

Department of Real Estate  
of the  
State of California

FINAL SUBDIVISION PUBLIC REPORT  
STANDARD

In the matter of the application of

TBT DEVELOPMENT, LLC  
A California limited liability company

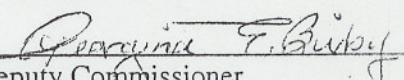
FILE NO.: 025712SA-A04

ISSUED: JULY 3, 1987  
RENEWED &  
AMENDED: NOVEMBER 12, 2004  
EXPIRES: NOVEMBER 11, 2009

for a Final Subdivision Public Report on

TRACT NO. 86-1004  
MEADOWLAND FARMS AND RESIDENTIAL ESTATES  
"Red Bank Ranches"

JEFF DAVI  
Real Estate Commissioner

  
Deputy Commissioner

TEHAMA COUNTY, CALIFORNIA

CONSUMER INFORMATION

- ❖ **THIS REPORT IS NOT A RECOMMENDATION OR ENDORSEMENT OF THE SUBDIVISION; IT IS INFORMATIVE ONLY.**
- ❖ **BUYER OR LESSEE MUST SIGN THAT HE OR SHE HAS RECEIVED AND READ THIS REPORT.**
- ❖ A copy of this Final Subdivision Public Report along with a statement advising that a copy of the public report may be obtained from the owner, subdivider, or agent at any time, upon oral or written request, *must* be posted in a conspicuous place at any office where sales or leases or offers to sell or lease interests in this subdivision are regularly made. [Reference Business and Professions (B&P) Code Section 11018.1(b)]

This Final Subdivision Public Report expires on the date shown above. All material changes must be reported to the Department of Real Estate. (Refer to Section 11012 of the B&P Code; and Chapter 6, Title 10 of the California Administrative Code, Regulation 2800.) Some material changes may require amendment of the Public Report; which Amendment must be obtained and used in lieu of this report.

Section 12920 of the California Government Code provides that the practice of discrimination in housing accommodations on the basis of race, color, religion, sex, marital status, domestic partnerships, national origin, physical handicap or ancestry, is against public policy.

Under Section 125.6 of the B&P Code, California real estate licensees are subject to disciplinary action by the Real Estate Commissioner if they discriminate or make any distinction or restriction in negotiating the sale or lease of real property because of the race, color, sex, religion, ancestry, national origin, or physical handicap of the client. If any prospective buyer or lessee believes that a licensee is guilty of such conduct, he or she should contact the Department of Real Estate.

**READ THE ENTIRE SUBDIVISION PUBLIC REPORT ON THE FOLLOWING PAGES BEFORE CONTRACTING TO BUY OR LEASE AN INTEREST IN THIS SUBDIVISION.**



### Special Notes

1. If you purchase five or more lots, the subdivider is required to notify the Real Estate Commissioner of the sale. If you intend to sell your lots, you are required to obtain an Amended Subdivision Public Report before offering the lots for sale.
2. Notwithstanding any provision in the purchase contract to the contrary, a prospective buyer has the right to negotiate with the seller (subdivider) to allow an inspection of the property by the buyer or the buyer's designee under terms mutually agreeable to both parties. *[Business and Professions Code Section 11010.11]*
3. There is an "Area of Inundation" shown on the recorded map.

**Location and Size.** This subdivision contains twenty-two lots on approximately four hundred seventy (470) acres in Tehama County on the Red Bank Creek between Paskenta Road and Stewart Road approximately three miles from Red Bluff, California.

Lots in this area range in size from 10 acres to 20 acres and will be sold vacant. The surrounding area is rural residential and agricultural. This renewed and amended report covers Lots 7 through 27, only.

Prospective owners should acquaint themselves with the current and proposed (or potential) surrounding area uses and zoning, natural hazards, service areas and special districts.

**Easements and Dedications.** Easements for public and private utilities, rights-of-way, private roads and other purposes are shown on the Title Report and map of Meadowland Farms and Residential Estates Tract No. 86-1004 recorded on June 16, 1987, in Book V of Maps, Pages 215 - 217, Tehama County Recorder.

Certain lots may contain easements given to the city, county, state, a public authority or utility or other property owners restricting the use of the easement area.

**Mineral Rights.** You will not own the mineral, oil and gas rights under your land below a depth of 500 feet. These will be reserved on the Grant Deed by the subdivider. The right to surface entry will be waived.

**Covenants.** This subdivision is subject to a "Declaration of Covenants, Conditions and Restrictions of Red Bank Ranches" (CC&Rs) recorded October 27, 2004 as Instrument Number 022355, Official Records of Tehama County. The CC&Rs contain provisions for architectural control and use restrictions.

This subdivision is also subject to a "Declaration of Road Maintenance Association of Red Bank Ranches" (Declaration) recorded October 27, 2004 as Instrument No. 022354, Official Records of Tehama County.

For complete information as to your obligations and responsibilities, you should read the CC&Rs and Declaration. The subdivider must make these documents available to you prior to close of escrow.



**Property Taxes.** The maximum amount of any tax on real property that can be collected annually by the County is 1% of the full cash value of the property. With the addition of interest and redemption charges on any indebtedness (approved by voters prior to July 1, 1978) the total property tax rate in most California counties is about 1.25%. In some counties, the total property tax rate could be well above 1.25%. For example, an issue of general obligation bonds previously approved by the voters and sold by a County agency (parks and recreation district, water district, sanitation district or other such district) could increase the property tax rate. For the purchaser of a lot in this subdivision, the full cash value of the lot will be the valuation as reflected on the tax roll, determined by the county assessor as of the date of purchase or as of the date of completion of an improvement on the lot if that occurs after the date of purchase.

**Financing and Conditions of Sale.** If your purchase involves financing, a form of deed of trust and note will be used. The provisions of these documents may vary depending on the lender selected. These documents may contain the following:

Balloon Payment: Your monthly payments are not large enough to pay off the loan, with interest, during the period for which the loan is written and that at the end of the loan period you must pay the entire balance in one payment. If you are unable to pay the balance and the remaining balance is sizeable, you should be concerned with the possible difficulty in refinancing the loan. If you cannot refinance the loan or sell your property, or make the balloon payment, you will lose your property.

Due-On-Sale Clause: If the loan instrument financing your purchase includes a due-on-sale clause, the clause will be automatically enforceable by the lender when you sell the property. This means the loan will not be assumable without lender approval. If the lender does not declare the loan to be all due and payable on transfer of title to the property by you, the lender is likely to insist upon modifying the terms of the loan instrument as a condition to permitting assumption by the buyer. The lender will almost certainly insist upon an increase in the interest rate if the prevailing rate is higher than the interest rate of your promissory note.

Acceleration Clause: A clause in a mortgage or deed of trust which provides that if the borrower (trustor) defaults in repaying the loan, the lender may declare the unpaid balance of the loan immediately due and payable.

Prepayment Penalty: If you wish to pay off your loan in whole or in part before it is due, you must, in addition, pay a penalty.

Late Charge: If you fail to make your installment payment on or before the due date or within a specified number of days after the due date, you must pay a penalty.

The subdivider may assist you in arranging financing from a federal or state regulated lender which will make loans that allow the interest rates to change over the term of the loan. An interest rate increase ordinarily causes an increase in the monthly payment you will make to the lender. The lender will provide you with a financing disclosure form to assist you in evaluating your ability to make increased payments during the term of the loan. This disclosure form will be provided at the time you receive your loan application and before you pay a nonrefundable fee.

Before signing, carefully read and thoroughly understand all financing/loan documents.



**Purchase Money Handling.** The subdivider must impound all funds (purchase money) received from you in an escrow depository until legal title is delivered to you. [*Business and Professions Code Sections 11013 and 11013.4(a)*]

If the escrow has not closed on your lot within twelve (12) months) from the date of the deposit receipt (and failure to close escrow is not due to default of the buyer), you may request the return of your purchase money deposit.

**Soil Conditions.** Information is available at the Tehama County Building Department, County Courthouse in Red Bluff.

**Geologic Conditions.** The *Uniform Building Code, Appendix Chapter 33*, provides for the local building officials to exercise preventive measures during grading and site preparation to eliminate or minimize damage from geologic hazards such as landslides, fault movements, earthquake shaking, rapid erosion or subsidence. This subdivision is located in an area where some of these hazards may exist. Some California counties and cities have adopted ordinances that may or may not be as effective in the control of grading and site preparation.

Purchaser may contact the subdivider, the subdivider's engineer, the engineering geologist and/or the local building officials to determine if the above-mentioned hazards have been considered and if there has been adequate compliance with *Appendix Chapter 33* or an equivalent or more stringent grading ordinance during the construction of this subdivision.

**Flood and Drainage Conditions.** County of Tehama Department of Building & Safety. The property has been located on the county's Flood Insurance Rate Map (FIRM) dated February 5, 1997. The property is located in FIRM Zone "A" and "C".

Lots 10, 11, 12, 13, 15, 16, 25, 26 and 29 are located in a Special Flood Hazard Area. Federal law requires that a flood insurance policy be obtained as a condition of a federally backed mortgage or loan that is secured by a building. It is up to the lender to determine whether flood insurance is required for a property.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 17, 18, 19, 20, 21, 22, 23, 24, 27 and 28 are not located in a Special Flood Hazard Area; however, the property may still be subject to local drainage problems or other unmapped flood hazards. Flood insurance is available and may be obtained at non-floodplain rates.

This information is based on the Flood Insurance Rate Map for Tehama County. This does not imply that the property will or will not be free from flooding or damage. A property not in a Special Flood Hazard Area may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map.

Red Bank Creek along the southerly boundary of this subdivision is a seasonal creek.

**Building Permit.** Prior to any lot preparation and construction (or improvement), you will be required to obtain a building permit and pay all applicable fees. These may include fees for sewage disposal and water supply systems, streets and easements, water conservation and flood control, public parks and recreational facilities, school sites, storm drainage, health and safety services, etc.



The local jurisdictions and/or the building and planning departments will provide you (at your request) with their current list of fees, information, restrictions and requirements. Prospective property owners are encouraged to inquire of the subdivider and/or contact the local planning and building departments to ascertain if there are such maps in official use and to determine what, if any, restrictions may apply.

**Environmental Health.** Tehama County Department of Environmental Health advises:

*Domestic water for each and every lot in this subdivision will be supplied from individual wells. Based on the project engineer's report, individual wells drilled on each lot can be expected to supply adequate quantities of potable water for single family residential use.*

*Individual septic tank systems are proposed for each and every lot. Currently each lot has an approved sewage disposal area with 100% expansion area. The area designated is adequate to service a three-bedroom home. Future conditions may necessitate modification or revision of the approved area.*

*This subdivision has met the land division standards of Tehama County pertaining to water supply and sewage disposal and is satisfactory to this office. Prospective purchasers should be advised that permits are required for both wells and septic systems prior to any construction. The Tehama County Health Department may specify well and sewage disposal sites on each lot.*

**DRE NOTE:** This information is applicable as of the date of issuance of this Public Report. If there is a change in the requirements, the subdivider must amend the Public Report to disclose the new conditions. Prior to purchasing a lot and commencing construction, you should contact the Department of Environmental Health concerning specifications, requirements and any local problems.

**Water.** Private water wells are the only source of water and you will be required to pay all costs to have a well installed on your lot. Costs include permit, drilling, casing, sanitary seal, water system pump and pressure tank, etc. Water may be found at a depth of 200 to 300 feet.

The subdivider's well driller estimates the (current) costs as follows: \$6000 to \$8000 for drilling and casing; and a pressure pump and system installed at the wellhead ranges from \$2000 to \$4000. This information and these estimated costs are subject to change. All requirements and costs will be your responsibility.

The *California State Water Code* requires a Notice of Intention to drill a well and a Report of Completion to be filed with the California Department of Water Resources.

**Sewage Disposal.** According to the subdivider, due to the variation of soil types within Tract 86-1004, the cost for a septic system will range from \$4000 to \$5000 per lot. It should be noted that homeowners utilizing individual sewage disposal systems will experience typical recurring costs associated with the maintenance of these systems, such as service costs, inspection, periodic pumping and replacement of leach fields. All necessary and associated costs including permit, engineering, construction, materials, testing, etc. will be your responsibility.



**Utilities.** Pacific Gas and Electric Company (PGE), under the authority of the laws of the state and the rules and regulations as set by the California Public Utilities Commission (CPUC), will provide electric service under Rule 13 (temporary service), Rule 15 (distribution line extension) and Rule 16 (service extension). Copies of these rules are available upon request. There is no natural gas in this area.

SBC will provide telephone service to property owner upon request in accordance with the rules and regulations of and at rates and charges specified in SBC's tariffs on file with the California Public Utilities Commission.

Utility rules and rates and charges are subject to change at any time after proper filing with the CPUC. Copies of the rules and regulations and charges are available from the utility provider upon request. All necessary costs and requirements will be the responsibility of the property owner requesting service.

**Natural Hazard Area or Zone.** The *California Civil Code* requires subdivider disclosure of natural hazard areas or zones affecting their subdivision. When the subdivision is located within a declared natural hazard area or zone, the homeowner's insurance policy and/or lender requirements may be affected.

Natural Hazard Disclosure Statement is a representation made by the subdivider based upon knowledge and maps drawn by the state and federal governments. The information is a disclosure and is not intended to be part of the purchase contract. Buyer may rely on the subdivider's information in deciding whether (or not) and on what terms to purchase the subject property.

If any disclosure, or any material amendment of any disclosure is delivered after the execution of an offer to purchase, the buyer shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate his or her offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

Natural Hazard Disclosure. The subdivider has advised: (i) The entire subdivision is *within a wildland area that may contain substantial forest fire risks and hazards pursuant to Section 4125 of the Public Resources Code (State Responsibility Area) and as determined by the California State Board of Forestry and (ii) a Special Flood Hazard Area.* Prospective purchasers will be provided a separate disclosure required under *Public Resources Code Section 4136 (fire) and Government Code Sections 8589.3 (flood).*

**Fire Protection.** California Department of Forestry and Fire Protection (CDF) and Tehama County Cooperative Fire Protection District. Tract 86-1004 is not served by hydrants.

State Responsibility Area. The State of California has primary financial responsibility for preventing and suppressing fires, unless the County assumes this responsibility. Pursuant to *Public Resources Code Section 4291*, the property owner shall be required to do all of the following:

(i) maintain a firebreak around any structure by removing all flammable vegetation and other combustible growth to the nearer of the property line or a distance of 30 feet (or 100 feet if required due to extra hazardous conditions); (ii) remove that portion of any



tree which extends within 10 feet of the outlet of any chimney or stovepipe; (iii) maintain free of dead or dying wood any tree adjacent to or overhanging any building; (iv) maintain the roof of any structure free of leaves, needles or other dead vegetative growth; (v) provide and maintain a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel.

These requirements may be exempted or varied only by the responsible fire protection agency. For more information, the property owner should contact the California Department of Forestry and Fire Protection and the Tehama County Fire Department.

**Roads and Common Road Easement.** The roadways within this subdivision are private. The repair and maintenance of the private roadways and common road easement are subject to the Declaration of Road Maintenance Association of Red Bank Ranches recorded on October 27, 2004 as Document No. 022354, Official Records of Tehama County. The roadways include Wilder Road, Stewart Road, Yellowbrick Road and Twilight Road. This document must be made available to each prospective property owner.

Every person who acquires title to any of the lots shall become a member of the Road Maintenance Association and each person shall pay an initial transfer and initiation fee of \$250.00 for each separate lot acquired by that person. Thereafter, each owner is deemed to covenant and agree to pay to the Road Maintenance Association annual assessments or charges (also referred to as maintenance and upgrade fund payments) and such special assessments for capital improvements such annual assessment is initially set at \$250.00 per year per lot.

Maintenance and repair costs for the roads are subject to variation being influenced by traffic volume, original construction, care and repair, age of surfaces and other factors.

In addition, the subdivider's engineer submitted an estimate for improving the roads within Tract 86-1004 from the existing 10-6 County Standard to a 10-4 Standard as per current Tehama County requirements. Based on current costs for labor and equipment and materials and using the existing rock as a sub base, said 10-4 Standard improvements can be implemented at a cost of \$20.00 per linear foot. Based on 13,800 lineal feet, the total cost of the project would be approximately \$276,000.

If the property owners cannot agree upon the need or extent of repair and maintenance or improvement of the roadways, it may be necessary to appeal to the Superior Court of Tehama County. *[Reference: California Civil Code Section 845]*

**Public Schools.** The Red Bluff Union School District and the Red Bluff Joint Union High School District will provide educational opportunities, challenges, activities and services to all students within their district at Metteer Elementary School (grades K-6), Vista Middle School, and Red Bluff Union High School. The district also includes Red Bluff Independent Study High School, Rebound Community School and Salisbury Continuation High School.

If you need clarification of any information in this Public Report or if you should care to make arrangements to review the documents used by the California Department of Real Estate in preparing this Report, call **DRE Subdivisions-North** at (916) 227-0813.