PETITION FOR FORMATION OF SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT PURSUANT TO DIVISION 17 (commencing with Section 26500) OF THE PUBLIC RESOURCES CODE OF THE STATE OF CALIFORNIA

TO: Clerk of the County of San Benito:

The undersigned owner of land within the boundaries of the district proposed in this petition hereby request that the Board of Supervisors initiate proceedings to form a Geologic Hazard Abatement District ("GHAD") pursuant to the provisions of Division 17 of the Public Resources Code, Sections 26500 et seq. Said owners own all the land to be included within the GHAD boundaries.

(a) This petition is made pursuant to Division 17 of the Public Resources Code with particular reference to Article 3 (commencing with Section 26550) and Article 4 (commencing with Section 26561).

(b) Next to the signature of the petitioner is an indication of the lot, tract and map number or other legal description sufficient to identify the signature of the petitioner as that of the owner of land within the property to be included with the proposed GHAD; the property to be included is approximately 1,994 acres.

(c) Opposite the signature of the petitioner is an indication of the date on which the petitioner signed this petition.

(d) The following documents are attached to this petition and are incorporated herein by reference as if set forth in full in the petition:

1. A map of the boundaries of the property to be included within the proposed GHAD (Exhibit A);

2. A legal description of the boundaries of the property to be included within the proposed GHAD (Exhibit B); and

3. A draft Plan of Control prepared by an engineering geologist certified pursuant to Section 7822 of the Business and Professions Code which describes the specific geologic hazards to be addressed by the GHAD and the plan for their prevention, mitigation, abatement and/or control (Exhibit C).

SAN JUAN OAKS, LLC,
a California limited liability company

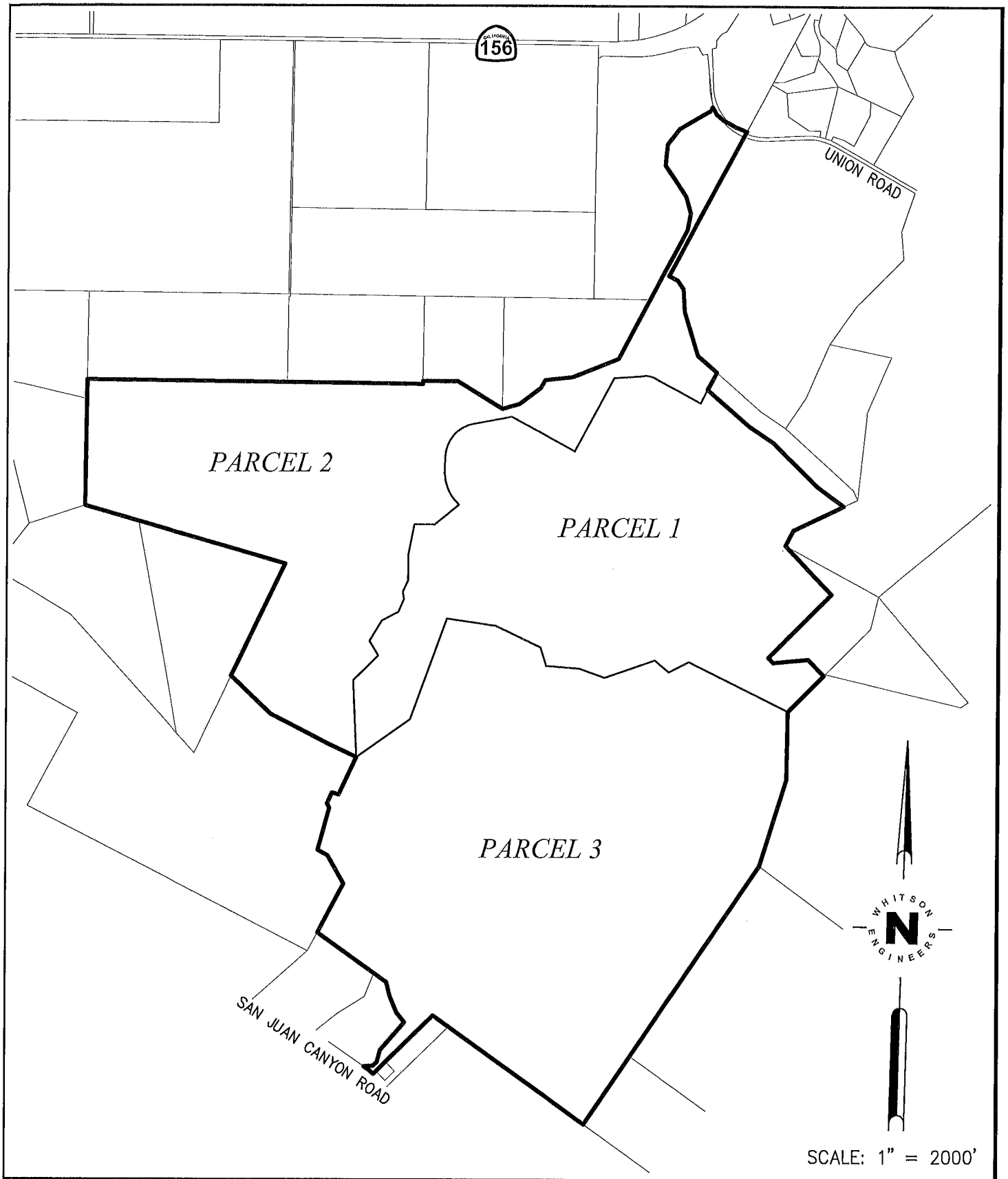
Date: March 7 2014

By: _____
Ken Gimelli
Its: Owner

The Property that is subject to this Petition is identified as San Benito County Assessor's Parcel Numbers: 018-190-023, 018-190-033,018-190-034, 018-200-056, 018-200-057, 018-200-058, 021-140-046, 021-140-053, 021-140-054, 021-190- 006, 021-190-017, 021-190-030, 021-190-031, 021-190-032, and 023-010-074.

EXHIBIT A

MAP OF GHAD BOUNDARIES



PLAT OF EXHIBIT A

San Benito Geologic Hazard Abatement District
SAN JUAN OAKS - PARCELS 1, 2 & 3
SAN BENITO COUNTY, CALIFORNIA
JANUARY 20, 2016

WHITSON ENGINEERS
9699 Blue Larkspur Lane ▫ Suite 105 ▫ Monterey, CA 93940
831 649-5225 ▫ Fax 831 373-5065
CIVIL ENGINEERING ▫ LAND SURVEYING ▫ PROJECT MANAGEMENT

PROJECT No.: 1615.10

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EXHIBIT B

LEGAL DESCRIPTION OF GHAD BOUNDARIES

LEGAL DESCRIPTIONS OF SAN JUAN OAKS PARCELS
San Benito Geologic Hazard Abatement District

Parcel 1

Certain real property situate in the unincorporated area of the County of San Benito, State of California, being a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, and a portion of the parcel of land described in the Memorandum of Agreement between San Juan Valley, a California Limited Partnership and Rancho San Justo Company, a California Corporation, dated January 5, 1995 and filed for record in the office of the County recorder of said County on January 5, 1995, under Recorder's Instrument Number 9500074, said portions being particularly described as follows:

Beginning at a point in the easterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the easterly terminus of course number (24) therein; thence, along said easterly boundary

(1) S. 63° 01' 18" W., 879.16 feet; thence

(2) S. 26° 31' 58" W., 271.35 feet, thence

(3) S. 45° 21' 17" E., 1059.96 feet; thence

(4) S. 43° 34' 38" W., 1410.76 feet; thence

(5) S. 46° 25' 22" E., 108.27 feet; thence

(6) N. 83° 31' 22" E., 557.74 feet; thence

(7) S. 46° 25' 22" E., 353.84 feet; thence

(8) S. 43° 39' 45" W., 799.70 feet; thence depart said easterly boundary

(9) N. 65° 19' 42" W., 1753.74 feet; thence

(10) S. 61° 35' 02" W., 354.54 feet; thence

(11) N. 52° 24' 57" W., 292.55 feet; thence

(12) S. 69° 30' 32" W., 839.86 feet; thence

(13) N. 72° 45' 51" W., 430.95 feet; thence

(14) N. 86° 48' 57" W., 523.48 feet; thence

(15) N. 19° 32' 00" W., 304.24 feet; thence

(16) N. 66° 05' 43" W., 785.71 feet; thence

(17) N. 83° 05' 53" W., 779.03 feet; thence

(18) S. 18° 24' 18" W., 1683.23 feet; thence

(19) S. 53° 27' 19" W., 1039.05 feet, to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071, at the northerly terminus of course number (54) therein; thence depart said westerly boundary

(20) N. 4° 09' 19" W., 1206.20 feet; thence

(21) N. 44° 03' 31" E., 558.26 feet; thence

(22) N. 34° 01' 56" W., 269.78 feet; thence

(23) N. 29° 52' 02" E., 377.00 feet; thence

(24) N. 60° 45' 35" E., 296.82 feet; thence

(25) N. 22° 07' 19" E., 212.78 feet; thence

(26) N. 9° 51' 10" W., 121.84 feet; thence

(27) N. 24° 19' 05" E., 189.55 feet; thence

(28) N. 1° 28' 38" W., 391.64 feet; thence

(29) N. 9° 27' 25" E., 500.76 feet; thence

(30) N. 88° 31' 22" E., 322.12 feet; thence

(31) N. 49° 07' 30" E., 492.71 feet; thence

(32) Along the arc of a non-tangent circular curve, the center of which bears S. 49° 07' 30" W., 742.00 feet distant, through a central angle of 6° 31' 50", for an arc distance of 84.57 feet; thence

(33) Along the arc of a tangent circular curve to the right, with a radius of 562.00 feet, through a central angle of 47° 33' 05", for an arc distance of 466.42 feet; thence tangentially

(34) N. 0° 08' 45" E., 264.59 feet; thence

(35) Along the arc of a tangent circular curve to the right, with a radius of 548.00 feet, through a central angle of 77° 41' 42", for an arc distance of 743.11 feet; thence tangentially

(36) N. 77° 50' 26" E., 613.57 feet; thence

(37) S. 63° 20' 00" E., 1138.29 feet; thence

(38) N. 26° 42' 09" E., 1306.74 feet; thence

(39) N. 84° 51' 37" E., 473.96 feet; thence

(40) Along the arc of a tangent circular curve to the right, with a radius of 350.00 feet, through a central angle of 31° 51' 23", for an arc distance of 194.60 feet; thence tangentially

(41) S. 63° 17' 00" E., 810.50 feet; thence

(42) N. 26° 03' 17" E., 238.65 feet to a point on the northeasterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (19) therein; thence along said northeasterly boundary

(43) S. 50° 39' 06" E., 888.42 feet; thence

(44) S. 57° 49' 06" E., 456.27 feet; thence

(45) S. 46° 51' 41" E., 278.37 feet; thence

(46) S. 47° 08' 44" E., 691.06 feet; thence

(47) S. 55° 16' 03" E., 528.18 feet, to the **point of beginning.**

PARCEL 2

Certain real property situate in the unincorporated area of the County of San Benito, State of California, lying in the western or Flint-Bixby part of the Rancho San Justo, and being a portion of the parcel of land described in deed from Silver Creek Valley, A California Limited Partnership, to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500070, Official Records of said County, and a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, said portions being particularly described as follows:

Beginning at the most northwesterly corner of said parcel of land described under Recorder's Instrument Number 9500070; thence along the northerly boundary of said parcel

(1) N. 89° 11' 21" E., 4930.67 feet; thence

(2) N. 89° 10' 09" E., 370.28 feet; thence

(3) N. 0° 48' 00" W., 45.00 feet; thence

(4) N. 88° 51' 29" E., 170.31 feet to the most northeasterly corner of said parcel described under Recorder's Instrument Number 9500070, and the most northwesterly corner of said parcel described under Recorder's Instrument Number 9500071; thence along the boundary of said parcel described under Recorder's Instrument Number 9500071

(5) N. 88° 51' 29" E., 380.43 feet; thence

(6) S. 60° 05' 59" E., 825.69 feet; thence

(7) N. 72° 48' 57" E., 283.05 fee; thence

(8) N. 51° 16' 14" E., 410.81 feet; thence

(9) N. 28° 42' 08" E., 150.00 feet; thence

(10) N. 82° 10' 27" E., 447.67 feet; thence

(11) N. 66° 31' 03" E., 774.42 feet; thence

(12) N. 26° 42' 09" E., 1056.39 feet; thence

(13) N. 26° 43' 00" E., 1241.88 feet; thence

(14) N. 8° 07' 02" E., 268.03 feet; thence

(15) N. 16° 43' 00" W., 268.03 feet; thence

(16) N. 35° 18' 58" W., 588.33 feet; thence

(17) N. 3° 12' 46" E., 335.25 feet; thence

(18) N. 36° 12' 26" E., 304.18 feet; thence

(19) N. 58° 05' E., 575.00 feet; thence

(20) N. 23° 36' 24" E., 60.65 feet, thence

(21) S. 31° 55' E., 130.02 feet; thence

(22) S. 50° 35' E., 145.99 feet; thence

(23) S. 62° 38' E., 226.38 feet; thence

(24) S. 71° 17' 52" E. 186.71 feet; thence

(25) S. 26° 48' 10" W., 2583.70 feet; thence

(26) S. 63° 10' 59" E., 155.60 feet; thence

(27) S. 36° 10' 34" E., 166.10 feet; thence

(28) S. 4° 53' 39" E., 353.76 feet; thence

(29) S. 18° 48' 09" E., 723.70 feet; thence

(30) S. 50° 37' 06" E., 400.00 feet; thence

(31) S. 26° 43' W., 307.30 feet; thence depart said boundary

(32) S. 26° 03' 17" W., 238.65 feet; thence

(33) N. 63° 17' 00" W., 810.50 feet; thence

(34) Along the arc of a tangent circular curve to the left, with a radius of 350.00 feet, through a central angle of 31° 51' 23", for an arc distance of 194.60 feet; thence tangentially

(35) S. 84° 51' 37" W., 473.96 feet; thence

(36) S. 26° 42' 09" W., 1306.74 feet; thence

(37) N. 63° 20' 00" W., 1138.29 feet; thence

(38) S. 77° 50' 26" W., 613.57 feet; thence

(39) Along the arc of a tangent circular curve to the left, with a radius of 548.00 feet, through a central angle of 77° 41' 42", for an arc distance of 743.11 feet; thence tangentially

(40) S. 0° 08' 45" W., 264.59 feet; thence

(41) Along the arc of a tangent circular curve to the left, with a radius of 562.00 feet, through a central angle of 47° 33' 05", for an arc distance of 466.42 feet; thence

(42) Along the arc of a tangent circular curve to the right, with a radius of 742.00 feet, through a central angle of 6° 31' 50", for an arc distance of 84.57 feet; thence

(43) S. 49° 07' 30" W., 492.71 feet; thence

(44) S. 88° 31' 22" W., 322.12 feet; thence

(45) S. 9° 27' 25" W., 500.76 feet; thence

(46) S. 1° 28' 38" E., 391.64 feet; thence

(47) S. 24° 19' 05" W., 189.55 feet; thence

(48) S. 9° 51' 10" E., 121.84 feet; thence

(49) S. 22° 07' 19" W., 212.78 feet; thence

(50) S. 60° 45' 35" W., 296.82 feet; thence

(51) S. 29° 52' 02" W., 377.00 feet; thence

(52) S. 34° 01' 56" E., 269.78 feet; thence

(53) S. 44° 03' 31" W., 558.26 feet; thence

(54) S. 4° 09' 19" E., 1206.20 feet to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071; thence

(55) N. 66° 37' 27" W., 515.29 feet; to the most southerly corner of said parcel described under Recorder's Instrument Number 9500070; thence along the boundary of said parcel

(56) N. 64° 09' 26" W., 1001.23 feet; thence

(57) N. 47° 58' 35" W., 864.21 feet; thence

(58) N. 24° 02' 56" E., 1954.42 feet; thence

(59) N. 75° 25' 00" W., 3283.49 feet; thence

(60) N. 0° 49' 44" W., 1979.14 feet, to the **point of beginning.**

PARCEL 3

Certain real property situate in the County of San Benito, State of California, in the Rancho San Justo and Rancho Cienega del Gabilan, being a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, and a portion of the parcel of land described in the Memorandum of Agreement between San Juan Valley, a California Limited Partnership and Rancho San Justo Company, a California Corporation, dated January 5, 1995 and filed for record in the office of the County recorder of said County on January 5, 1995, under Recorder's Instrument Number 9500074, said portions being particularly described as follows:

Beginning at the most southerly corner of said parcel described under Recorder's Instrument Number 9500074, said corner also being the most southerly corner of Hill Lot 8, as shown on the map filed for record in Book 1 of Maps at Page 64, Records of said County, thence along the boundary of said parcel described under Recorder's Instrument Number 9500074

(1) N. 56° 00' 19" W., 2935.84 feet (N. 56° 04' W., 2936.5 feet in said document filed under Recorder's Instrument Number 9500074); thence

(2) S. 44° 12' 16" W. 1316.91 feet (S. 44° 15' 30" W. 1318.0 feet in said document), to the center line of San Juan Canyon Road; thence continuing along said boundary and also along the center line of said road

(3) N. 49° 45' 38" W., 85.70 feet (N. 48° 17' W., 85.7 feet in said document); thence

(4) N. 53° 03' 38" W., 72.20 feet (N. 51° 35' W., 72.2 feet in said document); thence

(5) N. 56° 57' 38" W., 33.40 feet (N. 55° 29' W., 33.44 feet in said document); thence, leaving said road center line and continuing along said boundary

(6) N. 84° 05' 35" E., 144.55 feet (N. 85° 03' 20" E., 141.86 feet in said document); thence

(7) N. 45° 20' 50" E., 88.39 feet (N. 45° 24' 45" E., 88.41 feet in said document); thence

(8) N. 12° 52' 43" E., 186.94 feet (N. 12° 58' 12" E., 186.89 feet in said document); thence

(9) N. 39° 25' 04" E., 584.29 feet (N. 39° 29' 38" E., 584.27 feet in said document); thence

(10) N. 40° 28' 37" W., 197.06 feet (N. 40° 22' 54" W., 197.10 feet in said document); thence

(11) N. 24° 15' 30" W., 282.59 feet (N. 24° 11' 12" W., 282.57 feet in said document); thence

(12) N. 15° 36' 05" W., 222.97 feet (N. 15° 29' W., 222.61 feet in said document); thence

(13) N. 56° 08' 32" W., 1347.39 feet (N. 56° 04' W., 1323.16 feet in said document); thence

(14) N. 26° 38' 12" E., 868.12 feet (N. 26° 33' 15" E. in said document), to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (47) therein; thence depart said boundary of said parcel described under Recorder's Instrument Number 9500074, and following the boundary of said parcel described under Recorder's Instrument Number 9500071

(15) N. 31° 01' 54" W., 511.38 feet; thence

(16) N. 63° 13' 02" W., 183.59 feet; thence

(17) N. 14° 17' 37" E., 686.88 feet; thence

(18) N. 34° 12' 37" W., 75.37 feet; thence

(19) N. 23° 59' 14" E., 189.94 feet; thence

(20) S. 77° 01' 52" E., 105.03 feet; thence

(21) N. 23° 59' 52" E., 649.96 feet, to a point in said boundary of said parcel described under Recorder's Instrument Number 9500071, at the northerly terminus of course number (54) therein; thence depart said boundary

(22) N. 53° 27' 19" E., 1039.05 feet

(23) N. 18° 24' 18" E., 1683.23 feet; thence

(24) S. 83° 05' 53" E., 779.03 feet; thence

(25) S. 66° 05' 43" E., 785.71 feet; thence

(26) S. 19° 32' 00" E., 304.24 feet; thence

(27) S. 86° 48' 57" E., 523.48 feet; thence

(28) S. 72° 45' 51" E., 430.95 feet; thence

(29) N. 69° 30' 32" E., 839.86 feet; thence

(30) S. 52° 24' 57" E., 292.55 feet; thence

(31) N. 61° 35' 02" E., 354.54 feet; thence

(32) S. 65° 19' 42" E., 1753.75 feet to a point on the easterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (32) therein; thence following the boundary of said parcel described under Recorder's Instrument Number 9500071

(33) S. 0° 37' 34" E., 1070.38 feet; thence

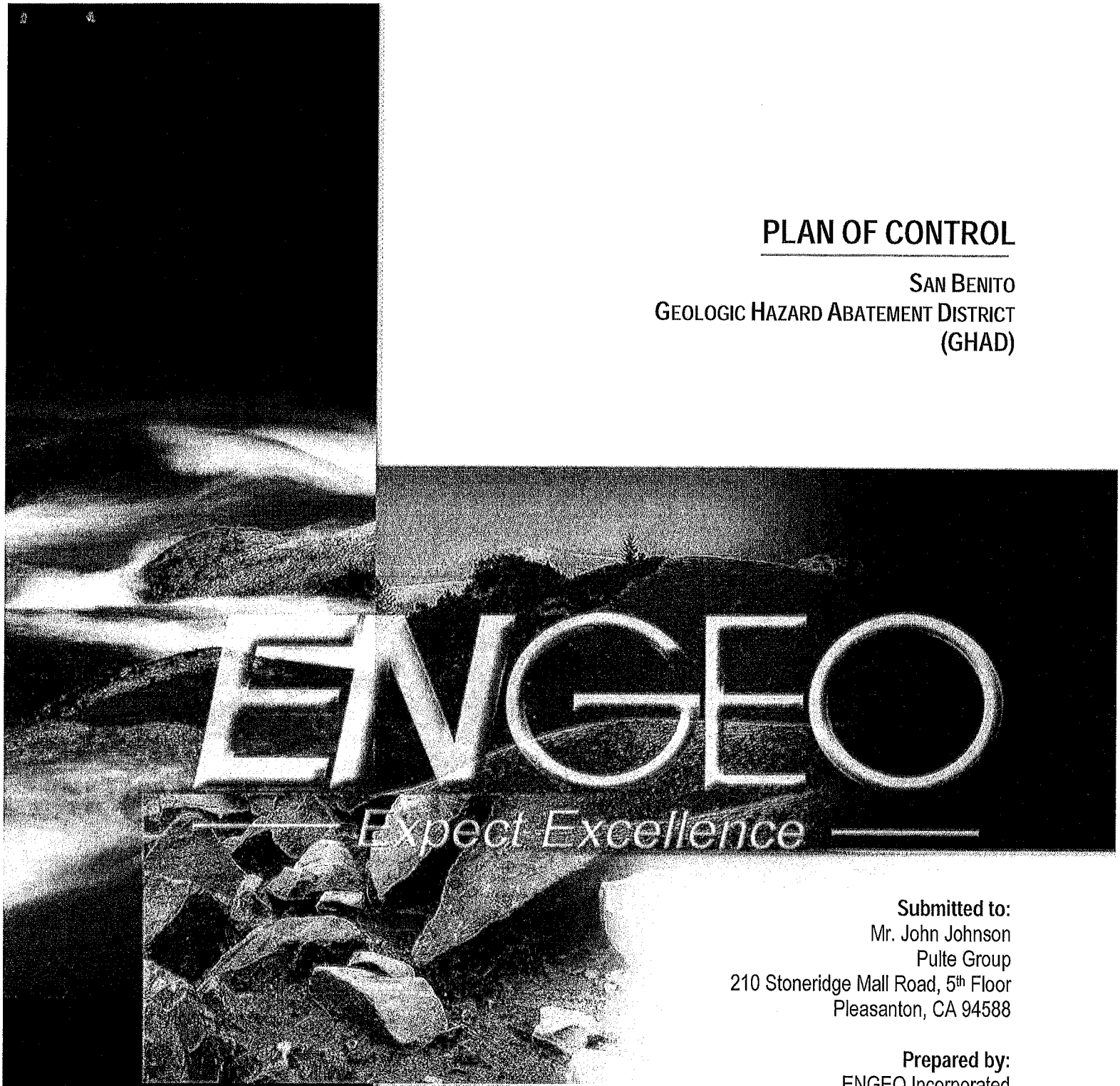
(34) S. 15° 57' 01" W., 232.13 feet, to the most easterly corner of said parcel described under Recorder's Instrument Number 9500074; thence depart said boundary of said parcel described under Recorder's Instrument Number 9500071, and following the boundary of said parcel described under Recorder's Instrument Number 9500074

(35) S. 15° 57' 01" W., 1195.16 feet (S. 15° 50' W., 1172.00 feet in said document); thence

(36) S. 32° 46' 32" W., 4919.73 feet (S. 33° 01' W., 4943.4 feet in said document), to the **point of beginning.**

EXHIBIT C

PLAN OF CONTROL



PLAN OF CONTROL

SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)

Submitted to:
Mr. John Johnson
Pulte Group
210 Stoneridge Mall Road, 5th Floor
Pleasanton, CA 94588

Prepared by:
ENGEO Incorporated

February 5, 2016

Project No. 9901.000.000

DRAFT 2

ENGEO
Expect Excellence

GEOTECHNICAL
ENVIRONMENTAL
WATER RESOURCES
CONSTRUCTION SERVICES

Project No.
9901.000.000

February 5, 2016

Mr. John Johnson
Pulte Group
210 Stoneridge Mall Road, 5th Floor
Pleasanton, CA 94588

Subject: San Benito Geologic Hazard Abatement District (GHAD)
San Benito County, California

GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
PLAN OF CONTROL

Dear Mr. Johnson:

ENGEO is pleased to present the San Benito Geologic Hazard Abatement District (GHAD) Plan of Control.

We are glad to be of service to you on this project. If you have any questions concerning the contents of this plan, please do not hesitate to contact us.

Sincerely,

ENGEO Incorporated

Eric Harrell, CEG
eh/ue/dt

Uri Eliahu, GE

DRAFT 2

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Letter of Transmittal

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1.0 INTRODUCTION

The Geologic Hazard Abatement District ("GHAD" or "District") for the San Juan Oaks project was formed on _____, 2016 under authority of the California Public Resources Code (Division 17, commencing with Section 26500). Geologic Hazard Abatement Districts are political subdivisions of the State of California and are not an agency or instrumentality of a local agency.

Section 26509 of the Public Resources Code requires a Plan of Control, prepared by a State Certified Engineering Geologist, as a prerequisite to formation of a GHAD. Pursuant to Section 26509, this Plan of Control was prepared by an Engineering Geologist certified pursuant to Section 7822 of the Business and Professions Code and describes the geologic hazards, their locations, and the areas affected by them. It also provides a plan for the prevention, mitigation, abatement, or control thereof.

As used in this Plan of Control, and as provided in Section 26507, "geologic hazard" means an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth.

1.1 PROPERTY IDENTIFICATION

The GHAD boundary is shown in Exhibit A. The GHAD includes the San Juan Oaks development area (580.4 acres) and adjacent permanent open space (1,249.3 acres) in San Benito County, California ("Project"). The legal description of the land included within the GHAD is included in Exhibit A. Existing site conditions and background on the proposed development are included in Exhibit B.

2.0 PLAN OF CONTROL

2.1 GEOLOGIC HAZARDS

Geologic hazards identified in the geotechnical exploration reports for the Project include the following:

- Seismic hazards
- Slope instability
- Expansive soils

All geologic hazards will not be eliminated entirely through remediation by the Project developer. Slope instability or potential slope instability is not unique to this Project but is of importance for hillside projects throughout the greater San Francisco Bay Area. Future stability depends on various factors, including any introduction of natural or artificial groundwater, future grading and earthquake ground shaking.

2.1.1 Seismically Induced Landsliding

Common to the greater San Francisco Bay Area, the risk of instability is greater during major earthquakes than during other time periods. The majority of the area planned for development is relatively flat and is not subject to seismically induced landsliding. There are mapped landslides within the foothills on the southern portion of the site; however, adjacent to the development area the landslides observed are relatively shallow slumps or earthflows, and the impact to development area can be mitigated through avoidance (setback) or corrective grading as recommended in the geotechnical report.

2.1.2 Expansive Soils

Near-surface colluvium and alluvium at the site could exhibit a low to moderate potential for expansion. These potentially expansive soils could impact the planned site development. Expansive soils shrink and swell as a result of moisture changes. 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 is a portion of the mechanism of creep movement which can result in shallow slope instability. Within the open space area, slope instability caused by expansive soil creep will be addressed by the GHAD subject to the exceptions in Section 4.3.

2.2 SLOPE STABILITY

2.2.1 Landslides

Slope stability is a primary geologic hazard of concern for the GHAD. In general, the stabilization of landslide masses will or has been undertaken only for landslides which may directly pose a threat to improvements. Landslides that do not have the potential to directly impact the proposed development have not been mitigated, as it has been considered neither practical nor desirable during development to remove all of the landslide hazards from the surrounding hillsides during mass grading.

In addition to the landslides mapped during the geotechnical explorations or geologic mapping completed during grading, areas of slope instability or landsliding will likely be identified during the life of the development. Since slope stability is the GHAD's prime geotechnical concern, this section describes several types of slope instability that may be within the GHAD's area of responsibility, subject to Section 4 of this Plan of Control. Slope instability is not unique to this Project, but is of importance for hillside projects throughout the greater San Francisco Bay Area. Future stability of these areas depends on various factors, including any introduction of natural or artificial groundwater, future grading and earthquake ground shaking.

Landslides are a common geologic phenomenon and are part of the process of mass wasting. Weathered to fractured bedrock and soil are transported downslope over geologic time as a result of gravitational and hydrostatic forces. A landslide is a deposit of soil and/or bedrock moving

downward from its original position under the influence of gravity. Landslides include a variety of morphologies and are further defined by type of materials, wetness, and mode of movement. They can consist of mass movements of earth materials which are primarily intact, and occur along discrete shear surfaces. These surfaces (shear or slip planes) can be rotational (conchoidal or concave), such as for earth slumps, or planar, as for transitional earth slide or bedrock glides. Most landslides are truly "complex landslides," sliding, falling and flowing with more than one type of movement and/or material.

Falls are an abrupt free-fall of earth materials off cliffs, steep cuts, or steep stream banks, while earth flows are mass movements of earth materials in which the type of movement is one of flowing. When composed of soil finer than gravel size, the flowing material is commonly called a mudflow. A debris flow/debris avalanche is composed of natural earth material, artificial fill, and/or organic debris which flow downslope with speed. Most of the material is transported away from the area of initial ground failure.

Slope failures are also often 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 will be higher than average on a hillslope and groundwater pressures may become sufficiently high to activate landsliding.

Landslides located within open-space areas are natural landforms that do not require mitigation except where they affect man-made improvements as described further in Section 4.2. Debris catchment areas are the principal mitigation method used within the GHAD for areas between potentially unstable slopes and improvements. The debris catchment structures include debris benches, debris berms and runout areas. GHAD maintenance of the areas will be critical to maintain adequate protection for the site improvements. Maintenance and monitoring of these areas is described in Section 7.0. Potential mitigation and repair measures for GHAD areas near development are discussed in Section 5.

It is anticipated that field-verified geologic field mapping will be undertaken during future mass grading operations. The detailed maps showing bedrock structure, springs and landslide limits and repairs should be provided to the GHAD when available.

2.2.2 Soil Creep and Colluvium

Soil creep is the slow, often imperceptible, deformation of slope materials under low stress levels which normally affects the shallow portion of the slopes, but can be deep seated where a weak zone of soil or bedrock exists. It results from gravitational and seepage forces, and may be indicative of conditions favorable for landsliding. Creep can be caused by wetting and drying of clays, by solution and crystallization of salts, by the growth of roots, by burrowing animals, and by downslope movement of saturated ground. Colluvium refers to the mantle of loose soil and weathered bedrock debris that progresses down hillsides by gravity. Colluvial deposits typically

occur in a weak, unconsolidated state and are noteworthy because of their susceptibility to landsliding.

2.2.3 Erosion and Sedimentation

The GHAD shall also be concerned with erosion and sedimentation in open space or affecting established lots or improvements. Erosion is defined as the process by which earth materials are loosened and removed by running water on the ground surface or in the subsurface. Sedimentation is the depositing or settling of soil or rock particles from a state of suspension in a liquid.

Hilly terrain in open space, either in a natural condition or particularly on excavated slopes, can be subject to erosion. Landslide deposits which are sometimes in a loosened condition are particularly prone to erosion. Earth flow, debris flow and mud flow landslides typically have an area of deposition or accumulation (sedimentation area) at their base. Graded slopes in the District, particularly those in excess of 20 feet in vertical height or those not sufficiently vegetated, can be subject to erosion, and therefore, a source of transported sediment.

2.3 SEISMIC HAZARDS

Potential seismic hazards resulting from a nearby moderate to major earthquake have generally been classified within geotechnical reports for the Project as primary and secondary. The primary effect is ground rupture, also called surface faulting. The common secondary seismic hazards include ground shaking, ground lurching, soil liquefaction, lateral spreading and landsliding.

2.3.1 Ground Rupture

A portion of the Project is located within a State of California Earthquake Fault Hazard Zone as the active San Andreas fault crosses the southwestern edge of the Permanent Open Space (Wildlife Habitat) area. As identified, the risk of surface fault rupture within the planned development area is low during the life of the Project. Currently, an unsurfaced access road and an easement are located within the Earthquake Fault Hazard Zone.

2.3.2 Ground Shaking

An earthquake of moderate-to-high magnitude generated within the greater San Francisco Bay Region could cause considerable ground shaking at the site, similar to that which has occurred in the past. To mitigate the shaking effects, all structures should be designed using sound engineering judgment and the latest California Building Code (CBC) requirements, as a minimum.

2.3.3 Ground Lurching

Ground lurching is a result of the rolling motion imparted to the ground surface during energy released by an earthquake. Such rolling motion can cause ground cracks to form in weaker soils. The potential for the formation of these cracks is considered greater at contacts between deep alluvium and bedrock. Such an occurrence is possible at the site as in other locations in the greater Bay Area. As expressed in the Project geotechnical report, offset is expected to be minor. Recommendations for site preparation and grading have been provided that are intended to reduce the potential for lurch cracking.

2.3.4 Liquefaction

Soil liquefaction is a phenomenon in which saturated, loose or medium dense, cohesionless soils are subject to a temporary, but essentially total, loss of shear strength because of pore pressure build-up under the reversing cyclic shear stresses associated with earthquakes.

Historically, standard geotechnical engineering practices for liquefaction assessment have determined that layers of loose to medium dense and saturated sandy deposits are potentially liquefiable. However, empirical evidence from recent major earthquakes and published research at major universities indicate that some fine-grained soils (including low-plasticity silts and clays) can also liquefy.

Analyses as part of the Project geotechnical exploration generally indicated that the thin layers (½ to 2 feet thick) of loose to medium dense silty sand and sand below the design groundwater level were potentially liquefiable. In addition, select clayey silt and sandy silt layers, between 1½ and 7 feet thick, are potentially susceptible to liquefaction based on currently available methods. The potentially liquefiable silt-based layers are located along the northern portion of the development area at depths ranging from 25½ to 40 feet bgs.

2.3.4.1 Liquefaction-Induced Ground Settlement

Potentially liquefiable soils are commonly susceptible to earthquake-induced ground settlement. Based on the liquefaction analysis described above, we estimate up to approximately 1 inch of total (½-inch differential) liquefaction-induced settlement may occur based on existing conditions.

2.3.4.2 Liquefaction-Induced Surface Rupture

Potentially liquefiable soils may be susceptible to earthquake-induced surface rupture (sand boils). In order for liquefaction-induced ground failure to occur, the pore water pressure generated within the liquefied strata must exert a force sufficient to break through the overlying soil and vent to the surface resulting in sand boils or fissures.

As identified in the Project geotechnical reports, the Project currently has a thick non-liquefiable soil cap and the risk of liquefaction-induced surface rupture is considered low. However, if

finished site grades are lowered by more than 10 feet, the risk of liquefaction-induced surface rupture increases and should be reevaluated.

2.3.5 Lateral Spreading

Lateral spreading is a failure within a nearly horizontal soil zone (possibly due to liquefaction) that causes the overlying soil mass to move toward a free face or down a gentle slope. Generally, effects of lateral spreading are most significant at the free face or the crest of a slope and diminish with distance from the slope.

The Project geotechnical report identified a low potential for lateral spreading; nevertheless, several proposed residential lots are located in the vicinity of the drainage channel and may undergo slope deformation depending on proposed finished grades unless mitigated. ENGEO has recommended additional lateral spreading and slope deformation analyses, as applicable, once more detailed development plans are available.

3.0 SLOPE STABILITY CONSIDERATIONS DURING MASS GRADING

As recommended in the reports for the Project, existing unengineered artificial fills within the graded area will be removed and debris and organic materials will be removed from the Project. In graded areas, the unsuitable materials including landslide material and colluvium will be overexcavated by Project developer to firm undisturbed materials below the unsuitable material as determined by the Project Geologist at the time of grading. Subdrains will be installed by Project developer to collect subsurface waters. The configuration of each subdrainage system will be tailored to the individual area at the time of grading. The location and depths of subdrains will be determined at that time by the Project Engineer or Geologist. The locations and elevations of subdrains and outlets will be surveyed and plotted during construction by the Project developer. Each subexcavation will then be reconstructed to final grade by keying and benching below the landslide plane with compacted, drained engineered fill.

Cut areas will be viewed by representatives of the Project developer during grading to verify that the materials are satisfactory for their intended purposes and to provide mitigation schemes for unsuspected slope conditions which could decrease slope stability. Such conditions include unfavorable bedrock attitudes and seepage conditions. The Project developer will evaluate these conditions during the grading operations at the Project. Where adverse stability conditions are encountered, the cut slopes will be overcut and buttressed with drained engineered fills. The Project developer will provide the GHAD an as-built plan of the geology, buttressed slopes and associated subdrain systems following completion of the Project grading.

4.0 AREAS OF GHAD RESPONSIBILITY

4.1 SCOPE OF ACTIVITIES

The District will have authority and responsibility to manage geologic hazards within the boundary shown in Exhibit A subject to the exclusions listed in Section 4.3 – Exceptions. The GHAD will assume monitoring and maintenance responsibilities for the following site improvements and activities ("GHAD Activities").

- Slopes
- Debris benches and berms
- Subdrains
- Concrete-lined drainage ditches
- Restored and unaltered creek channels including grade control structures
- Settlement instruments
- Retaining walls
- Emergency vehicle access/maintenance roads
- Detention basin/water quality and bioretention facilities
- Trails and fire roads within the Open Space Area

The GHAD's maintenance, monitoring and repair responsibilities for slopes, which will include repaired or partially repaired landslides, as shown on the attached remedial grading plan, are discussed below in additional detail.

The GHAD, upon taking ownership to any land or improvements within its boundaries, shall assume responsibilities that relate to its position as a GHAD and other duties of a responsible land owner. It is expected that the GHAD will become owner of certain land (mainly open space areas) and improvements within its boundaries.

The GHAD will comply with the requirements of the Resources Management Plan (RMP) and will obtain necessary State and federal authorization required before performing any maintenance that affects any listed threatened or endangered species and/or the bed, channel or bank of streams, wetlands, or riparian habitat associated with the creeks and the water quality basin, and the associated improvements.

4.2 PREVENTION, MITIGATION, ABATEMENT AND/OR CONTROL OF GEOLOGIC HAZARDS

Subject to the following exceptions, the primary mission of the GHAD shall be the prevention, mitigation, abatement, and/or control of geologic hazards within its boundaries that have damaged, or that pose a significant threat of damage to site improvements within the developed areas of the projects. As used herein, the term "site improvements" means buildings and

outbuildings, roads, sidewalks, paths, utilities, improved trails, swimming pools, tennis courts, gazebos, cabanas, geologic stabilization features, or similar improvements.

The District may also take any action necessary to prevent, mitigate, abate or control damage to property or site improvements for which, in the sole judgment of the GHAD Manager, the District would be legally responsible as a property owner, such as damage to property or improvements outside the GHAD boundaries resulting from geologic hazards within the GHAD boundaries.

The single property exclusions and limitations set forth herein do not apply to geologic hazards existing on open-space property owned privately or by any homeowner's associations or golf course property.

4.3 EXCEPTIONS

The GHAD may decline to prevent, mitigate, abate or control geologic hazards under the following circumstances:

1. Isolated or Remote Slope Instability: The GHAD shall not have responsibility or may place a low priority on its responsibility to monitor, abate, mitigate or control slope instability that does not involve damage to or pose a significant threat to damage site improvements.

2. Single Property: The GHAD will not prevent, mitigate, abate or control geologic hazards which are limited in area to a single 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. Geologic Hazard Which Requires Expenditure in an Amount Exceeding the Value of the Threatened or Damaged Improvement: The GHAD will not prevent, mitigate, abate, or control a geologic hazard where, in the GHAD'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 current value of the structure(s) and site improvement(s) threatened with damage or loss.

4. Damage Due to Seismically Induced Ground Shaking: The GHAD will not fund repairs or otherwise compensate for damage resulting from seismically induced ground shaking except for the following:

    a. Damage to public infrastructure within the GHAD boundaries, as authorized by the GHAD Board and subject to the availability of funds.

    b. Damage resulting from seismically induced landslides, as authorized by the GHAD Board, and subject to the availability of funds and the other restrictions included within this Plan of Control.

5. 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 GHAD may fund or reimburse the property owner for the expenses necessary to repair or replace the damaged or destroyed structure, site improvement or landscaping with the exceptions noted above. Unless otherwise authorized by the Board of Directors, the dollar amount of the GHAD funding or reimbursement may not exceed ten percent (10%) of the costs incurred by the GHAD in preventing, mitigating, abating or controlling the geologic hazard causing the damage. In the event the geologic hazard damaged or destroyed a structure, site improvement or landscaping which violated any provisions of the California building code, San Benito County building code or ordinance, or any other applicable standard at the time of its installation or improvement, the GHAD may decline to provide any funding or reimbursement to the property owner for repair or replacement of the damaged structure, improvement or landscaping.

6. 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.

7. Property Not Located within GHAD Boundaries: Except as herein provided, the GHAD shall not prevent, mitigate, abate or control geologic hazards located on property that is not located within the GHAD boundaries. In the event, however, that all or any portion of a geologic hazard existing on property located outside the GHAD boundaries has damaged or poses a significant risk of damage to site or other physical improvements located on property within the GHAD boundaries, the GHAD may prevent, mitigate, abate, or control the geologic hazard.

Any work conducted on property located outside of the GHAD boundaries shall be strictly limited to that which is necessary to prevent, mitigate or control the damage, or threat of damage, to property located within the boundaries of the GHAD. Should the GHAD be required to respond to a geologic hazard outside the boundaries of the GHAD, the GHAD 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.

4.4 GEOLOGIC HAZARDS IN OPEN SPACE AND MAINTENANCE OF OPEN-SPACE AREAS

The GHAD may prevent, mitigate, abate, or control the geologic hazards in open space areas and other unimproved areas within the boundaries of the GHAD if said geologic hazards have damaged or have the potential to damage site improvements located on properties within the boundaries of the GHAD (Figure 1).

The GHAD's creek mitigation responsibilities are limited to the repair of substantial bank failures that directly damage or threaten actual site improvements (including buildings, utilities, trails and roads). Creek bank improvement projects, including armoring of channels with rock or other materials, may be undertaken by the GHAD as required.

Equipment maintenance and operations includes items of equipment related to geologic stabilization within the open space areas such as sump pumps.

The GHAD will monitor erosion and sedimentation in open space areas that affect developed lots and/or improvements. In addition, the GHAD may repair erosion gullies, etc. in open space areas.

As required, monitoring of geotechnical instruments (e.g. inclinometers, settlement monuments, etc.) within the entire GHAD limits including open space areas will be included within the operations of the GHAD. Section 7.0 describes the frequency and scope of the monitoring activities that should be provided.

Slope stabilization, including major landslide repairs, will be the responsibility of the GHAD provided it meets the criteria for repair described above for the potential to impact site improvements. This also includes repair of minor landslides and debris flows.

Sediment removal from concrete-lined drainage ditches and open-space catch basins on parcels owned by the GHAD is the responsibility of the GHAD. The GHAD is further authorized to maintain surface and subsurface drainage facilities and improvements located in open space areas, including, but not necessarily limited to, concrete-lined drainage ditches, storm drain inlets and outlets in open space and creek corridors and subdrain outlets. Occasionally, portions of concrete-lined drainage ditches may require replacement due to cracking caused by expansive soils or erosion; this will be the responsibility of the GHAD.

Routine clearing of firebreaks and general maintenance of the open space (other than hazard abatement) is the responsibility of the GHAD. The GHAD may review and has the right to approve or disapprove physical construction, maintenance or repair activities proposed within the open space areas that, at the discretion of the GHAD, could increase erosion or sedimentation or otherwise impact or affect the geologic stability of the area.

5.0 GEOTECHNICAL TECHNIQUES FOR MITIGATION OF LANDSLIDE AND EROSION HAZARDS

The techniques the GHAD 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 drilled drains).
- Slope correction (e.g. gradient change, biotechnical stabilization, slope trimming or slope contouring).
- Construction of additional surface ditches and/or detention basins, silt fences, sediment traps, or backfill of 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.

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

Slopes within the boundaries of the District are expected to be erodible; 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.

6.0 PRIORITY OF GHAD EXPENDITURES

Emergency response and scheduled repair expenditures by the GHAD are to be prioritized by the GHAD Manager, utilizing its discretion, based upon available funds and the approved operating

budget. If available funds, less an appropriate reserve allowance, are not sufficient to undertake all of the identified remedial and preventive stabilization measures, the expenditures are to be prioritized as follows in descending order of priority:

1. Prevention, mitigation, abatement or control of geologic hazards that have either damaged or pose a significant threat of damage to habitable structures, critical underground utilities or paved streets.

2. Prevention, mitigation, abatement or control of geologic hazards which have either damaged or pose a significant threat of damage to ancillary structures.

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

4. Prevention, mitigation, abatement or control of geologic hazards existing entirely on open space areas and which have neither damaged nor pose a significant threat of damage to any site improvements.

As permitted by California Public Resources Code Sections 26591 and 26593, in performing its duties as described above, the GHAD may seek financial assistance from public and private entities including, but not limited to, FEMA, State and local agencies, insurance companies, etc.

7.0 MAINTENANCE AND MONITORING SCHEDULE

GHAD-maintained facilities should be inspected by the GHAD Manager or its consultants as presented below. The GHAD Manager shall be a licensed Geotechnical Engineer in the State of California. The annual budget should be calculated so that inspections will be scheduled to occur two times per year (or as outlined below) and as necessary after heavy storm events, defined as greater than a 5-year storm. The regular inspections should be scheduled to take place in October, prior to the beginning of the historic "rainy season" or "storm season". The second inspection should occur in March or April, toward the end of the rainy season or storm season.

The timing, frequency and other details regarding such maintenance, inspection and similar activities will be set forth by the GHAD Manager.

- Concrete-lined drainage ditches within the District boundaries should be inspected during each scheduled monitoring event. 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.

- Several types of debris catchment features are planned. Repairs and maintenance should be performed on a regular schedule. Excess debris should be removed to allow the features 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 the affected drain.

- If installed, piezometers used to measure groundwater levels, or other instruments such as inclinometers and tiltmeters, should be monitored on a regular schedule.

- Settlement-monitoring devices, if any, should be monitored on a regular schedule. In the event of anomalous readings or excessive settlement, the monitoring frequency should be increased.

- 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.

- The water-quality facilities shall be monitored and maintained in accordance with the Operations and Maintenance Manual, if available.

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 GHAD Board of Directors with recommendations for maintenance and/or repair projects. Consultants, as necessary, may be retained to undertake the needed studies.

8.0 OWNERSHIP AND MANAGEMENT

Ownership, funding sources and maintenance responsibilities shall be as shown on the following table.

TABLE 8.0-1
SAN JUAN OAKS RESIDENTIAL DEVELOPMENT/SAN BENITO GHAD
Long-Term Ownership and Management Matrix

Facility/Function	Maintenance Entity	Funding	Tentative Acceptance Date or Minimum Monitoring Term	Ownership
1. Development Area				
a. Residential Lots	Private	Private	2019	Private
b. Open Space Common Areas	HOA	HOA	2019	HOA
c. Private Streets	HOA	HOA	2019	HOA

Facility/Function	Maintenance Entity	Funding	Tentative Acceptance Date or Minimum Monitoring Term	Ownership
d. Public Streets	San Benito County	San Benito County	Not Applicable	San Benito County
e. Storm Drain Facilities				
i. Basins	GHAD	Assessment	2019	Parcel Owner
ii. Created Drainage Channels	GHAD	Assessment	2019	Parcel Owner
iii. Ponds	GHAD	Assessment	2019	Parcel Owner
iv. Storm Drain Improvements within limits of Items i, ii, and iii.	GHAD	Assessment	2019	Parcel Owner
v. Storm Drain Improvements Outside Items i, ii, and iii.	Private/HOA	Private/HOA	2019	Parcel Owner
f. Amenity Center	Private	Private	2019	Private
g. Resort Hotel	Private	Private	Not Applicable	Private
h. Neighborhood Commercial	Private	Private	2019	Private
i. Community Park	HOA or San Benito County	CFD	Not Applicable	San Benito County
j. Private Parks				
i. Landscaping and General Amenities	HOA	HOA	2019	HOA
ii. Bioretention/Water Quality Facilities	GHAD	GHAD	2019	HOA
2. Golf Course and Clubhouse	Private	Private	2019	Private
3. Agricultural Preserve				
a. Entry – Union Drive	HOA	HOA	2019	HOA
b. San Juan Oaks Drive	Private	Private	Not Applicable	Private
4. Plan of Control Defined Activities (prior to GHAD assuming rights and responsibilities)	Property Owner	Private Funding	3 Years	Developer/ Private
5. Plan of Control Defined Activities (Post GHAD assumption of rights and responsibilities)	GHAD	Assessment	Perpetual	GHAD

9.0 RIGHT-OF-ENTRY

GHAD officers, employees, consultants, contractors, agents, and representatives shall have the right to enter upon all lands within the GHAD boundary, as shown on Exhibit A, for the purpose of performing the activities described in this Plan of Control. Such activities include, but are not limited to: (1) the inspection, maintenance and monitoring of site improvements including drainage ditches, storm drains, outfalls and pipelines; (2) the monitoring, maintenance and repair of slopes, including repaired or partially repaired landslides; and (3) the management of erosion and geologic hazards within the open space areas. Should the GHAD need to access private residential lots to fulfill its duties under the Plan of Control, the GHAD shall provide the affected landowner and/or resident with 72 hours advance notice unless, in the reasonable judgment of the GHAD Manager, an emergency situation exists which makes immediate access necessary to protect public health and safety, in which case no advance notice is required, but the GHAD shall inform the landowner and/or resident as soon as reasonably possible.

The owner of property within the Project shall record a Declaration of Disclosures, Right of Entry and Restrictive Covenants Regarding Geologic Hazard Abatement District ("Declaration") after recordation of the Final Map, in the form attached as Appendix B. The Declaration creates covenants that run with the land and will be binding upon all future owners of property within the Project area, their successors and assigns. Recordation of the Declaration must occur before the GHAD can assume ownership responsibilities for the land subject to the Declaration.

10.0 GLOSSARY

San Juan Oaks Engineer's Report – The document that establishes the individual property owners' and San Benito County's maximum annual assessment based on the projected expenses (budget) of the GHAD.

Geological Hazard Abatement District (GHAD) Manager – An entity employing a licensed Geotechnical Engineer or Certified Engineering Geologist who will oversee the operations of the GHAD including preparation of GHAD budgets. The GHAD Manager is appointed by and reports to the GHAD Board of Directors.

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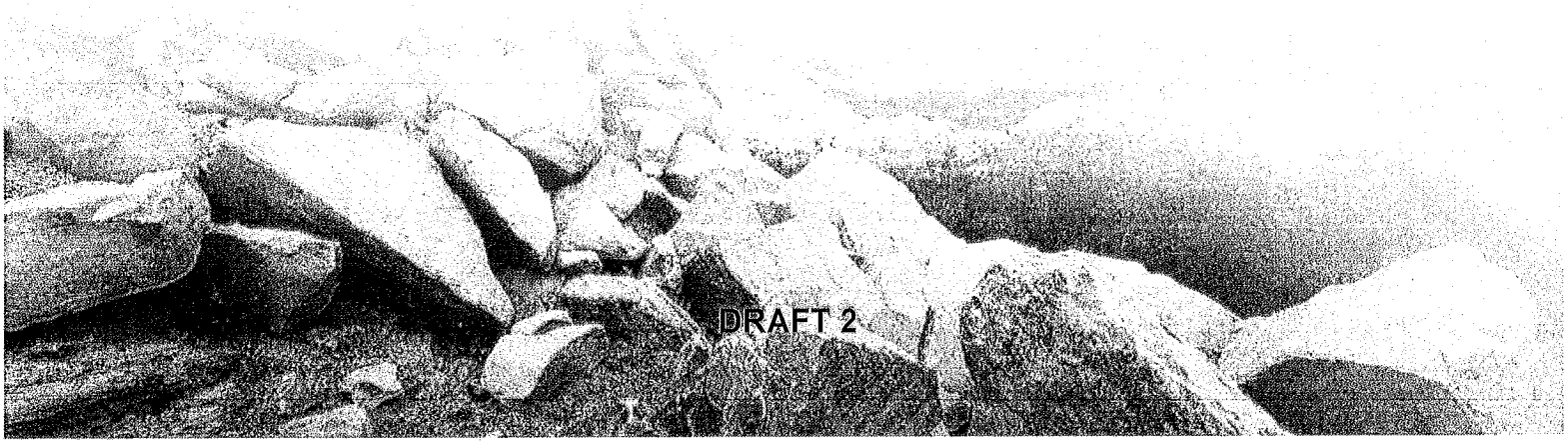
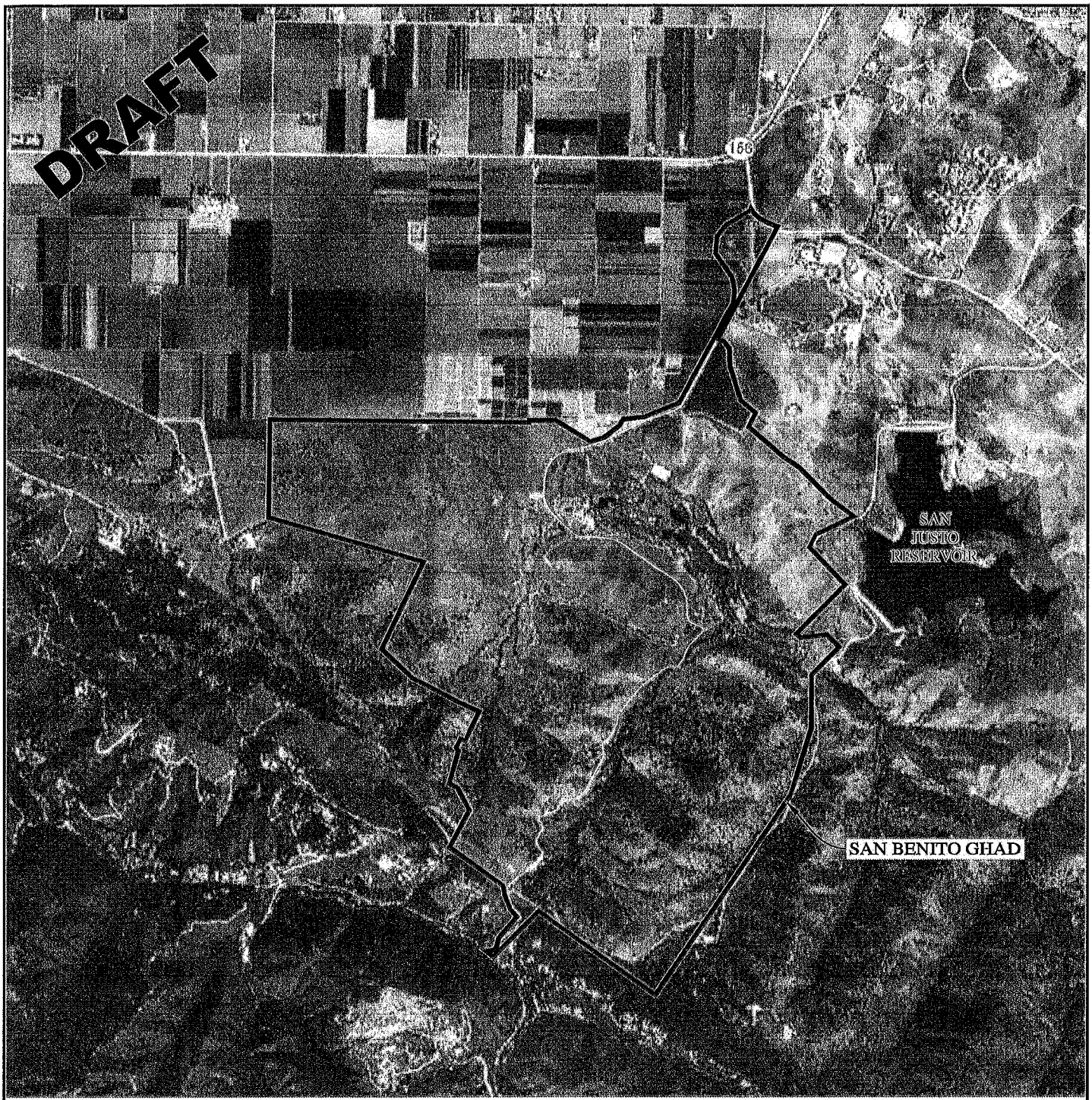
FIGURES

FIGURES





N

0 FEET 3000

0 METERS 1500

BASE MAP SOURCE: GOOGLE EARTH PRO, 2012

ENGEO
Expect Excellence

VICINITY MAP

SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT

SAN BENITO COUNTY, CALIFORNIA

PROJECT NO.: 9901.000.000		FIGURE NO. 1
SCALE: AS SHOWN		
DRAWN BY: LL	CHECKED BY: RS	

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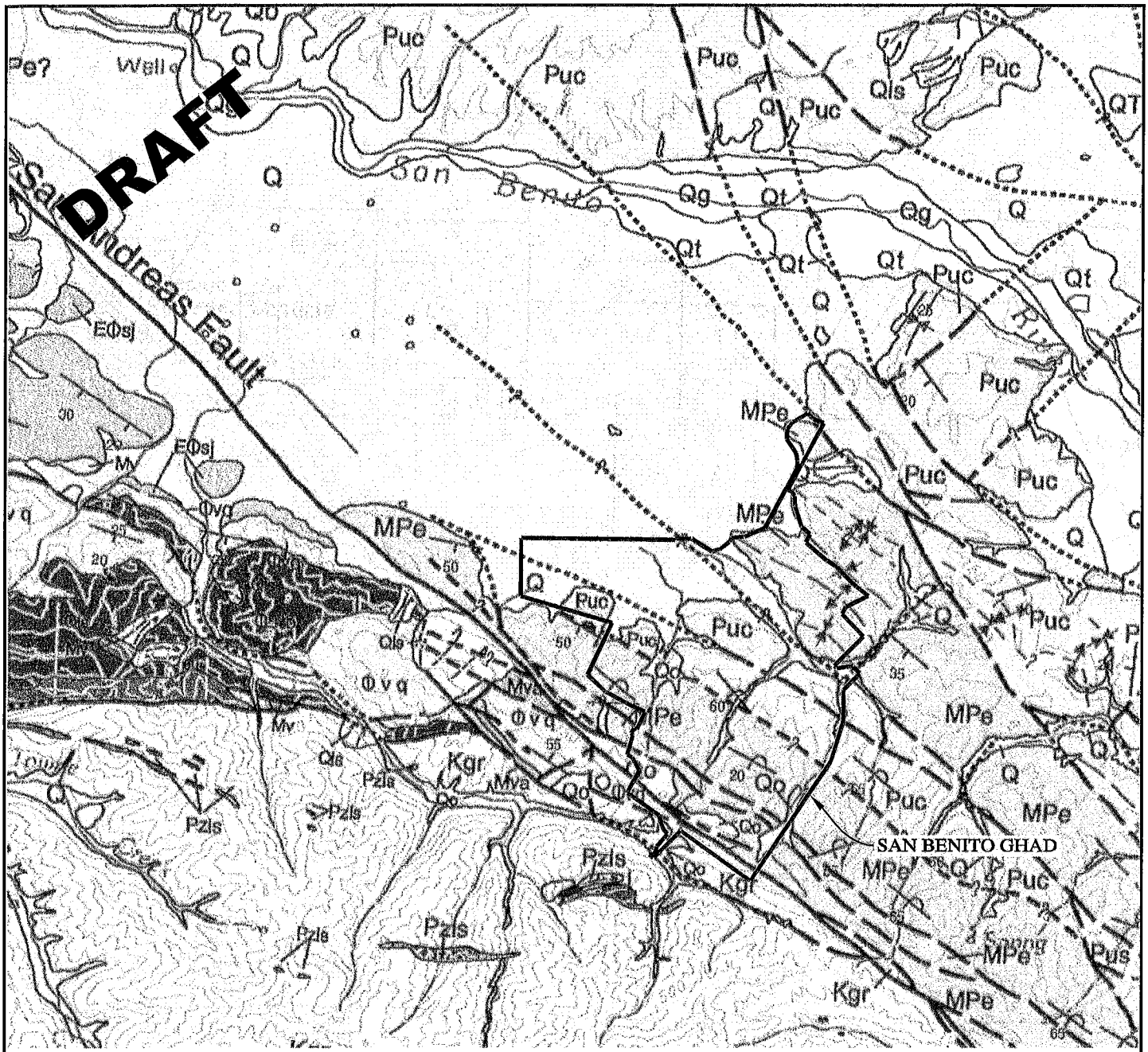

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0 MILES 1

0 KILOMETERS 2

EXPLANATION

- Q ALLUVIUM
- Puc UNNAMED PLIOCENE CONTINENTAL MUDSTONE
- Mpe ETCHEGOIN FORMATION
- kgr GRANITIC ROCKS

DRAFT

BASE MAP SOURCE: WAGNER, 2002

ENGEO — Expect Excellence

REGIONAL GEOLOGIC MAP

SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT

SAN BENITO COUNTY, CALIFORNIA

PROJECT NO.: 9901.000.000		FIGURE NO. 2
SCALE: AS SHOWN		
DRAWN BY: LL	CHECKED BY: RS	

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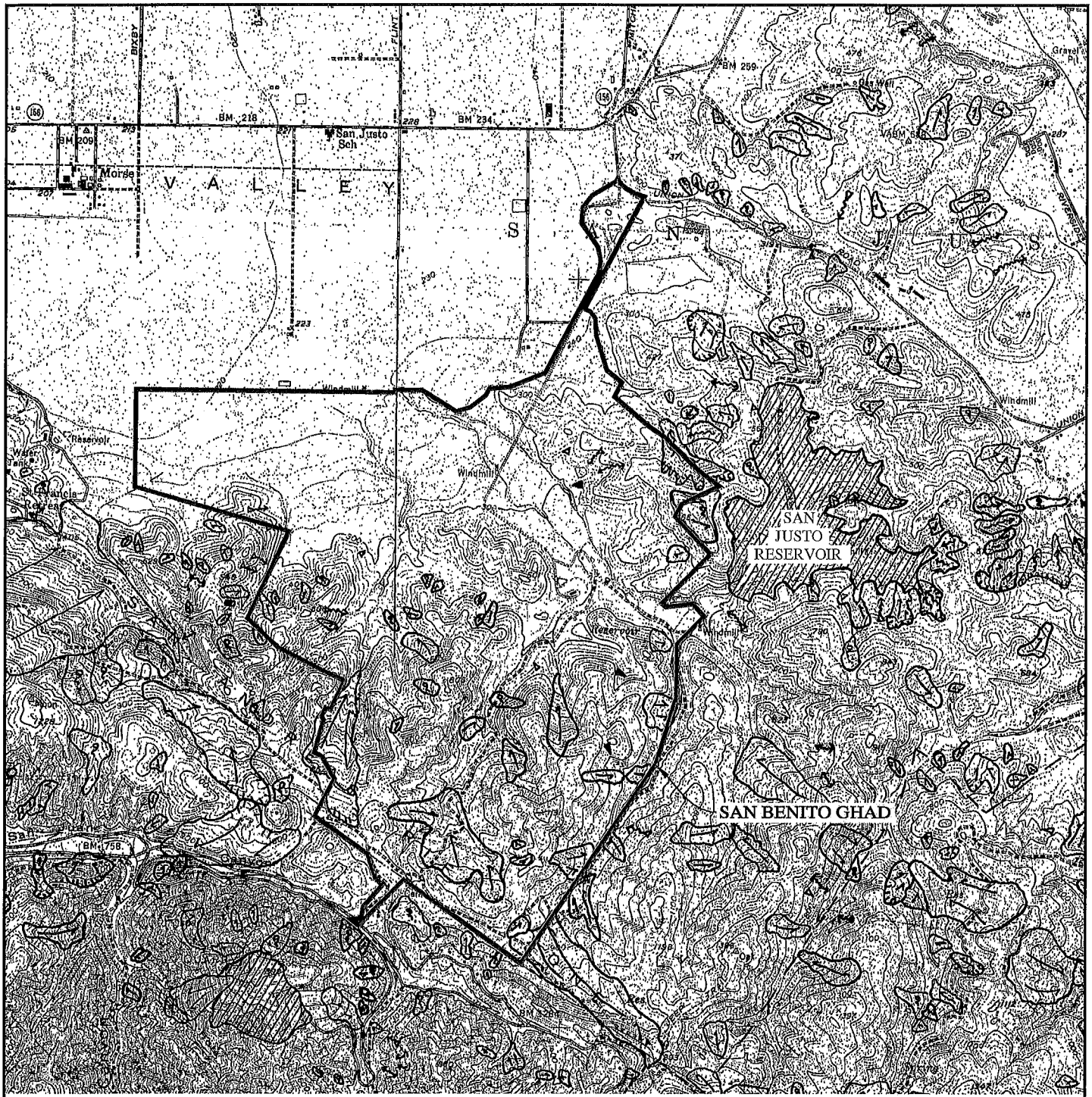

EXPLANATION

- DEFINITE OR PROBABLE LANDSLIDE
- QUESTIONABLE LANDSLIDE AREA
- SMALL LANDSLIDE
- DEBRIS FLOW SCAR
- DEBRIS FLOW

N

0 FEET 3000

0 METERS 1500

BASE MAP SOURCE: MAJMUNDAR, 1994

ENGEO
Expect Excellence

LANDSLIDE MAP

SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT

SAN BENITO COUNTY, CALIFORNIA

PROJECT NO.: 9901.000.000		FIGURE NO. 3
SCALE: AS SHOWN		
DRAWN BY: LL	CHECKED BY: RS	

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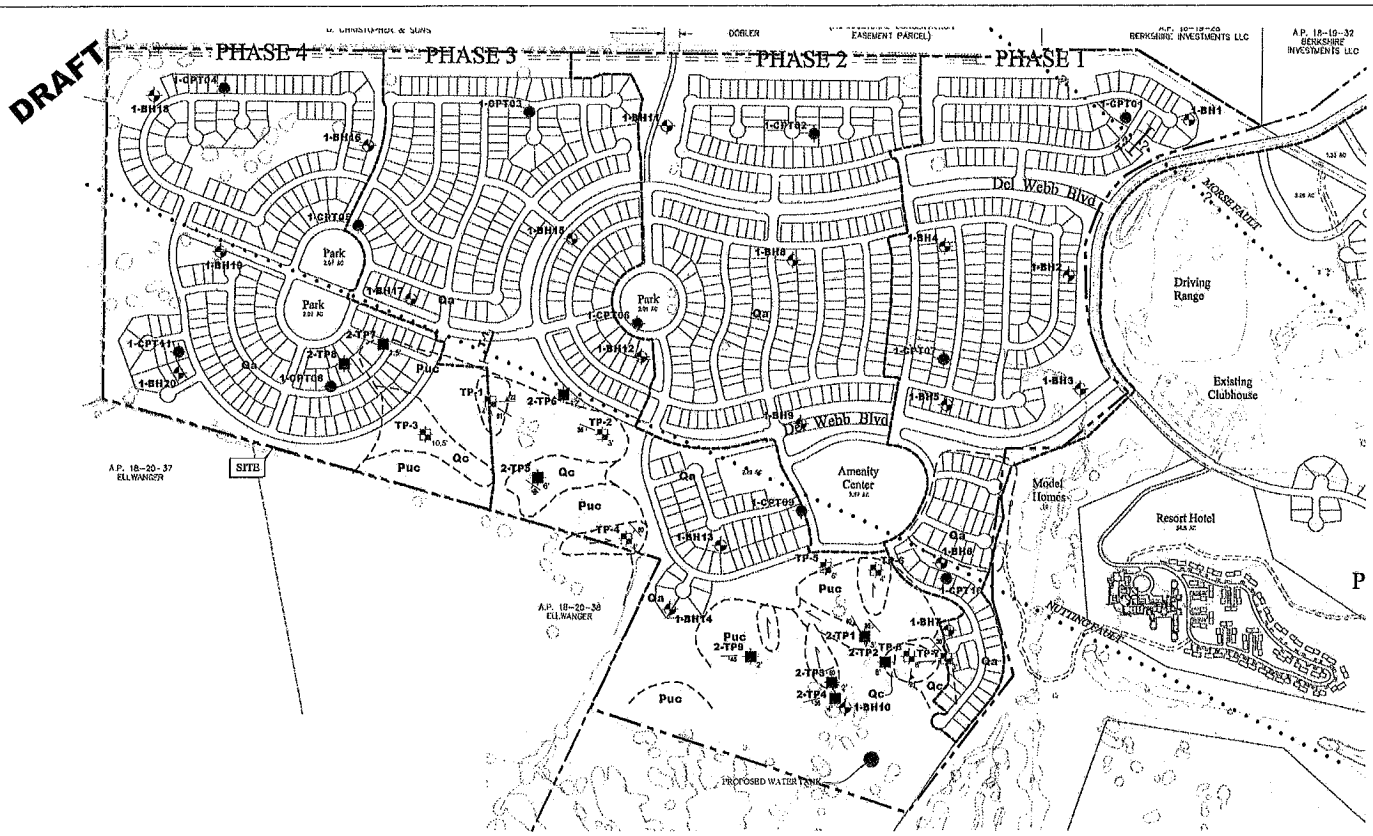
ORIGINAL FIGURE PRINTED IN COLOR



EXPLANATION

- 1-BH20 — APPROXIMATE LOCATION OF BORING (JUNE, 2013)
- TP-8 — APPROXIMATE LOCATION OF TEST PIT SHOWING DEPTH TO BEDROCK
- 2-TP9 — APPROXIMATE LOCATION OF TEST PIT SHOWING DEPTH TO BEDROCK (JUNE, 2013)
- 1-CPT11 — APPROXIMATE LOCATION OF CONE PENETRATION TEST
- T-2 — APPROXIMATE LOCATION OF TRENCH
- APPROXIMATE GEOLOGIC CONTACT
- LANDSLIDE
- Qa — ALLUVIUM
- Qc — COLLUVIUM
- Puc — UNNAMED PLIOCENE CONTINENTAL MUDSTONE
- STRIKE AND DIP OF BEDDING
- TREND AND PLUNGE OF SHEAR
- PAULL, MAJMUNDAR 1994 DOTTED WHERE CONCEALED, QUERIED WHERE EXISTENCE DOUBTFUL

DRAFT

BASE MAP SOURCE: UNKNOWN

ENGEO Expect Excellence

DEVELOPMENT AREA GEOLOGIC MAP
SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT
SAN BENITO COUNTY, CALIFORNIA

PROJECT NO.: 9901.000.000
SCALE: AS SHOWN
DRAWN BY: LL
CHECKED BY: RS

FIGURE NO.: 4

ORIGINAL FIGURE PRINTED IN COLOR

APPENDIX A

Plat and Legal Description

EXHIBIT A
LEGAL DESCRIPTIONS OF SAN JUAN OAKS PARCELS
San Benito Geologic Hazard Abatement District

Parcel 1

Certain real property situate in the unincorporated area of the County of San Benito, State of California, being a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, and a portion of the parcel of land described in the Memorandum of Agreement between San Juan Valley, a California Limited Partnership and Rancho San Justo Company, a California Corporation, dated January 5, 1995 and filed for record in the office of the County recorder of said County on January 5, 1995, under Recorder's Instrument Number 9500074, said portions being particularly described as follows:

Beginning at a point in the easterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the easterly terminus of course number (24) therein; thence, along said easterly boundary

(1) S. 63° 01' 18" W., 879.16 feet; thence

(2) S. 26° 31' 58" W., 271.35 feet, thence

(3) S. 45° 21' 17" E., 1059.96 feet; thence

(4) S. 43° 34' 38" W., 1410.76 feet; thence

(5) S. 46° 25' 22" E., 108.27 feet; thence

(6) N. 83° 31' 22" E., 557.74 feet; thence

(7) S. 46° 25' 22" E., 353.84 feet; thence

(8) S. 43° 39' 45" W., 799.70 feet; thence depart said easterly boundary

(9) N. 65° 19' 42" W., 1753.74 feet; thence

(10) S. 61° 35' 02" W., 354.54 feet; thence

(11) N. 52° 24' 57" W., 292.55 feet; thence

(12) S. 69° 30' 32" W., 839.86 feet; thence

(13) N. 72° 45' 51" W., 430.95 feet; thence

(14) N. 86° 48' 57" W., 523.48 feet; thence

(15) N. 19° 32' 00" W., 304.24 feet; thence

(16) N. 66° 05' 43" W., 785.71 feet; thence

(17) N. 83° 05' 53" W., 779.03 feet; thence

(18) S. 18° 24' 18" W., 1683.23 feet; thence

(19) S. 53° 27' 19" W., 1039.05 feet, to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071, at the northerly terminus of course number (54) therein; thence depart said westerly boundary

(20) N. 4° 09' 19" W., 1206.20 feet; thence

(21) N. 44° 03' 31" E., 558.26 feet; thence

(22) N. 34° 01' 56" W., 269.78 feet; thence

(23) N. 29° 52' 02" E., 377.00 feet; thence

(24) N. 60° 45' 35" E., 296.82 feet; thence

(25) N. 22° 07' 19" E., 212.78 feet; thence

(26) N. 9° 51' 10" W., 121.84 feet; thence

(27) N. 24° 19' 05" E., 189.55 feet; thence

(28) N. 1° 28' 38" W., 391.64 feet; thence

(29) N. 9° 27' 25" E., 500.76 feet; thence

(30) N. 88° 31' 22" E., 322.12 feet; thence

(31) N. 49° 07' 30" E., 492.71 feet; thence

(32) Along the arc of a non-tangent circular curve, the center of which bears S. 49° 07' 30" W., 742.00 feet distant, through a central angle of 6° 31' 50", for an arc distance of 84.57 feet; thence

(33) Along the arc of a tangent circular curve to the right, with a radius of 562.00 feet, through a central angle of 47° 33' 05", for an arc distance of 466.42 feet; thence tangentially

(34) N. 0° 08' 45" E., 264.59 feet; thence

(35) Along the arc of a tangent circular curve to the right, with a radius of 548.00 feet, through a central angle of 77° 41' 42", for an arc distance of 743.11 feet; thence tangentially

(36) N. 77° 50' 26" E., 613.57 feet; thence

(37) S. 63° 20' 00" E., 1138.29 feet; thence

(38) N. 26° 42' 09" E., 1306.74 feet; thence

(39) N. 84° 51' 37" E., 473.96 feet; thence

(40) Along the arc of a tangent circular curve to the right, with a radius of 350.00 feet, through a central angle of 31° 51' 23", for an arc distance of 194.60 feet; thence tangentially

(41) S. 63° 17' 00" E., 810.50 feet; thence

(42) N. 26° 03' 17" E., 238.65 feet to a point on the northeasterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (19) therein; thence along said northeasterly boundary

(43) S. 50° 39' 06" E., 888.42 feet; thence

(44) S. 57° 49' 06" E., 456.27 feet; thence

(45) S. 46° 51' 41" E., 278.37 feet; thence

(46) S. 47° 08' 44" E., 691.06 feet; thence

(47) S. 55° 16' 03" E., 528.18 feet, to the **point of beginning**.

PARCEL 2

Certain real property situate in the unincorporated area of the County of San Benito, State of California, lying in the western or Flint-Bixby part of the Rancho San Justo, and being a portion of the parcel of land described in deed from Silver Creek Valley, A California Limited Partnership, to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500070, Official Records of said County, and a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, said portions being particularly described as follows:

Beginning at the most northwesterly corner of said parcel of land described under Recorder's Instrument Number 9500070; thence along the northerly boundary of said parcel

(1) N. 89° 11' 21" E., 4930.67 feet; thence

(2) N. 89° 10' 09" E., 370.28 feet; thence

(3) N. 0° 48' 00" W., 45.00 feet; thence

(4) N. 88° 51' 29" E., 170.31 feet to the most northeasterly corner of said parcel described under Recorder's Instrument Number 9500070, and the most northwesterly corner of said parcel described under Recorder's Instrument Number 9500071; thence along the boundary of said parcel described under Recorder's Instrument Number 9500071

(5) N. 88° 51' 29" E., 380.43 feet; thence

(6) S. 60° 05' 59" E., 825.69 feet; thence

(7) N. 72° 48' 57" E., 283.05 fee; thence

(8) N. 51° 16' 14" E., 410.81 feet; thence

(9) N. 28° 42' 08" E., 150.00 feet; thence

(10) N. 82° 10' 27" E., 447.67 feet; thence

(11) N. 66° 31' 03" E., 774.42 feet; thence

(12) N. 26° 42' 09" E., 1056.39 feet; thence

(13) N. 26° 43' 00" E., 1241.88 feet; thence

(14) N. 8° 07' 02" E., 268.03 feet; thence

(15) N. 16° 43' 00" W., 268.03 feet; thence

(16) N. 35° 18' 58" W., 588.33 feet; thence

(17) N. 3° 12' 46" E., 335.25 feet; thence

(18) N. 36° 12' 26" E., 304.18 feet; thence

(19) N. 58° 05' E., 575.00 feet; thence

(20) N. 23° 36' 24" E., 60.65 feet, thence

(21) S. 31° 55' E., 130.02 feet; thence

(22) S. 50° 35' E., 145.99 feet; thence

(23) S. 62° 38' E., 226.38 feet; thence

(24) S. 71° 17' 52" E. 186.71 feet; thence

(25) S. 26° 48' 10" W., 2583.70 feet; thence

(26) S. 63° 10' 59" E., 155.60 feet; thence

(27) S. 36° 10' 34" E., 166.10 feet; thence

(28) S. 4° 53' 39" E., 353.76 feet; thence

(29) S. 18° 48' 09" E., 723.70 feet; thence

(30) S. 50° 37' 06" E., 400.00 feet; thence

(31) S. 26° 43' W., 307.30 feet; thence depart said boundary

(32) S. 26° 03' 17" W., 238.65 feet; thence

(33) N. 63° 17' 00" W., 810.50 feet; thence

(34) Along the arc of a tangent circular curve to the left, with a radius of 350.00 feet, through a central angle of 31° 51' 23", for an arc distance of 194.60 feet; thence tangentially

(35) S. 84° 51' 37" W., 473.96 feet; thence

(36) S. 26° 42' 09" W., 1306.74 feet; thence

(37) N. 63° 20' 00" W., 1138.29 feet; thence

(38) S. 77° 50' 26" W., 613.57 feet; thence

(39) Along the arc of a tangent circular curve to the left, with a radius of 548.00 feet, through a central angle of 77° 41' 42", for an arc distance of 743.11 feet; thence tangentially

(40) S. 0° 08' 45" W., 264.59 feet; thence

(41) Along the arc of a tangent circular curve to the left, with a radius of 562.00 feet, through a central angle of 47° 33' 05", for an arc distance of 466.42 feet; thence

(42) Along the arc of a tangent circular curve to the right, with a radius of 742.00 feet, through a central angle of 6° 31' 50", for an arc distance of 84.57 feet; thence

(43) S. 49° 07' 30" W., 492.71 feet; thence

(44) S. 88° 31' 22" W., 322.12 feet; thence

(45) S. 9° 27' 25" W., 500.76 feet; thence

(46) S. 1° 28' 38" E., 391.64 feet; thence

(47) S. 24° 19' 05" W., 189.55 feet; thence

(48) S. 9° 51' 10" E., 121.84 feet; thence

(49) S. 22° 07' 19" W., 212.78 feet; thence

(50) S. 60° 45' 35" W., 296.82 feet; thence

(51) S. 29° 52' 02" W., 377.00 feet; thence

(52) S. 34° 01' 56" E., 269.78 feet; thence

(53) S. 44° 03' 31" W., 558.26 feet; thence

(54) S. 4° 09' 19" E., 1206.20 feet to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071; thence

(55) N. 66° 37' 27" W., 515.29 feet; to the most southerly corner of said parcel described under Recorder's Instrument Number 9500070; thence along the boundary of said parcel

(56) N. 64° 09' 26" W., 1001.23 feet; thence

(57) N. 47° 58' 35" W., 864.21 feet; thence

(58) N. 24° 02' 56" E., 1954.42 feet; thence

(59) N. 75° 25' 00" W., 3283.49 feet; thence

(60) N. 0° 49' 44" W., 1979.14 feet, to the **point of beginning.**

PARCEL 3

Certain real property situate in the County of San Benito, State of California, in the Rancho San Justo and Rancho Cienega del Gabilan, being a portion of the parcel of land described in deed from San Juan Valley, a California Limited Partnership to Rancho San Justo Company, a California Corporation, dated December 24, 1994 and filed for record in the office of the County recorder of said County on January 5, 1995 under Recorder's Instrument Number 9500071, and a portion of the parcel of land described in the Memorandum of Agreement between San Juan Valley, a California Limited Partnership and Rancho San Justo Company, a California Corporation, dated January 5, 1995 and filed for record in the office of the County recorder of said County on January 5, 1995, under Recorder's Instrument Number 9500074, said portions being particularly described as follows:

Beginning at the most southerly corner of said parcel described under Recorder's Instrument Number 9500074, said corner also being the most southerly corner of Hill Lot 8, as shown on the map filed for record in Book 1 of Maps at Page 64, Records of said County, thence along the boundary of said parcel described under Recorder's Instrument Number 9500074

(1) N. 56° 00' 19" W., 2935.84 feet (N. 56° 04' W., 2936.5 feet in said document filed under Recorder's Instrument Number 9500074); thence

(2) S. 44° 12' 16" W. 1316.91 feet (S. 44° 15' 30" W. 1318.0 feet in said document), to the center line of San Juan Canyon Road; thence continuing along said boundary and also along the center line of said road

(3) N. 49° 45' 38" W., 85.70 feet (N. 48° 17' W., 85.7 feet in said document); thence

(4) N. 53° 03' 38" W., 72.20 feet (N. 51° 35' W., 72.2 feet in said document); thence

(5) N. 56° 57' 38" W., 33.40 feet (N. 55° 29' W., 33.44 feet in said document); thence, leaving said road center line and continuing along said boundary

(6) N. 84° 05' 35" E., 144.55 feet (N. 85° 03' 20" E., 141.86 feet in said document); thence

(7) N. 45° 20' 50" E., 88.39 feet (N. 45° 24' 45" E., 88.41 feet in said document); thence

(8) N. 12° 52' 43" E., 186.94 feet (N. 12° 58' 12" E., 186.89 feet in said document); thence

(9) N. 39° 25' 04" E., 584.29 feet (N. 39° 29' 38" E., 584.27 feet in said document); thence

(10) N. 40° 28' 37" W., 197.06 feet (N. 40° 22' 54" W., 197.10 feet in said document); thence

(11) N. 24° 15' 30" W., 282.59 feet (N. 24° 11' 12" W., 282.57 feet in said document); thence

(12) N. 15° 36' 05" W., 222.97 feet (N. 15° 29' W., 222.61 feet in said document); thence

(13) N. 56° 08' 32" W., 1347.39 feet (N. 56° 04' W., 1323.16 feet in said document); thence

(14) N. 26° 38' 12" E., 868.12 feet (N. 26° 33' 15" E. in said document), to a point on the westerly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (47) therein; thence depart said boundary of said parcel described under Recorder's Instrument Number 9500074, and following the boundary of said parcel described under Recorder's Instrument Number 9500071

(15) N. 31° 01' 54" W., 511.38 feet; thence

(16) N. 63° 13' 02" W., 183.59 feet; thence

(17) N. 14° 17' 37" E., 686.88 feet; thence

(18) N. 34° 12' 37" W., 75.37 feet; thence

(19) N. 23° 59' 14" E., 189.94 feet; thence

(20) S. 77° 01' 52" E., 105.03 feet; thence

(21) N. 23° 59' 52" E., 649.96 feet, to a point in said boundary of said parcel described under Recorder's Instrument Number 9500071, at the northerly terminus of course number (54) therein; thence depart said boundary

(22) N. 53° 27' 19" E., 1039.05 feet

(23) N. 18° 24' 18" E., 1683.23 feet; thence

(24) S. 83° 05' 53" E., 779.03 feet; thence

(25) S. 66° 05' 43" E., 785.71 feet; thence

(26) S. 19° 32' 00" E., 304.24 feet; thence

(27) S. 86° 48' 57" E., 523.48 feet; thence

(28) S. 72° 45' 51" E., 430.95 feet; thence

(29) N. 69° 30' 32" E., 839.86 feet; thence

(30) S. 52° 24' 57" E., 292.55 feet; thence

(31) N. 61° 35' 02" E., 354.54 feet; thence

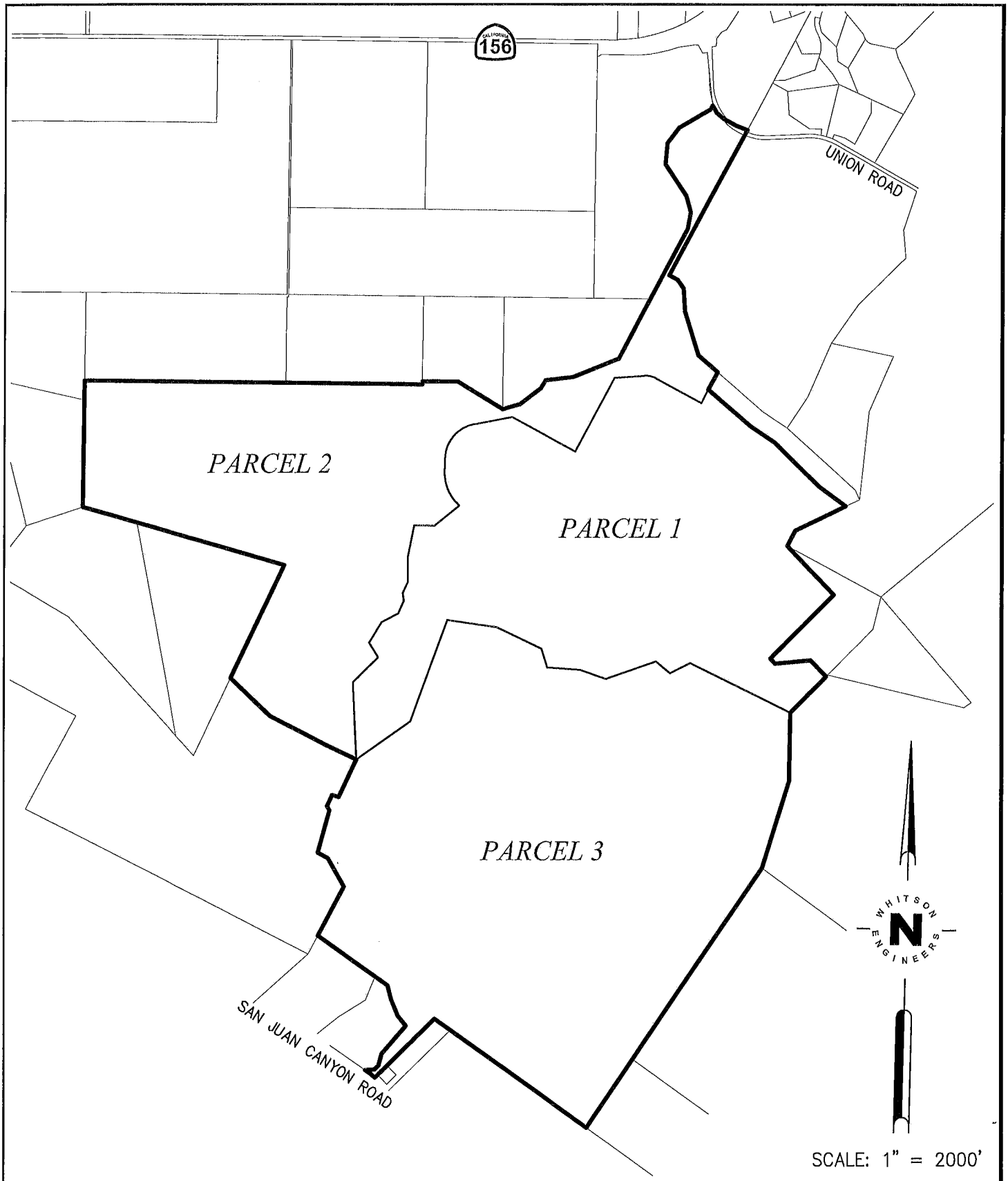
(32) S. 65° 19' 42" E., 1753.75 feet to a point on the easterly boundary of said parcel described under Recorder's Instrument Number 9500071, at the southerly terminus of course number (32) therein; thence following the boundary of said parcel described under Recorder's Instrument Number 9500071

(33) S. 0° 37' 34" E., 1070.38 feet; thence

(34) S. 15° 57' 01" W., 232.13 feet, to the most easterly corner of said parcel described under Recorder's Instrument Number 9500074; thence depart said boundary of said parcel described under Recorder's Instrument Number 9500071, and following the boundary of said parcel described under Recorder's Instrument Number 9500074

(35) S. 15° 57' 01" W., 1195.16 feet (S. 15° 50' W., 1172.00 feet in said document); thence

(36) S. 32° 46' 32" W., 4919.73 feet (S. 33° 01' W., 4943.4 feet in said document), to the **point of beginning.**



PLAT OF EXHIBIT A

San Benito Geologic Hazard Abatement District

SAN JUAN OAKS - PARCELS 1, 2 & 3

SAN BENITO COUNTY, CALIFORNIA

JANUARY 20, 2016

WHITSON ENGINEERS

9699 Blue Larkspur Lane ▪ Suite 105 ▪ Monterey, CA 93940

831 649-5225 ▪ Fax 831 373-5065

CIVIL ENGINEERING ▪ LAND SURVEYING ▪ PROJECT MANAGEMENT

PROJECT No.: 1615.10

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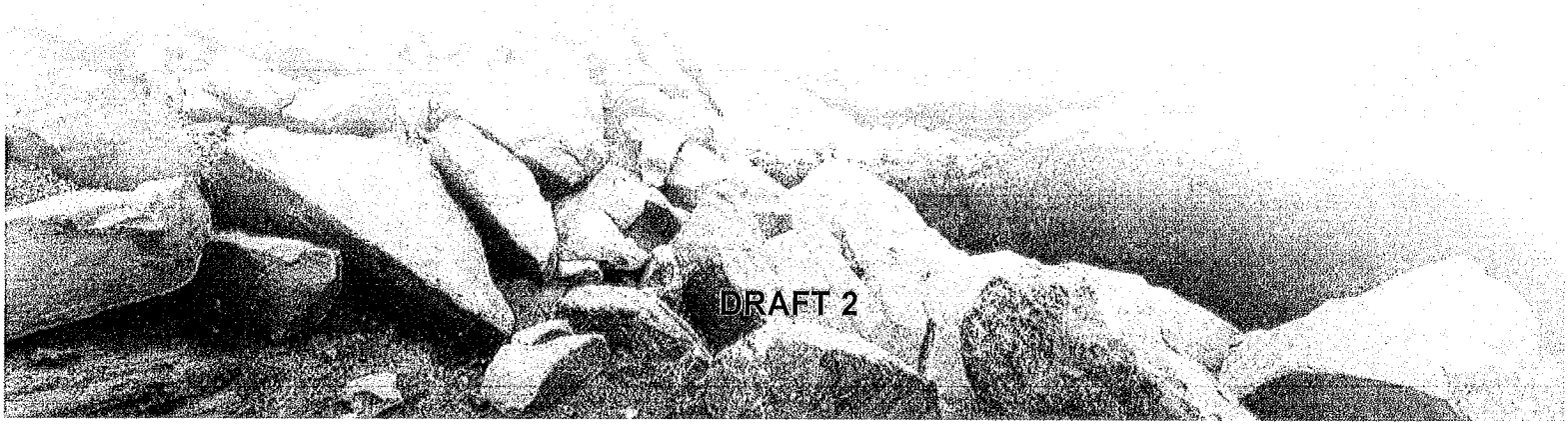
APPENDIX B

Background

APPENDIX B



BACKGROUND

SITE CONDITIONS

The proposed San Juan Oaks Project is located along the northeastern flank and at the base of the Hollister Hills in the northern portion of San Benito County near Hollister, California (Figure 1). The site consists of hills along the southern portion of the Project transitioning to relatively flat ground towards the north. The San Andreas rift zone extends along the southwestern edge of the Project as the fault bisects an unpaved connector road with San Juan Canyon Road.

The roughly 1,994-acre Project includes the existing San Juan Oaks Golf Course (3825 Union Road). The Project generally consists of undeveloped grazing (pasture) land with sparsely to densely spaced mature trees. A cattle corral is located along the central northern boundary and a protected wetlands area is situated in the northwestern corner.

A number of drainages extend across the Project generally in a south-to-north orientation. A swale through the San Juan Oaks Golf Course provides drainage from the San Juan Oaks Reservoir in addition to seasonal drainages. A small drainage channel is also located along the northern boundary of the Project.

PROPOSED IMPROVEMENTS

Based on discussions and the site plans prepared by Whitson Engineers, we understand the development will comprise 1,099 single-family homes, a community clubhouse and amenity center, a resort hotel, a neighborhood commercial area, three approximately 2-acre landscaped parks, and four open-space parks. Access to the development will be provided by new streets and proposed bridges. We understand a water tank is proposed to be situated on the north-facing southern foothill at an approximate elevation of 452 feet above mean sea level (msl).

The 1,249.3-acre Open Space Area will be subject to a conservation easement. The Developer will transfer conservation easement protected areas to the GHAD as described in Appendix D.

APPENDIX C

Site Geology

APPENDIX C

SITE GEOLOGY

The geologic units mapped on the Project include bedrock and surficial deposits consisting of artificial fill (engineered and unengineered), landslide, alluvium, and colluvium. The geologic units described below are adapted from the geologic/geotechnical reports that were completed for portions of the Project in 2013.

GEOLOGIC UNITS

The site is located in the Coast Range geomorphic province in the San Juan Valley, on the south end of the Santa Clara Valley, with the Gabilan Range to the west. The site is predominantly located in an alluvial valley with the southern portion of the site located on the foothills of a northwest-trending ridge situated east of the San Andreas Rift Zone.

As depicted on Figure 2, regional geologic mapping by Wagner (2002) maps the site as underlain by Pliocene unnamed continental mudstone and granitic rocks in the foothills and Holocene alluvium in the low-lying portion of the site. Dibblee (2006) describes Pliocene bedrock at the site as weakly lithified terrestrial valley and lacustrine deposits, predominantly mudstone with fine-grained sandy layers. The granitic rocks consist of granite, quartz monzonite, granodiorite and quartz diorite. Regional bedrock orientation is generally shown as striking northwest and dipping approximately 50 degrees southwest.

Regional landslide mapping by Majmundar (1994) depicts several small earthflows and debris flows in the foothills adjacent to the development area (Figure 3). Larger landslides are mapped in the higher hills in the southern portion of the Project.

Site-specific geologic and landslide mapping based on aerial photo review, field exploration and site reconnaissance mapping is depicted on Figure 4. A brief discussion of the geologic units and mapped locations follows:

- *Colluvial Deposits* (Qc) were mapped as overlying bedrock on slopes in the southern portion of the property. Typically, colluvium encountered during site explorations consists of stiff clays and sandy clays and generally has gradational contacts with the underlying bedrock.

- *Alluvial Deposits* (Qa) were mapped as underlying the majority of the northern portion of the property, typically in low-lying areas. Typically, the alluvial deposits encountered at the site consist of interlayered stiff clays, silts and dense sands.

- *Unnamed Pliocene Bedrock (Puc)* was mapped in the foothills on the southern portion of the site. Bedrock encountered during our exploration generally consists of weak interbedded sandstone, siltstone, shale and claystone. Bedding attitudes were measured as striking 36 to 60 degrees northwest and northeast and dipping relatively steeply southwest at 30 to 61 degrees.

- *Cretaceous Granite (Kgr)* was mapped along the southwestern edge of the site. As described by Majmundar (1994), the unit consists of granite, quartz monzonite, granodiorite and quartz diorite.

- *Landslide Deposits (Qls)* were identified in the foothills on the southern portion of the property and generally consist of silty clay materials. The landslides encountered adjacent to the development area are generally relatively shallow slumps or earthflows.

GROUNDWATER

At the time of subsurface work, free groundwater was encountered between 20 and 32 feet below the ground surface. In addition, as reported in the geotechnical report for the Project, two monitoring wells are located in the vicinity of the existing leach field located along the eastern site boundary. As reported by Questa Engineering Corporation in their 2012-2013 Self-Monitoring Report, dated May 30, 2013, the measured depth to groundwater in the two monitoring wells was reported to range from 36.25 feet to 42.95 feet below the well casings.

Fluctuations in groundwater levels may occur seasonally and over a period of years because of precipitation, changes in drainage patterns, irrigation and other factors. Future irrigation may cause an overall rise in groundwater levels.

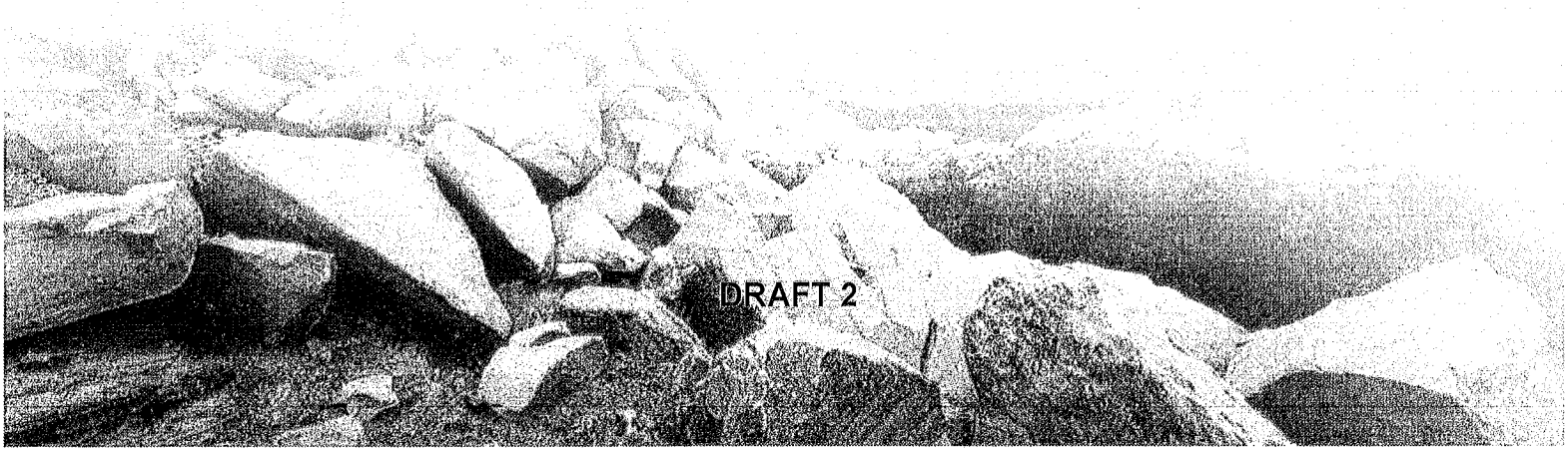
SEISMIC SOURCES

The nearest State-of-California-zoned, active[1] fault is the San Andreas fault located along the southern edge of the Project. Fault explorations were completed by ENGEO to evaluate the possible existence of the Morse and Nutting fault traces as depicted on regional geologic maps. Based on the findings of the fault trenching performed across the Morse fault trace and the Nutting fault trace, ENGEO concluded that the risk of surface fault rupture within the planned residential lots at the site is low.

[1] An active fault is defined by the State Mining and Geology Board as one that has had surface displacement within Holocene time (about the last 10,000 years) (Hart, 1997). The State of California has prepared maps designating zones for special studies that contain these active earthquake faults.

APPENDIX D

Funding and Acceptance



APPENDIX D

FUNDING AND ACCEPTANCE OF RESPONSIBILITY BY THE GHAD

Ultimately, an annual assessment shall be levied on all residential and nonresidential parcels with habitable building areas within the San Juan Oaks development.

ACTIVATION OF ASSESSMENT

The assessment shall be levied by the GHAD on each individual parcel beginning the first property-tax assessment cycle following issuance of a building permit for that parcel.

RESPONSIBILITY FOR GHAD ACTIVITIES

The GHAD is not responsible for any GHAD Activities on the property within the GHAD boundaries until the GHAD formally accepts such responsibility. The property owner shall remain responsible for all GHAD Activities until the GHAD formally accepts such responsibility. GHAD activities may be eligible for transfer to the GHAD at 9:00 a.m. on the day exactly three years after the first residential building permit within the GHAD boundaries is issued by San Benito County provided that the items listed below 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.

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:

1. In the calendar year 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.

2. 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 County-approved plans and specifications for the individual improvements, and that such facilities are operational and in good working order.

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

4. The property owner may notify the GHAD when it has completed the items identified on the Punch list.

5. 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 property owner that the District accepts responsibility for performing all future GHAD Activities on the parcel(s).

6. Ownership of the open space shall be transferred from the owner to the District.

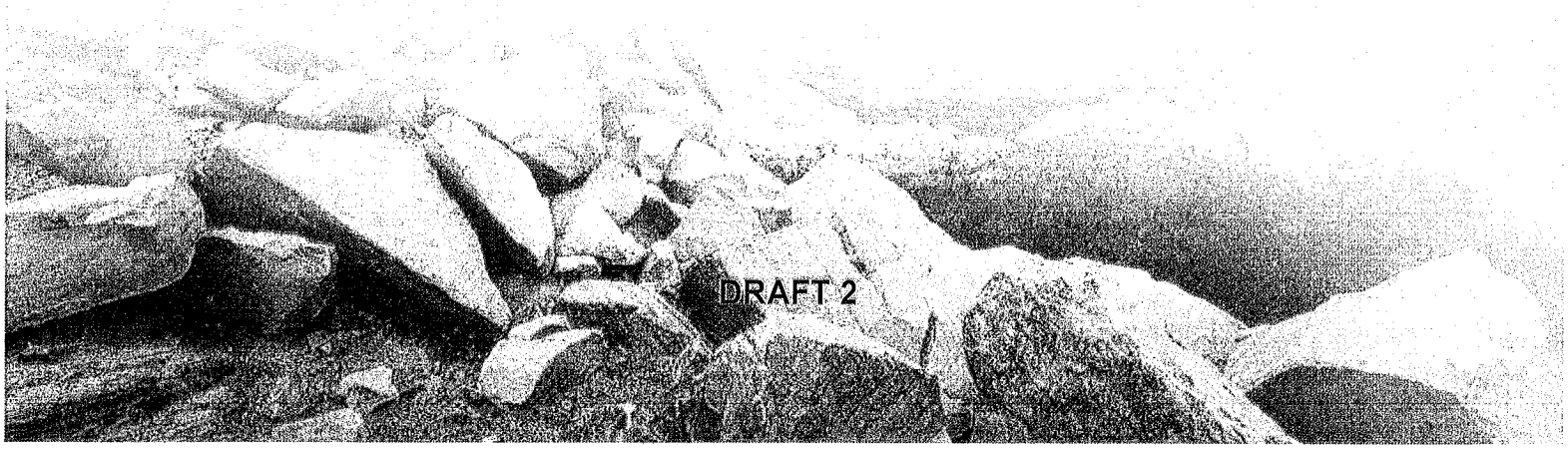
7. The GHAD shall confirm that the reserve requirement defined in the approved Engineer's Report has been met.

As part of the transfer, the property owner shall 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 and other pertinent documents as requested by the GHAD.

APPENDIX E

Right-of-Entry

APPENDIX E



DECLARATION OF DISCLOSURES, RIGHT OF ENTRY AND RESTRICTIVE COVENANTS REGARDING SAN BENITO GEOLOGIC HAZARD ABATEMENT DISTRICT

This Declaration of Disclosures, Right of Entry and Restrictive Covenants Regarding San Benito Geologic Hazard Abatement District (the "Declaration") is made this _____ day of _____, 20__ (the "Effective Date"), by Pulte Homes, a _____ company ("Declarant").

RECITALS

A. Declarant is the owner of that certain real property located in San Benito County, State of California, more particularly described as all of that certain real property shown in Final Map, Subdivision _____, filed on _____, 20__, in Book_____ of Maps, at pages _____, all in the Official Records of San Benito County, California (the "Property").

B. The City of San Benito approved a _____-lot residential subdivision on the Property. A condition of approval of the tentative map for Subdivision _____ was that the Property be included within a Geologic Hazard Abatement District ("GHAD") to ensure proactive and effective maintenance of all subdrain facilities.

C. Under the authority of California Public Resources Code section 26500, et seq., the San Benito Board of Supervisors on _____, 20__ adopted Resolution No. _____ forming and establishing the San Benito Geologic Hazard Abatement District to prevent, mitigate, abate or control potential geologic hazards within the boundaries of the GHAD. On _____, 20__, the San Benito GHAD adopted Resolution No. _____, approving of the assessment to the Property as described in the Plan of Control.

NOW, THEREFORE, Declarant, as the owner of the Property, for itself, its successors and assigns does hereby declare as follows:

1. Notification and Disclosure of San Benito GHAD: The Declarant hereby gives notice and discloses that the Property is a part of the San Benito GHAD. The Board of Directors of the San Benito GHAD are the members of the San Benito Board of Supervisors. Pursuant to the Plan of Control for the San Benito Geological Hazard Abatement District as it may be amended from time to time (the "Plan of Control"), the Declarant and the San Benito GHAD are afforded certain responsibilities and rights relating to the prevention, mitigation, abatement and control of potential geologic hazards on the Property. The powers of the San Benito GHAD include the power to assess lot owners within the Property for the purposes set out in the Plan of Control. An assessment was authorized by the San Benito GHAD to be imposed on the Property pursuant to adopted Resolution _____.

2. Right of Entry: The Declarant by executing and recording this Declaration hereby contractually affords San Benito GHAD, its officials, employees, contractors and agents an irrevocable right of entry with continuing and perpetual access to and across the Property for the purposes and responsibilities set out in the Plan of Control ("Access Rights"). Should the San Benito GHAD need to access private residential lots to fulfill its duties under the Plan of Control, the San Benito GHAD 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 San Benito GHAD shall inform the landowner and/or resident as soon as reasonably possible. The Declarant hereby gives notice that the GHAD will acquire Access Rights immediately upon the execution of this Declaration. The GHAD, in its sole discretion, may elect not to exercise Access Rights until it accepts its maintenance responsibilities consistent with the Plan of Control.

3. GHAD Easement: The Declarant hereby grants the San Benito GHAD a perpetual easement for the purposes and responsibilities set out in the Plan of Control and for maintaining certain site improvements as depicted in Exhibit A, and legally described in Exhibit B attached hereto, (the "GHAD Easement"). Such activities include, but are not limited to: (a) the inspection, maintenance, monitoring and replacement of site improvements including, drainage ditches, storm drains, outfalls and pipelines; (b) the monitoring, maintenance and repair of slopes, including repaired or partially repaired landslides; and (c) the management of erosion and geologic hazards within the open space areas shown in the Plan of Control. The GHAD Easement shall become effective upon acceptance by the San Benito GHAD of its responsibilities and rights, the process by which is articulated in the Plan of Control. The San Benito GHAD has no maintenance responsibilities whatsoever to the Declarant or Property until and unless the San Benito GHAD accepts such responsibilities consistent with the Plan of Control.

4. Covenants Running with the Land: The Property shall be held, conveyed, hypothecated, encumbered, sold, leased, used, improved and maintained subject to the limitations, covenants, conditions, restrictions, easements, rights of entry and equitable servitude set forth in this Declaration, all of which are in furtherance of Declarant's plan for the uniform improvement and operation of the Property. All of the limitations, covenants, conditions, restrictions, easements, rights of entry and equitable servitudes set out in this Declaration shall both benefit and burden the Property and shall run with and be binding upon and inure to the benefit of the Property and each parcel therein, and shall be binding upon and inure to the benefit of each owner, and every person having or acquiring any right, title or interest in and to all or any portion of the Property and their successors and assigns. Upon Declarant's conveyance of fee title to the Property, or any portion thereof, Declarant shall be released from any further liability or obligation hereunder related to the portion of the Property so conveyed, and the grantee of such conveyance shall be deemed to be the "Declarant," with all rights and obligations related thereto, with respect to that portion of the Property conveyed.

5. Hold Harmless: Declarant, or its successors and assigns, shall hold harmless, protect and indemnify San Benito GHAD and its directors, officers, employees, agents, contractors, and representatives and the heirs, personal representatives, successors and assigns of each of them (collectively, "San Benito GHAD Indemnified Parties") from and against any and all liabilities, penalties, costs, losses, damages, expenses (including, without limitation, reasonable attorneys' fees and experts' fees), causes of action, claims, demands, orders, liens or judgments (each a "Claim" and, collectively, "Claims"): (1) for injury to or the death of any person, or physical damage to any property, related to or occurring on or about the GHAD Easement to the extent arising from the negligence or intentional misconduct of

Declarant, its employees, agents or contractors; or (2) related the existence of the GHAD Easement, exclusive of any Claims brought by Declarant.

6. Enforcement: The San Benito GHAD shall have the right but not the obligation to enforce the provisions of this Declaration.

7. Modification or Termination: This Declaration shall not be modified, amended or terminated without the written consent of the San Benito GHAD.

Executed as of the Effective Date.

Declarant: Pulte Homes, a Michigan company

By: _____

Its: _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed to the San Benito Geologic Hazard Abatement District by the foregoing document titled "Declaration of Disclosures, Right of Entry and Restrictive Covenants", which is dated _____, 20__ and executed by _____, is hereby accepted by the undersigned pursuant to authority conferred by Resolution No. __-__, dated _____, 20__. The County of San Benito, as grantee, consents to recordation of said "Declaration of Disclosures, Right of Entry and Restrictive Covenants".

_____
San Benito GHAD Manager Date:

Attest:

_____
San Benito GHAD Clerk

Approved as to form:

_____
San Benito GHAD Attorney

SAN JUAN OAKS, a California limited liability company

By:

_____

Its: Owner

EXHIBIT A

GHAD Boundary

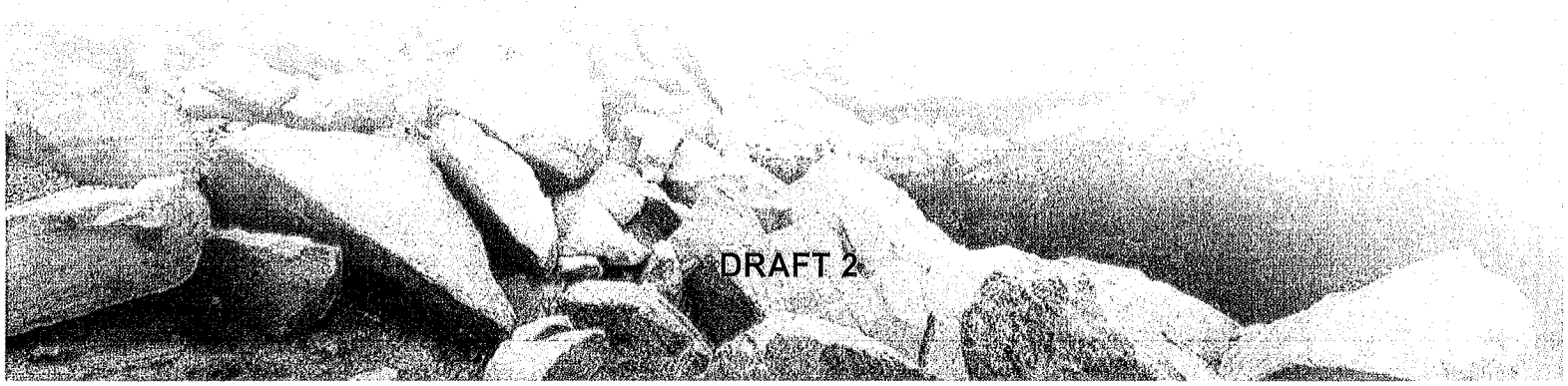


EXHIBIT B

Legal Description of
San Benito GHAD