



THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF Santa Clara, COUNTY OF Santa Clara, STATE OF CALIFORNIA, DESCRIBED AS 3285 Benton Street, Santa Clara, California 95051.

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SECTION 1102 OF THE CIVIL CODE AS OF (date) February 19, 2019. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I. COORDINATION WITH OTHER DISCLOSURE FORMS

This Real Estate Transfer Disclosure Statement is made pursuant to Section 1102 of the Civil Code. Other statutes require disclosures, depending upon the details of the particular real estate transaction (for example: special study zone and purchase-money liens on residential property).

Substituted Disclosures: The following disclosures and other disclosures required by law, including the Natural Hazard Disclosure Report/Statement that may include airport annoyances, earthquake, fire, flood, or special assessment information, have or will be made in connection with this real estate transfer, and are intended to satisfy the disclosure obligations on this form, where the subject matter is the same:

☒ Inspection reports completed pursuant to the contract of sale or receipt for deposit.

☐ Additional inspection reports or disclosures: _____

II. SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

Seller ☐ is ☒ is not occupying the property.

A. The subject property has the items checked below: *

- ☒ Range Cooktop
- ☒ Oven
- ☐ Microwave
- ☒ Dishwasher
- ☐ Trash Compactor
- ☒ Garbage Disposal
- ☒ Washer/Dryer Hookups
- ☐ Rain Gutters
- ☐ Burglar Alarms
- ☒ Carbon Monoxide Device(s)
- ☒ Smoke Detector(s)
- ☐ Fire Alarm
- ☐ TV Antenna
- ☐ Satellite Dish
- ☐ Intercom
- ☒ Central Heating
- ☐ Central Air Conditioning
- ☐ Evaporator Cooler(s)

- ☐ Wall/Window Air Conditioning
- ☐ Sprinklers
- ☒ Public Sewer System
- ☐ Septic Tank
- ☐ Sump Pump
- ☐ Water Softener
- ☒ Patio/Decking
- ☐ Built-in Barbecue
- ☐ Gazebo
- ☐ Security Gate(s)
- ☐ Garage:
 - ☒ Attached ☐ Not Attached
 - ☒ Carport
 - ☐ Automatic Garage Door Opener(s)
 - ☐ Number Remote Controls _____
- ☐ Sauna
- ☐ Hot Tub/Spa:
 - ☐ Locking Safety Cover

- ☐ Pool:
 - ☐ Child Resistant Barrier
- ☐ Pool/Spa Heater:
 - ☐ Gas ☐ Solar ☐ Electric
- ☒ Water Heater:
 - ☒ Gas ☐ Solar ☐ Electric
- ☒ Water Supply:
 - ☒ City ☐ Well
 - ☐ Private Utility or Other _____
- ☒ Gas Supply:
 - ☒ Utility ☐ Bottled (Tank)
- ☐ Window Screens
- ☐ Window Security Bars
- ☐ Quick Release Mechanism on Bedroom Windows
- ☐ Water-Conserving Plumbing Fixtures

Exhaust Fan(s) in Kitchen, Bathrooms 220 Volt Wiring in Kitchen, Laundry area Fireplace(s) in N.A.
☐ Gas Starter ☐ Roof(s) Type: Flat Age: 10 years (approx.)
☐ Other: _____

Are there, to the best of your (Seller's) knowledge, any of the above that are not in operating condition? ☐ Yes ☒ No. If yes, then describe. (Attach additional sheets if necessary): _____

(*see note on page 2)

Buyer's Initials _____
 92014, California Association of REALTORS®, Inc.
 TDS REVISED 4/14 (PAGE 1 OF 3)

Seller's Initials JS _____



REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 1 OF 3)

B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? ☐ Yes ☐ No. If yes, check appropriate space(s) below.

☐ Interior Walls ☐ Ceilings ☐ Floors ☐ Exterior Walls ☐ Insulation ☐ Roof(s) ☒ Windows ☐ Doors ☐ Foundation ☐ Slab(s)
☐ Driveways ☐ Sidewalks ☒ Walls/Fences ☐ Electrical Systems ☐ Plumbing/Sewers/Septics ☐ Other Structural Components

(Describe) Cracked window is being replaced. HOA was advised to repair fence and gate. Builder always put door screens on interior, not

If any of the above is checked, explain. (Attach additional sheets if necessary.):

Exterior. In 1962 very few outlets were grounded and often 3 prong outlets were later installed for ease of use but are not grounded.

*Installation of a listed appliance, device, or amenity is not a precondition of sale or transfer of the dwelling. The carbon monoxide device, garage door opener, or child-resistant pool barrier may not be in compliance with the safety standards relating to, respectively, carbon monoxide device standards of Chapter 8 (commencing with Section 13280) of Part 2 of Division 12 of, automatic reversing device standards of Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. Window security bars may not have quick-release mechanisms in compliance with the 1995 edition of the California Building Standards Code. Section 1101.4 of the Civil Code requires all single-family residences built on or before January 1, 1994, to be equipped with water-conserving plumbing fixtures after January 1, 2017. Additionally, on and after January 1, 2014, a single-family residence built on or before January 1, 1994, that is altered or improved is required to be equipped with water-conserving plumbing fixtures as a condition of final approval. Fixtures in this dwelling may not comply with section 1101.4 of the Civil Code.

C. Are you (Seller) aware of any the following:

1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property. ☐ Yes ☒ No
2. Features of the property shared in common with adjoining landowners, such as walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the subject property. ☒ Yes ☐ No
3. Any encroachments, easements or similar matters that may affect your interest in the subject property. ☒ Yes ☐ No
4. Room additions, structural modifications, or other alterations or repairs made without necessary permits. ☐ Yes ☒ No
5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes. ☐ Yes ☒ No
6. Fill (compacted or otherwise) on the property or any portion thereof. ☐ Yes ☒ No
7. Any settling from any cause, or slippage, sliding, or other soil problems. ☐ Yes ☒ No
8. Flooding, drainage or grading problems. ☐ Yes ☒ No
9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides. ☐ Yes ☒ No
10. Any zoning violations, nonconforming uses, violations of "setback" requirements. ☐ Yes ☒ No
11. Neighborhood noise problems or other nuisances. ☐ Yes ☒ No
12. CC&R's or other deed restrictions or obligations. ☒ Yes ☐ No
13. Homeowners' Association which has any authority over the subject property. ☒ Yes ☐ No
14. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others). ☒ Yes ☐ No
15. Any notices of abatement or citations against the property. ☐ Yes ☒ No
16. Any lawsuits by or against the Seller threatening to or affecting this real property, claims for damages by the Seller pursuant to Section 910 or 914 threatening to or affecting this real property, claims for breach of warranty pursuant to Section 900 threatening to or affecting this real property, or claims for breach of an enhanced protection agreement pursuant to Section 803 threatening to or affecting this real property, including any lawsuits or claims for damages pursuant to Section 910 or 914 alleging a defect or deficiency in this real property or "common areas" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others). ☐ Yes ☒ No

If the answer to any of these is yes, explain. (Attach additional sheets if necessary.): Property is part of a Co-operative Ownership Development

Sellers are Successor Trustees and do not reside in property. There has been a Tentative plan by a developer to build townhouses where the single family house is located behind this one.

- D. 1. The Seller certifies that the property, as of the close of escrow, will be in compliance with Section 13113.8 of the Health and Safety Code by having operable smoke detector(s) which are approved, listed, and installed in accordance with the State Fire Marshal's regulations and applicable local standards.
2. The Seller certifies that the property, as of the close of escrow, will be in compliance with Section 19211 of the Health and Safety Code by having the water heater tank(s) braced, anchored, or strapped in place in accordance with applicable law.

Buyer's Initials () ()

Seller's Initials JS ()

TDS REVISED 4/14 (PAGE 2 OF 3)

REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 2 OF 3)

Produced with zipForm® by zipLogic 18070 Fifteen Mile Road, Farmington, Michigan 48336 www.zipform.com

Marilyn Enker



X

Property Address: 3285 Benton Street, Santa Clara, California 95051

Date: February 19, 2019

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

Seller Lynette Marie Figini
Lynette Marie Figini, Successor Trustee

Date 3/2/19

Seller _____ Date _____

III. AGENT'S INSPECTION DISCLOSURE

(To be completed only if the Seller is represented by an agent in this transaction.)

THE UNDERSIGNED, BASED ON THE ABOVE INQUIRY OF THE SELLER(S) AS TO THE CONDITION OF THE PROPERTY AND BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY IN CONJUNCTION WITH THAT INQUIRY, STATES THE FOLLOWING:

- ☒ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☐ Agent notes the following items: _____

Agent (Broker Representing Seller) Monitor Realty Assoc.
(Please Print)

By Diane O'Hearn
(Associate Licensee or Broker Signature)
Diane O'Hearn

Date 2-26-19

IV. AGENT'S INSPECTION DISCLOSURE

(To be completed only if the agent who has obtained the offer is other than the agent above.)

THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:

- ☐ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☐ Agent notes the following items: _____

Agent (Broker Obtaining the Offer) _____
(Please Print)

By _____
(Associate Licensee or Broker Signature)

Date _____

V. BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Seller Lynette Marie Figini
Lynette Marie Figini, Successor Trustee

Date 3/2/19

Buyer _____

Date _____

Seller _____

Date _____

Buyer _____

Date _____

Agent (Broker Representing Seller) Monitor Realty Assoc.
(Please Print)

By _____
(Associate Licensee or Broker Signature)
Diane O'Hearn

Date _____

Agent (Broker Obtaining the Offer) _____
(Please Print)

By _____
(Associate Licensee or Broker Signature)

Date _____

SECTION 1102.3 OF THE CIVIL CODE PROVIDES A BUYER WITH THE RIGHT TO RESCIND A PURCHASE CONTRACT FOR AT LEAST THREE DAYS AFTER THE DELIVERY OF THIS DISCLOSURE IF DELIVERY OCCURS AFTER THE SIGNING OF AN OFFER TO PURCHASE. IF YOU WISH TO RESCIND THE CONTRACT, YOU MUST ACT WITHIN THE PRESCRIBED PERIOD.

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

©2014, California Association of REALTORS®, Inc. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.

Published and Distributed by:
REAL ESTATE BUSINESS SERVICES, INC.
a subsidiary of the California Association of REALTORS®
525 South Virgil Avenue, Los Angeles, California 90020

TDS REVISED 4/14 (PAGE 3 OF 3)

REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 3 OF 3)

Produced with zipform by zipLogix, 18070 Fifteen Mile Road, Fraser, Michigan 48030 www.ziplogix.com

Marlene Fraser





**AGENT VISUAL INSPECTION DISCLOSURE
(CALIFORNIA CIVIL CODE § 2079 ET SEQ.)**

For use by an agent when a transfer disclosure statement is
required or when a seller is exempt from completing a TDS
(C.A.R. Form AVID, Revised 11/13)

This inspection disclosure concerns the residential property situated in the City of Santa Clara County of
Santa Clara State of California, described as 3285 Benton Street

(Property).
☐ This Property is a duplex, triplex, or fourplex. This AVID form is for unit # . Additional AVID forms required for other
units.

Inspection Performed By (Real Estate Broker Firm Name) Diane O'Hearn, Monitor Realty

California law requires, with limited exceptions, that a real estate broker or salesperson (collectively, "Agent") conduct a reasonably
competent and diligent visual inspection of reasonably and normally accessible areas of certain properties offered for sale and then
disclose to the prospective purchaser material facts affecting the value or desirability of that property that the inspection reveals. The
duty applies regardless of whom that Agent represents. The duty applies to residential real properties containing one-to-four dwelling
units, and manufactured homes (mobilehomes). The duty applies to a stand-alone detached dwelling (whether or not located in a
subdivision or a planned development) or to an attached dwelling such as a condominium. The duty also applies to a lease with an
option to purchase, a ground lease or a real property sales contract of one of those properties.

California law does not require the Agent to inspect the following:

- Areas that are not reasonably and normally accessible
- Areas off site of the property
- Public records or permits
- Common areas of planned developments, condominiums, stock cooperatives and the like.

Agent Inspection Limitations: Because the Agent's duty is limited to conducting a reasonably competent and diligent visual inspection
of reasonably and normally accessible areas of only the Property being offered for sale, there are several things that the Agent will not
do. What follows is a non-exclusive list of examples of limitations on the scope of the Agent's duty.

Roof and Attic: Agent will not climb onto a roof or into an attic.

Interior: Agent will not move or look under or behind furniture, pictures, wall hangings or floor coverings. Agent will not look up
chimneys or into cabinets, or open locked doors.

Exterior: Agent will not inspect beneath a house or other structure on the Property, climb up or down a hillside, move or look behind
plants, bushes, shrubbery and other vegetation or fences, walls or other barriers.

Appliances and Systems: Agent will not operate appliances or systems (such as, but not limited to, electrical, plumbing, pool or
spa, heating, cooling, septic, sprinkler, communication, entertainment, well or water) to determine their functionality.

Size of Property or Improvements: Agent will not measure square footage of lot or improvements, or identify or locate boundary
lines, easements or encroachments.

Environmental Hazards: Agent will not determine if the Property has mold, asbestos, lead or lead-based paint, radon, formaldehyde
or any other hazardous substance or analyze soil or geologic condition.

Off-Property Conditions: By statute, Agent is not obligated to pull permits or inspect public records. Agent will not guarantee views
or zoning, identify proposed construction or development or changes or proximity to transportation, schools, or law enforcement.

Analysis of Agent Disclosures: For any items disclosed as a result of Agent's visual inspection, or by others, Agent will not provide
an analysis of or determine the cause or source of the disclosed matter, nor determine the cost of any possible repair.

What this means to you: An Agent's inspection is not intended to take the place of any other type of inspection, nor is it a substitute for
a full and complete disclosure by a seller. Regardless of what the Agent's inspection reveals, or what disclosures are made by sellers,
California Law specifies that a buyer has a duty to exercise reasonable care to protect himself or herself. This duty encompasses facts
which are known to or within the diligent attention and observation of the buyer. Therefore, in order to determine for themselves whether
or not the Property meets their needs and intended uses, as well as the cost to remedy any disclosed or discovered defect, **BUYER
SHOULD: (1) REVIEW ANY DISCLOSURES OBTAINED FROM SELLER; (2) OBTAIN ADVICE ABOUT, AND INSPECTIONS OF,
THE PROPERTY FROM OTHER APPROPRIATE PROFESSIONALS; AND (3) REVIEW ANY FINDINGS OF THOSE
PROFESSIONALS WITH THE PERSONS WHO PREPARED THEM. IF BUYER FAILS TO DO SO, BUYER IS ACTING AGAINST THE
ADVICE OF BROKER.**

Buyer's Initials

Seller's Initials

©2007-2013 California Association of REALTORS® Inc.

AVID REVISED 11/13 (PAGE 1 OF 3)

AGENT VISUAL INSPECTION DISCLOSURE (AVID PAGE 1 OF 3)

Monitor Realty Associates, 1050 Premier Ave, Santa Clara CA 95051
Diane O'Hearn

Produced with 20Form® by 20Logix 18075 Fifteen Mile Road, Folsom, MA 02035
Phone: (408) 885-3222 Fax: (408) 885-3222
10000 200-0000-0000

Martin Frazee



3285 Benton Street
Property Address: Santa Clara, California 95051

Date: 2-25-2019

If this Property is a duplex, triplex, or fourplex, this AVID is for unit # _____

Inspection Performed By (Real Estate Broker Firm Name) Diane O'Hearn, Monitor Realty

Inspection Date/Time: 2/23/2019 2 PM Weather conditions: cloudy

Other persons present: _____

THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE REASONABLY AND NORMALLY ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:

Entry (excluding common areas): _____

Living Room: Missing door handle on sliding door.

Dining Room: _____

Kitchen: _____

Other Room: _____

Hall/Stairs (excluding common areas): _____

Bedroom # 1: Master bedroom - drain stopper not operative
Work in progress to correct it.

Bedroom # 2: Screen is being repaired

Bedroom # 3: Cracked window is being replaced

Bedroom # 4: Nothing

Bath # 4: Nothing

Bath # 1/2: Half bathroom downstairs GFI is being installed

Bath # 1: Master. Drain stopper being repaired

Other Room: Nothing

Buyer's Initials () ()

Seller's Initials *YJ* ()

AVID REVISED 11/13 (PAGE 2 OF 3)

AGENT VISUAL INSPECTION DISCLOSURE (AVID PAGE 2 OF 3)

Produced with guidance by disclosure 18070 Filmmaker Mile Road, Farmington, Michigan 48326 www.mls.com

Monitor Realty



3285 Denton Street
Property Address: Santa Clara, California 95051

Date 2/25/19

If this Property is a duplex, triplex, or fourplex, this AVID is for unit # _____

Other Room: _____

Other: _____

Other: _____

Other: _____

Garage/Parking (excluding common areas): Carport is Part of unit, attached.
Some small cracks in pavement

Exterior Building and Yard - Front/Sides/Back: Some small cracks in concrete
Homeowners Assoc. is responsible for fences
and gates and have been advised some repairs
Other Observed or Known Conditions Not Specified Above: needed

This disclosure is based on a reasonably competent and diligent visual inspection of reasonably and normally accessible areas of the Property on the date specified above.

Real Estate Broker (Firm who performed the inspection) Monitor Realty
By Diane O'Hearn Diane O'Hearn Date 2/25/19
(Signature of Associate Licensee or Broker) Broker

Reminder: Not all defects are observable by a real estate licensee conducting an inspection. The inspection does not include testing of any system or component. Real Estate Licensees are not home inspectors or contractors. BUYER SHOULD OBTAIN ADVICE ABOUT AND INSPECTIONS OF THE PROPERTY FROM OTHER APPROPRIATE PROFESSIONALS. IF BUYER FAILS TO DO SO, BUYER IS ACTING AGAINST THE ADVICE OF BROKER.

I/we acknowledge that I/we have read, understand and received a copy of this disclosure.

X SELLER Lynette Marie Figini Lynette Marie Figini, Successor Trustee Date 3/2/19
SELLER _____ Date _____
BUYER _____ Date _____
BUYER _____ Date _____

Real Estate Broker (Firm Representing Seller) Diane O'Hearn, Monitor Realty
By Diane O'Hearn Date 2/25/19
(Associate Licensee or Broker Signature)

Real Estate Broker (Firm Representing Buyer) _____
By _____ Date _____
(Associate Licensee or Broker Signature)

© 2007-2013, California Association of REALTORS®. All United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopying machine or any other means, including facsimile or computerized formats. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS®. NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL. This form is made available to real estate professionals through an agreement with a purchase from the California Association of REALTORS®. It is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.

Published and Distributed by
REAL ESTATE BUSINESS SERVICES, INC.
a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS®
525 South Virgil Avenue, Los Angeles, California 90020

AVID REVISED 11/13 (PAGE 3 OF 3)

AGENT VISUAL INSPECTION DISCLOSURE (AVID PAGE 3 OF 3)
Prepared with 2nd amendment by copyright ©2010 Phyllis Eide Road, Flower, Michigan 48036. Item 20100302.000

Monitor Realty

