

Attachment 16: School Site Disclosure

SITE SPECIFIC DISCLOSURES
WESTSHORE

Buyer: _____ Lot: _____

The buyer(s) hereby acknowledge(s) the following improvements located adjacent to or in proximity of the above-referenced lot:

1. **FISHERMAN'S LAKE**

Fisherman's Lake is located along the western and southern edge of the Westshore community and separated from the community only by the meandering public park and bike path. There is no fence between the Westshore development and Fisherman's Lake but public access to Fisherman's Lake is prohibited. Fisherman's Lake is a natural open space area that attracts various forms of animal life such as deer, raccoons, foxes, coyotes, skunks, turkeys, rodents, snakes, hawks, insects, waterfowl and other wildlife.

2. **COMMUNITY LAKE**

Located within the Westshore community is a man made drainage reservoir (the "Community Lake"). While many lots in the community directly abut the Community Lake, public use of the Community Lake is prohibited.

The Community Lake is a drainage reservoir, meant to carry storm water and other runoff and is not designed for public recreational use. The City of Sacramento owns the Community Lake and only City and County of Sacramento maintenance workers will have legitimate access to the lake. The levels of the water in the lake fluctuate throughout the seasons, depending on the weather. The level of the water is higher in the summer than in the winter. At some points in the lake, when the water levels are their highest, the water may be as deep as fifteen feet (15'). **All forms of swimming, boating and fishing are strictly prohibited. Please refer to your CC&R's.** The Lake may be physically accessible to children and animals and all hazards associated with an open body of water are associated with living near the Community Lake. Living near a body of water exposes those in the vicinity to the natural wildlife of the area. Please be advised that the area attracts various forms of animal life such as deer, raccoons, foxes, coyotes, skunks, turkeys, rodents, snakes, hawks, insects, waterfowl and other wildlife.

The Community Lake contains fountains which have been installed for purposes of water quality and insect abatement. Depending upon the weather, and prevailing winds, some overspray from the fountains may blow onto the properties of the homes close to the Community Lake.

A walking trail known as the promenade will wrap around much of the perimeter of the Community Lake and abuts the rear of lots immediately adjacent to the

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Community Lake. Parts of the trail abutting the age-restricted lots (senior housing) may be blocked off and inaccessible to persons other than those living in the age-restricted lots. Other areas of the trail may be open to the public allowing for pedestrian foot traffic.

3. SNAKES AND ANIMAL LIFE

Please note that due to the proximity of open space to the Community, wild animals, including but not limited to deer, raccoons, foxes, coyotes, skunks, turkeys, rodents, snakes (including the protected Giant Garter Snake), hawks (including the protected Swainson's Hawk), insects, waterfowl and other wildlife have been or may be found in the surrounding areas. Buyers are hereby advised of the potential danger and inconvenience connected with the existence of such animals in close proximity to the Community. Buyers are strongly advised to take appropriate cautions, including securing food and trash located outside the home in order to avoid attracting such animals and keeping children and pets from straying outside their lot.

4. AIRPORT

The Westshore community is located within five (5) miles of the Sacramento International Airport, located at 6900 Airport Blvd., Sacramento, CA. An avigation easement has been granted by K. Hovnanian Forecast Homes, Inc. which will inure to the benefit of the County of Sacramento. The avigation easement was recorded on April 20, 2006, in Book 20060420, pg. 1463, Official records, subject to terms, provisions and easements contained therein. The avigation easement specifically grants to the County of Sacramento a perpetual, nonexclusive, assignable avigation and noise easement in and over the properties in the Westshore community for noise and other negative impacts resulting from aircraft flying to and from, and other operations at the Airport ("Airport Operations") and a right of way for the free and unrestricted passage of aircraft of any and all kinds now or hereinafter known in, through, across and about the airspace above the surface of said Westshore community in compliance with state and federal laws and statutes, including, but not limited to, the rules and regulations of the Federal Aviation Administration and all other state and federal agencies controlling and regulating the flight of aircraft. This easement specifically permits the imposition of light, smoke, air currents, electronic and other emissions, vibrations, discomfort, inconvenience, and interference with the use and enjoyment resulting from Airport Operations producing noise.

1. The easement and right of way is for the use and benefit of the public and includes the continuing right to fly, or cause or permit the flight by any and all persons, of aircraft, of any and all kinds now or hereinafter known, in, through, across or about any portion of the airspace above the Westshore community in compliance with state and federal laws and statutes, including, but not limited to, the rules and regulations of the Federal Aviation Administration and all other state and federal agencies controlling and regulating the flight of aircraft.
2. Property owners in the Westshore community are prohibited from constructing, installing or permitting any building, structure, improvement, tree, or other object on the property owner's property in the Westshore community to extend into or above the airspace in violation of any rules,

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regulations or height restrictions of the Federal Aviation Administration and all other state and federal agencies controlling and regulating the flight of aircraft, or to constitute an obstruction to air navigation, or to obstruct or interfere with the use of the easement and right of way granted.

5. AGRICULTURAL OPERATIONS

The County of Sacramento and City of Sacramento permit agricultural operations to be conducted within their respective boundaries. The property you are purchasing is located near agricultural lands or operations and is included within an area zoned for agricultural purposes; accordingly, you may be subjected to inconvenience or discomfort arising from such operations. Such discomfort or inconvenience may include, but not be limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft and overhead spraying) during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. One or more of the inconveniences described above may occur as a result of any agricultural operation which is in conformance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector.

6. POTENTIAL SCHOOL SITE

A public school site has been proposed to the west of El Centro Road and east of the Community Lake. No specific plans are known concerning the type of school that may be built, or the date that construction will begin, if at all.

7. PUBLIC UTILITY EASEMENTS

Your lot is encumbered by public utility easements for storm drain, water, Sanitary sewer and public utility purposes in front and possibly in the rear and sides of your lot. These easements are depicted on the final subdivision map. Landscaping and irrigation are allowed within the public utility easements, but homeowners are prohibited from constructing permanent improvements within the public utility easements. Should it be necessary to disrupt this area for repairs, the utility company or applicable public agency will not be obligated to restore your improvements.

8. PUBLIC PARKS

The Community includes four public parks. One park is located on the northern end of the Community immediately south of the existing Middle School mentioned in Section 17 below (this park is anticipated to have lighted ball fields that may be visible from nearby homes), another is located near the center of the Community immediately west of the potential school site mentioned above in Section 6, another is located in the southwestern portion of the Community just south of the eastern end of the Community Lake, and another meanders along the western boundary of the Community Lake between the Community Lake and Fisherman's Lake. This last park includes bicycle and walking paths, as part of the public park. There are gates that control the flow of bicycle and pedestrian traffic on the paths, and the gates are under

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the control of the City of Sacramento. The gates are generally expected to remain open for the period from approximately September 1 – February 28, in order to accommodate outdoor activities. The gates are closed the rest of the year so as not to disturb habitat and nesting activities of the Giant Garter Snake and Swainson's Hawk. When the gates are open, there will be an increase in bicycle and foot traffic. During certain times of the year, the bicycle and pedestrian traffic may be diverted directly through the middle of the Community, depending upon how the gates are opened and maintained by the City of Sacramento.

9. SEWER LIFT STATION

A City of Sacramento sewer lift station is located on the northern end of the Community in the southwestern end of one of the above-mentioned parks. Seller hereby discloses that the sewer lift station may have financial or other adverse impacts on the homes or residents within the Community, including without limitation, the emanation of unpleasant odors.

10. MOBILE HOME PARK

A mobile home park is located to the southeast of the Westshore community.

11. POWER LINES/MAGNETIC FIELDS DISCLOSURE

Sacramento Municipal Utilities District (SMUD) operates transformers, overhead and underground electric lines and related equipment and facilities (collectively "Utility Equipment") adjacent to or in close proximity to residences constructed within the Community. The Utility Equipment creates and emits electro-magnetic fields ("EMF's"). There is currently a dispute within the scientific community regarding the extent to which exposure to EMFs creates health risks. The proximity to EMFs may adversely affect the marketability, appreciation and value of your property. The Federal Department of Energy and other governmental entities have conducted or sponsored studies regarding the potential health hazards associated with exposure to EMFs and Buyer can obtain information regarding risks associated with EMFs from the SMUD Customer Service number at 888-742-SMUD (7683) Monday – Friday between the hours of 7:00 a.m. and 7:00 p.m.

Seller is not qualified and has not undertaken to evaluate all aspects of this issue and Seller has made no representation, express or implied, concerning the presence, absence or level of risk associated with EMFs and Utility Equipment adjacent or in close proximity to your property. By executing this disclosure statement, Buyers, for themselves and their successors, personal representatives, assigns, minor children and all occupants, and each of them, do hereby unconditionally and forever release, defend and hold harmless K. Hovnanian Forecast Homes Northern, Inc. and its officers, directors, agents, employees, partners, subsidiaries and affiliates from any expenses and demands ("Claims"), whether known or unknown, liquidated or contingent, foreseeable or unforeseeable, related to or connected with the Utility Equipment or easements in any manner whatsoever, including, but not limited to, exposure to EMFs as they relate to your property.

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12. ARCO ARENA

The Community is within two miles of Arco Arena. Arco Arena frequently hosts sporting events, musical and entertainment events throughout the year. Depending on the times of the events, there may be delays in commute times and increased traffic. Arco Arena is on the east side of the I-5 freeway.

13. FIRE STATION

A fire station is proposed to be built in the future on the southeast corner of the Community. The construction for this facility has not yet begun. However, once a fire station has been built, it may cause an increase in traffic and noise, depending on the frequency of emergency responses. Seller does not make any warranty or representation, express or implied, regarding when, or if, the fire station will be constructed.

14. NEARBY ZONING; AFFORDABLE HOUSING

The land to the northeast of the Community is currently zoned for commercial/retail development. No firm plans have been disclosed concerning the nature of any proposed development. The land may be developed into a commercial area sometime in the future, or may be rezoned. Affordable apartment-style multi-family rental housing will be located immediately east of the existing middle school in the north end of the Community and on the eastern edge of the Community along El Centro Road. The affordable housing along El Centro Road will be an age-restricted project reserved for households containing at least one adult age 55 or older.

15. AGE-RESTRICTED COMMUNITY/RECREATION CENTER

The northwest portion of the Community includes a Four Seasons age-restricted neighborhood reserved for households containing at least one adult age 55 or older. Within the Four Seasons neighborhood is a recreation center available for the use of the Four Seasons homeowners only. The recreation center will include lighted tennis courts which may be seen by nearby homes.

16. SOUNDWALL

Along the northern boundary of the Community along Del Paso Blvd. is an eight foot (8') high soundwall with a six foot (6') berm.

17. NATOMAS MIDDLE SCHOOL

Natomas Middle School is located at 3700 Del Paso Road in the north central part of the Community. During the times that school is in session, or there are activities at the school, including during the evening or weekends, increased noise and traffic may be experienced.

18. WATER TABLE

The underground water table in the Community is high when compared to some other areas in California's central valley. Currently, the water table is approximately 3-4 feet below the ground surface, but can be as high as 2 feet below the ground surface

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during certain times of the year. Consequently, your lot may not be suitable for installation of a swimming pool or other underground improvements. A swimming pool in an area with a high underground water table may eventually lift out of the ground due to pressure caused by the underground water. These conditions can more easily manifest during times when the pool is empty. You are advised to consult a licensed contractor before installation of a swimming pool or other underground improvement.

19. BUS STOP

El Centro Road has a regional bus stop located within a few blocks of the Community. The bus stop may cause an increase in noise and pedestrian traffic in the Community.

20. WINDOW COVERINGS

Your home does not come equipped with window coverings. It is your responsibility to obtain window coverings for your home and by executing this release and disclosure statement, you hereby agree to install window coverings in your home within six (6) months after the close of escrow.

21. COVENANTS, CONDITIONS AND RESTRICTIONS

The Community will be subject to the provisions set forth in the Covenants, Conditions and Restrictions (CC&R's) recorded on the property. A complete copy of the CC&R's will be provided to you for review during the escrow period.

BUYERS ARE STRONGLY URGED TO REVIEW THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS. THEY CONTAIN IMPORTANT INFORMATION REGARDING RESTRICTIONS ON THE USE OF YOUR HOME AND THE COMMON AREAS, INCLUDING MAINTENANCE AND REPAIR RESPONSIBILITIES, WITHIN THE COMMUNITY. THE CC&R'S ALSO DESCRIBE PENALTIES FOR FAILURE TO PAY HOMEOWNER ASSESSMENTS, INCLUDING SUSPENSION OF THE RIGHT TO USE ANY COMMON FACILITIES, SUSPENSION OF VOTING RIGHTS, INTEREST CHARGES, LATE PAYMENT PENALTIES, ATTORNEYS' FEES, THE RECORDING OF LIENS AND THE ENFORCEMENT OF LIENS THROUGH COURT OR TRUSTEE SALE.

Many new communities are subject to some restrictions which are generally designed for the mutual benefit and protection of amenities of the neighborhood as a whole. For the community, these restrictions are contained in the CC&R's. All of the homes in the community are subject to the CC&R's. By execution hereof, Buyers acknowledge receipt of the CC&R's and the opportunity for review during escrow. The CC&R's are also described in Buyer's title report. If a copy of the CC&R's has not been provided to you, be sure to request a copy from the sales representative or from your escrow agent sufficiently prior to the close of escrow to make an adequate review. Buyers are strongly advised to carefully review the recorded CC&R's for important information affecting the use of Buyers' property.

Buyers are cautioned that the CC&R's contain restrictions on the use of your home and lot as well as the common area. Those restrictions affect, among other things, parking and vehicle restrictions, garage use, exterior fires, placement of signs, keeping of

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animals, trash and storage of materials, exterior antennas, limitations on altering the existing drainage, fencing type and activities within the open space areas (see below). Buyers are urged to become familiar with these and other restrictions contained in the CC&R's.

Buyers are cautioned that the CC&R's impose certain maintenance obligations on the part of the Owner including keeping their home and lot, including landscaping, in good condition and repair.

The foregoing are some of the restrictions and requirements contained in the CC&R's which typically are of most interest to home owners. Prior to completing the purchase of their homes, Buyers are urged to read the CC&R's in their entirety to become familiar with all the restrictions and requirements.

With home ownership comes membership in the Owners' Association (the "Association"), a nonprofit mutual benefit corporation which owns and manages the common areas within the community. Owners are subject to annual and special assessments which pay the cost of the maintenance, repair and management of common areas and certain other improvements within the community including, but not limited to, the parks, wetlands, riparian areas, the Community Lake, landscaping and soundwalls, and open space areas.

Buyers are notified that grading, removing native vegetation from, depositing any type of debris, lawn clippings, chemicals or trash on, or building any structures, including fencing, on open space areas is prohibited, except that the homeowner's association may remove native vegetation if needed for flood control.

For additional information concerning the common areas within the community, buyers should contact Judy Reule, Regional Manager of Merit Property Management, Inc., and managing agent of the Association. The address is 101 Parkshore Drive, Suite 100, Folsom, CA 95630. Telephone number: 916-608-3068.

Buyer's monthly assessments will vary from time to time as the maintenance and operation costs of the Association change.

It is hereby disclosed that assessment amounts and the Association budget are subject to revision by the Association pursuant to its by-laws. Since facts and circumstances related to the Association budget or dues levels may change, Seller makes no representation regarding the amount of future assessments. For further information regarding the regular assessment of the Association and the homes within the community, Buyers are encouraged to contact Judy Reule at the address and phone number provided above.

The Association is governed by the Bylaws of the Association. Your sales representative has copies of the Bylaws available for review in the Sales Office during normal business hours. You will also be provided with a copy of those Bylaws at the point of sale.

BUYER(S), AND THEIR HEIRS, SUCCESSORS AND ASSIGNS, DO HEREBY WAIVE, REMISE AND RELEASE ANY RIGHT OR CAUSE OF ACTION WHICH THEY MAY NOW HAVE OR WHICH THEY MAY HAVE IN THE FUTURE AGAINST SELLER, ITS AGENTS, SUCCESSORS AND ASSIGNS, DUE TO THE EXISTENCE OR LOCATION OF THE ABOVE-MENTIONED IMPROVEMENTS AND FACILITIES, INCLUDING WITHOUT LIMITATION, ALL CLAIMS, KNOWN OR UNKNOWN, FOR DAMAGES FOR PHYSICAL OR EMOTIONAL INJURIES,

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DISCOMFORT, DEATH, AND ENJOYMENT OF PROPERTY, DIMINUTION OF PROPERTY VALUES, OR FOR OTHER DAMAGES OR INJUNCTIVE OR OTHER EXTRAORDINARY OR EQUITABLE RELIEF. IN CONJUNCTION WITH THE FOREGOING RELEASE, BUYERS HEREBY WAIVE THE BENEFIT OF CALIFORNIA CIVIL CODE SECTION 1542, WHICH PROVIDES:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

DATE: _____ Community #: _____ Lot #: _____

Buyer's Name

Buyer's Name

Buyer's Signature

Buyer's Signature

Buyer's Name

Buyer's Name

Buyer's Signature

Buyer's Signature

Attachment 17: Letter from Natomas Unified School District



Board of Trustees
Jennifer Baker
B. Teri Burns
Ron Dwyer-Voss
Susan Heredia
Lisa Kaplan

Dr. Steve M. Farrar, Superintendent

August 9, 2007 (CORRECTED DATE)

Robert E. Howse
Vice President, Land Planning
K. Hovnanian Homes
1375 Exposition Blvd., Suite 300
Sacramento, CA 95815

Re: APN 225-0227-019; APN 225-0227-027

Dear Bob:

Pursuant to action taken by the Board of Trustees at its August 8, 2007 Board meeting, the District hereby releases all claim and interest in the proposed school site located in the "Natomas Central" development as referenced by the APN numbers listed above.

We appreciate your cooperation with the District on this matter. Please feel free to give me a call with any additional questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Michael S. Cannon". The signature is written in a cursive style.

Michael S. Cannon
Assistant Superintendent
Facilities & Planning Department

MSC:cag

cc. Dr. Steve Farrar, Superintendent, Natomas Unified School District
Board of Trustees, Natomas Unified School District

Attachment 18: Matrix Team Contact Information

Project Planner	Paul Philley	916-808-5714
Team Lead	Edward Oswell	916-808-8867
Senior Planner	Lindsey Alagozian	916-808-2659
Development Engineering	Scott Tobey	916-808-8307
Building	Carey Boyd	916-808-1014
Fire	King Tunson	916-808-1358
Urban Forest Services	Duane Goosen	916-808-4996
Environmental	Rochelle Hall	916-808-5914
Utilities	Jesus Reyes	916-808-1721
Streets	Art Del Carmen	916-808-1168