Wiedemann Ranch Geologic Hazard Abatement District (GHAD)

Plan of Control
Elworthy Ranch Development Annexation

Submitted to
KB Home Northern California/Bay Area
San Ramon, California

Prepared by
ENGEO Incorporated

May 9, 2014

Project No.
4079.000.000

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4079.000.000

May 9, 2014

Mr. Steven Bull
KB Home Northern California/Bay Area
5000 Executive Parkway, Suite 125
San Ramon, CA 94583

Subject: Elworthy Ranch Property
Danville, California

PLAN OF CONTROL

Dear Mr. Bull:

Attached is the proposed Plan of Control to support annexation of the Elworthy Ranch development into the Wiedemann Ranch Geologic Hazard Abatement District (GHAD). The proposed Plan of Control is intended to reflect the annexation of the Elworthy Ranch project into the Wiedemann Ranch GHAD. This annexation satisfies portions of Condition of Approval Section H - Number 25, related to GHAD formation.

If you have any questions or would like any additional information, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated

Jeffrey A. Adams, PhD, PE

Uri Eliahu, GE

Eric Harrell, CEG
jaa/ue/eh/dt:poc

PROFESSIONAL GEOLOGIST
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Exp. 8/31/2015
CERTIFIED ENGINEERING GEOLOGIST
STATE OF CALIFORNIA

TABLE OF CONTENTS

1.0 INTRODUCTION

Under the Conditions of Approval for the Elworthy Ranch development (Subdivision 9009), the Town of Danville has required that a GHAD be formed for the Elworthy Ranch development. As an alternative, an annexation into an existing GHAD is currently contemplated. To satisfy this requirement, the developer of the Elworthy Ranch Development has petitioned the Board of Directors of the Wiedemann Ranch GHAD to annex the Elworthy Ranch development into the existing Wiedemann Ranch GHAD ("GHAD" or "District").

1.1 PROPERTY IDENTIFICATION, OWNERSHIP AND MAINTENANCE RESPONSIBILITIES

A written description of the properties to be annexed into the existing Wiedemann Ranch GHAD is provided in Exhibit A and shown graphically on the plat to accompany the legal description. The GHAD annexation area includes 86 proposed residential parcels and two open space parcels (Parcel "P" and Parcel "T") within Subdivision 9009 as shown on Figure 1.

2.0 SITE GEOLOGY

2.1 SITE AND GEOLOGIC SETTING

The Elworthy Ranch development site (Site), a portion of the greater Elworthy West property, is located to the west of San Ramon Valley Boulevard. Landslide deposits are located to the west of the Site, and two ephemeral creeks are located at the western and southern limits of the Site, respectively. A total of 84 single-family homes, 13 apartment units (Lots 85 and 86) and appurtenant improvements are planned for the Site. Cut and fill slopes up to ten feet in height are planned, and numerous retaining walls up to approximately 12 feet in height will be constructed at the Site.

Elworthy Ranch is located within the Coast Ranges geologic province of California, a series of northwest-trending ridges and valleys. The Site is underlain by a thick soil layer, consisting of stiff to hard alluvial soils (silty clay, sandy clay, clayey silt and sandy silt) over the Monterey Group shale and sandstone, which in turn is underlain by Briones Sandstone formation. Soil cover generally ranges between 5 and 30 feet in thickness (Berlogar, 2004 and 2011).

The northern and western portion of the Site is reportedly mantled with a 1½- to 12-foot-thick layer of very highly expansive soil, generally 3 to 6 feet in thickness. Moderately to highly expansive soils generally ranging from 2½ to 20 feet in thickness are located in the southeastern corner of the Property. This is, in turn, underlain by claystone, siltstone, and sandstone (Berlogar, 2011).

Areas of pre-existing, undocumented fill have been mapped near existing barns near the southern extent of the Site. These fills were reported to have likely been associated with previous road and residence construction at the Site. Test pits in the area have indicated that the fill extends to a depth of approximately 3 feet below the ground surface. Loose soil backfill materials are present

within test pit excavations and fault trenches completed in the past at the Site (Berlogar, 2011). Additionally, soft mud was encountered in select test pits as well as in a drainage ditch in the western portion of the Property (Berlogar, 2011).

2.2 LANDSLIDE DEPOSITS

Landslide investigations and mapping by Berlogar (2004a and 2004b) have identified several landslides to the west of the District boundary. Two of the landslides, Landslide A and Landslide B, have resulted in improvement and structural setbacks within the development area from the District boundary. Additionally, a young landslide, reportedly measuring 450 feet in length, 120 feet in width, and 30 feet in depth is present to the west of the District boundary and near a creek. However, the southern and western slopes of a proposed detention basin are located within landslide deposits. Berlogar (2004c) concluded that future landslide movements could be contained within the creek, while other deposits could be contained within a planned road. It was stated that such movement would likely not affect proposed residential structures and that landslide remediation was not needed for the proposed development.

2.3 SEISMIC SOURCES

The Site is not located within a designated California Earthquake Fault Zone for active faults; however, portions of the official zones are reportedly located 700 feet to the south and 1,400 feet to the west of the Site (Berlogar, 2011). Previous fault investigations performed at the Site concluded that no active fault traces cross the Site (Berlogar, 2004 and 2011). As reported by Berlogar, a peak ground acceleration for a Site Class D with a 10 percent probability of exceedance in 50 years is 0.7 g (Berlogar, 2011).

2.4 GROUNDWATER

Groundwater was not encountered during the Berlogar 2004 or 2011 geotechnical investigation within the Site, although minor seepage was observed in several test pits, ranging in depth from one to six feet below the ground surface. Significant offsite groundwater monitoring has been performed to the west of the Site during previous landslide and other geotechnical investigations.

3.0 ELWORTHY RANCH PLAN OF CONTROL

3.1 GEOLOGIC HAZARDS

Geologic hazards identified for the Site in the Berlogar Stevens & Associates' Design-Level Geotechnical Investigation report dated June 24, 2011 (Reference 5), include the following items.

- Slope instability
- Seismically induced ground shaking
- Expansive soils

These geologic hazards are not expected to be eliminated entirely by site grading. Slope instability or potential slope instability is not unique to this project, but is of importance for hillside projects throughout the San Francisco Bay Area, such as Wiedemann Ranch and Elworthy Ranch. Future stability depends on various factors, including any introduction of natural or artificial groundwater, future grading and earthquake ground shaking.

3.1.1 Slope Instability – Elworthy Ranch

While no landslides were mapped on the Site, areas of slope instability or landsliding located to the west of the District boundary may affect the Site during the life of the development. Additionally, the western and southern detention basin slopes are located within landslide deposits.

A landslide is defined as a mass of rock, soil and other debris that has been displaced downslope by sliding, flowing or falling. Landslides include cohesive block glides and disrupted slumps that have formed by displacement along a planar slip surface or rotation (displacement along a curved slip surface). Undercutting and erosion of hillside slopes can trigger slope failures.

Slope failures are also triggered by increased pore water pressure due to the infiltration of rainwater. The resulting decrease of shear resistance (internal resistance to deformation by shearing) can cause the slope to move. The level of the groundwater table varies with the amount of rainfall for the area. If rainfall is higher than average during the winter season, the water table may be higher than average on a hillslope and groundwater pressures may become high. Under these conditions, hillside movement can be activated.

Potential mitigation and repair measures for District areas near improvements are discussed in later sections of this document.

3.1.2 Seismically Induced Ground Shaking

Previous fault investigations (Berlogar, 2004c, 2011) indicate that an active fault trace does not traverse within the District boundary. Geologic and fault zone maps indicate that queried potential fault traces may exist to the west and south of the District boundary. As identified in the referenced reports, an earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the Site, similar to that which has occurred in the past. Seismic slope stability has been considered in the geotechnical reports completed for the Site; however, seismically generated slope failures could occur outside the grading limits within the Elworthy Ranch development.

3.1.3 Expansive Soils

Surface and near-surface soils in the northern and western portion of the Site could exhibit a very high potential for expansion. These potentially expansive soils could impact the planned site development. Expansive soils shrink and swell as a result of moisture change. This can cause heaving and cracking of slabs-on-grade, pavements and structures founded on shallow

foundations. The potential for expansive soils has been identified in previous reports for the property. Shrink and swell of expansive soils on slopes contributes to creep movement, which can result in shallow slope instability.

3.2 SLOPE STABILITY CONSIDERATIONS DURING MASS GRADING

As recommended in the 2011 Geotechnical Investigation (Berlogar, 2011), existing non-documented artificial fills within the graded area will be removed and/or replaced as engineered fill. In addition, recommendations have been made to remove and export highly expansive soils from the Site at the time of grading. Subdrains are proposed to be installed to collect subsurface waters. The configuration of the subdrainage system will be tailored to the subsurface conditions at the time of grading. Specific details pertaining to cut and fill slope construction and other corrective grading measures are provided in the 2011 Geotechnical Investigation (Berlogar, 2011).

3.3 GHAD-MAINTAINED IMPROVEMENTS AND OPEN SPACE AREAS

The GHAD shall be responsible for the maintenance of geologic stabilization and hydrogeologic features in the common open space and the unimproved areas. Specifically, the GHAD's maintenance responsibilities include prevention and abatement of geologic hazards such as landslides and slope erosion within the developed area and open space as provided in this Plan of Control. The Wiedemann Ranch GHAD will have the responsibility to manage geologic hazards, as described herein, within the Project area only after the transfer process has been completed (Exhibit B). The GHAD will have the following maintenance responsibilities as outlined below:

- Monitoring of developer or GHAD constructed retaining walls and maintenance if structural integrity of a wall or adjacent structure(s) is threatened.
- Water detention basin facility maintenance, including access road.
- Maintenance of bioretention facility adjacent to intersection of Elworthy Ranch Circle and Street "S".
- Maintenance of lined and unlined drainage ditches in developed areas and open space.
- Vegetation control within open space (Parcels "P" and "T").
- Maintenance of drainage facilities within the East Bay Regional Park District (EBRPD) trailhead parking lot area (Parcel "S").
- Maintenance of storm drain system improvements, subdrains, and subdrain outlets in open space (Parcels "P" and "T").
- Trail and fire break maintenance on Parcels "P" and "T".
- Vertical curb, curb, and guard rail on Street "S" on Parcel "P".

As listed above, the GHAD will monitor and maintain drainage facilities within the East Bay Regional Park District (EBRPD) staging area parking lot and adjacent to Parcel "P" in the same area on Parcel "S" (Figure 2). Although this area is outside the GHAD district boundary, the maintenance of these facilities (including drainage pipes, two rock-lined outfall aprons, an earth swale, and an erosion control blanketed area) is necessary to reduce the potential for uncontrolled stormwater infiltration, erosion, and other potential geologic hazards that could affect properties and improvements within the GHAD District boundaries, and therefore will be protective of facilities within the GHAD district. Prior to providing monitoring and maintenance for the drainage facilities, the GHAD must be granted an access and maintenance easement by the EBRPD. The Wiedemann Ranch GHAD is not responsible for maintenance of other areas or improvements within Parcel "S".

3.3.1 General Landslide Mitigation

The techniques the District may employ to prevent, mitigate or abate landsliding or adverse erosion damage might include, but are not necessarily limited to:

- Removal of the unstable earth mass.
- Stabilization (either partial or total) of the landslide by removal and replacement with compacted drained fill.
- Construction of structures to retain or divert landslide material or sediment.
- Construction of erosion-control devices such as gabions, rip rap, geotextiles or lined ditches.
- Placement of drained engineered buttress fill.
- Placement of subsurface drainage devices (e.g., underdrains, or horizontal drains).
- Slope correction (e.g., gradient change, biotechnical stabilization, and slope trimming or contouring).
- Construction of additional surface ditches and/or detention basins, silt fences, sediment traps, or backfill or erosion channels.

Potential landslide and erosion hazards can often best be mitigated by controlling soil saturation and water runoff and by maintaining the surface and subsurface drainage system. Maintenance shall be provided for lined surface drainage ditches and drainage terraces.

3.4 BIOTECHNICAL RECOMMENDATIONS FOR PREVENTION AND MITIGATION OF EXISTING OR POTENTIAL EROSION HAZARDS

Fill slopes within the boundaries of the District are expected to be erodible as will cut slopes in bedrock; therefore, the maintenance of vegetative cover is especially important. Vegetation provides a protection on soil and exposed rock. It absorbs the impact of raindrops, reduces the velocity of runoff and retards erosion.

In many instances, adequate erosion protection for slopes can be accomplished with carefully selected and placed biological elements (plants) without the use of structures (e.g., brush layering and willow waddling).

In other areas, biotechnical slope protection may involve the use of mechanical elements or structures in combination with biological elements to provide erosion control and help prevent small-scale slope failures. Locally, walls, welded-wire walls, gabion walls, rock walls, riprap and reinforced earth walls used in combination with carefully selected and planted vegetation can provide high-quality slope protection. The vegetation may be planted on the slope above a low retaining structure or toe wall, or the interstices of the structure can be planted.

3.5 CRITERIA FOR GHAD RESPONSIBILITY

To establish an appropriate GHAD assessment level for the Elworthy Ranch portion of the Wiedemann Ranch GHAD, it is important to define clearly the limits of the GHAD's responsibilities. The GHAD will accept responsibility for property as described in Exhibit A and identified in Section 3.3. However, the intent of this Plan of Control is not to extend the GHAD's responsibilities to every potential situation of slope instability; as such, the following are exclusions from GHAD responsibility.

3.5.1 Isolated or Remote Slope Instability

The GHAD shall not have responsibility to monitor, abate, mitigate or control slope instability that does not involve damage to, or pose a significant threat to damage, site improvements or flood control capacity. As used herein, the term "site improvements" means buildings, roads, sidewalks, utilities, retaining walls, improved trails, swimming pools, geologic stabilization features and drainage features or similar improvements.

3.5.2 Single Property

The GHAD will not prevent, mitigate, abate or control geologic hazards which are limited in area to a single residential parcel of property unless the geologic hazard has damaged, or poses a significant threat of damage to site improvements located on other property within the GHAD boundaries.

3.5.3 Geologic Hazards Resulting From Negligence of Property Owner

The GHAD may, in the general manager's sole discretion, decline to prevent, mitigate, abate or control geologic hazards which occur or result from any negligence of the homeowner and/or the homeowner's contractors, agents or employees in developing, investigating, grading, constructing, maintaining or performing or not performing any post-development work on the subject property.

3.5.4 Property Not Accepted

The GHAD shall not have responsibility to repair damage, which is located on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit B. The GHAD, however, may monitor, abate, mitigate or control slope instability on a parcel of real property, which the GHAD has not accepted in accordance with Exhibit B, provided that the GHAD responsibility on such parcel shall be limited to the extent necessary to address damage or a significant threat to damage site improvements on a GHAD-accepted parcel. Should the District be required to respond to a geologic hazard outside the boundaries of the District, the District may take such actions as may be appropriate to recover costs incurred as a result of preventing, mitigating, abating or controlling such geologic hazard from the responsible party, if any.

3.5.5 Geologic Hazard Which Requires Expenditure in Amount Exceeding the Value of the Threatened or Damaged Improvement

The GHAD may elect not to prevent, mitigate, abate or control a geologic hazard where, in the general manager's sole discretion, the anticipated expenditure required to be funded by the GHAD to prevent, mitigate, abate or control the geologic hazard will exceed the value of the structure(s) and site improvement(s) threatened with damage or loss.

3.5.6 GHAD Funding or Reimbursement for Damaged or Destroyed Structures or Site Improvements

In the event a residence or any other private structure, site improvement or landscape feature is damaged or destroyed as a result of a geologic hazard, the District may fund or reimburse the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, site improvement or landscaping. Unless otherwise authorized by the Board of Directors, the total dollar amount of the District funding or reimbursement paid to all property owners whose property is damaged by a geologic hazard may not exceed ten percent (10%) of the total costs incurred by the District in actually mitigating, abating or controlling the geologic hazard that causes the damage[1]. In the event the geologic hazard damages or destroys a structure, site improvement or landscaping which violates any provisions of the City Building Code or City Code at the time of its installation or improvement, the District may decline to provide any funding, or reimbursement to the property owner for repair or replacement of the damaged structure, improvement or landscaping.

[1] For example, if a landslide causes $10,000 in structural damage to each one of four neighboring homes for a total of $40,000 in structural damage and it costs the District $100,000 to design and install a new retaining wall to abate the slide, the District may only reimburse each property owner $2,500 of their $10,000 in structural damage.

3.5.7 No Reimbursement of Expenses Incurred by Property Owners

The GHAD will not be obligated to reimburse a property owner for expenses incurred for the prevention, mitigation, abatement, or control of a geologic hazard absent a written agreement between the property owner and the GHAD to that effect, which agreement has been executed prior to the property owner incurring said expenses, and following an investigation conducted by the GHAD.

3.6 PRIORITY FOR DISTRICT-FUNDED REPAIRS

Emergency response and scheduled monitoring, maintenance or repair expenditures are to be prioritized by the General Manager, utilizing its discretion, based upon available funds, a prudent reserve and the approved operating budget. Should available funds not be sufficient to undertake all of the identified remedial and preventive stabilization measures, the expenditures shall be prioritized as follows in descending order of priority:

A. The prevention, mitigation, abatement or control of geologic hazards that have either damaged or pose a significant threat of damage to residences, critical lifeline utilities or emergency vehicle access corridors.

B. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage to ancillary structures or private recreation facilities (e.g., pools, spas, etc.).

C. Prevention, mitigation, abatement or control of geologic hazards, which either have damaged or pose a significant threat of damage to open space amenities.

D. The prevention, mitigation, abatement or control of geologic hazards that either have damaged or pose a significant threat of damage limited to loss of landscaping, other similar non-essential amenities.

E. The prevention, mitigation, abatement or control of geologic hazards existing entirely on open-space property and which have neither damaged nor pose a significant threat of damage to any site improvements.

If sufficient funds are not available to undertake the listed activities, the GHAD may investigate obtaining funding as allowed in Section 26505(e) of the Public Resources Code through the issuance of bonds, notes, or debentures such as a line of credit.

3.7 MAINTENANCE AND MONITORING SCHEDULE

Geologic features and District-maintained facilities should be inspected on a regular basis. Budget permitting, inspections should generally be scheduled to occur two times per year in normal years and three or more times per year in years of heavy rainfall. The inspections should be scheduled to take place in the fall, prior to the first significant rainfall; mid-winter as necessary during heavy rainfall years; and in spring at the end of the rainy season. It is anticipated that the monitoring

events for the Elworthy Ranch development and the Wiedemann Ranch development within the Wiedemann Ranch GHAD would be completed on the same schedule.

- A District Engineer and/or Geologist should inspect the lined surface of concrete-lined drainage ditches within the District boundaries on a regular schedule. Repairs and maintenance should be performed as needed. Excess silt or sediment in ditches should be removed and cracked or broken ditches should be patched or repaired as required before the beginning of the next rainy season.

- Inspection, repairs, and maintenance of debris catchment structures should be performed on a regular schedule. Excess debris should be removed to allow the structures to maintain adequate catchment area.

- Subsurface drain outlets and horizontal drain outlets, if any, should be inspected on a regular schedule. Water flowing from these outlets should be measured and recorded during each inspection. Any suspicious interruption in flow should signal a need to unplug or clean by flushing the affected drain.

- Inlets, outfalls or trash racks, if used, must be kept free of debris, and spillways must be maintained. Attention should be given to plantings or other obstructions, which may interfere with access by power equipment.

- Retaining walls should be inspected annually for evidence of distress, such as tilting and/or structural failure. Repairs and maintenance would be undertaken only in the event that the structural integrity of the wall has been compromised or if the wall distress poses a threat to the integrity of adjacent structures.

- The water detention basin facility and bioretention facility should be monitored on a semi-annual basis; once prior to and once following rainy season. Repairs and maintenance, as needed, should be undertaken, including removal of excess silt or sediment.

- Monitoring of the detention basin access road should include observing the access road for eroded areas or areas of instability, pavement competency, and encroaching vegetation.

The District should review its inspection schedule annually and assess the effectiveness of its preventive maintenance program on a regular basis. District staff should prepare an annual report to the Board of Directors with recommendations for maintenance and/or repair projects. Consultants, as necessary, may be retained to undertake the needed studies. The District Engineer and/or Engineering Geologist retained by the District shall prepare an annual inspection report for presentation to the District Board of Directors.

4.0 RIGHT-OF-ENTRY

District officers, employees, consultants, contractors, agents, and representatives shall have the right to enter upon all lands within the District boundary, as described or shown in Exhibit A, for the purpose of performing the activities described in the Elworthy Ranch GHAD Plan of Control.

Should the District need to access parcels owned by the Homeowner's Association, private residential lots, or the EBRPD staging area parking lot to fulfill its duties under the Plan of Control, the District shall provide the affected landowner and/or resident with 72 hours advanced notice unless, in the reasonable judgment of the GHAD Manager, an emergency situation exists which makes immediate access necessary to protect the public health and safety, in which case no advanced notice is required, but the District shall inform the landowner and/or resident as soon as reasonably possible.

The owner or owners of property within the Elworthy Ranch development shall record a Declaration of Restrictive Covenants, Right of Entry and Disclosures Regarding Geologic Hazard Abatement District ("Declaration") after recordation of the Parcel Map. The Declaration creates covenants that run with the land and will be binding upon all future owners of property within the Elworthy Ranch development, their successors and assigns.

REFERENCES

1. Berlogar Geotechnical Consultants (2004), Geologic Aspects of Landslide Investigation, Elworthy West Property, Danville, California, Job Number 1498.102, February 13, 2004.

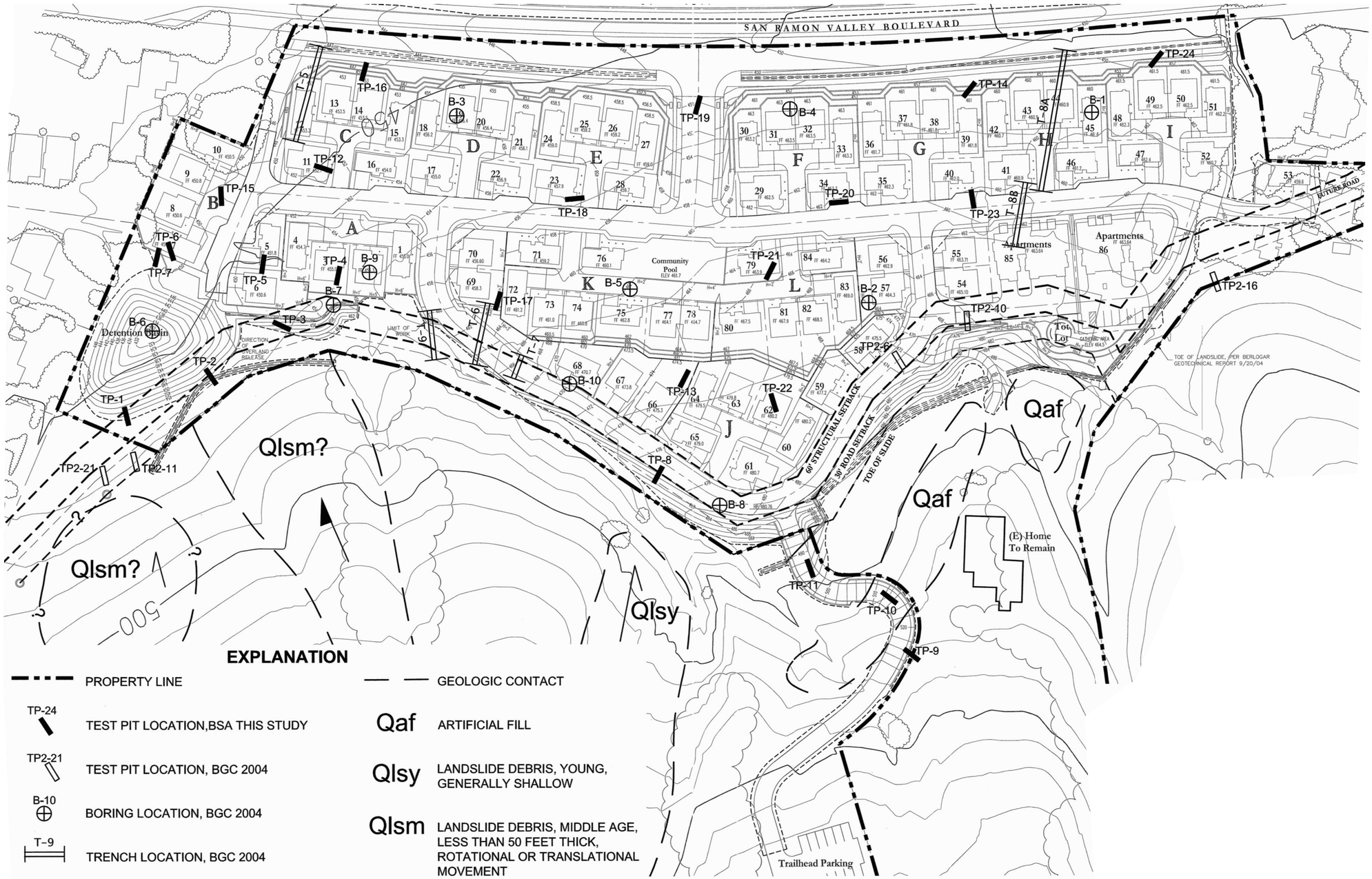
2. Berlogar Geotechnical Consultants (2004b), Geotechnical Engineering Aspects of Landslide Investigation and Landslides A and B Toe Delineation, Elworthy West Property, Danville, California, Job Number 1498.102, April 27, 2004.

3. Berlogar Geotechnical Consultants, Fault Investigation (2004c), Triangle of Elworthy West Property, Danville, California, Job Number 1498.103, May 12, 2004.

4. Berlogar Geotechnical Consultants (2004d), Design-Level Geotechnical Investigation, Elworthy West Property, Danville, California, Job Number 1498.104, September 20, 2004.

5. Berlogar Stevens & Associates, Design-Level Geotechnical Investigation (2011), Elworthy West Property, Danville, California, Job Number 3242.101, June 24, 2011.

5. Ruggeri, Jensen, Azar and Associates Final Map, Subdivision 9009, Elworthy Ranch, APN 208-230-035, 036, and 037, Danville, California, Job Number 101063, June 2012.



BASE MAP SOURCE: BERLOGAR STEVENS & ASSOCIATES

ENGEO Expect Excellence

SITE PLAN/GEOLOGIC MAP
ELWORTHY RANCH DEVELOPMENT
DANVILLE, CALIFORNIA

PROJECT NO.: 4079.000.000	FIGURE NO. 1
SCALE: AS SHOWN	
DRAWN BY: SRP	CHECKED BY: JA

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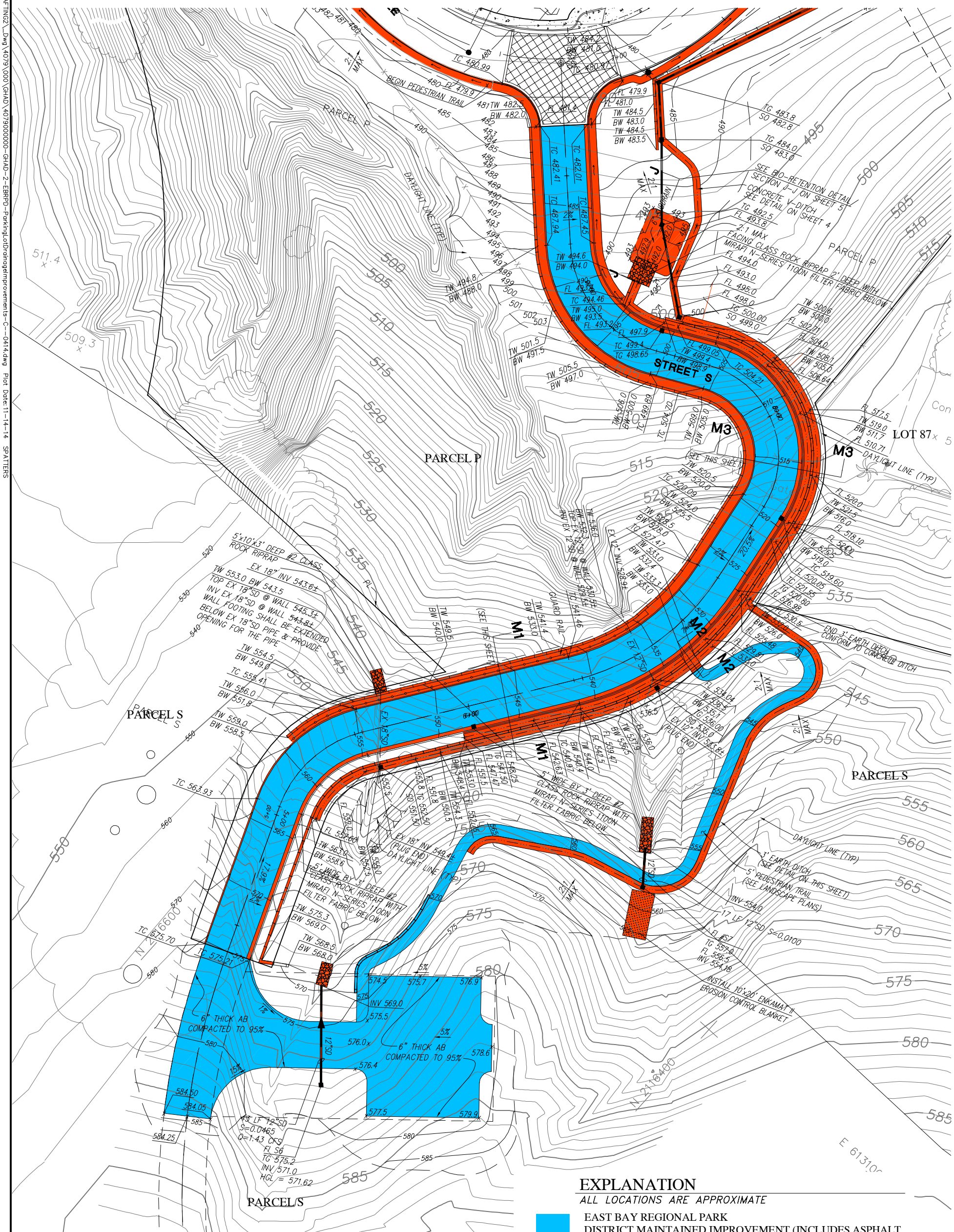

EXPLANATION

ALL LOCATIONS ARE APPROXIMATE

EAST BAY REGIONAL PARK DISTRICT MAINTAINED IMPROVEMENT (INCLUDES ASPHALT SECTION AND GUTTER ON STREET S, TRAIL WITH SUPPORTING RETAINING WALL ON PARCEL S)

GHAD MAINTAINED IMPROVEMENTS PARCEL P INCLUDES: RETAINING WALLS, TRAIL, STORM DRAIN IMPROVEMENTS, CONCRETE LINED DRAINAGE DITCH, CURBS, GUARD RAIL BARRIER. PARCEL S INCLUDES: STORM DRAIN IMPROVEMENTS, EROSION CONTROL BLANKET, AND EARTH DITCH

N

0 FEET 40
0 METERS 20

BASE MAP SOURCE: RJA

ENGEO Expect Excellence

EBRPD PARKING LOT AND DRAINAGE IMPROVEMENTS

ELWORTHY RANCH DEVELOPMENT

DANVILLE, CALIFORNIA

PROJECT NO.: 4079.000.000		FIGURE NO
SCALE: AS SHOWN		2
DRAWN BY: SRP	CHECKED BY: JA	

EXHIBIT A

Legal Description and Plats to Accompany Legal Description

EXHIBIT A

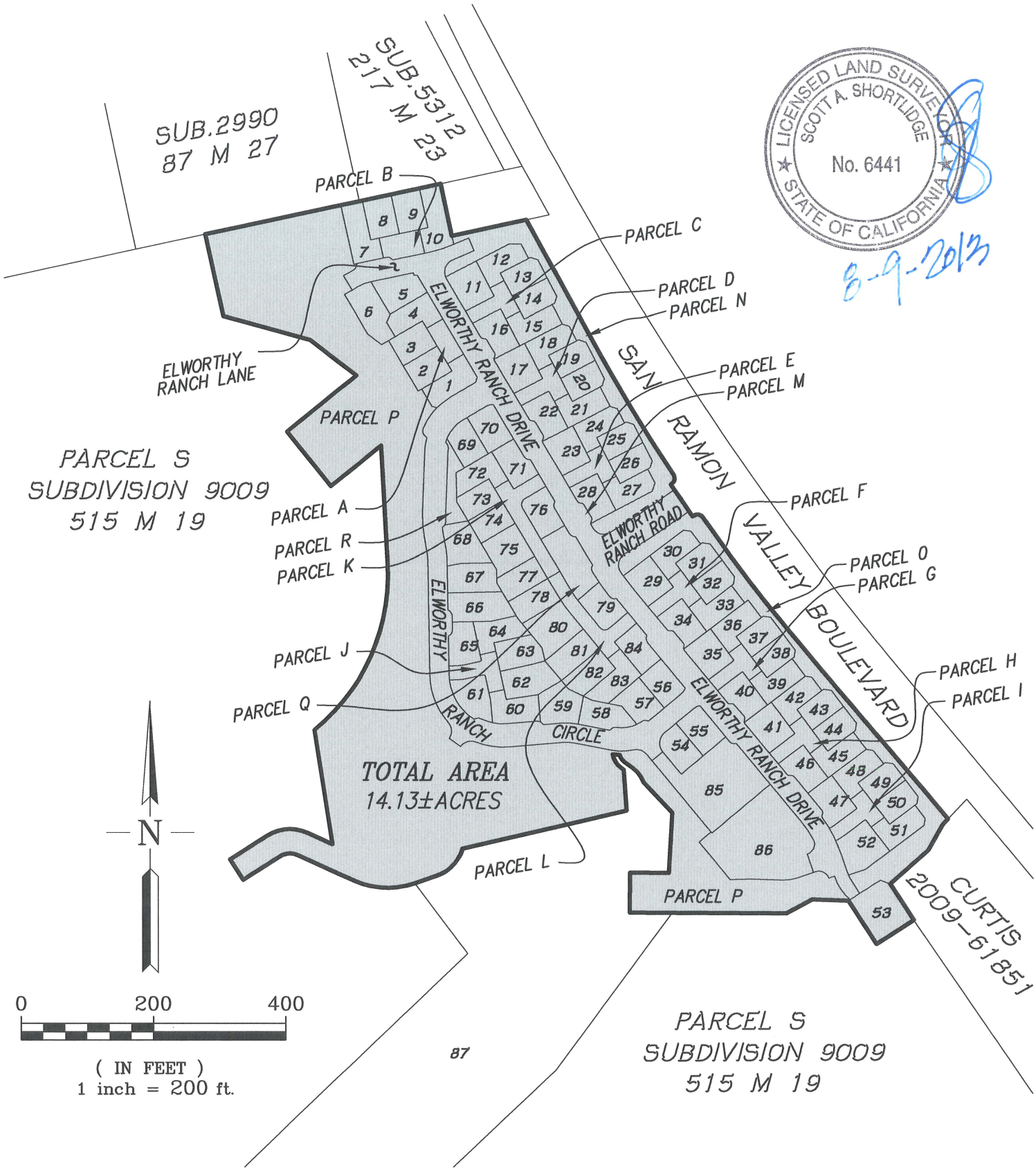

EXHIBIT "A"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR

GEOLOGIC HAZARD ABATEMENT DISTRICT

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

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RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

SCALE:	DATE:	JOB NO.:
1"=200'	8-9-2013	101063

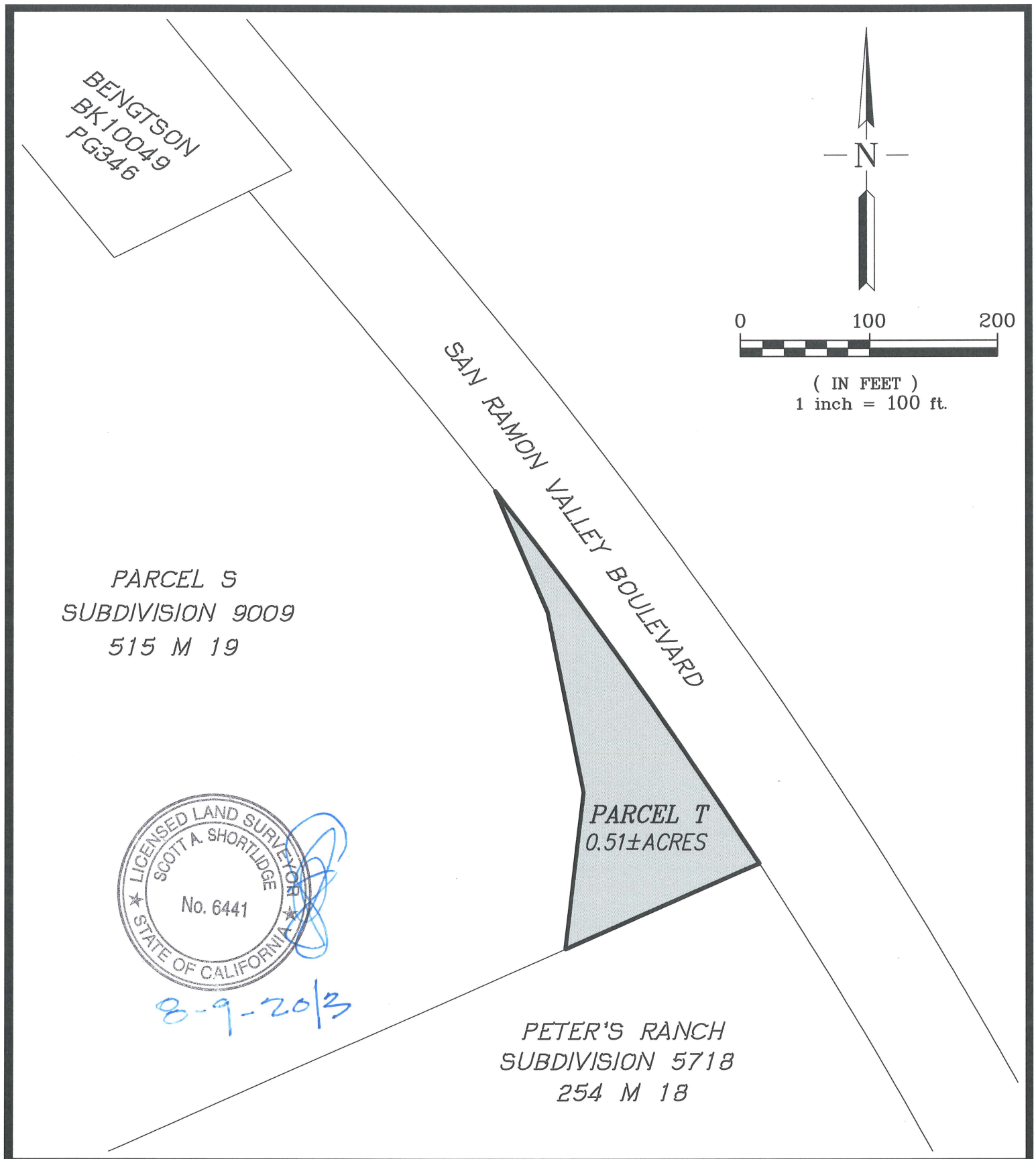

EXHIBIT "A"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR

GEOLOGIC HAZARD ABATEMENT DISTRICT

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

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SCALE:	DATE:	JOB NO.:
1"=100'	8-9-2013	101063

EXHIBIT "A"

All the Real Property situate in the Town of Danville, County of Contra Costa, and State of California; and being all of Lots 1 thru 86 & all of Parcels A thru R, and Parcel T as created by that certain map entitled "Subdivision 9009 Elworthy Ranch" and filed on September 11, 2012 and recorded in Book 515 of Maps at pages 19 through 39, Official Records of Contra Costa County.

End of Description

Prepared by:

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

Scott Shortlidge, LS 6441

8-9-2023
Date

EXHIBIT B

ELWORTHY RANCH ANNEXATION
Funding and Acceptance

EXHIBIT B

FUNDING AND ACCEPTANCE OF RESPONSIBILITY BY THE DISTRICT

An annual assessment is already being levied for properties in the Wiedemann Ranch GHAD under the provisions of the existing Plan of Control and Engineer's Report. Ultimately, an annual assessment shall be levied on all annexed residential and nonresidential parcels with habitable building areas within the Elworthy Ranch development.

1. Activation of Assessment

The assessment shall be levied by the GHAD on each individual parcel beginning the first fiscal year following issuance of a building permit for that parcel.

2. Responsibility for GHAD Activities

The party that, on the date each Final Map is recorded within the GHAD annexation boundaries owns the developable parcels shown on that Final Map, shall have the responsibility to perform all the activities of the GHAD on property within that Final Map. Such responsibility shall transfer to the GHAD at 9:00 a.m. on the day exactly three years after the first residential building permit within the annexation area is issued by the Town of Danville provided that the items listed under item No. 4 in this section have been completed. This turn-over date may be extended at the sole discretion of the project developer provided that the assessments shall continue to be levied during the extension period and that notice of such extension is delivered to the GHAD Manager at least 30 days prior to the turn-over date. The petitioners for formation of the GHAD intend that the approximately three-year period between the initial levying of the GHAD assessment and the GHAD becoming responsible to perform activities on property within each Final Map will allow the District to accumulate reserve funds without incurring significant expenses.

3. Ownership of the Open Space

Ownership of the open space (Parcels P and T) will pass from the owner/developers to the District on, or approximately on, the date the District commences its activities and becomes responsible for oversight of the actual physical maintenance of the open space as provided in this section.

4. Process for Transferring Responsibility for GHAD Activities

After the Transfer Eligibility Date for parcel(s), the process for transferring responsibility for performing GHAD activities on such parcel(s) shall be as follows:

(a) Up to one year in advance of the Transfer Eligibility Date or in any subsequent year, at its discretion, the developer may apply to the GHAD ("Transfer Application") to transfer the responsibility for performing GHAD Activities for parcel(s) to the District.

(b) Within 45 days of receiving such notice, a representative of the GHAD shall verify that all the facilities for which the GHAD will have maintenance responsibility have been constructed and maintained according to the City-approved plans and specifications for the individual improvements, and that such facilities are operational and in good working order.

(c) Within 15 days of such inspection, the GHAD will send the developer a list ("Punch list") of all of the items that need to be constructed, repaired or otherwise modified.

(d) The developer may notify the GHAD when it has completed the items identified on the Punch list.

(e) Within 30 days of receipt of such notice, the GHAD shall verify whether all Punch List items have been completed. If such items have been completed, the GHAD shall notify the developer that the District accepts responsibility for performing all future GHAD Activities on the parcel(s).

(f) The GHAD shall confirm that the reserve requirement defined in the approved Engineer's Report has been met.

As part of the transfer, the developer of parcel(s) to be transferred will provide the GHAD, for its use, copies of the applicable geotechnical exploration reports, grading plans, corrective grading plans, improvement plans, field-verified geologic maps, as-built subdrain plans or other pertinent documents as requested by the GHAD.