all other notices and information you have or receive regarding the inspection and condition of real property generally and the specific property you are considering buying or selling.

This advisory is not a substitute for any investigations, inspections or warranties the buyer should obtain. The information contained herein is not part of the contract to buy or sell the above property, and is not a warranty of any kind by the seller or any agent(s) representing either the buyer or the seller in the purchase and sale of the above property. This advisory provides the parties with suggestions on where to obtain general information regarding issues specific to Lake County. Those suggestions are not intended to be an exhaustive list regarding where to obtain further information on the matters referred to herein, and the undersigned acknowledges that it is the solely the responsibility of the buyer and seller to obtain information through their own inspections with respect to the subject property.

1. **WIRE FRAUD:** Real estate wire fraud is one of the fastest growing cybercrimes in the country; typically a fraudster, posing as the real estate or title agent, sends an email to the buyer, providing wire instructions to the criminal’s bank account, not the title agency’s legitimate account. A good practice to avoid potential exploitation by scammers is to **VERIFY ALL EMAIL REQUESTS INVOLVING THE WIRING OF FUNDS OR CHANGES THERETO BY CALLING A VERIFIED PHONE NUMBER OF THE ALLEGED SENDER. PHONE NUMBERS INCLUDED IN BOGUS EMAILS MAY ALSO BE FRAUDULENT.**
2. **WATER CONSERVATION ORDINANCE:** Lake County has enacted a Water Conservation Ordinance that applies to all properties served by sewer systems maintained by the Lake County Sanitation District, which requires all toilet fixtures and shower heads that are not “low flow” to be replaced with the “low flow” type prior to close of escrow. The seller must provide the manufacture’s name and model number of the replacement fixtures and heads to the Lake County Sanitation District for approval. To determine whether the property is affected by this Ordinance, and for more information, the parties are advised to contact Lake County Special Districts at (707) 263-0119. [http://www.co.lake.ca.us/Government/Directory/Special\\_Districts/Useful\\_Information/Water\\_Conservation/Water\\_Conservation\\_Ordinance.htm](http://www.co.lake.ca.us/Government/Directory/Special_Districts/Useful_Information/Water_Conservation/Water_Conservation_Ordinance.htm)
3. **THE CALIFORNIA LAND CONSERVATION (WILLIAMSON) ACT:** In 1965 the California Legislature passed the California Land Conservation Act, better known as the Williamson Act. The purpose of this Act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement whereby private landowners contract with counties and cities to voluntarily restrict land to agricultural and open-space uses. Property in Lake County may be affected by this Act and buyers are encouraged to check with the County of Lake to help them identify if the proposed property is subject to the Act by calling the Lake County Agriculture Department at (707) 263-0217. More information about the Williamson Act can be obtained at the California Department of Conservation’s website: <http://www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx>
4. **PUBLIC WATER COMPANIES AND BACKFLOW PREVENTION:** Buyer/buyers are advised to check with the public water company providing service to their property for its rates and legal liabilities. To protect public water systems from potential contamination, or “cross connection”, from other water sources (i.e: a well, lake water), the water company may require the homeowner to install a backflow prevention device on their home’s water line. Backflow prevention is especially important on lakefront properties with a submersible pump in the lake for irrigation: it is critical to keep raw lake water from accidentally entering the public water system. Properties with a well in addition to a water system connection also have mandatory backflow prevention requirements to protect the public water supply. Backflow prevention devices require annual inspection and occasional repair. Please contact your water company for their backflow prevention policy and to determine if you are currently required to have the device installed or maintained.

5. **WELLS AND SEPTIC SYSTEMS:** Lake County provides information on wells and septic tanks which can be found at: [http://www.co.lake.ca.us/Government/Directory/Environmental\\_Health/Programs/landdev.htm](http://www.co.lake.ca.us/Government/Directory/Environmental_Health/Programs/landdev.htm)
  - a. **WELL INSPECTION:** Agents and seller urge the buyer to conduct an independent inspection of the property and to have the well(s) thoroughly inspected for water potability, GPM (flow) and condition of equipment by a licensed, competent professional selected by the buyer.
  - b. **ALTERNATIVE SEPTIC SYSTEMS:** Alternative Septic Systems are legal in Lake County. They must be registered with the county health department and inspected twice a year. The inspections are mandatory and must be recorded with the county. The cost of the inspections is set by the contractor and may vary. It is advised that the buyer/buyers understand the Alternative Septic System, its operation, and all maintenance costs. The National Environmental Service Center (NESC) provides a pamphlet on Alternative Septic Systems which is available at: [http://www.nesc.wvu.edu/pdf/WW/publications/pipline/PL\\_SU05.pdf](http://www.nesc.wvu.edu/pdf/WW/publications/pipline/PL_SU05.pdf)
6. **MOSQUITOES:** The County can be subject to mosquitoes at various times of the year. Mosquitoes have been known to spread diseases including West Nile Virus. The county has an active abatement program through Vector Control. Standing water including neglected swimming pools can be a breeding ground for mosquitoes and can be reported to Lake County Vector Control at (707) 263-4770 or [info@lcvcd.org](mailto:info@lcvcd.org).
7. **SEAWALLS:** Buyer/buyers are advised to investigate the condition of the property seawall, its construction, maintenance, and replacement costs.
8. **LAKE CONDITIONS:**
  - a. **RUMSEY GAUGE:** A measurement used to address issues pertaining to lake level management. In past years lake level has exceeded 11.5 feet above "0" Rumsey, causing extensive damage to many properties. The reading on the Rumsey Gauge will vary throughout the year. The current and past lake levels are available at <https://waterdata.usgs.gov/ca/nwis/uv?11450000>
  - b. **STATE PROPERTY:** All property below "0" Rumsey, also known as the high water line, is in the public land trust and the public has the right to use it regardless of how far into the water an individual property boundary extends. Land owners are not permitted to build, cut trees or remove tules in this area.
  - c. **LAKEBED MANAGEMENT:** Lake County Department of Water Resources manages, among other things, the lakebed up to 7.79 feet above "0" Rumsey. This department also issues Administrative Encroachment Permits and Leases for piers, boat ramps, buoys, jetties, breakwater, filling and dredging. Buyer is advised to contact Water Resources at (707) 263-2344 for further information regarding lakebed management and lake conditions. The County has developed a Clear Lake Integrated Watershed Management Plan that should be reviewed. See <http://www.lakecountyca.gov/Government/Directory/WaterResources/database/watershedplan.htm>
  - d. **PIERS, BOAT RAMPS AND ENCROACHMENTS:** Construction, use and maintenance are monitored and controlled by State and County agencies. In general, any lakefront property owner with a pier, boat ramp or lakebed encroachment will have to sign a lease through Lake County Department of Water Resources.
  - e. **PUBLIC TRUST RIGHT-OF-WAY AND EASEMENT:** In most cases the public has the right to travel anywhere there is water. However, this may not be the case when a river or creek crosses over private property. Actual boundaries concerning a water easement/right-of-way should be determined on a parcel by parcel basis.
  - f. **RIPARIAN RIGHTS:** In some cases a property owner will have reasonable riparian rights to water crossing over or adjacent to their property. Water rights in California are always receiving legislative attention. Property owners are advised to keep abreast of the laws that will affect them.
  - g. **WETLANDS:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. These generally include swamps, bogs, marshes and similar areas. There are special laws and restrictions that apply to use of these lands. For more information, contact Lake County Department of Water Resources at (707) 263-2344.
  - h. **RECLAMATION LANDS:** These are areas that have been reclaimed from the lake and converted to agricultural and residential use. These areas may be subject to heavy flooding. There are several reclamation areas in Lake

- County most of which are in Nice/Upper Lake areas. There are special requirements for homes built within a reclamation district.
- i. **DEPARTMENT OF FISH AND WILDLIFE:** A State agency that handles issues pertaining to water and wildlife management. Buyer is advised to call California Department of Fish and Wildlife office in Lake County at (707) 263-0217 for further information.
  - j. **QUAGGA AND ZEBRA MUSSELS:** All water vessels using water bodies in Lake County are required to have a mandatory inspection for Quagga and Zebra Mussels. All vessels are required to have an Inspection Sticker prior to launching. Effective July 1, 2008 an inspection fee will be charged. Further, a ban is in place that prohibits the disposal of live bait and any liquid that contains or has contained live bait into Lake County water bodies. More information may be obtained by going to the Lake County Invasive Mussel Prevention Program website: <http://www.nomussels.com/>
  - k. **ALGAE:** A natural part of the lake for thousands of years. Generally the algae flourish during the hotter months of the year. Certain types of algae in the lake will emanate a distinct odor certain times of the year.
  - l. **HYDRILLA, AQUATIC WEEDS:** A variety of aquatic weeds, including hydrilla, are present in Clear Lake. These weeds can affect recreational and other uses of the lake. The County administers a spraying and weed harvesting program. For more information contact the Department of Public Works at 707-263-2341.
  - m. **MERCURY:** The levels of Mercury in the lake may vary depending on location. Monitoring is an ongoing program by government officials.
9. **FLOOD INSURANCE AND FLOOD HAZARD:** Most lenders will require flood insurance for homes and/or improvements located within certain areas of Lake County. The County has information identifying those areas at <http://publicapps.lakecountycalifornia.gov/floodchecks/floodcheckaddress.aspx>. An evaluation survey can be accomplished to determine exact location. Buyer should contact the Lake County Water Resources Department, (707) 263-2344, to confirm whether a property is in or out of the Special Flood Hazard Area or if it is in a floodplain, if it has ever flooded, and what the flood depth, velocity and warning times are.
  10. **FIRE INSURANCE:** Insurance rates can vary dramatically throughout the County and are subject to increases based on insurance companies' rating systems. Some of the factors, but not all, that affect rates are distance from a manned fire station, distance from a fire hydrant and the slope of the terrain. Buyers are advised to obtain insurance information and quotes early in the escrow process to determine what current premium costs will be.
  11. **WILDFIRE HAZARD:** Said property may possibly be located near or within an area that is defined as a Wildfire Hazard Area, per public maps available at CALFIRE's Fire Hazard Severity Zone Map Project at: [http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_zones\\_maps](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps). Fire Hazard Severity Zone maps are like flood zone maps; they evaluate "hazard," not "risk." It is important to understand that being in a hazard zone does not always mean high risk; mitigation activities may have been completed that reduce risk. Not being within a regulatory hazard zone does not guarantee safety. It is advisable to be prepared for emergencies regardless of your location. Buyers should also check with the County of Lake to help them identify if the proposed property is subject to any adopted fire-related ordinances that may affect hazard mapping and building code requirements.
  12. **SOIL CONDITIONS:** Buyer are advised to retain the services of appropriate environmental consultants and engineers to thoroughly assess any soil condition concerns.
    - a. **EROSION:** Erosion will occur on all property. The extent of erosion is often proportional to the care taken to prevent the process. Wave action caused by boats, rains, water runoff after a wildfire, wind or other factors can accelerate the erosion process significantly.
    - b. **EARTH EXPANSION AND CONTRACTION:** Water levels, rain, run-off, evaporation, etc. can cause some soils to expand and contract. In some cases, based on soil type, this causes settling and/or swelling of the land beneath a structure. This type of action, among other things, can cause foundations to crack and separate.
    - c. **LANDFILL:** Many of the properties bordering canals, creeks and in some cases the lake, has had some sort of land fill. The type of compacting density of the fill plays an important role in property stability over the years. Areas such as the Keys in Clearlake Oaks, Lands End in Lakeport, Highlands Harbor in Clearlake, and Kono Tayee/Paradise Cove in Lucerne are just some of the areas in Lake County known to have land fill.
    - d. **SERPENTINE SOIL:** This is to advise you that Serpentine rock is present in the soils of Lake County and may either exist on the above property or in its vicinity. 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. Buyer acknowledges that real estate Brokers and Agents do not have the background skill and expertise necessary to evaluate the existence of or the potential risk presented by the existence of naturally-occurring asbestos and serpentine rock on or within the

vicinity of the property. As with any other potential environmental hazard, Brokers advise you as a buyer of the above property to fully investigate and satisfy yourself 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 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 companies that review state and local maps and prepare disclosure reports are not an appropriate source for making these site-specific determinations.

13. **PROPERTY LINE:** The above stated property that is being offered for purchase may or may not have been surveyed for the purpose of this transaction. If the property is fenced or partially fenced, that fencing may not coincide with the exact location of the boundary lines. Any flagging found upon the property may not coincide with the exact location of the boundary lines. The buyer(s) have read and understand the above. The buyer(s) are offering to purchase property that has not been surveyed for this transaction. The Buyer(s) realize that only a licensed surveyor can make an exact representation as to the location of the boundary lines, corners, or land areas (i.e. acreage).

Further, the sellers, Real Estate Broker and the Agents recommend buyer(s) employ a licensed surveyor to ascertain the exact location of the boundaries or land areas. For more information consult the website for the California Board for Professional Engineers and Land Surveyors: <https://bpelsg.ca.gov/>

14. **HIGHWAY AND ROAD CONSTRUCTION:** The County of Lake and the State of California may have plans to expand some of the county roads and state highways within Lake County. Buyer/Buyers who may have concerns are urged to check with the County and/or CalTrans about any proposed road projects. Buyer/Buyers may contact the County of Lake Department of Public Works at (707) 263-2341 or visit the website at: [http://www.co.lake.ca.us/Government/Directory/Public\\_Works/Bids\\_and\\_Projects.htm](http://www.co.lake.ca.us/Government/Directory/Public_Works/Bids_and_Projects.htm)

Caltrans can be contacted at (707) 441-4678 or their website may be visited at: <http://www.caltrans.ca.gov/>.

15. **ARCHAEOLOGICAL SITES:** Buyer/buyers are advised that Lake County has many recorded and undiscovered archaeological sites. This information is confidential, and real estate agents do not have access to it, or the training to recognize them. While these will not affect the vast majority of real estate parcels, they may complicate development plans. Buyer/buyers should consult a licensed archaeologist if they are concerned about the possible presence of sites on a property they are purchasing.
16. **DEAD AND DISEASED TREES:** Dead, diseased or dying trees can be hazardous to persons and property and may infect other trees and vegetation. Treatment and/or removal of diseased, dying or dead trees and other vegetation can be costly. Brokers and Agents do not have expertise in this area. Buyers are advised to consult with qualified professionals during inspection periods.
17. **ENDANGERED SPECIES ACT:** Within Lake County there are a number of endangered species that include wildlife, flora and fauna. There can also be candidates for declaration. Endangered species and candidates for declaration are protected under the Federal Endangered Species Act and the California Endangered Species Act. These species are protected from, among other things, being killed, harassed, harmed, pursued, hunted, wounded or trapped and from attempts to do the same. The laws also protect the habitat that is designated as critical or essential for these species. Presence of a listed plant or animal on the property can have serious consequences including but not limited to prohibition or limitations on building, remodeling, grading, landscaping, and on agricultural, livestock and equestrian activities. In some cases costs to complete projects may be increased due governmental requirements for environmental mitigation of the effects of buyer's plans or activities. Violations of these laws can result in substantial fines, civil penalties, forfeiture of certain personal property, and prison sentences. To determine if a property is within a designated critical or essential habitat for any listed species buyers should contact the U.S. Fish and Wildlife Service at <http://www.fws.gov> and the California Department of Fish and Wildlife at <https://www.wildlife.ca.gov/>. Buyers should consider engaging qualified professionals who are experienced with the application and enforcement of the Endangered Species Act and its requirements.
18. **RURAL AREA:** Many parts of Lake County are rural and as a result may have land use practices and activities that are permissible, but unfamiliar to buyers from more urban areas. Some of the items, but not all, include smoke and odors from burning yard or agricultural waste, use of offroad vehicles and machinery, and dust, noise, vibration and other effects from permissible land use practices and activities. Buyers should investigate these permitted practices and activities and other conditions associated with rural life including, but not limited to, response times for fire, law enforcement and other public safety services. Rural areas can have wild animals on or near the Property including, but not limited to mountain lions, bobcats, hawks, rattlesnakes, coyotes, gophers and deer.
19. **RIGHT TO FARM:** In 2005 Lake County put into effect the Right to Farm Ordinance which requires upon transfer of real property by sale, exchange, installment land sale contract, lease with option to purchase, or ground lease coupled

with improvements, or transfer of residential stock cooperative, the transferor shall require that the disclosure statement set forth in the Lake County Code, Subsection 43.4 of Article IV of Chapter 3, shall be signed by the purchaser or lessee.

Buyers should review the “FOR DWELLINGS - NOTICE OF FARMING PRACTICES REQUIRED” disclosure before signing. As of the creation of this document (1/28/2019), the most current revision of this disclosure is dated 6/23/2014 and is attached at the end of this document. Get the latest version from the Lake County Community Development Department at (707) 263-2382 and <http://www.lakecountyca.gov/Assets/Departments/CDD/Building/Building+Forms/For+Dwellings+-+Notice+of+Farming+Practices+Required.pdf>.

Subsection 44.6 indicates “the right to farm notice” shall contain, and be substantially in the form of, the following:

The County of Lake recognizes and supports the right to farm agricultural lands in a manner consistent with accepted customs, practices, and standards. Residents of property on or near agricultural land should be prepared to accept the inconveniences or discomforts associated with agricultural operations or activities, including but not limited to noise, odors, insects, fumes, dust, the operation of machinery of any kind during any twenty-four (24) hour period (including aircraft), the application by spraying or otherwise of chemical fertilizers, soil amendments, seeds, herbicides, and pesticides, the storage of livestock feed and other agricultural commodities and the storage, application and disposal of manure. Lake County has determined that inconveniences or discomforts associated with such agricultural operations or activities shall not be considered to be a nuisance. Lake County has established a grievance committee to assist in the resolution of any disputes which might arise between residents of this County regarding agricultural operations or activities. If you have questions concerning this policy or the grievance committee, please contact the Lake County Agricultural Commissioner.

20. **MEDICAL AND PERSONAL CULTIVATION OF MARIJUANA:** Buyer and Seller are advised that California law permits individuals to cultivate, possess and use marijuana for medical or personal use. Commercial operations are also permitted by the state including cultivation, manufacturing, testing and retail sales. California’s marijuana laws are in direct conflict with federal law which recognizes no lawful use for marijuana and has no exemptions for medical or personal use. Federal criminal penalties, some of which mandate prison time, remain in effect for the possession, cultivation and distribution of marijuana. Buyers and Sellers are advised to seek legal counsel as to the legal risks and issues surrounding owning or purchasing a property where medical or any other marijuana activity is taking place or has taken place.

Local regulations can vary from state regulations. Buyer and Seller are advised to check with the local municipalities for the most current regulations. County regulations can be different from the cities of Lakeport and Clearlake regulations, which can be different from each other. Buyers should review the appropriate regulations prior to the release of contingencies.

Regulations are subject to change at all levels state, county and cities.

County regulations are available at:

- County of Lake: [http://www.lakecountyca.gov/Government/Directory/Community\\_Development/Planning/Cannabis.htm](http://www.lakecountyca.gov/Government/Directory/Community_Development/Planning/Cannabis.htm)
- City of Clearlake: <https://www.clearlake.ca.us/152/Codes-Ordinances>
- City of Lakeport: <http://www.codepublishing.com/CA/Lakeport/#!/Lakeport17/Lakeport17.html>

21. **MINING OPERATIONS:** In the past and currently there have been and are mining operations within Lake County. In some cases abandoned and existing mines may exist and be unmapped. Both abandoned and active mines can pose serious physical and safety hazards, such as open shafts or adits (mine tunnel) as well as environmental hazards such as the potential to contaminate surface water, ground water or air quality. Buyers are advised to contact an expert in Natural Hazards Disclosure to determine if mining operations are located near the property.

The California Department of Conservation’s Division of Mine Reclamation maintains the following lists:

- Abandoned mines at: [http://www.conservation.ca.gov/dmr/abandoned\\_mine\\_lands](http://www.conservation.ca.gov/dmr/abandoned_mine_lands)
- Active mines at: <http://www.conservation.ca.gov/dmr>

22. **UTILITY COSTS:** Costs for utilities can vary throughout the County. Buyers are advised to check with the local utility companies for electricity, water and sewer, propane, disposal services and other utility costs. Rate increases may be planned for in advance and Buyer is advised to inquire about any planned rate increases.



23. **SEISMIC ACTIVITY:** Lake County can be subject to seismic activity, both natural and induced. Induced seismicity refers to seismic events that are caused by human activities, such as fluid injection into and production from energy reservoirs that alter the stresses and strains on the earth's crust.
24. **GEOTHERMAL OPERATIONS:** Geothermal Operations are conducted in some areas of the County. Geothermal operations could create environmental issues including but not limited to: water pollution, land subsidence, erosion, air quality pollution, noise pollution, generation of hazardous materials and seismic activity. Existing owners and purchasers of property within or near potential geothermal areas should be advised of likely geothermal operations in the area by regularly updated maps available at the Lake County Community Development Department, (707) 263-2382. For more information on Geothermal Operations and seismicity buyers and sellers may visit the Calpine websites at <http://www.geysers.com/> or <http://www.calpine.com/>.
25. **MANUFACTURED HOME:** is a structure that is transportable in one or more sections. In traveling mode, the home is eight feet or more in width and forty feet or more in length. A Manufactured Home is designed and constructed to the Federal Manufactured Construction and Safety Standards and is so labeled. For more information see the HUD webpage on general requirements for manufactured homes at: [https://www.hud.gov/program\\_offices/housing/rmra/mhs/mhshome](https://www.hud.gov/program_offices/housing/rmra/mhs/mhshome).
26. **MOBILE HOME:** is a structure designed for human habitation and for being transportable on a street or highway under permit pursuant to California Vehicle Code Section 35790, and as defined in Section 18008 of the Health & Safety Code. "Mobile home" does not include a recreational vehicle as defined in 18010 of the Health & Safety Code, or a commercial coach, as defined in Section 18001.8 of the Health & Safety Code. Mobile Homes are regulated by the California Department of Housing and Community Development (HCD). In accordance with the California Health and Safety Codes, Mobile Homes cannot be offered for sale, transferred, rented or leased unless the unit is in compliance with the construction code applicable for that year/model. Seller/Buyer is advised that HCD is the only agency authorized to inspect and certify compliance. Seller/Buyer may obtain inspections from any individual they so desire, however, the inspection/repair may not be to a level satisfactory with HCD requirements and therefore may not be in compliance. This inspection is not currently required by law unless the unit has been modified/improved without an HCD inspection. In any case, we recommend that either/both parties consider an HCD inspection. BUYER AND SELLER UNDERSTAND THAT ANY DEFECTS DISCOVERED BY AN HCD INSPECTION MUST BE CORRECTED WHETHER THE MOBILE HOME TRANSFERS OWNERSHIP/RENTS/LEASES OR NOT. A SECOND INSPECTION WILL BE NEEDED TO VERIFY COMPLIANCE. For more information contact HCD Department of Codes & Standards at (916) 445-3338. Buyers are advised that any manufactured or mobile home moved from its original installation location may not be eligible for standard financing.
27. **MOBILE HOME AGE VERSUS RESIDENCY IN A MOBILE HOME PARK:** A park owner may terminate the space rental agreement if the mobile home is over a certain age. Eligibility for termination is triggered when the mobile is transferred. Buyers/Sellers are advised to consult the park owner/manager as early as possible before the close of escrow.
28. **MOBILE HOME PARK VACANCY RATES OF 20% OR MORE:** Any mobile home park owner or operator in the County that has a vacancy rate of 20% or greater of the total number of spaces in existence in the mobile home park shall file with the Community Development Director a written notice informing the County of the current vacancy rate at the park. The written notice to the Community Development Director shall clearly state any known reasons for the vacancy rate to be in excess of 20% and whether or not the property owner intends in the immediate future to convert the mobile home park to another use. More information can be obtained in County Ordinance 2836. Buyers may contact the Clerk to the Board of Supervisors at (707) 263-2371 to obtain copies of ordinance.
29. **COVENANTS, CONDITIONS & RESTRICTIONS (CC&Rs), HOMEOWNERS' ASSOCIATIONS (HOAs):** Buyers and sellers are advised that some areas may be subject to CC&Rs, Homeowners' Association rules, fees and regulations. Buyers are advised to obtain and review a copy of the HOA rules and regulations prior to lifting contingencies, and to obtain and review a copy of the CC&Rs referenced in the preliminary title report. HOA rules and regulations may be obtained through the seller or their agent; CC&Rs may be obtained through a request to your escrow officer.
30. **CITIES OF LAKEPORT AND CLEARLAKE:** These cities may have their own ordinances other than the County ordinances. Buyers/Sellers should contact the City Clerk to get information about each of the cities' respective ordinances. The Lakeport City Clerk can be reached at 707-263-5615. The Clerk for the City of Clearlake can be reached at 707-994-8201 x106.

31. **THE PARTIES ACKNOWLEDGE THE FOLLOWING REGARDING THE BROKER:**

Broker does not warrant or guarantee the condition of the Property;

Broker shall not be responsible for failure to disclose to buyer(s) facts regarding the condition of the property where the condition (i) is unknown to Broker or (ii) is not capable of being seen by Broker because it is in an area of the property that is reasonably and normally inaccessible to Broker;

Broker has not verified square footage or size of structures or land, boundary lines of the property, representations made by others (including but not limited to the seller), information contained in inspection reports or in the Multiple Listing Service or that has been copied therefrom or in advertisements, flyers or other promotional material, or any other matters described in this Disclosures and Disclaimers Advisory, unless otherwise agreed in writing;

Broker does not guarantee and shall not be responsible for the labor or services or products provided by others to or on behalf of buyer or seller and does not guarantee and shall not be responsible for the quality, adequacy, completeness or code compliance of repairs made by seller or by others;

Broker is not responsible for any errors in data syndication to public real estate websites;

Broker does not decide what price buyer should pay or seller should accept; and

Broker is not qualified to give legal, tax, insurance or title advice.

32. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original.

**THE UNDERSIGNED ACKNOWLEDGE RECEIPT OF THIS 7-PAGE DOCUMENT**

_____	Date:
BUYER	
_____	Date:
BUYER	
_____	Date:
SELLER	
_____	Date:
SELLER	

Rev 6/23/2014 is current version as of 1/28/2019. Get latest version from Lake County Community Development Department at (707) 263-2382.

**REAL ESTATE TRANSFER DISCLOSURE STATEMENT**

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY LOCATED IN THE COUNTY OF LAKE, STATE OF CALIFORNIA, DESCRIBED AS ASSESSOR’S PARCEL NUMBER(s) \_\_\_\_\_. THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE-DESCRIBED PROPERTY IN COMPLIANCE WITH ARTICLE IV OF **CHAPTER 3** OF THE ORDINANCE CODE OF LAKE COUNTY. 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.

**SELLER'S INFORMATION**

THE SELLER DISCLOSES THE FOLLOWING INFORMATION WITH THE KNOWLEDGE THAT EVEN THOUGH THIS IS NOT A WARRANTY, PROSPECTIVE BUYERS MAY RELY UPON 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 AS REQUIRED BY THE COUNTY OF LAKE 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 LAKE PERMITS AGRICULTURAL OPERATIONS AND ACTIVITIES WITHIN THE COUNTY.**

If your property is adjacent to or near property used for agricultural operations or activities or on agricultural lands, you may be subject to inconveniences or discomforts arising from such operations or activities, including but not limited to noise, odors, insects, fumes, dust, the operation of machinery of any kind during any twenty-four (24) hour period (including aircraft), the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides, the storage of livestock feed and other agricultural commodities and the storage and disposal of manure. Lake County has determined that inconveniences or discomforts associated with such agricultural operations or activities shall not be considered to be a nuisance and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. Lake County has established a grievance committee to assist in the resolution of any disputes which might arise between residents of this County regarding agricultural operations or activities. If you have any questions concerning this policy or the Agricultural Grievance Committee, please contact the Lake County Agricultural Commissioner.

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

Seller \_\_\_\_\_ Date \_\_\_\_\_

Seller \_\_\_\_\_ Date \_\_\_\_\_



**Addendum: County of Lake "FOR DWELLINGS - NOTICE OF FARMING PRACTICES REQUIRED" disclosure**

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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(S) 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 \_\_\_\_\_ Date \_\_\_\_\_  
(Associate Licensee or Broker)

Agent (Broker) Obtaining the Offer \_\_\_\_\_ Date \_\_\_\_\_  
(Associate Licensee or Broker)

Present Assessor's Parcel Number(s) \_\_\_\_\_

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