

DRAFT PROSPECTUS

FOR THE

GALVEZ MITIGATION BANK

LAKE ELSINORE, RIVERSIDE COUNTY, CALIFORNIA



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1.0 Bank Name, Contacts, and Location

This draft prospectus is for the proposed Galvez Mitigation Bank (Bank), located west of Grand Avenue, within the City of Lake Elsinore and unincorporated Riverside County, California. All figures for this prospectus are provided in Appendix A. All of the technical reports including the General Biological Assessment (GBA) conducted by Hernandez Environmental Services, dated June 2017 and Jurisdictional Delineation report conducted by Hernandez Environmental Services, dated June 2017 are provided in Appendix A.

The Bank Property consists of approximately 74 acres made up of 12 contiguous parcels and is located at the south end of Lake Elsinore within Section 19, Township 6 South, Range 4 West within the Lake Elsinore United States Geologic Service (USGS) 7.5' series quadrangle map. The site consists of Assessor's Parcel Numbers (APNs) 371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-160-007, and portions of 371-150-001, 371-150-002, and 371-150-016. The Bank Property is located within the city of Lake Elsinore and County of Riverside. It is bound to the southwest by Grand Avenue, to the north and west by Lake Elsinore, to the east by vacant lands, and to the southeast by residential development. Refer to Figures 1 and 2.

The Bank will be established in three different phases: Phase 1 consists of the enhancement of 49.8 acres located within the north and western portions of the Bank Property; Phase 2 consists of the creation and restoration of 9.8 acres of non-wetland riparian areas located within the eastern and southern portions of the Bank Property; and, Phase 3 consists of the establishment and re-establishment of 14.4 acres of drainage and depressional wetlands located in the eastern and southern portions of the Bank Property (Figure 3).

The Bank is owned and sponsored by Home Front Investment Properties, LLC. Hernandez Environmental Services has conducted numerous biological studies in support of establishing the Bank and is currently acting as the technical consultant. Hernandez Environmental Services is entitling the Bank and also acts as the Bank Sponsor representative.

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2.0 Site Description

The Bank Property consist of approximately 74 acres located in the Lake Elsinore USGS 7.5' series quadrangle map. The Bank Property lies within the Elsinore Valley and is adjacent to the Lake Elsinore Shoreline. The western portion of the Bank Property is within the City of Lake Elsinore. The eastern portion of the Bank Property is within unincorporated Riverside County, California. The Bank Property is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) boundaries. It is located within the Elsinore Area Plan, in the Elsinore Subunit, Criteria Cells 5036 and 5038 (Figure 4).

The Bank Property has been modified and disturbed from rural residential uses, livestock facilities, a boat launch area, and storage. Remnants of an asphaltic concrete ramp leading into the lake on the northern portion of the Bank Property indicate that the surface elevation of the lake was higher in previous years. A dilapidated, temporary wood structure and abandoned boats are present within the southeastern portion of the Bank Property. Additionally, concrete pads, access roads, and earth movement activities related to drainage and subsurface exploration for development planning have led to alterations to the landscape.

The Bank Property lies adjacent to the Lake Elsinore shoreline. Much of the Bank Property is within the Lake Elsinore floodplain and supports waters and wetlands. Remnant depressional wetlands and vernal pool features within the Bank Property have the potential to support a large diversity of habitats and wildlife. However, due to previous disturbances on the Bank Property, dominant habitat types include tamarisk dominant and ruderal habitats. Tamarisk scrub is the dominant vegetation type along the Lake Elsinore shoreline, including the invasive Tamarisk tree (*Tamarix sp.*).

Elevations on the Bank Property range between approximately 1,240 feet above mean sea level (AMSL) in the northern portion along the Lake Elsinore shoreline and 1,284 feet AMSL where the project site meets Grand Avenue. An approximate five to seven-foot high, east-west ridge trends southeast across much of the Bank Property. This ridge has been identified as the Wildomar Fault – Rome Hill Segment. According to the U.S. Department of Agriculture Natural Resources Conservation District's Web Soil Survey, the project site contains six soil

types: Hanford sandy loam (156), 2 to 9 percent slopes; Gorgonio loamy sand (GhD), 8 to 15 percent slopes; Monserate sandy loam (MmE3), 15 to 25 percent slopes and severely eroded; Ramona sandy loam (RaC2), 5 to 8 percent slopes, eroded; Traver loamy fine sand (Tp2), eroded; and, portions covered by water (Appendix B). Onsite groundwater occurs at a depth of 5 feet below the ground surface. In 1938, the site was completely covered, except the ridge in the central and the western edge of the site.

3.0 Surrounding Land Uses

The Bank Property is located east of Grand Avenue off Vail Street and the eastern extension of Turtle Dove Drive in the City of Lake Elsinore and County of Riverside, California. It is bound to the southwest by Grand Avenue and residential development, to the north and west by Lake Elsinore, to the east by vacant lands, and to the southeast by residential development. Surrounding land uses are generally characterized as undeveloped areas and residential development with limited, interspersed commercial development. Public/Quasi-Public Conserved Lands exist to the north, northeast, northwest, west, and south of the Bank Property (Figure 5).

4.0 Zoning

The western portion of the Bank Property is within the City of Lake Elsinore. The eastern portion of the Bank Property is within unincorporated Riverside County, California. The majority of the Bank Property is zoned Regulated Development Areas (R-D) and Watercourse, Watershed & Conservation Areas (W-1). The R-D zoning designation permits the following:

One-family dwelling. Apartment houses, hotels, non-profit clubs, and professional offices with Plot Plan approval. Mobile home parks with approved Conditional Use Permit. Noncommercial keeping of horses, cattle, sheep, and goats on lots over 20,000 sq. feet in area and 100 ft. width. Two such animals on each 20,000 sq. feet up to one acre, and two such animals on each additional acre. Some agricultural uses and limited noncommercial animal husbandry, 4-H projects permitted. Agricultural mobile homes permitted for owner/farm worker on lots at least 10 acres being farmed.

The W-1 zoning designation permits the following:

Land subject to periodic flooding and other hazards, and not suitable for permanent occupancy. Permitted uses include agriculture, apiaries, grazing of farm stock, golf courses without buildings, aquaculture. An approved Conditional Use Permit is required for airports, heliports, hunting clubs, shooting ranges, recreational vehicle parks, and athletic fields.

5.0 Hydrology, Weather, and Topography

The Bank Property is located within the Santa Ana River Basin Plan, the San Jacinto Valley hydrologic unit, and the Elsinore Valley hydrologic area. The Santa Ana River Basin Plan identifies the following Beneficial Uses within the Lake Elsinore hydrologic area:

- **REC1** Water Contact Recreation (REC 1) waters are used for recreational activities involving body contact with water where ingestion of water is reasonably possible. These uses may include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing and use of natural hot springs.
- **REC2** Non-contact Water Recreation (REC 2) waters are used for recreational activities involving proximity to water, but not normally involving body contact with water where ingestion of water would be reasonably possible. These uses may include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting sightseeing and aesthetic enjoyment in conjunction with the above activities.
- **WARM** Warm Freshwater Habitat (WARM) waters support warm water ecosystems that may include, but are not limited to, preservation and enhancement of aquatic habitats, vegetation, fish and wildlife, including invertebrates.
- **WILD** Wildlife Habitat (WILD) waters support wildlife habitats that may include, but are not limited to, the preservation and enhancement of vegetation and prey species used by waterfowl and other wildlife.

The Bank Property lies within the Elsinore Valley and is adjacent to the southwestern shoreline of Lake Elsinore. Lake Elsinore is the largest natural freshwater lake in southern California and is situated at the lowest elevation within the San Jacinto watershed. Lake Elsinore is supplied by inflows from the San Jacinto River, local watershed runoff, and reclaimed water which eventually can increase the water elevation in the lake until the outflow channel elevation of 1255 feet is reached, thus resulting in discharge of lake flows to Temescal Creek. During significant storm events, if the inflow to Lake Elsinore is greater than the outlet channel capacity, the surface water elevation of the lake will continue to rise until it reaches 1262 feet, resulting in the potential to reach the lake levee top elevation of 1265 feet. Currently, the lake is located to the north and northwest of the Bank Property; however, when the lake level increases, it often extends onto the Bank Property and covers portions of the ground surface.

Elevations on the Bank Property range between approximately 1,240 feet above mean sea level (AMSL) in the northern portion along the Lake Elsinore shoreline and 1,284 feet AMSL where the project site meets Grand Avenue. An approximate five to seven-foot high, east-west ridge trends southeast across much of the Bank Property. This ridge has been identified as the Wildomar Fault – Rome Hill Segment.

Lake Elsinore is bordered by the Elsinore Mountains to the west. The Elsinore Mountains are a part of the larger Santa Ana Mountain Range, which form the northernmost range of the Peninsular Ranges Geomorphic Province; characterized by elongated ranges and valleys generally trending northwest. The Elsinore Mountains receive a few inches of snowfall a few days each year. Lake Elsinore has a semiarid Mediterranean climate, with hot, almost rainless summers and mild, rainy winters. The average annual temperature in Lake Elsinore is 63.8 degrees Fahrenheit. The warmest month, on average, is August with an average temperature of 78.9 degrees Fahrenheit. The coolest month on average is January, with an average temperature of 50.8 degrees Fahrenheit. Most precipitation occurs as rainfall, with an average of 12.1 inches of precipitation per year. Precipitation occurs an average of 32 days per year, with the most precipitation occurring in January and the least precipitation occurring in June.

6.0 Biological Resources

Biological studies (Appendix A) have been conducted within the Bank Property, including:

- General Biological Assessment (Hernandez Environmental Services 2017)
- Jurisdictional Delineation (Hernandez Environmental Services 2017)

Based upon the biological studies performed by Hernandez Environmental Services, the Bank Property is known to support sensitive habitats including wetlands, vernal pools, riparian habitat, and sensitive terrestrial communities. The Bank Property also contains potential habitat for federal and state listed and special-status species including San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), Parish's brittlescale (*Atriplex parishii*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), thread-leaved brodiaea (*brodiaea filifolia*), Smooth tarplant (*Centromadia pungens* ssp. *laevis*), Coulter's goldfields (*Lasthenia glabrata* ssp. *Coulteri*), Little mouseling (*Myosurus minimus* ssp. *apus*), San Diego ambrosia (*Ambrosia pumila*), Spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*), slender-horned spineflower (*Dodecahema leptoceras*), Cambell's liverwort (*Geothallus tuberosus*), Mesa horkelia (*Horkelia vuneata* var. *puberula*), Santa Lucia dwarf rush (*Juncus luciensis*), Parish's meadowfoam (*Limnanthes alba* ssp. *parishii*), Prostate vernal pool navarretia (*Navarretia prostata*), White rabbit-tobacco (*Pseudognaphalium leucocephalum*), San Bernardino aster (*Symphotrichum defoliatum*), California screw moss (*Tortula californica*), Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*), Cooper's hawk (*Accipiter cooperii*), California glossy snake (*Arizona elegans occidentalis*), Bell's sage sparrow (*Artemisiospiza belli belli*), long-eared owl (*Asio otus*), orange-throated whiptail (*Aspidoscelis hyperythra*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), burrowing owl (*Athene cunicularia*), vernal pool fairy shrimp (*Branchinecta lynchi*), northwestern pocket mouse (*Chaetodipus fallax fallax*), western snowy plover (*Charadrius alexandrinus nivosus*), Senile tiger beetle (*Charadrius alexandrinus nivosus*), San Bernardino ringneck snake (*Diadophis punctatus modestus*), white-tailed kite (*Elanus leucurus*), western pond turtle (*Emys marmorata*), California horned lark (*Eremophila alpestris actia*), western mastiff bat (*Eumops*

perotis californicus), yellow-breasted chat (*Icteria virens*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), coast horned lizard (*Phrynosoma blainvillii*), Two-stripped gartersnake (*Thamnophis hammondi*), Riverside fairy shrimp (*Streptocephalus woottoni*), Least Bell's vireo (*Vireo bellii pusillus*).

6.2.1 Biological Communities

6.2.1.1 Vegetation Communities

The project area contains three types of habitat types: 60 acres of tamarisk dominant habitat 11.82 acres of ruderal habitat, and 2.18 acres of vernal pool habitat (Figure 5).

Tamarisk Dominant Habitat

The proposed mitigation bank property currently contains approximately 60 acres of habitat dominated by Tamarisk (*Tamarix sp.*). Most of this habitat is palustrine habitat associated with Lake Elsinore. It is all considered jurisdictional habitat under the CDFW Lake and Streambed Alteration Agreement program. Other species associated with this habitat type include: red willow (*Salix laevigata*), black willow (*Salix gooddingii*), arroyo willow (*Salix lasiolepis*), Fremont cottonwood (*Populus fremontii*), arrowweed (*Pulchea sericea*), mulefat (*Baccharis salicifolia*), willow baccharis (*Baccharis slicina*), coyote bush (*Baccharis pilularis*), and salt bush (*Atriplex canescens*).

Ruderal

The proposed mitigation bank property contains approximately 11.82 acres of habitat classified as ruderal. These areas show man-made disturbances that have resulted in the dominance of plant species such as: slim oats (*Avena barbata*), ripgut brome (*Bromus diandrus*), foxtail chess (*Bromus madritensis*) foxtail barely (*Hordeum murinum*), mustard (*Brassica tournefortii*), black mustard (*Brassica nigra*), common fiddleneck (*Amsinckia intermedia*), red maids (*Calandrinia menziesii*), California sun cup (*Camissoniopsis bistorta*), tocalote (*Centaurea melitensis*), lambs quarters (*Chenopodium album*), heron bill (*Erodium cicutarium*), crown daisy (*Glebionis coronaria*), sunflower (*Helianthus annus*), stink net (*Oncosiphon piluliferum*), desert bells (*Phacelia campanularia*), Russian thistle (*Salsola tragus*), and London rocket (*Sisymbrium irio*).

Vernal Pool Habitat

The proposed mitigation bank property contains approximately 2.18 acres of vernal pool habitat. This habitat is found in areas where anthropomorphic ground disturbances created berms that help retain rain water during storm events. These areas are also within the historic lake bed; however, lake water levels rarely reach the location of the vernal pools. Common plant species found in these pools are plantain (*Plantago sp.*), common tarweed (*Centromadia pungens ssp. pungens*), sunflower (*Helianthus annus*), pepper grass (*Lepidium*

nitidum), plantain (*Plantago elongata*), curly dock (*Rumex crispus*), Chinese parsley (*Heliotropium curassavicum*), and yerba mansa (*Anemopsis californica*).

6.2.1.1 Wetlands and Waters

The Bank Property contains emergent wetlands, depressional wetlands, and vernal pools (WRA 2013a). The wetland and non-wetland features are detailed below and illustrated in Figures 7a and 7b. Further information on wetlands and waters can be found in the Jurisdictional Delineation produced by Hernandez Environmental Services (2017) (Appendix A). The Bank would provide wetland, stream, and riparian credits for impacts in the surrounding areas requiring mitigation under Sections 404 and 401 of the Clean Water Act (CWA), Porter-Cologne, and Section 1602 of the California Department of Fish and Game (CDFG)Code.

The extent of Section 1602 jurisdictional waters was determined by the limits of the Federal Emergency Management Agency (FEMA) designated floodplain for Lake Elsinore, which extends to an elevation of 1,265 feet above mean sea level (amsl). Where riparian vegetation was present, the drip line of the outer edge of the vegetation was used as the measuring criteria. The extent of Sections 404 and 401 of the CWA jurisdictional waters, or waters of the U.S. (WUS), was determined by the highest point the lake can reach until the outflow channel elevation of 1255 feet amsl is reached and lake flows are discharged to Temescal Creek.

Wetlands

Wetland located within the Bank Property are composed of emergent wetlands, depressional wetlands, and vernal pools. Areas mapped as wetlands contain a prevalence or dominance of hydrophytic vegetation, hydric soils, and wetland hydrology sufficient to meet the requirements as jurisdictional features under Section 404 and 401 of the CWA, section 1600 of the CDFG code, and Porter-Cologne. Disturbance in the wetlands is varied, and consists primarily of impacts from earth movement and invasive species. Within the Bank Property, wetlands occupy approximately 64.2 acres. Some of these wetlands are significantly disturbed and restoration of these degraded wetlands is a key component of the Bank development plan.

Non-Wetland Riparian Areas

Approximately 9.8 acres of potential state jurisdictional non-wetland riparian areas were mapped within the Bank Property. Areas containing typical riparian vegetation communities, such as willow, cottonwood, or mulefat stands, were considered to be Section 1602 jurisdictional non-wetland riparian areas. These areas extended beyond the elevation of 1,265 amsl. Establishment and restoration of non-wetland riparian habitat is a component in the restoration of the Bank Property and will increase habitat for wildlife and native vegetation.

6.2.2 Plants

6.2.2.1 Special Status Plant Species

The Bank Property occurs in an area identified by the MSHCP as requiring focused surveys for Narrow Endemic Plant Species Survey Area (NEPSSA) and Criteria Area Species Survey Area (CASSA) species. The NEPSSA species are California Orcutt grass (*Orcuttia californica*), many-stemmed dudleya (*Dudleya multicaulis*), Munz's onion (*Allium munzii*), San Diego ambrosia (*Ambrosia pumila*), spreading navarretia (*Navarretia fossalis*), and Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*). The CASSA species for the site are San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), Parish's brittlescale (*Atriplex parishii*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), thread-leaved brodiaea (*Brodiaea filifolia*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), round-leaved filaree (*Erodium macrophyllum*), little mousetail (*Myosurus minimus* ssp. *apus*), and mud nama (*Nama stenocarpum*). Protocol level special status plant surveys have not yet been performed within the Bank Property. The locations of special-status plants identified by the California Natural Diversity Data Base (CNDDB) as occurring within the vicinity of the Bank Property are illustrated in Figure 8. Pending special status plant surveys, the Bank Property and its associated habitats will be managed to continue to support habitat for these and other documented and observed special-status species.

6.2.3 Wildlife

General wildlife species documented on the project sites or within the vicinity of the sites include Cooper's hawk (*Accipiter striatus*), red-tailed hawk (*Buteo jamaicensis*), house finch (*Carpodacus mexicanus*), turkey vulture (*Cathartes aura*), American crow (*Corvus brachyrhynchos*), American kestrel (*Falco sparverius*), black-tailed jackrabbit (*Lepus californicus*), racoon (*Procyon lotor*), western fence lizard (*Sceloporus occidentalis*), mourning dove (*Zenaida macroura*), common raven (*Corvus corax*), California ground squirrel (*Otospermophilus beecheyi*), coyote (*Canis latrans*), Anna's hummingbird (*Calypte anna*), versatile fairy shrimp (*Branchinecta lindahli*), western kingbird (*Tyrannus verticalis*) and least Bell's vireo (*Vireo bellii pusillus*).

6.2.3.1 Special Status Wildlife Species

6.2.3.1 Observed Special Status Wildlife Species

The Bank Property occurs in an area identified by the MSHCP as requiring focused surveys for burrowing owl and species associated with riparian/riverine and vernal pool habitats. Focused surveys for these species have not yet been performed within the Bank Property. The locations of special-status wildlife identified by the CNDDB as occurring within the vicinity of the Bank Property are illustrated in Figure 8. Thirty-seven wildlife species listed as state and/or federal Threatened, Endangered, or Candidate or for special consideration under the Western Riverside County MSHCP were determined to have the potential to be

present on the Bank Property, including Cooper's hawk (*Accipiter cooperii*), California glossy snake (*Arizona elegans occidentalis*), Bell's sage sparrow (*Artemisospiza belli belli*), long-eared owl (*Asio otus*), orange-throated whiptail (*Aspidoscelis hyperythra*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), burrowing owl (*Athene cunicularia*), vernal pool fairy shrimp (*Branchinecta lynchi*), northwestern pocket mouse (*Chaetodipus fallax fallax*), western snowy plover (*Charadrius alexandrinus nivosus*), Senile tiger beetle (*Charadrius alexandrinus nivosus*), San Bernardino ringneck snake (*Diadophis punctatus modestus*), white-tailed kite (*Elanus leucurus*), western pond turtle (*Emys marmorata*) California horned lark (*Eremophila alpestris actia*), western mastiff bat (*Eumops perotis californicus*), yellow-breasted chat (*Icteria virens*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), coast horned lizard (*Phrynosoma blainvillii*), Two-stripped gartersnake (*Thamnophis hammondi*), Riverside fairy shrimp (*Streptocephalus woottoni*), Least Bell's vireo (*Vireo bellii pusillus*). The GBA completed by Hernandez Environmental Services (2017, Appendix A) summarizes the potential for special-status species to occur within the Bank Property.

7.0 Site History

Historically, the primary land uses within the Bank Property have been rural residential uses, livestock facilities, a boat launch area, and storage. Evidence of past uses within the Bank Property includes numerous concrete pads, remnants of a concrete ramp leading into the lake, a dilapidated, temporary wood structure, abandoned boats, and access roads. Further, evidence of earth movement activities related to drainage and subsurface exploration for development planning are present throughout the Bank Property. A review of historic aerial photographs indicates that early land uses on the Bank Property included wide spread manipulation of natural habitats through clearing brush and grading, alteration of natural drainages to redirect flows, and the pumping of water. The lasting effects of these land use practices can still be observed on the Bank Property.

8.0 Bank Objectives

- Expand, enhance and preserve the wetland and riparian habitats on the site;
- Create, restore, enhance and maintain ideal habitat conditions to encourage the proliferation of the special status species known to occur, currently or historically, on the site;
- Allow the sale of credits as off-site compensatory mitigation for any of the following impacts within the service areas:
 - Unavoidable impacts to waters of the United States which result from activities authorized under Section 404 of the Clean Water Act ("Section 404");

- Impacts to waters of the U.S. and waters of the state which result from authorized activities under section 401 of the Clean Water Act (“Section 401”) and the Porter-Cologne Water Quality Control Act;
- Unavoidable impacts to waters of the State of California which result from activities authorized under Section 1600 et seq. of the California Fish and Game Code (“Section 1600”);
- Impacts to sensitive habitats and wildlife resources under the applicable sections of the California Environmental Quality Act (CEQA).

9.0 Establishment and Operation

The Bank will be established by recording a conservation easement over the Bank Property upon acceptance of the BEI by the IRT; developing a long-term management plan and development plan for the Bank Property; and funding of an endowment to fund the management activities in perpetuity. The conservation easement will be held and managed by a non-profit entity approved by the IRT and the endowment will similarly be held and managed by a nonprofit entity acceptable to the IRT.

10.0 Need For and Technical Feasibility of Bank

10.1 Need for Bank

The service areas that will be served by the Bank are expected to see continued urban growth, suburban residential development, and other infrastructure development projects in the coming years. Figures from the Elsinore Valley Municipal Water District 2016 Water System Master Plan (2016) projects the ultimate buildout of approximately 31,285 acres within the District’s boundaries. These developments are expected to take place in areas that are currently considered to be vacant areas. Additionally, the Elsinore Area Plan, which includes the cities of Lake Elsinore, Wildomar, Canyon Lake, and unincorporated Riverside County lands extending to San Diego County to the south and Orange County to the west, projects the development capacity of these areas to total approximately 84,032 acres of residential, commercial, industrial, and public facilities at buildout.

The San Jacinto Sub-basin does not contain any approved mitigation banks, despite the growing need for mitigation banks due to urban developments. Additionally, the portion of the Santa Ana Sub-basin located within the Western Riverside County MSHCP boundaries only contains one approved in-lieu fee program, despite high pressure for continued urban development in Riverside County. The Bank will provide a mitigation source that will support the goals of the Western Riverside County MSHCP, Riverside County General Plan, and local watershed plans in both the San Jacinto and Santa Ana sub-basins.

10.2 Technical Feasibility

The Bank Property contains many important ecological features that would provide valuable ecosystem services to the region. The Bank Property contains approximately 64.2 acres of wetlands habitats as well as potential habitats for sensitive species. Many of these features have been manipulated due to historic uses which resulted in the manipulation of natural habitats through clearing brush and grading, alteration of natural drainages to redirect flows, and the pumping of water. Restoration of the original wetland habitats will provide a variety of wetland and riparian credits, as well as potential credits for special status species. The Bank Property will also provide extensive habitat for special status species (Hernandez Environmental Services, 2017, Appendix A).

The Bank Property is located within the Elsinore Area Plan of the Western Riverside County MSHCP, in Criteria Cells 5036 and 5038 of Subunit 3. The Bank Property is located within the Conservation within Cell 5036 focuses on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell 5038 to the west and Cell 5033 to the east. Conservation within Cell 5036 will range from 40%-50% of the Cell focusing on the southwestern portion. Conservation within Cell 5038 will also contribute to assembly of the proposed extension of Existing Core 3. Conservation within this Cell focuses on grassland habitat. Areas conserved within this Cell will be connected to grassland habitat proposed for conservation in Cell 5036 to the east. Conservation within Cell 5038 will range from 35%-45% of the Cell focusing on the eastern central portion. The Bank Property is located adjacent to Western Riverside County MSHCP Existing Core E (Lake Elsinore) which provides habitat for several listed and sensitive species, and also likely provides for movement of common mammals such as bobcat. The Bank would add additional protected lands with suitable habitat for target listed and sensitive species and valuable wetland and riparian resources within the Western Riverside County MSHCP boundaries.

11.0 Proposed Ownership and Long Term Management Arrangements

The Bank Property will be owned by Home Front Investment Properties, LLC. The Bank will also be sponsored by Home Front Investment Properties, LLC. The conservation easement will be held by a non-profit or governmental entity and long-term monitoring/maintenance and management of the Bank Property will be conducted by a qualified biological consultant on behalf of the Property Owner.

12.0 Bank Development and Crediting Plan

The Bank Sponsor proposes to implement restoration activities that will result in increased area, condition and functions of aquatic resources and habitats for special-status species. Several types of credits are proposed to be developed by the Bank (Figure 3). The actual

number of credits will be determined based on finalization of the development plan, reduction of credits for habitats located within existing easements, and feedback from the IRT.

12.1 Wetland Credits

12.1.1 Wetland Re-establishment Credits

Re-establishment credits would be generated through the re-establishment of the remnant depressional wetlands feature located south of the berm in the southeast portion of the site. The feature is dominated by tamarisk and curly dock. Large debris such as boats and a mobile storage building litter the depressional feature. Re-establishment results in a net gain of aquatic resources. Re-establishment activities include removal of existing trash and debris, excavation and re-grading of the remnant depressional area and drainage course connecting the depressional wetland to the lake, and replanting of native wetland species, including cattail (*Typha domingensis*), broadleaf cattail (*Typha latifolia*), mulefat (*Baccharis salicifolia*), and narrowleaf willow (*Salix exigua*). These actions will return 9.8 acres of the site to its natural topography and historic depressional wetland condition.

12.1.2 Wetland Establishment Credits

Establishment credits would be generated through the establishment of vernal pools within the vicinity of the small vernal pool feature that currently exists in the eastern portion of the site. Establishment results in a net gain of aquatic resources. Vernal pool wetlands will be established within the area of the existing vernal pool feature and will extend east across the central portion of the site. Vernal pool wetlands establishment activities will include the removal of non-native species, excavation, grading, and planting of native vernal pool species, including Bratscale (*Atriplex serenana*), sunflower (*Helianthus annuus*), goldfields (*Lasthenia californica*), heliotrope (*Heliotropium curassavicum*), arrowweed (*Pulchea sericea*), mulefat (*Baccharis salicifolia*). This will result in the establishment of 4.3 acres of non-wetland riparian habitat.

12.1.3 Wetland Enhancement Credits

Enhancement credits would be generated through the enhancement of the existing emergent wetland habitat located along the shore of Lake Elsinore. This habitat is currently dominated by tamarisk scrub interspersed with willow-mulefat scrub. These areas will be enhanced through the removal of tamarisk and planting of native wetland species, including cattail (*Typha domingensis*), broadleaf cattail (*Typha latifolia*), spike rushes (*Eleocharis* sp.), rushes (*Juncus* sp.), and tule (*Schoenoplectus acutus* var. *occidentalis*). This enhancement action will enhance the health of the 49.8 acres of emergent wetland within the mitigation site and will increase the amount of available nesting habitat for riparian bird species.

12.2 Non-wetland Riparian Credits

12.2.1 Non-Wetland Riparian Establishment (Creation) Credits

Establishment credits would be generated through the establishment of non-wetland riparian areas along the berm located in the eastern portion of the site. This area is currently dominated by disturbed, non-native vegetation. Non-wetland riparian establishment activities will include the removal of non-native species and planting of cottonwood trees (*Populus feemontii*), mulefat (*Baccharis salicifolia*), black willow (*Salix gooddingii*), red willow (*Salix laevigata*), and narrowleaf willow (*Salix exigua*). This will result in the establishment of 4.5 acres of non-wetland riparian habitat.

12.2.2 Non-Wetland Riparian Restoration Credits

Restoration credits would be generated through the restoration of non-wetland riparian areas located on the slopes surrounding the remnant depressional wetland feature. Non-wetland riparian restoration activities will include the removal of non-native species and planting of cottonwood trees (*Populus feemontii*), mulefat (*Baccharis salicifolia*), black willow (*Salix gooddingii*), red willow (*Salix laevigata*), and narrowleaf willow (*Salix exigua*). This will restore the 5.4 acres of non-wetland riparian habitat located on the site.

12.3 Streams Credits

12.3.1 Stream Re-establishment Credits

Re-establishment credits would be generated through the re-establishment of a stream connecting the depressional wetland to Lake Elsinore. Stream re-establishment activities include re-grading of the drainage course connecting the depressional wetland to the lake and replanting of native wetland species. These actions will return 0.3 acres of the site to its natural topography and historic condition.

13.0 Service Area

Analysis used in determining the Corps service area for the Bank followed guidelines provided by the Sacramento District of the Army Corps of Engineers *Public Notice of Service Area Final Guidance For Mitigation Banks and In-Lieu Fee Programs Operating in the U.S. Army Corps of Engineers, Sacramento District* published in 2010. Although the Bank Property is located in the Los Angeles District, this guidance contains the most recent published guidelines describing the establishment of service areas provided by the Corps. These guidelines call for the establishment of service areas based on a watershed approach as outlined in the Mitigation Rule (33 CFR Parts 325 and 332). The guidelines define watershed as the area delineated by the ten-digit Hydrologic Unit Code (HUC-10) and state that the HUC-10 in which the Bank Property is located is the starting point for developing a service area. At a minimum, the service area will include the HUC-10 in which the Bank Property is

located. Additional HUC-10s should be added using justifications based on the Sub-basin (HUC-8) and ecoregion needs. Based on this guidance, the service area for section 401 and 404 waters of the United States will include the Lower San Jacinto River Watershed and downstream HUC-10 watersheds including Temescal Wash, Middle Santa Ana River, and Lower Santa Ana River watersheds. Additionally, this service area will include HUC-10 watersheds directly abutting the Lower San Jacinto River Watershed, watersheds with similar hydrologic influence, habitat, and connectivity that are 404 corps jurisdictional and also drain into the Santa Ana River. These include the Upper San Jacinto River, Middle San Jacinto River, and Murrieta Creek watersheds.

The Bank will offer credits to provide compensatory mitigation for western Riverside County, California. Service areas will include a service area for aquatic resource impacts authorized through section 401 and 404 of the CWA and a service area covering a 40-mile radius for impacts to aquatic resources through Section 1602 of the CDFG Code. The service areas are illustrated in Figures 9 and 10.

14.0 Easements, Encumbrances And Restrictions

The Bank Property has not been used as mitigation, is not designated or dedicated for park or open space use, is not designated for purposes that would be inconsistent with habitat preservation and no public funding has been received for acquisition or restoration of the bank property. Preliminary Title Reports have been obtained and reviewed by the Sponsor. According to Bank Property records, the Bank Property has a number of easements established onsite. See Appendix D for detailed maps of the easements within the Bank Property. None of the easements will conflict with the purpose or operation of the Bank; however, habitat areas within easements will not be credited. All creditable areas will not include portions of the Bank Property subject to easements or exclusion areas.

15.0 Assurance of Sufficient Water and Mineral Rights

Appendix E includes real estate records including water and mineral rights records. All parcels within the Bank Property retain surface mineral rights. The Sponsor retains all surface water rights across the Bank Property. The Property Owner plans on allocating enough water rights to the Bank Property to allow as needed adaptive management in perpetuity. The Property Owner will retain any additional water rights not required for the operation and maintenance of the Bank Property.

16.0 Site Access

The main access point to the Bank Property is from Grand Avenue and Vail Street.

17.0 Conservation Easement

Upon establishment of the Bank Property, a conservation easement will be established over 74 acres of the property and will be held and managed by a non-profit or government entity qualified to hold conservation easements and approved by the IRT.

18.0 Permitting Requirements

To implement the above restoration actions the Bank may temporarily impact resources that are governed by various governmental agencies. Implementation of the proposed restoration actions may require the following resource permits and permissions:

- Section 404 Nationwide Permit authorization from Army Corps of Engineers
- Section 1602 Stream Bed Alteration Agreement from California Department of Fish and Wildlife
- Section 401 Water Quality Certification from RWQCB
- Grading Permit from Riverside County and the City of Lake Elsinore
- CEQA document approval

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FIGURES



Figure 1
Location Map
Galvez Mitigation Bank
Lake Elsinore, Riverside County, CA

Legend

 Bank Property Boundary



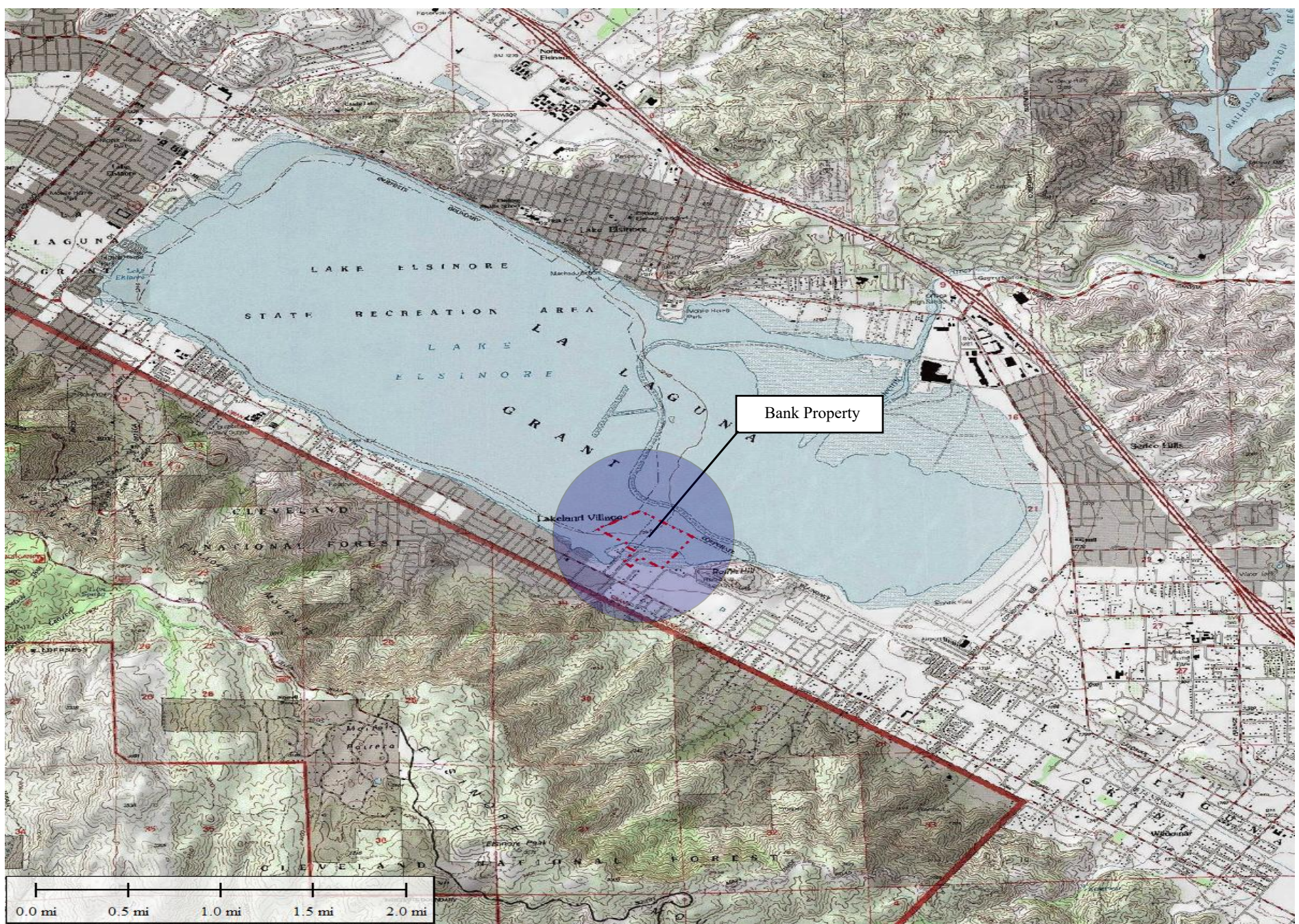


Figure 2
 Vicinity Map
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend
 Bank Property Boundary



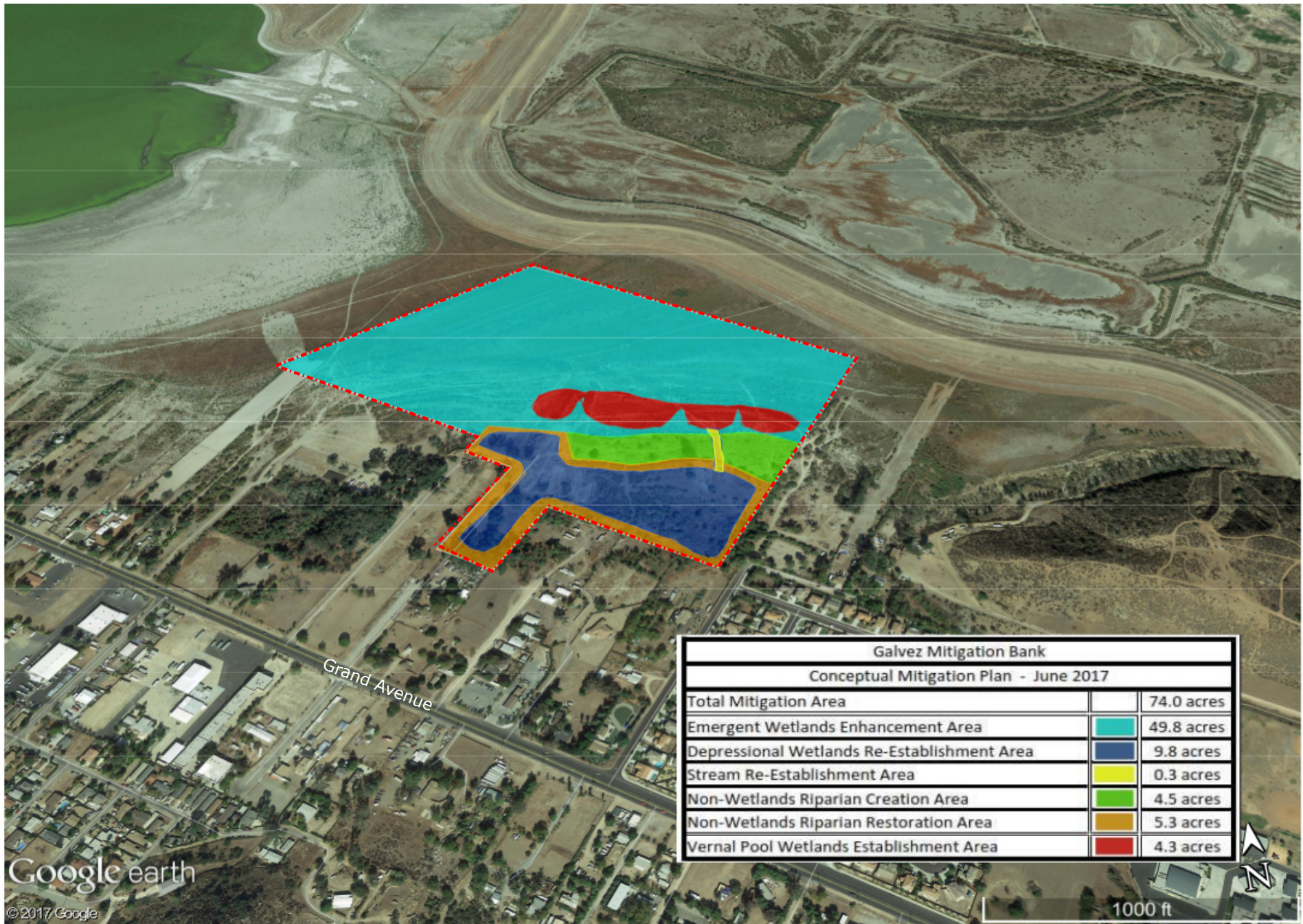


Figure 3
 Conceptual Mitigation Plan
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend
 Bank Property Boundary





Figure 4
 MSHCP Criteria Cells Map
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend

 Bank Property Boundary





Figure 5
Surrounding Conserved Lands
Galvez Mitigation Bank
Lake Elsinore, Riverside County, CA

Legend

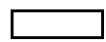

-  Bank Property Boundary
-  Public/Quasi-Public Conserved Lands





Figure 6
 Habitat Map
 Galvez Mitigation Map
 Lake Elsinore, Riverside County, CA

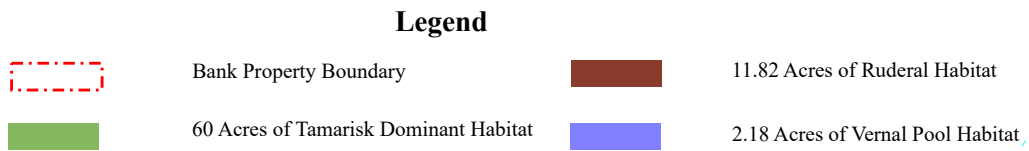




Figure 7a
 CDFW Jurisdictional Areas Map
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA



Bank Property Boundary
 58.82 Acres of Tamarisk Dominant Habitat



8.82 Acres of Ruderal Habitat
 2.18 Acres of Vernal Pool Habitat



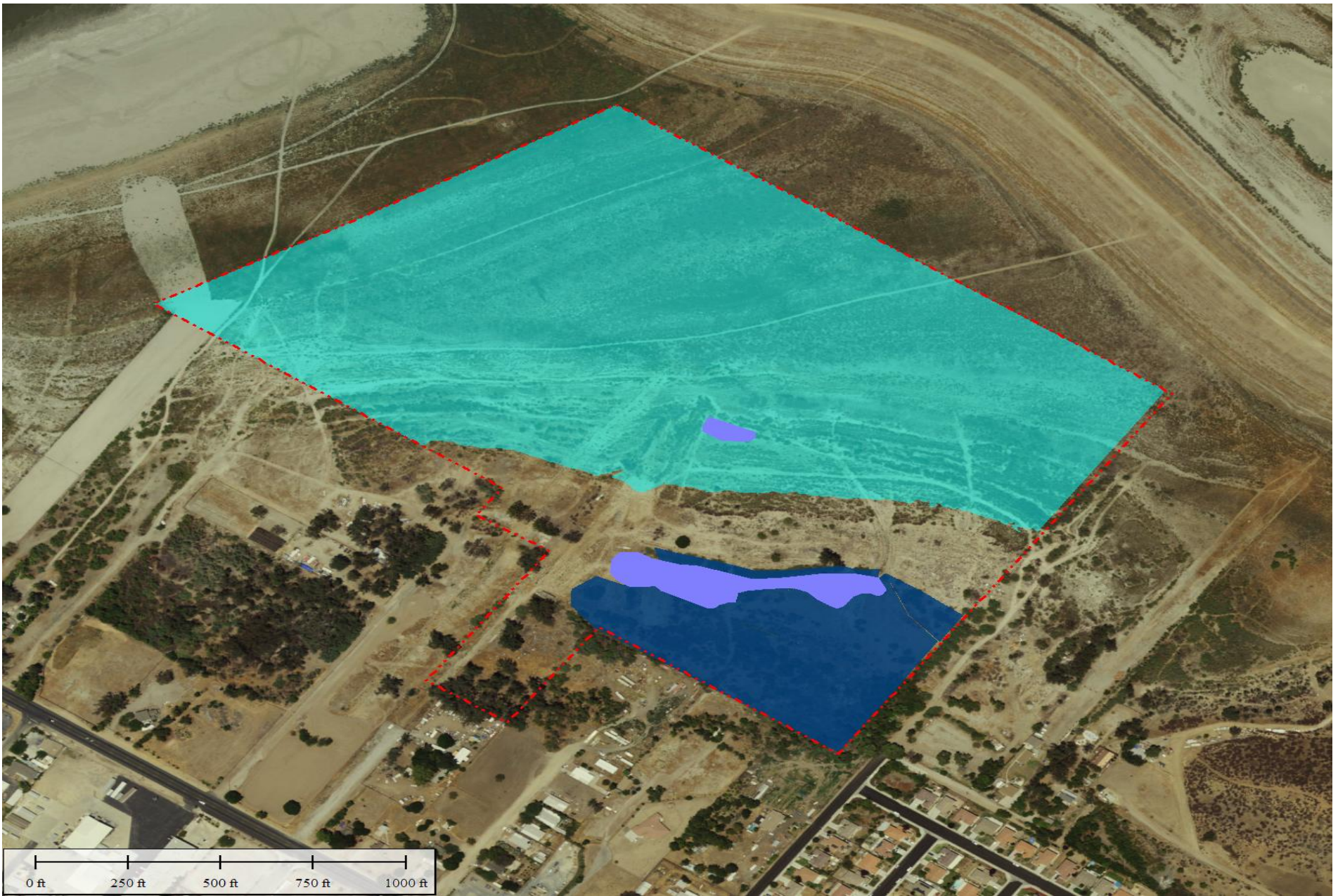
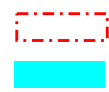


Figure 7b
 Waters of the United States Map
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA



Bank Property Boundary
 49.82 Acres of Waters of the United States



7.44 Acres of Adjacent Wetlands
 2.18 Acres of Vernal Pool Habitat

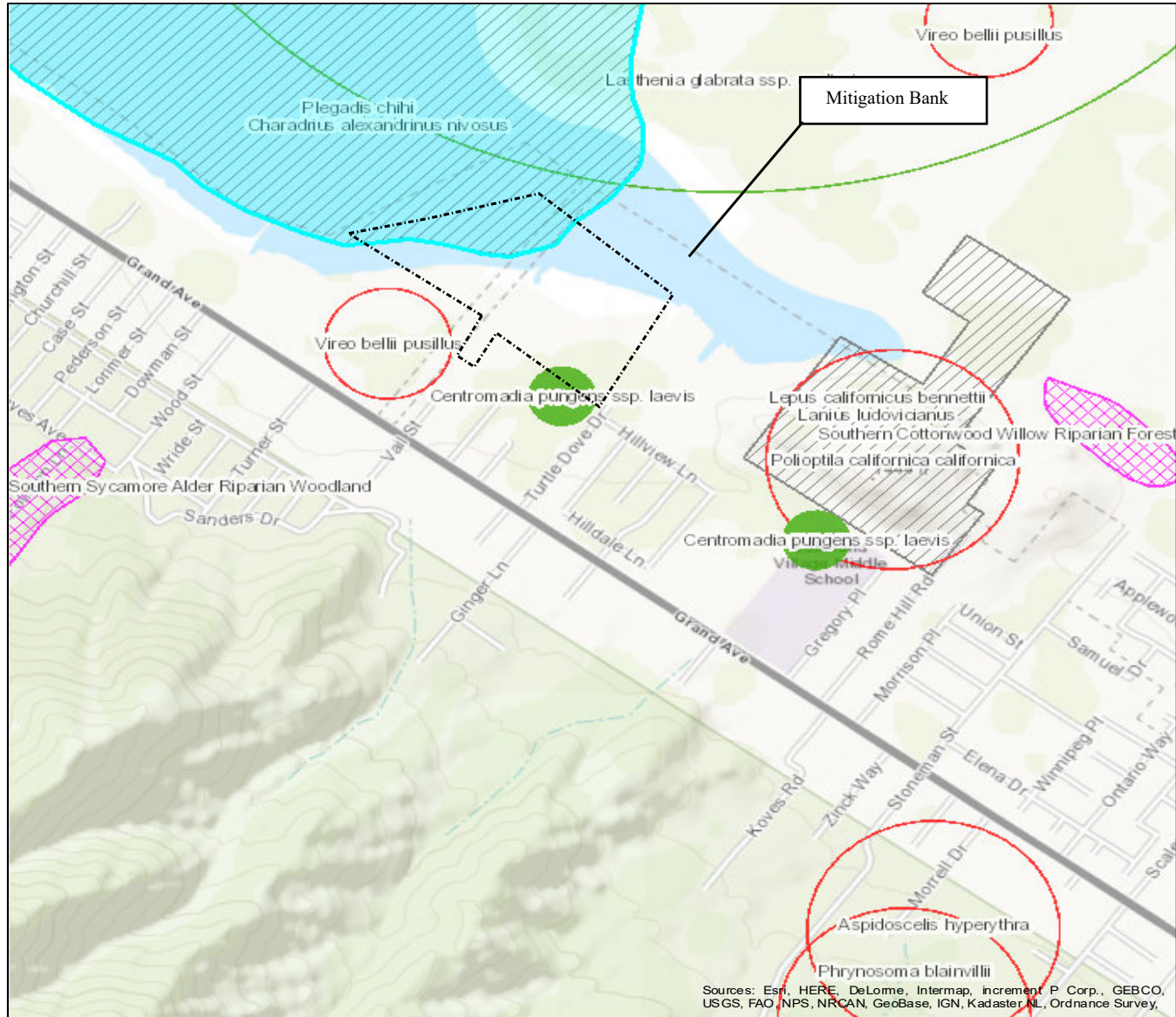
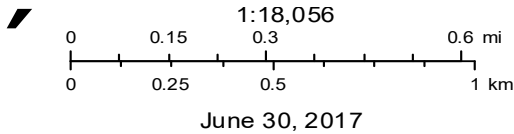


Total of 59.44 Acres of Waters of the United States

Map of Project Area

California Natural Diversity Database (CNDDB) Commercial [ds85]

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive EO's (Commercial only)



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

Author: cnddb.com
 Printed from <http://bios.dfg.ca.gov>

Figure 8
 CNDDB Sensitive Species Map
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend
 Mitigation Bank Boundary



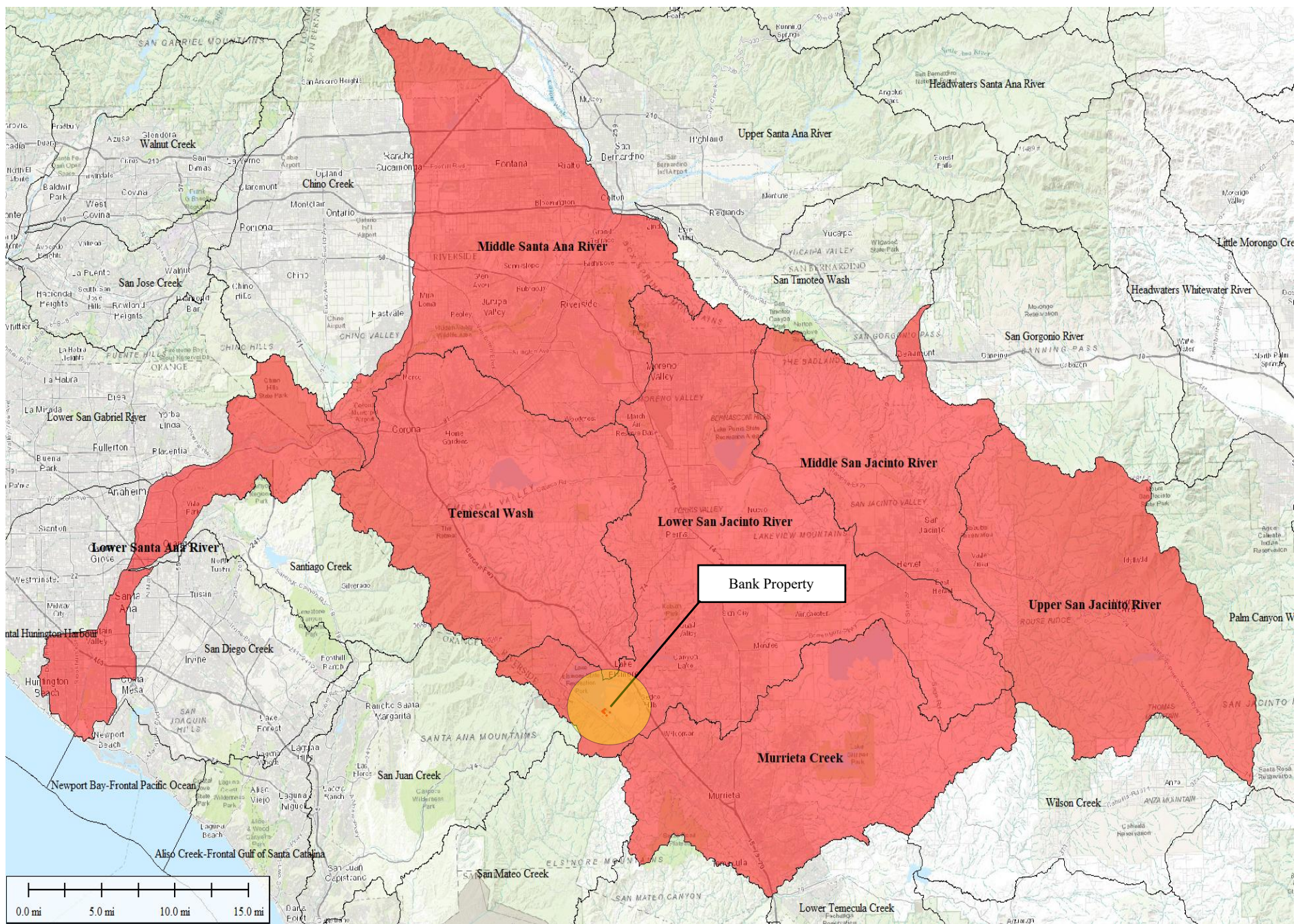


Figure 9
 401 and 404 Service Area
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend
 Proposed Service Area



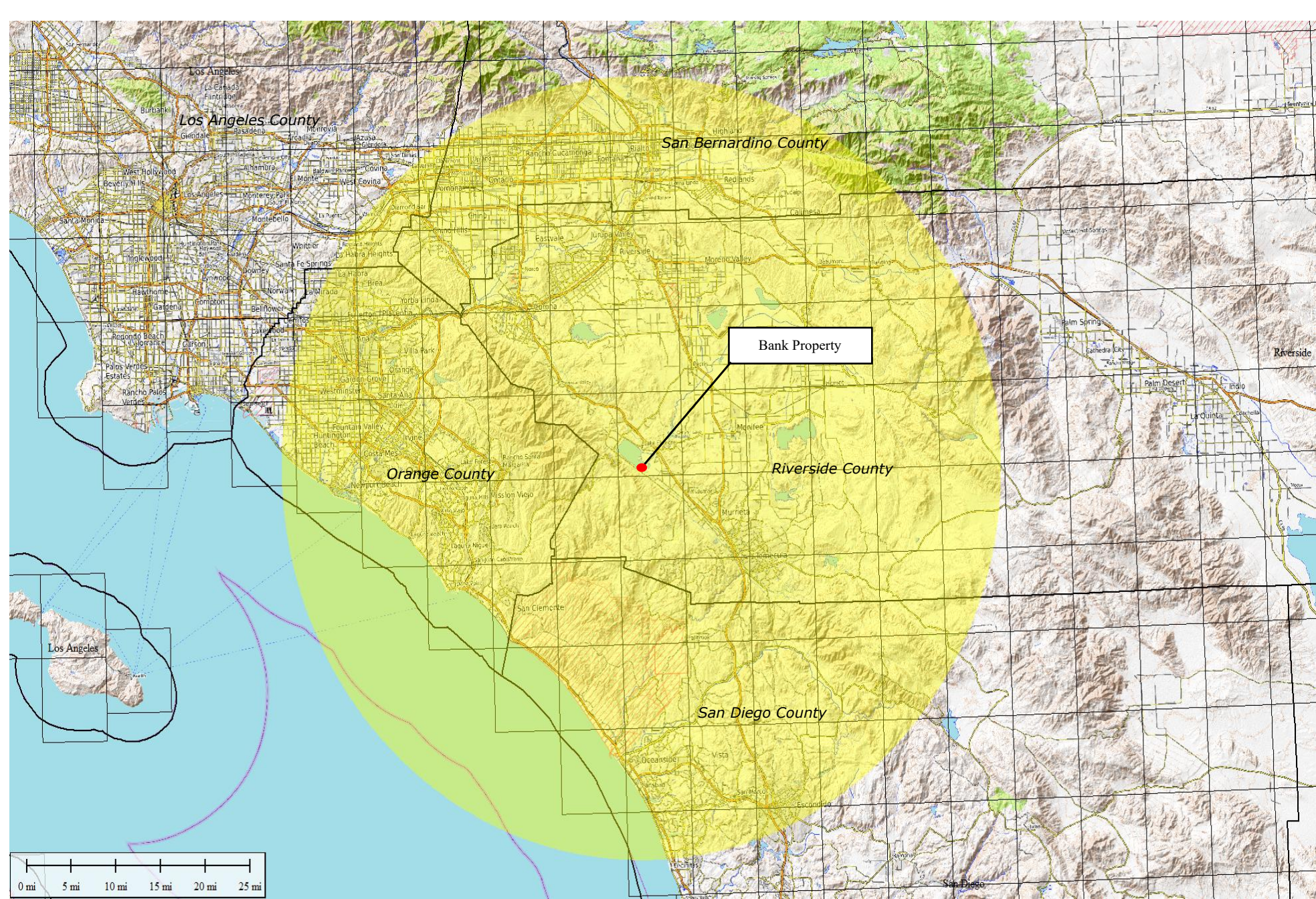


Figure 10
 Section 1602 Service Area
 Galvez Mitigation Bank
 Lake Elsinore, Riverside County, CA

Legend



Proposed Service Area



APPENDIX A



**GENERAL BIOLOGICAL ASSESSMENT
FOR**

ASSESSOR'S PARCEL NUMBERS

**371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003,
371-090-004, 371-150-009, 371-150-010, 371-160-007, 371-150-001,
371-150-002, & 371-150-016**

LAKE ELSINORE, COUNTY OF RIVERSIDE, CALIFORNIA

Prepared for:

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JUNE 2017

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1.0 Introduction

Hernandez Environmental Services (HES) was contracted to prepare a general biological assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) consistency analysis for Assessor's Parcel Numbers (APNs) 371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-160-007, and portions of 371-150-001, 371-150-002, and 371-150-016, which are located within the city of Lake Elsinore and County of Riverside, California.

1.1 Site Location

The approximate 74-acre site is made up of 12 contiguous parcels and is located at the south end of Lake Elsinore within Section 19, Township 6 South, Range 4 West within the *Lake Elsinore* United States Geologic Service (USGS) 7.5' series quadrangle map. The site consists of APNs 371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-160-007, and portions of 371-150-001, 371-150-002, and 371-150-016. The site is located within the city of Lake Elsinore and County of Riverside. It is bound to the southwest by Grand Avenue, to the north and west by Lake Elsinore, to the east by vacant lands, and to the southeast by residential development. Refer to Figures 1 and 2.

2.0 Methodology

2.1 Literature Review

HES conducted a literature review and reviewed aerial photographs and topographic maps of the site and surrounding areas. A five-mile radius was used to identify sensitive species with the California Natural Diversity Data Base (CNDDDB), the U.S. Fish and Wildlife Service (USFWS) Endangered Species Lists, and the California Native Plant Society (CNPS) rare plant lists to obtain species information for the project area. The CNDDDB and USFWS critical habitat databases were utilized, together with Geographic Information System (GIS) software, to locate the previously recorded locations of sensitive plant and wildlife occurrences and designated critical habitat and determine the distance from the site. Additionally, the Western Riverside County MSHCP was reviewed for information on known occurrences of sensitive species within Riverside County.

2.1.1 Western Riverside County MSHCP

The Western Riverside County MSHCP (Dudek and Associates 2003) is a comprehensive, multijurisdictional habitat conservation planning program for western Riverside County, California. The purpose of the Western Riverside County MSHCP is to preserve native habitats, and to this end, the plan focuses upon the habitat needs of multiple species rather than one species at a time. The Western Riverside County MSHCP provides coverage/take authorization for some species listed under the federal or state Endangered Species Act (ESA) as well as non-

listed special-status plant and wildlife species. It also provides mitigation for impacts to special-status species and their associated habitats.

Through agreements with the USFWS and California Department of Fish and Wildlife (CDFWG), 146 listed and special-status plant and animal species receive some level of coverage under the Western Riverside County MSHCP. Of the 146 covered species, the majority have no additional survey needs or conservation requirements. Furthermore, the Western Riverside County MSHCP provides mitigation for project-specific impacts to these species, thereby reducing the degree of impact to below a level of significance, pursuant to the California Environmental Quality Act (CEQA).

Several of the species covered under the Western Riverside County MSHCP have additional survey requirements. These include the riparian communities and associated species addressed in Section 6.1.2 of the Western Riverside County MSHCP document (“Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools”), plants identified in Section 6.1.3 (“Narrow Endemic Plant Species”); and plants and animal species addressed in Section 6.3.2 (“Additional Survey Needs and Procedures”).

2.1.2 Project Relationship to the Western Riverside County MSHCP

The site is located within the Western Riverside County MSHCP boundaries. The County of Riverside, acting as the lead agency for the proposed project, is a permittee under the Western Riverside County MSHCP and, therefore, is afforded coverage under the state or federal ESAs for impacts to listed species covered by the plan. The County is required to document consistency with the Western Riverside County MSHCP in conjunction with any discretionary approvals for the project. As such, this report was prepared to provide all necessary information required to determine project consistency with the Western Riverside County MSHCP.

The site is located within the Elsinore Area Plan of the Western Riverside County MSHCP, in Criteria Cells 5036 and 5038 of Subunit 3. The MSHCP also calls for additional surveys that will to a minimum identify habitat suitable for Criteria Area and Narrow Endemic Plants, burrowing owl, and species associated with riparian/riverine and vernal pool habitats.

The site contains approximately 69.8 acres of habitat associated with Lake Elsinore which would fall under the jurisdiction of the California Department of Fish and Wildlife; and therefore, would also be considered Western Riverside County MSHCP riparian/riverine resources.

2.2 Field Survey

On April 11, 2017, HES conducted a field survey of the site. The ambient temperature at 7:00 a.m. was 53 degrees Fahrenheit, sunny, with winds ranging from four to six miles per hour from the southwest. The purpose of the field survey was to document the existing habitat conditions, obtain plant and animal species information, view the surrounding uses, assess the potential for

state and federal waters, assess the potential for wildlife movement corridors, assess the presence of critical habitat, and, if present, assess for the presence of critical habitat constituent elements.

The entire 74-acre site was surveyed. Where accessible, linear transects approximately 30 feet apart were walked for 100 percent coverage. All species observed were recorded and GPS waypoints were taken to delineate specific habitat types, species locations, state or federal waters, or any other pertinent locational information.

All wildlife species encountered visually or audibly during the field survey were identified and recorded in field notes. Biologists also recorded signs of wildlife species including animal tracks, burrows, nests, scat and remains. Binoculars were used to aid in the identification of observed wildlife. Wildlife field guides and photographs were used to assist with identification of wildlife species during the field survey, as necessary. A one-day survey cannot be used to conclusively determine presence or absence of a species; therefore, assessments of presence/absence were made based on the presence of suitable habitat to support the species, diagnostic signs (burrows, scat, tracks, vocalizations and nests), known records or occurrence within the area, known distribution and elevation range, and habitat utilization from the relevant literature.

A comprehensive list of all plant and wildlife species that were detected during the field survey within the site is included in Appendix A. Sensitive plant and wildlife species with the potential to occur within the area are listed in Appendix B.

3.0 Existing Conditions and Results

3.1 Soils and Topography

Elevation onsite ranges between approximately 1,240 feet above mean sea level (AMSL) in the northern corner (located within Lake Elsinore) and 1,284 feet AMSL where the site meets Grand Avenue. According to the U.S. Department of Agriculture Natural Resources Conservation District's Web Soil Survey, the project site contains six soil types: Hanford sandy loam (156), 2 to 9 percent slopes; Gorgonio loamy sand (GhD), 8 to 15 percent slopes; Monserate sandy loam (MmE3), 15 to 25 percent slopes and severely eroded; Ramona sandy loam (RaC2), 5 to 8 percent slopes, eroded; Traver loamy fine sand (Tp2), eroded; and, portions covered by water.

3.3 Plant and Habitat Communities

The site contains three types of habitat types: 60 acres of tamarisk dominant habitat, 11.82 acres of ruderal habitat, and 2.18 acres of vernal pool habitat (Figure 3).

Tamarisk Dominant Habitat

The proposed mitigation bank property currently contains approximately 61.5 acres of habitat dominated by Tamarisk (*Tamarix sp.*). Most of this habitat is palustrine habitat associated with Lake Elsinore. It is all considered jurisdictional habitat under the CDFW Lake and Streambed Alteration Agreement program. Other species associated with this habitat type include: red

willow (*Salix laevigata*), black willow (*Salix gooddingii*), arroyo willow (*Salix lasiolepis*), Fremont cottonwood (*Populus fremontii*), arrowweed (*Pulchea sericea*), mulefat (*Baccharis salicifolia*), willow baccharis (*Baccharis slicina*), coyote bush (*Baccharis pilularis*), and salt bush (*Atriplex canescens*).

Ruderal

The proposed mitigation bank property contains approximately 12.5 acres of habitat classified as ruderal. These areas show man-made disturbances that have resulted in the dominance of plant species such as: slim oats (*Avena barbata*), ripgut brome (*Bromus diandrus*), foxtail chess (*Bromus madritensis*) foxtail barely (*Hordeum murinum*), mustard (*Brassica tournefortii*), black mustard (*Brassica nigra*), common fiddleneck (*Amsinckia intermedia*), red maids (*Calandrinia menziesii*), California sun cup (*Camissoniopsis bistorta*), tocalote (*Centaurea melitensis*), lambs quarters (*Chenopodium album*), heron bill (*Erodium cicutarium*), crown daisy (*Glebionis coronaria*), sunflower (*Helianthus annus*), stink net (*Oncosiphon piluliferum*), desert bells (*Phacelia campanularia*), Russian thistle (*Salsola tragus*), and London rocket (*Sisymbrium irio*).

Vernal Pool Habitat

The proposed mitigation bank property contains approximately 2.18 acres of vernal pool habitat. This habitat is found in areas where anthropomorphic ground disturbances created berms that help retain rain water during storm events. These areas are also within the historic lake bed; however, lake water levels rarely reach the location of the vernal pools. Common plant species found in these pools are plantain (*Plantago* sp.), common tarweed (*Centromadia pungens* ssp. *pungens*), sunflower (*Helianthus annus*), pepper grass (*Lepidium nitidum*), plantain (*Plantago elongata*), curly dock (*Rumex crispus*), Chinese parsley (*Heliotropium curassavicum*), and yerba mansa (*Anemopsis californica*).

3.4 Wildlife

General wildlife species documented on the site or within the vicinity of the site include Cooper's hawk (*Accipiter striatus*), red-tailed hawk (*Buteo jamaicensis*), house finch (*Carpodacus mexicanus*), turkey vulture (*Cathartes aura*), American crow (*Corvus brachyrhynchos*), American kestrel (*Falco sparverius*), black-tailed jackrabbit (*Lepus californicus*), racoon (*Procyon lotor*), western fence lizard (*Sceloporus occidentalis*), mourning dove (*Zenaida macroura*), common raven (*Corvus corax*), California ground squirrel (*Otospermophilus beecheyi*), coyote (*Canis latrans*), Anna's hummingbird (*Calypte anna*), versatile fairy shrimp (*Branchinecta lindahli*) and western kingbird (*Tyrannus verticalis*). The complete list of species observed is included as Appendix A.

3.5 Regional Connectivity/Wildlife Movement

Wildlife movement corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbances. The project area was evaluated

for its function as a wildlife corridor that species would use to move between wildlife habitat zones. Usually mountain canyons or riparian corridors are used by wildlife as corridors; the project area is located on Lake Elsinore which is used extensively by many bird species as migratory destinations. These species include: blue-winged teal, (*Anas discors*), northern pintail (*Anas acuta*), ring-necked duck (*Aythya collaris*), American white pelican (*Pelecanus erythrorhynchos*), black crowned night heron (*Nycticorax nycticorax*), American coot (*Fulica americana*), black-necked stilt (*Himantopus mexicanus*), herring gull (*Larus argentatus*), green-winged teal (*Anas carolinensis*), ruddy duck (*Oxyura jamaicensis*), eared grebe (*Podiceps nigricollis*), American avocet (*Recurvirostra americana*), great egret (*Ardea alba*) and great blue heron (*Ardea herodias*).

3.6 Sensitive Biological Resources

A total of 57 sensitive species of plants and 52 sensitive species of animals have the potential to occur on or within the vicinity of the project area. These include those species listed or candidates for listing by the U. S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS). All habitats with the potential to be used by sensitive species were evaluated during the site visit and a determination has been made for the presence or probability of presence within this report. This section will address those species listed as Candidate, Rare, Threatened, or Endangered under the state and federal endangered species laws or directed to be evaluated under the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). Sensitive species which have a potential to occur will also be discussed in this section. Other special status species are addressed within Appendix B.

3.6.1 Sensitive Plant Resources

A total of 27 plant species are listed as state and/or federal Threatened, Endangered, or Candidate species; are required to be reviewed under the Narrow Endemic Plant section of the Western Riverside MSHCP; are 1B.1 listed plants on the CNPS Rare Plant Inventory; or have been found to have a potential to exist on the site. Below are descriptions of these species:

San Jacinto Valley crownscale

San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*) is a federally listed endangered species and is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes playas, valley and foothill grassland, and vernal pools. The site does contain suitable habitat for this species.

Potential to be present.

Parish's Brittle scale

The Parish's brittle scale (*Atriplex parishii*) is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes playas, and vernal pools. The site does contain suitable habitat for this species.

Potential to be present.

Davidson's saltscale

Davidson's saltscale (*Atriplex serenana* var. *davidsonii*) is ranked 1B.2 in the CNPS rare plant inventory. Its habitat includes playas, and vernal pools. The site does contain suitable habitat for this species. **Potential to be present.**

Thread-leaved brodiaea

The thread-leaved brodiaea (*brodiaea filifolia*) is a federally threatened, state endangered and a CNPS 1B.1 listed plant. It is found in chaparral, cismontane woodlands, coastal sage scrub, valley and foothill grasslands, vernal pools and wetland. The site contains marginally suitable habitat. **Potential to be present.**

Round-leaved filaree

Round-leaved filaree (*California macrophylla*) is a rank 1B.1 species in the CNPS rare plant inventory. The species occurs in clay soils in cismontane woodlands and valley and foothill grasslands at elevations from 50 to 3,940 feet amsl. This species requires clay soils. Appropriate soils for this species do not occur on the site. **This species is not present.**

Smooth Tarplant

Smooth tarplant (*Centromadia pungens* ssp. *laevis*) is a rank 1B.1 species in the CNPS rare plant inventory. The species is found in valley/foothill grasslands, meadows, playas, riparian woodland and alkali scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

Coulter's Goldfields

Coulter's goldfields (*Lasthenia glabrata* ssp. *Coulteri*) is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes alkali soils in playas, sinks and grasslands. There is potential habitat for this species to be present on the site. **Potential to be present.**

Little Mousetail

Little mousetail (*Myosurus minimus* ssp. *apus*) is ranked 3.1 in the CNPS rare plant inventory. Its habitat includes alkali soils in playas, sinks and grasslands. There is potential habitat for this species to be present on the site. **Potential to be present.**

Munz's onion

Munz's onion (*Allium munzii*) is a federally endangered, state threatened, and CNPS 1B.1 listed plant. It is found in chaparral, coastal scrub, valley and foothill grasslands, cismontane woodland, and pinyon and juniper woodland. This species requires heavy clay soils. Appropriate soils for this species do not occur on the site. **This species is not present.**

San Diego ambrosia

San Diego ambrosia (*Ambrosia pumila*) is a 1B.1 in the CNPS rare plant inventory. Its habitat is chaparral, valley and foothill grassland. Small vernal pools were found on site. **Potential to be present.**

Many-stemmed dudleya

Many-stemmed dudleya (*Dudleya multicaulis*) is ranked 1B.2 in the CNPS rare plant inventory. Its habitat includes chaparral, valley grassland and coastal sage scrub. There is potential habitat for this species to be present on the project site. However, this species was not observed during focused surveys. **This species is not present.**

Spreading navarretia

Spreading navarretia (*Navarretia fossalis*) is a federally listed threatened species and is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes alkali playa, chenopod scrub, marsh and swamp, vernal pools, and wetlands. There is potential habitat for this species to be present on the site. **Potential to be present.**

California Orcutt grass

California Orcutt grass (*Orcuttia californica*) is a federal and state endangered species. It is ranked 1B.1 in the CNPS rare plant inventory. It is found in vernal pools and wetlands. There is marginally suitable habitat for this species to be present on the site. **Potential to be present.**

Hammitt's clay-cress

Hammitt's clay-cress (*Sibaropsis hammittii*) is a rank 1B.2 species in the CNPS rare plant inventory. Its habitat includes valley and foothill grasslands and chaparral at elevations ranging from 720 to 1065 meters AMSL. It requires mesic microsites in open areas on clay soils. Appropriate soils for this species do not occur on the site. **This species is not present.**

Wright's trichocoronis

Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*) is ranked 2B.1 in the CNPS rare plant inventory. Its habitat includes meadows, marsh, riparian, vernal-pools and wetland. There is potential habitat for this species to be present on the site. **Potential to be present.**

Payson's jewelflower

The Payson's jewelflower (*Caulanthus simulans*) is a rank 4.2 species in the CNPS rare plant inventory. The species is found in chaparral, coastal scrub habitat and alkali scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

Slender-horned spineflower

Slender - horned spineflower (*Dodecahema leptoceras*) is a federally and state listed endangered species and is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes chaparral, cismontane woodland, and coastal scrub (alluvial fan sage scrub). There is some marginal habitat for this species present. **Potential to be present.**

San Diego Button Celery

The San Diego button celery (*Eryngium aristulatum* ver. *parishii*) is a federal and state endangered species. It is ranked 1B.1 in the CNPS rare plant inventory. It is found in San Diego mesa hardpan, claypan vernal pools and southern interior basalt flows. There is no habitat for this species present on site. **Not present.**

Cambell's Liverwort

Cambell's liverwort (*Geothallus tuberosus*) is a rank 1B.1 species in the CNPS rare plant inventory. The species is found in costal scrub habitat and vernal pool. There are small vernal pools on the property. **Potential to be present.**

Mesa Horkelia

Mesa horkelia (*Horkelia vuneata* var. *puberula*) is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes chaparral, cismontane woodland, and coastal scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

Santa Lucia dwarf rush

Santa Lucia dwarf rush (*Juncus luciensis*) is ranked 1B.2 in the CNPS rare plant inventory. Its habitat includes alkali soils, playas, and grasslands. There is potential habitat for this species to be present on the site. **Potential to be present.**

Parish's meadowfoam

Parish's meadowfoam (*Limnanthes alba* ssp. *parishii*) is a state listed threatened species. It is ranked 1B.2 in the CNPS rare plant inventory. It is found in lower montane coniferous forest, meadows and seeps, and vernal pools. There are small vernal pools present on the site. **Potential to be present.**

Prostate Vernal Pool Navarretia

Prostate vernal pool navarretia (*Navarretia prostata*) is ranked 1B.1 in the CNPS rare plant inventory. Its habitat includes alkali playa, chenopod scrub, marsh and swamp, vernal pools, and wetlands. There is potential habitat for this species to be present on the site. **Potential to be present.**

White rabbit-tobacco

White rabbit-tobacco (*Pseudognaphalium leucocephalum*) is ranked 2B.2 in the CNPS rare plant inventory. It is found in sandy, gravelly soils in riparian woodlands, cismontane woodlands, chaparral and coastal sage scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

San Bernardino Aster

San Bernardino aster (*Symphotrichum defoliatum*) is a ranked 1B.2 in the CNPS rare plant inventory. It is found in vernal mesic soils near or around ditches and streams. There is potential habitat for this species to be present on the site. **Potential to be present.**

California Screw Moss

California screw moss (*Tortula californica*) is a ranked 1B.2 in the CNPS rare plant inventory. It is found in chenopod scrub, valley and foothill grasslands. There is potential habitat for this species to be present on the site. **Potential to be present.**

Wright's Trichocoronis

Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*) is ranked 2B.1 in the CNPS rare plant inventory. Its habitat includes alkali soils in playas, sinks and grasslands. There is potential habitat for this species to be present on the site. **Potential to be present.**

3.6.2 Sensitive Animal Resources

A total of 44 animal species are listed as state and/or federal Threatened, Endangered, or Candidate or for special consideration under the Western Riverside County MSHCP will be reviewed in this section. Sensitive species which have a potential to occur will also be discussed in this section. All sensitive species within a 5-mile radius of project area were reviewed and a complete list of those species are discussed within Appendix B. Below are descriptions of these species:

Cooper's hawk

The Cooper's hawk (*Accipiter cooperii*) is a CDFW watch list wildlife species. This species is covered by the Western Riverside County MSHCP. It is found in riparian areas with stands of willow and cottonwoods. It nests in trees and its nesting season is between February 15 and August 15. There is potential habitat for this species to be present on the site. **Potential to be present.**

Tricolored blackbird

Tricolored blackbird (*Agelaius tricolor*) is State listed as endangered and listed by the CDFW as a Species of Special Concern. This species is covered by the Western Riverside County MSHCP. The species occupies freshwater marshes with canopies of willows (*Salix* spp.) and other riparian

trees and require open accessible water and suitable foraging space. The site does support suitable nesting habitat for the species. **Potential to be present.**

Arroyo Toad

Arroyo Toad (*Anaxyrus californicus*) is a federally listed endangered species and a CDFW species of special concern. This species is covered by the Western Riverside County MSHCP. The most favorable breeding habitat for this species consists of slow-moving shallow pools, nearby sandbars, and adjacent stream terraces. There is no habitat for this species on the site. **The species is not present.**

California Glossy snake

The California glossy snake (*Arizona elegans occidentalis*) is a CDFW Species of Special Concern. This species is found in coastal sage scrub, chaparral or areas with loose, sandy soils. The site contains marginal habitat present for this species. **Potential to be present.**

Bell's sage sparrow

Bell's sage sparrow (*Artemisiospiza belli belli*) is a CDFW watch list wildlife species. This species is covered by the Western Riverside County MSHCP. This species is found in coastal sage scrub and chaparral. It nests in chaparral dominated by fairly dense stands of chamise. The site contain marginal habitat present for this species. **Potential to be present.**

Long-eared owl

Long-eared owl (*Asio otus*) is a CDFW Species of Special Concern. It is found in cismontane woodland, great basin scrub, riparian forest and woodland and upper montane coniferous forest. The site contain marginal habitat present for this species. **Potential to be present.**

Orange-throated Whiptail

The orange-throated whiptail (*Aspidoscelis hyperythra*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. It is found in chaparral, coastal sage scrub, and cismontane woodlands. This species prefers washes and other sandy areas with patches of brush and rocks. There is potential habitat for this species to be present on the site. **Potential to be present.**

Coastal Whiptail

The coastal whiptail (*Aspidoscelis tigris stejnegeri*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. It is typically found in hot, dry, flat open spaces in deserts or semi-arid areas. There is potential habitat for this species to be present on the site. **Potential to be present.**

Burrowing owl

Burrowing owl (*Athene cunicularia*) is a CDFW species of special concern. This species is covered by the Western Riverside County MSHCP. This species is found in coastal prairie, coastal scrub, great basin grassland, great basin scrub, mojavean desert scrub, sonoran desert scrub, and valley and foothill grassland. There is potential habitat present on site. **Potential to be present.**

Vernal pool fairy shrimp

Vernal pool fairy shrimp (*Branchinecta lynchi*) is a federally listed threatened species. This species is covered by the Western Riverside County MSHCP. This species is found in seasonal pools of water in valley and foothill grasslands. The site does contain small vernal pools that were found to contain versatile fairy shrimp. The single vernal pool branchiopod survey (Appendix D) conducted on the site only detected the presence of the non-listed versatile fairy shrimp (*Branchinecta lindahli*); however, the site does contain suitable habitat for this species. **Potential to be present.**

Swainson's hawk

Swainson's hawk (*Buteo swainsoni*) is a state listed threatened species. This species is covered by the Western Riverside County MSHCP. This species favors open grasslands for foraging but also occurs in agricultural settings. It relies on scattered stands of trees near agricultural fields and grasslands for nesting site. The site does not contain suitable habitat for this species. **This species is not present.**

Northwestern Pocket Mouse

The northwestern pocket mouse (*Chaetodipus fallax fallax*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. It is found in chaparral and coastal sage scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

Western snowy plover

Western snowy plover (*Charadrius alexandrinus nivosus*) is federally listed as threatened and a CDFW Species of Special Concern. It is found in great basin standing waters, sand shore, and wetland. This species has been documented at Lake Elsinore. **This species is present.**

Senile Tiger Beetle

Senile tiger beetle (*Charadrius alexandrinus nivosus*) is found in wetlands and standing waters. There is habitat for this species to be present on the site. **Potential to be present.**

San Bernardino Ringneck Snake

San Bernardino ringneck snake (*Diadophis punctatus modestus*) is a USFWS sensitive species found in moist habitats, including wet meadows, rocky hillsides, gardens, farmland, grassland, chaparral, mixed coniferous forests, woodlands. There is habitat for this species to be present on the site. **Potential to be present.**

Stephen's Kangaroo Rat

Stephens' Kangaroo Rat (*Dipodomys stephensi*) is a federally listed endangered species and State listed threatened species. This species is covered by the Western Riverside County MSHCP. This species is found in coastal sage scrub with sparse vegetation cover, and in valley and foothill grasslands. There is no habitat for this species present on the site. **Not present.**

White-tailed kite

White-tailed kite (*Elanus leucurus*) is a CDFW fully protected species. This species is covered by the Western Riverside County MSHCP. This species is found in cismontane woodlands, marshes, riparian woodlands, valley and foothill grasslands, and wetlands. It nests in isolated, dense-topped trees. The site does contain suitable habitat for this species. **Potential to be present.**

Western pond turtle

Western pond turtle (*Emys marmorata*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in artificial flowing waters, marshes, standing waters, and wetland. It requires basking site and suitable upland habitat consisting of sandy banks or grassy open fields within 0.5 km from the water for egg-laying. The site does contain suitable habitat for this species. **Potential to be present.**

California horned lark

California horned lark (*Eremophila alpestris actia*) is a CDFW watch list wildlife species. This species is covered by the Western Riverside County MSHCP. The species is found in marine intertidal and splash zone communities, meadow and seep. The site does have suitable habitat for this species. **Potential to be present.**

Western mastiff bat

Western mastiff bat (*Eumops perotis californicus*) is a CDFW Species of Special Concern. This species is found in coastal sage scrub, chaparral, cismontane woodland, and valley and foothill grassland. It roosts in crevices in cliff face, high buildings, trees, and tunnels. There is potential habitat for this species to be present on the site. **Potential to be present.**

Quino checkerspot butterfly

Quino checkerspot butterfly (*Euphydryas editha quino*) is a federally listed endangered species. This species is covered by the Western Riverside County MSHCP. It is found in chaparral and coastal sage scrub. This species requires high densities of food plants, including *Plantago erecta*, *P. insularis*, and *Orthocarpus purpureus*. The site does not contain suitable habitat for this species. **This species is not present.**

Bald eagle

Bald eagle (*Haliaeetus leucocephalus*) is a state listed endangered and fully protected species. This species is covered by the Western Riverside County MSHCP. This species is found in lower montane coniferous forest and old-growth. They nest in large old-growth or ponderosa pine. The site does not contain suitable nesting habitat for this species, but the lake does serve as suitable foraging habitat. **Potential to be present.**

Yellow-breasted chat

Yellow-breasted chat (*Icteria virens*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in riparian forest, riparian scrub and riparian woodland. They nest in low, dense riparian consisting of willow, blackberry and wild grape. The site does contain suitable habitat for this species. **Potential to be present.**

Loggerhead shrike

Loggerhead shrike (*Lanius ludovicianus*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in broad-leaved upland forest, desert wash, Joshua tree woodland, Mojave desert scrub, pinon and juniper woodland, riparian woodland, and Sonoran desert scrub. It nests in fairly dense shrubs and brush. The site does contain suitable habitat for this species. **Potential to be present.**

Western yellow bat

Western yellow bat (*Lasiurus xanthinus*) is a CDFW Species of Special Concern. This species is found in desert washes. It roosts in trees, particularly palms. The site does contain suitable habitat for this species. **Potential to be present.**

San Diego black-tailed jackrabbit

San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in coastal sage scrub throughout Southern California. There is habitat for this species on the site and black-tailed jack rabbit have been observed. **Present.**

Santa Rosa Plateau Fairy Shrimp

Santa Rosa fairy shrimp (*Linderiella santarosae*) is covered by the Western Riverside County MSHCP. This species is found in vernal pools. There are small vernal pools on the site and these pools may be marginal habitat for this species. The single vernal pool branchiopod survey (Appendix D) conducted on the site only detected the presence of the non-listed versatile fairy shrimp (*Branchinecta lindahli*); however, the site does contain suitable habitat for this species.

Potential to be present.

Yuma Myotis

The Yuma myotis (*Myotis yumanensis*) is found associated with large bodies of water. It roosts in caves, mines, and buildings. The site does contain habitat for this species. **Potential to be present.**

San Diego desert woodrat

San Diego desert woodrat (*Neotoma lepida intermedia*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in coastal sage scrub. It prefers moderate to dense canopies and rock outcrops, rocky cliffs, and slopes. The site does contain marginal habitat for this species. **Potential to be present.**

Southern California steelhead

Southern California steelhead (*Oncorhynchus mykiss irideus*) is a federally listed endangered species and a CDFW Species of Special Concern. The species is aquatic and found in south coast flowing waters. The site do not contain suitable habitat for this species. **This species is not present.**

Southern grasshopper mouse

Southern grasshopper mouse (*Onychomys torridus ramona*) is a CDFW Species of Special Concern. This species is found in chenopod scrub. The site does contain suitable habitat for this species. **Potential to be present.**

Osprey

Osprey (*Pandion haliaetus*) is a CDFW watch list wildlife species. This species is covered by the Western Riverside County MSHCP. This species is found in riparian forest. It builds large nests in tree-tops within 15 miles of a fish-producing body of water. The site does contain habitat for this species. **Potential to be present.**

Los Angeles pocket mouse

Los Angeles pocket mouse (*Perognathus longimembris brevinasus*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This

species is found in coastal sage scrub, and requires open ground with fine sandy soils. There is potential habitat for this species to be present on the site. **Potential to be present.**

Coast horned lizard

Coast horned lizard (*Phrynosoma blainvillii*) is a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species is found in coastal sage scrub, coastal bluff scrub, chaparral, cismontane woodland, desert wash, pinon and juniper woodlands, riparian scrub, riparian woodland, and valley and foothill grassland. There is potential habitat for this species to be present on the site. Species has been observed. **Present.**

White-faced ibis

White-faced ibis (*Plegadis chihi*) is a CDFW watch list wildlife species. This species is covered by the Western Riverside County MSHCP. This species is found in marshes, swamps, and wetlands. It nests in dense tule thickets. The site does contain habitat for this species. **Potential to be present.**

Coastal California gnatcatcher

Coastal California gnatcatcher (*Poliophtila californica californica*) is a federally listed threatened species and CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. This species' range is limited to the California coast and is found only in coastal sage scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

California red-legged frog

California red-legged frog (*Rana draytonii*) is a federally-listed threatened species and a CDFW Species of Special Concern. This species is covered by the Western Riverside County MSHCP. The species is aquatic and found in habitats such as marshes, swamps, wetlands, riparian forests, riparian woodlands, riparian scrub, and standing waters. The site do not contain suitable habitat for this species. **This species is not present.**

Coast patch-nosed snake

The coast patched-nosed snake (*Salvadora hexalepis virgultea*) is a CDFW Species of Special Concern. It is found in chaparral and coastal sage scrub. There is potential habitat for this species to be present on the site. **Potential to be present.**

Western spadefoot

Western spadefoot (*Spea hammondi*) is a CDFW species of special concern. This species is covered by the Western Riverside County MSHCP. The species is found in cismontane woodland, coastal sage scrub, valley and foothill grassland, vernal pool and wetland. Vernal

pools are essential for breeding and egg-laying. The site does have small vernal pools that may be suitable for the toad. **Potential to be present.**

Riverside fairy shrimp

Riverside fairy shrimp (*Streptocephalus woottoni*) is a federally listed endangered species. This species is covered by the Western Riverside County MSHCP. This species is found in seasonal pools of water in coastal sage scrub and grasslands. The site does have small vernal pools that may be suitable for this species. The single vernal pool branchiopod survey (Appendix D) conducted on the site only detected the presence of the non-listed versatile fairy shrimp (*Branchinecta lindahli*); however, the site does contain suitable habitat for this species. **Potential to be present.**

Coast range newt

Coast range newt (*Taricha torosa*) is a CDFW Species of Special Concern. This species is found in terrestrial habitats. Breeds in ponds, reservoirs and slow moving streams. There is potential habitat for this species to be present on the site. **Potential to be present.**

American badger

American badger (*Taxidea taxus*) is a CDFW Species of Special Concern. This species is found in alkali marsh, alkali playa, alpine, alpine dwarf scrub, bog and fen, brackish marsh, broadleaved upland forest, chaparral and chenopod scrub. The site does contain suitable habitat for this species. **Potential to be present.**

Two-stripped gartersnake

Two-stripped gartersnake (*Thamnophis hammondi*) is a CDFW watch list wildlife species. The species is found in marsh, swamp, wetland, and riparian scrub and woodland. Highly aquatic. Found in or near fresh water. There is potential habitat for this species to be present on the site. **Potential to be present.**

Least Bell's vireo

Least Bell's vireo (*Vireo bellii pusillus*) is a federal and state listed endangered species. This species is covered by the Western Riverside County MSHCP. This species is found in riparian forest, riparian scrub and riparian woodland. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, baccharis and mesquite. A documented observation of this species just east of the site was recorded in 2009. This species was detected on the southeastern portion of the project site during the April 2017 field survey. **Present.**

3.6.3 Oak Tree Plant Protection and Management

There are no oak trees present on the site.

3.6.4 Nesting Birds

Migratory non-game native bird species are protected under the federal Migratory Bird Treaty Act. Additionally, Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests. The site contains shrubs and trees that can support nesting song birds or raptors. The lakeshore and tamarisk dominant habitat currently provides nesting habitat.

3.7 Jurisdictional Waters

The project areas contain approximately 69.8 acres of habitat associated with Lake Elsinore which would be under the jurisdiction of the CDFW (Figure 4). CDFW jurisdictional areas include approximately 58.82 acres of tamarisk dominant habitat, 8.82 acres of ruderal habitat, and 2.18 acres of vernal pool habitat. In addition to CDFW jurisdictional habitat, the mitigation site also contains approximately 59.4 acres of waters of the United States (Figure 5).

5.0 Western Riverside County MSHCP Consistency Analysis

5.1 MSHCP Requirements

The site is located within the Elsinore Area Plan of the Western Riverside County MSHCP, in Criteria Cells 5036 and 5038 of Subunit 3. A discussion of the applicable Western Riverside County MSHCP requirements follows:

Section 6.1.2 Species Associated With Riparian/Riverine Habitat and Vernal Pools

The project areas contain approximately 69.8 acres of habitat associated with Lake Elsinore which would be under the jurisdiction of the California department of Fish and Wildlife; and therefore, would also be considered Western Riverside County MSHCP riparian/riverine resources. Approximately 2.18 acres of vernal pools occur on the site; therefore, suitable habitat for fairy shrimp occurs on the site.

Section 6.1.3 Sensitive Plant Species

The site is within a NEPSSA-designated area for seven plant species: California Orcutt grass, many-stemmed dudleya, Munz's onion, San Diego ambrosia, spreading navarretia, Hammitt's clay-cress, and Wright's trichocoronis. Sensitive plant species surveys for these species are recommended.

Section 6.1.4 Urban/Wildlands Interface Guidelines

The site is located adjacent to and interface with MSHCP Existing Core E (Lake Elsinore). Therefore, the Urban/Wildlands Interface Guidelines (Section 6.14 of the MSHCP) are applicable.

Section 6.3.2 Additional Surveys and Procedures

The site is located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA) eight plant species: San Jacinto Valley crownscale, Parish's brittlescale, Davidson's saltscale, thread-leaved brodiaea, smooth tarplant, round-leaved filaree, Coulter's goldfields, and little mousetail. Sensitive plant species surveys for these species are recommended.

In addition, the site is not located within the Western Riverside County MSHCP Additional survey areas for amphibians, survey areas for mammals, or any special linkage areas; however, the site is located within the Western Riverside County MSHCP burrowing owl survey area. Focused burrowing owl surveys are recommended.

6.0 Recommendations

Based upon the findings of this report, it is recommended that the following studies or surveys be performed on the site:

- The site is within a NEPSSA-designated area for seven plant species: California Orcutt grass, many-stemmed dudleya, Munz's onion, San Diego ambrosia, spreading navarretia, Hammitt's clay-cress, and Wright's trichocoronis. Further, the site is located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA) eight plant species: San Jacinto Valley crownscale, Parish's brittlescale, Davidson's saltscale, thread-leaved brodiaea, smooth tarplant, round-leaved filaree, Coulter's goldfields, and little mousetail. It is recommended that rare plant surveys for these species be conducted on the site during their blooming periods.
- The site is located within the Western Riverside County MSHCP burrowing owl survey area. It is recommended that focused burrowing owl surveys are conducted in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Area* (County of Riverside 2006a).

7.0 Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.



Date 06-30-2017

Signed _____

PROJECT MANAGER

Fieldwork Performed By:

Juan Jose Hernandez

PRINCIPAL BIOLOGIST

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FIGURES

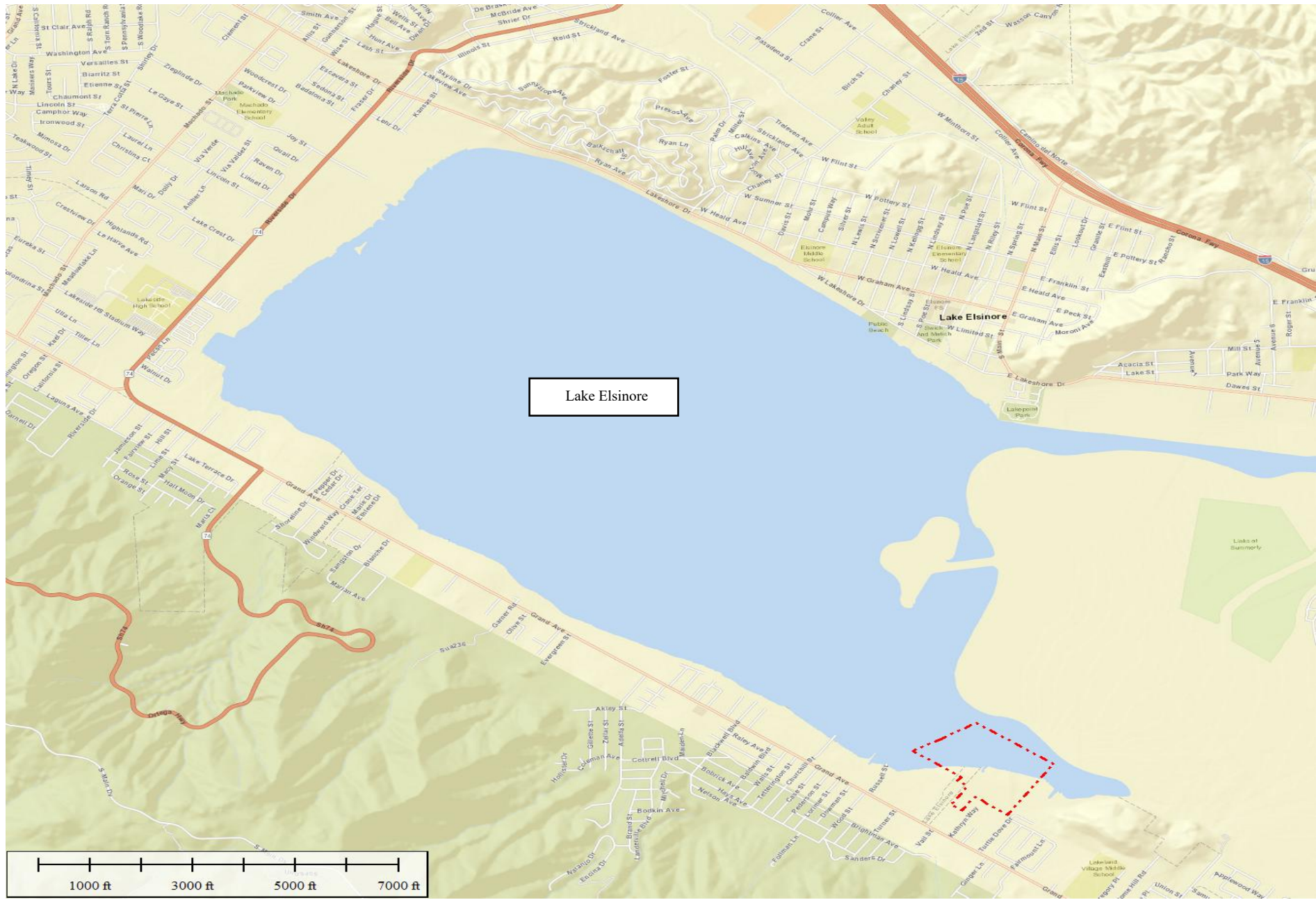


Figure 1
 Location Map
 Galvez Site
 Lake Elsinore, Riverside County, CA

Legend

Site Boundary

N

Hernandez
Environmental
Services

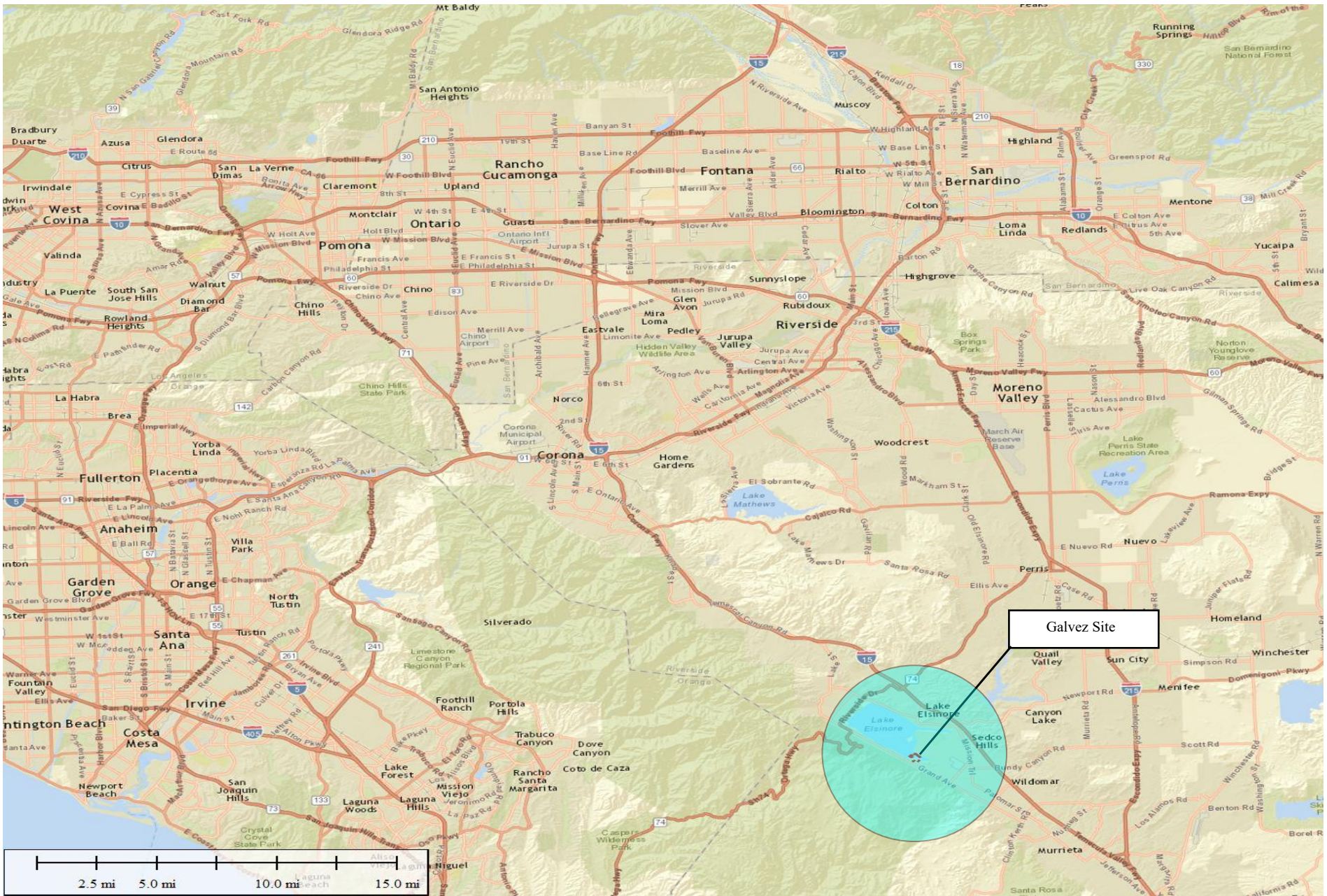


Figure 2
 Vicinity Map
 Galvez Site
 Lake Elsinore, Riverside County, CA

Legend



Site Boundary



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Hernandez
 Environmental
 Services



Figure 3
 Habitat Map
 Galvez Site
 Lake Elsinore, Riverside County, CA

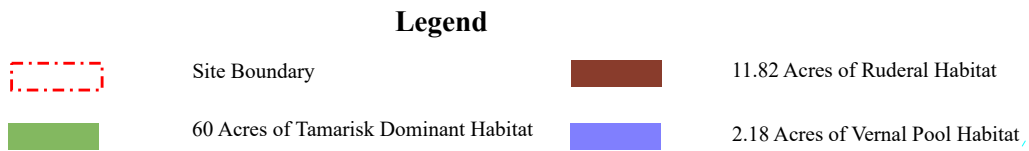




Figure 4
 CDFW Jurisdictional Areas Map
 Galvez Site
 Lake Elsinore, Riverside County, CA



Site Boundary
 58.82 Acres of Tamarisk Dominant Habitat



8.82 Acres of Ruderal Habitat
 2.18 Acres of Vernal Pool Habitat



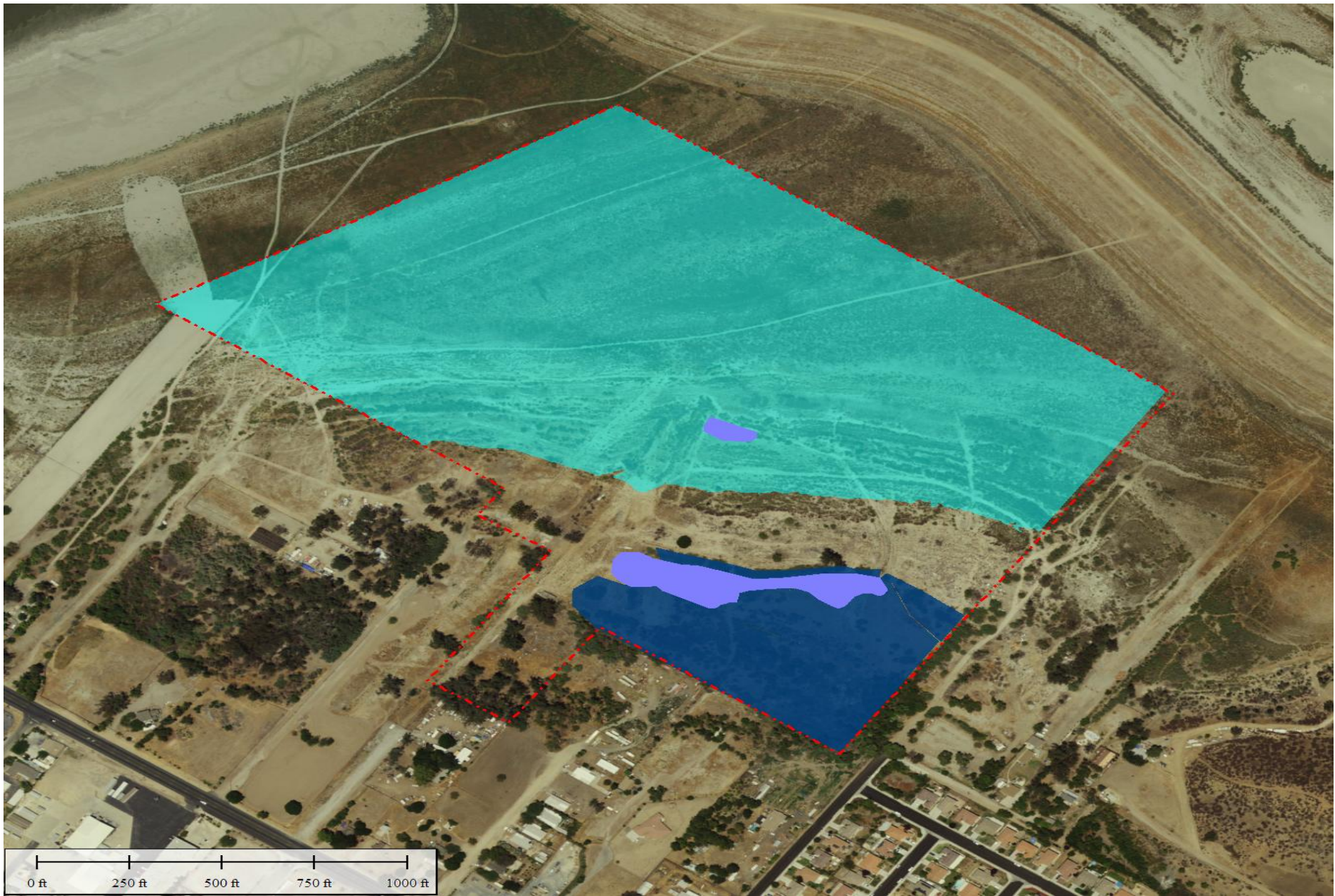


Figure 5
 Waters of the United States Map
 Galvez Site
 Lake Elsinore, Riverside County, CA



Site Boundary

49.82 Acres of Waters of the United States



7.44 Acres of Adjacent Wetlands

2.18 Acres of Vernal Pool Habitat



Total of 59.44 Acres of Waters of the United States

APPENDIX A

Species List

Arecaceae Palm Family

Washingtonia sp.

California Fan Palm

Asteraceae Sunflower Family

Ambrosia psilostachya

Western Ragweed

Artemisia californica

California Sagebrush

Artemisia douglasiana

Mugwort

Baccharis pilularis

Coyote Brush

Baccharis salicifolia

Mulefat

Carduus pycnocephalus

Italian Thistle*

Centaurea melitensis

Tocalote*

Centromadia pungens

Tarweed

Conyza canadensis

Horseweed

Glebionis coronaria

Crown daisy

Helianthus annuus

Annual Sunflower

Heterotheca grandiflora

Telegraph Weed

Isocoma sp.

Goldenbush

Lactuca serriola

Prickly-lettuce*

Lessingia filaginifolia

Cudweed Aster

Oncosiphon piluliferum

Stinknet*

Pluchea sericea

Arrow Weed

Sonchus oleraceus

Sow-thistle*

Boraginaceae Borage Family

Amsinckia intermedia

Common fiddleneck

Heliotropium curassavicum

Wild Heliotrope

Phacelia campanularia

Desert bells

Brassicaceae Mustard Family

Brassica nigra

Black mustard

Brassica tournefortii

Mustard*

Hirschfeldia incana

Short-pod Mustard*

Lepidium latifolium

Tall Whitetop*

Lepidium nitidum

Peppergrass

Sisymbrium irio

London Rocket*

Caprifoliaceae Honeysuckle Family

Sambucus mexicana

Blue Elderberry

Chenopodiaceae Goosefoot Family

Chenopodium album

Lamb's quarters*

Salsola tragus

Russian Thistle*

Euphorbiaceae Spurge Family

Chamaesyce sp.

Spurge

Eremocarpus setiger

Doveweed

Fabaceae Pea Family

Lotus scoparius

Deerweed

Geraniaceae Geranium Family

Erodium cicutarium

Red-stemmed Filaree

Hydrophyllaceae Waterleaf Family

Phacelia sp.

Unidentified Phacelia

Lamiaceae Mint Family

Marrubium vulgare

Horehound*

Malvaceae Mallow Family

Malacothamnus fasciculatus

Malva parviflora

Bush Mallow

Cheeseweed*

Montiaceae Miner's Lettuce Family

Calandrinia menziesii

Red maids

Myrtaceae Myrtle Family

Eucalyptus sp.

Gum Tree*

Poaceae Grass Family

Avena barbata

Bromus diandrus

Bromus madritensis

Digitaria sanguinalis

Distichlis spicata

Schismus barbatus

Slender Wild Oat*

Ripgut Brome*

Foxtail barely*

Large Crabgrass*

Saltgrass

Mediterranean Grass

Polygonaceae Buckwheat Family

Eriogonum fasciculatum var. *foliolosum*

Eriogonum sp.

Rumex crispus

California Buckwheat

Buckwheat

Curly Dock*

Plantaginaceae Plantain Family

Plantago elongata

Plantain

Salicaceae Willow Family

Salix gooddingii

Salix lasiolepis

Populus fremontii

Black Willow

Arroyo Willow

Western Cottonwood

Saururaceae Lizard's-tail Family

Anemopsis californica

Yerba mansa

Simaroubaceae Ailanthus Family

Ailanthus altissima

Tree of Heaven*

Solanaceae Nightshade Family

Nicotiana glauca

Tobacco Tree*

Tamaricaceae Tamarisk Family

Tamarix ramosissima

Tamarisk*

Urticaceae Nettle Family

Urtica dioica

Stinging Nettle

* Non-native species

Animal List

Acciptiridae Hawk Family

Accipiter striatus

Buteo jamaicensis

Circus cyaneus

Cooper's hawk

Red-tail Hawk

Northern Harrier

Anatidae Ducks, Geese, Swan Family

Branta canadensis Canada Goose

Ardeidae Family

Ardea alba

Ardea herodias

Great egret

Great blue heron

Cathartidae Vulture Family

Cathartes aura

Turkey Vulture

Charadriidae Plover Family

Charadrius vociferus

Killdeer

Columbidae Pigeon Family

Zenaida macroura

Mourning Dove

Corvidae Jay and Crow Family

Corvus brachyrhynchos

Corvus corax clarionensis

American crow

Common Raven

Cuculidae Cuckoo Family

Geococcyx californianus

Greater Roadrunner

Emberizidae Emberizine

Sparrow Family

Pipilo crissalis

Melospiza melodia

Pipilo crissalis

California Towhee

Song Sparrow

California Towhee

Zonotrichia leucophrys

White-crowned Sparrow

Fringillidae Finch Family

Carpodacus mexicanus

House Finch

Falconidae Family

Falco sparverius

American kestrel

Laniidae Shrike Family

Lanius ludovicianus

Loggerhead Shrike

Parulidae Wood Warbler Family

Dendroica coronata

Yellow-rumped Warbler

Picidae Woodpecker Family

Picoides nuttallii

Nuttall's Woodpecker

Scolopacidae Family

Calidris sp.

Sylviidae Gnatcatcher Family

Poliopila caerulea

Blue-gray Gnatcatcher

Trochilidae Hummingbird Family

Calypte anna

Anna's Hummingbird

Tyrannidae Tyrant Flycatchers

Sayornis nigricans

Sayornis saya

Tyrannus verticalis

Black Phoebe

Say's Phoebe

Western kingbird

Geomyidae Pocket Gopher Family

Thomomys bottae

Botta's Pocket Gopher

Leporidae Rabbit Family

Lepus californicus

Sylvilagus audubonii

Black-tailed Jackrabbit

Desert Cottontail

Sciuridae Squirrel Family

Spermophilus beecheyi

California Ground Squirrel

Reptiles & Amphibians

Colubridae Family

Pituophis catenifer

Gopher snake

Iguanidae Iguanid Family

Sceloporus occidentalis

Uta stansburiana

Western fenced lizard

Side-blotched Lizard

Mammals

Canidae Canid Family

Canis latrans

Coyote

Procyonidae Family

Procyon lotor

Racoon

Invertebrates

Branchinecta Family

Branchinecta lindahli

Common fairy shrimp

APPENDIX B

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|---|-------------------------------|-----------------|---------------|------|--|--|---|--|
| <i>Abronia villosa</i> var. <i>aurita</i> | chaparral sand-verbena | None | None | 1B.1 | BLM_S-Sensitive USFS_S-Sensitive | Chaparral, coastal scrub, desert dunes. | Sandy areas. -60-1570 m. Blooms Jauary - September. | Not present |
| <i>Allium munzii</i> | Munz's onion | Endangered | Threatened | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral, coastal scrub, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland. | Heavy clay soils; grows in grasslands & openings within shrublands or woodlands. 375-1040 m. Blooms March - May. | No soils-Not present |
| <i>Ambrosia pumila</i> | San Diego ambrosia | Endangered | None | 1B.1 | | Chaparral, coastal scrub, valley and foothill grassland. | Sandy loam or clay soil; sometimes alkaline. In valleys; persists where disturbance has been superficial. Sometimes on margins or near vernal pools. 3-580 m. Blooms April - October. | Vernal pools were seen. Potential to be present. |
| <i>Arctostaphylos rainbowensis</i> | Rainbow manzanita | None | None | 1B.1 | BLM_S-Sensitive USFS_S-Sensitive | Chaparral. | Usually found in gabbro chaparral. 100-870 m. Blooms December - March. | Not present |
| <i>Atriplex coronata</i> var. <i>notatior</i> | San Jacinto Valley crownscale | Endangered | None | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Playas, valley and foothill grassland, vernal pools. | Alkaline areas in the San Jacinto River Valley. 380-460 m. Blooms April - August. | Potential to be present. |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--|----------------------------|-----------------|---------------|------|---|--|--|---|
| <i>Atriplex parishii</i> | Parish's brittlescale | None | None | 1B.1 | USFS_S-Sensitive | Vernal pools, chenopod scrub, playas. | Usually on drying alkali flats with fine soils. 5-1420 m. Blooms June - October. | Potential to be present. |
| <i>Atriplex serenana</i> var. <i>davisonii</i> | Davidson's saltscale | None | None | 1B.2 | | Coastal bluff scrub, coastal scrub. | Alkaline soil. 0-460 m. Blooms April - October. | Potential to be present. |
| <i>Ayenia compacta</i> | California ayenia | None | None | 2B.3 | | Mojavean desert scrub, Sonoran desert scrub. | Sandy and gravelly washes in the desert; dry desert canyons. 60-1830 m. Blooms March - April. | Not present |
| <i>Brodiaea filifolia</i> | thread-leaved brodiaea | Threatened | Endangered | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral (openings), cismontane woodland, coastal scrub, playas, valley and foothill grassland, vernal pools. | Usually associated with annual grassland and vernal pools; often surrounded by shrubland habitats. Occurs in openings on clay soils. 15-1020 m. Blooms March - June. | Marginal habitat present. Potential to be present |
| <i>Brodiaea santarosae</i> | Santa Rosa Basalt brodiaea | None | None | 1B.2 | USFS_S-Sensitive | Valley and foothill grassland. | Santa Rosa Basalt. 585-1045 m. Blooms May - June. | No soils-Not present |
| <i>California macrophylla</i> | round-leaved filaree | None | None | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden | Cismontane woodland, valley and foothill grassland. | Clay soils. 15-1200 m. Blooms March - May | No soils-Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--|----------------------------------|-----------------|---------------|------|--|---|--|---|
| Calochortus weedii var. intermedius | intermediate mariposa-lily | None | None | 1B.2 | SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S- Sensitive | Coastal scrub, chaparral, valley and foothill grassland. | Dry, rocky open slopes and rock outcrops. 60-1575 m. Blooms May - July. | Not present |
| Canyon Live Oak Ravine Forest | Canyon Live Oak Ravine Forest | None | None | | | | | Not present |
| Caulanthus simulans | Payson's jewelflower | None | None | 4.2 | USFS_S-Sensitive | Chaparral, coastal scrub. | Frequently in burned areas, or in disturbed sites such as streambeds; also on rocky, steep slopes. Sandy, granitic soils. 90- 2200 m. Blooms March - May. | Marginal habitat present. Potential to be present |
| Centromadia pungens ssp. laevis | smooth tarplant | None | None | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Valley and foothill grassland, chenopod scrub, meadows and seeps, playas, riparian woodland. | Alkali meadow, alkali scrub; also in disturbed places. 5- 1170 m. Blooms April - September. | Potential to be present |
| Chorizanthe parryi var. parryi | Parry's spineflower | None | None | 1B.1 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S- Sensitive | Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. | Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90- 1220 m. Blooms April - June. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--|----------------------------|-----------------|---------------|------|--|--|--|---|
| <i>Chorizanthe polygonoides</i> var. <i>longispina</i> | long-spined spineflower | None | None | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral, coastal scrub, meadows and seeps, valley and foothill grassland, vernal pools. | Gabbroic clay. 30-1540 m. Blooms April - July. | No soils-Not present |
| <i>Clinopodium chandleri</i> | San Miguel savory | None | None | 1B.2 | BLM_S-Sensitive USFS_S-Sensitive | Chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. | Rocky, gabbroic or metavolcanic substrate. 120-1075 m. Blooms March - July. | No soils-Not present |
| <i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i> | summer holly | None | None | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral, cismontane woodland. | Often in mixed chaparral in California, sometimes post-burn. 30-945 m. Blooms April - June. | Not present |
| <i>Dodecahema leptoceras</i> | slender-horned spineflower | Endangered | Endangered | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub). | Flood deposited terraces and washes; associates include <i>Encelia</i> , <i>Dalea</i> , <i>Lepidospartum</i> , etc. Sandy soils. 200-765 m. Blooms April - June. | Marginal habitat present. Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|------------------------------------|-------------------------|-----------------|---------------|------|---|---|--|---|
| Dudleya multicaulis | many-stemmed dudleya | None | None | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Chaparral, coastal scrub, valley and foothill grassland. | In heavy, often clayey soils or grassy slopes. 15-790 m. Blooms April - July. | No soils-Not present |
| Dudleya viscida | sticky dudleya | None | None | 1B.2 | USFS_S-Sensitive | Coastal scrub, coastal bluff scrub, chaparral, cismontane woodland. | On north and south-facing cliffs and banks. 20-870 m. Blooms May - June. | Not present |
| Eryngium aristulatum var. parishii | San Diego button-celery | Endangered | Endangered | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Vernal pools, coastal scrub, valley and foothill grassland. | San Diego mesa hardpan & claypan vernal pools & southern interior basalt flow vernal pools; usually surrounded by scrub. 15-880 m. | Not present |
| Geothallus tuberosus | Campbell's liverwort | None | None | 1B.1 | | Coastal scrub, vernal pools. | Liverwort known from mesic soil. 10-600 m. | Marginal habitat present. Potential to be present |
| Harpagonella palmeri | Palmer's grapplinghook | None | None | 4.2 | SB_RSABG-Rancho Santa Ana Botanic Garden | Chaparral, coastal scrub, valley and foothill grassland. | Clay soils; open grassy areas within shrubland. 20-955 m. | No soils-Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|---|---------------------------|-----------------|---------------|------|--|---|---|--------------------------|
| <i>Hesperocyparis forbesii</i> | Tecate cypress | None | None | 1B.1 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture USFS_S-Sensitive | Closed-cone coniferous forest, chaparral. | Primarily on north-facing slopes; groves often associated with chaparral. On clay or gabbro. 60-1645 m. | Not present |
| <i>Horkelia cuneata</i> var. <i>puberula</i> | mesa horkelia | None | None | 1B.1 | USFS_S-Sensitive | Chaparral, cismontane woodland, coastal scrub. | Sandy or gravelly sites. 15-1645 m. | Potential to be present. |
| <i>Juncus luciensis</i> | Santa Lucia dwarf rush | None | None | 1B.2 | USFS_S-Sensitive | Vernal pools, meadows and seeps, lower montane coniferous forest, chaparral, Great Basin scrub. | Vernal pools, ephemeral drainages, wet meadow habitats and streamsides. 300-2040 m. | Potential to be present. |
| <i>Lasthenia glabrata</i> ssp. <i>coulteri</i> | Coulter's goldfields | None | None | 1B.1 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden | Coastal salt marshes, playas, vernal pools. | Usually found on alkaline soils in playas, sinks, and grasslands. 1-1375 m. | Potential to be present. |
| <i>Lepechinia cardiophylla</i> | heart-leaved pitcher sage | None | None | 1B.2 | SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Closed-cone coniferous forest, chaparral, cismontane woodland. | 520-1370 m. | Not present |
| <i>Lepidium virginicum</i> var. <i>robinsonii</i> | Robinson's pepper-grass | None | None | 4.3 | | Chaparral, coastal scrub. | Dry soils, shrubland. 4-1435 m. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--|-------------------------|-----------------|---------------|------|--|--|--|------------------|
| <i>Lilium parryi</i> | lemon lily | None | None | 1B.2 | SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Lower montane coniferous forest, meadows and seeps, riparian forest, upper montane coniferous forest. | Wet, mountainous terrain; generally in forested areas; on shady edges of streams, in open boggy meadows & seeps. 625-2930 m. | Not present |
| <i>Limnanthes alba</i> ssp. <i>parishii</i> | Parish's meadowfoam | None | Endangered | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture USFS_S-Sensitive | Lower montane coniferous forest, meadows and seeps, vernal pools. | Vernally moist areas and temporary seeps of highland meadows and plateaus; often bordering lakes and streams. 605-1805 m. | Not present |
| <i>Monardella hypoleuca</i> ssp. <i>intermedia</i> | intermediate monardella | None | None | 1B.3 | | Chaparral, cismontane woodland, lower montane coniferous forest (sometimes). | Often in steep, brushy areas. 195-16750 m. | Not present |
| <i>Monardella macrantha</i> ssp. <i>hallii</i> | Hall's monardella | None | None | 1B.3 | SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Broadleaved upland forest, chaparral, lower montane coniferous forest, cismontane woodland, valley and foothill grassland. | Dry slopes and ridges in openings. 700-1770 m. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--------------------------------------|----------------------------------|-----------------|---------------|------|--|---|--|---|
| <i>Myosurus minimus</i> ssp. apus | little mouse-tail | None | None | 3.1 | | Vernal pools, valley and foothill grassland. This subspecies has taxonomic problems; distinguishing between this and <i>M. sessilis</i> is difficult. Hybrid? | Alkaline soils. 20-640 m. | Potential to be present. |
| <i>Navarretia fossalis</i> | spreading navarretia | Threatened | None | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Vernal pools, chenopod scrub, marshes and swamps, playas. | San Diego hardpan & San Diego claypan vernal pools; in swales & vernal pools, often surrounded by other habitat types. 15-850 m. | Potential to be present. |
| <i>Navarretia prostrata</i> | prostrate vernal pool navarretia | None | None | 1B.1 | | Coastal scrub, valley and foothill grassland, vernal pools, meadows and seeps. | Alkaline soils in grassland, or in vernal pools. Mesic, alkaline sites. 3-1235 m. | Potential to be present. |
| <i>Nolina cismontana</i> | chaparral nolina | None | None | 1B.2 | SB_RSABG-Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden USFS_S-Sensitive | Chaparral, coastal scrub. | Primarily on sandstone and shale substrates; also known from gabbro. 140-1275 m. | Not present |
| <i>Orcuttia californica</i> | California Orcutt grass | Endangered | Endangered | 1B.1 | SB_RSABG-Rancho Santa Ana Botanic Garden | Vernal pools. | 10-660 m. | Marginal habitat present. Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--|--|-----------------|---------------|------|---|---|--|--------------------------|
| <i>Pseudognaphalium leucocephalum</i> | white rabbit-tobacco | None | None | 2B.2 | | Riparian woodland, cismontane woodland, coastal scrub, chaparral. | Sandy, gravelly sites. 35-515 m. | Potential to be present. |
| <i>Scutellaria bolanderi</i> ssp. <i>austromontana</i> | southern mountains skullcap | None | None | 1B.2 | USFS_S-Sensitive | Chaparral, cismontane woodland, lower montane coniferous forest. | In gravelly soils on streambanks or in mesic sites in oak or pine woodland. 425-2000 m. | Not present |
| <i>Sibaropsis hammittii</i> | Hammitt's clay-cress | None | None | 1B.2 | SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Valley and foothill grassland, chaparral. | Mesic microsites in open areas on clay soils in <i>Stipa</i> grassland. Often surrounded by <i>Adenostoma</i> chaparral. 720-1065 m. | No soils-Not present |
| Southern Coast Live Oak Riparian Forest | Southern Coast Live Oak Riparian Forest | None | None | | | | | Not present |
| Southern Cottonwood Willow Riparian Forest | Southern Cottonwood Willow Riparian Forest | None | None | | | | | Not present |
| Southern Interior Basalt Flow Vernal Pool | Southern Interior Basalt Flow Vernal Pool | None | None | | | | | Not present |
| Southern Riparian Forest | Southern Riparian Forest | None | None | | | | | Not present |
| Southern Sycamore Alder Riparian Woodland | Southern Sycamore Alder Riparian Woodland | None | None | | | | | Not present |
| Southern Willow Scrub | Southern Willow Scrub | None | None | | | | | Present |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|---------------------------|-----------------------|-----------------|---------------|------|---|--|---|--------------------------|
| Sphaerocarpos drewei | bottle liverwort | None | None | 1B.1 | | Chaparral, coastal scrub. | Liverwort in openings; on soil. 90-600 m. | Not present |
| Symphotrichum defoliatum | San Bernardino aster | None | None | 1B.2 | BLM_S-Sensitive USFS_S-Sensitive | Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland. | Vernally mesic grassland or near ditches, streams and springs; disturbed areas. 2-2040 m. | Potential to be present. |
| Tetracoccus dioicus | Parry's tetracoccus | None | None | 1B.2 | BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive | Chaparral, coastal scrub. | Stony, decomposed gabbro soil. 135-705 m. | Not present |
| Texasporium sancti-jacobi | woven-spored lichen | None | None | 3 | | Chaparral. | Open sites; in California with Adenostoma fasciculatum, Eriogonum, Selaginella. At Pinnacles, on small mammal pellets. 290-660 m. | Not present |
| Tortula californica | California screw moss | None | None | 1B.2 | BLM_S-Sensitive | Chenopod scrub, valley and foothill grassland. | Moss growing on sandy soil. 10-1460 m. | Potential to be present. |

| Scientific Name | Common Name | Federal Listing | State Listing | CNPS | OthrStatus | GenHab | Micro Habitat | Presence/Absence |
|--------------------------------------|------------------------------|-----------------|---------------|------|------------|---|--|--------------------------|
| Trichocoronis wrightii var. wrightii | Wright's trichocoronis | None | None | 2B.1 | | Marshes and swamps, riparian forest, meadows and seeps, vernal pools. | Mud flats of vernal lakes, drying river beds, alkali meadows. 5-435 m. | Potential to be present. |
| Valley Needlegrass Grassland | Valley Needlegrass Grassland | None | None | | | | | Not present |
| Viguiera purisimae | La Purisima viguiera | None | None | 2B.3 | | Coastal bluff scrub, chaparral. | Dry, rocky places in open shrubland. 365-425 m. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|------------------------------|--|-----------------|----------------------|---|---|--|-------------------------|
| Accipiter cooperii | Cooper's hawk | None | None | CDFW_WL-Watch List IUCN_LC-Least Concern | Cismontane woodland Riparian forest Riparian woodland Upper montane coniferous forest | Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks. | Present |
| Agelaius tricolor | tricolored blackbird | None | Candidate Endangered | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern | Freshwater marsh Marsh & swamp Swamp Wetland | Requires open water, protected nesting substrate, & foraging area with insect prey within a few km of the colony. | Potential to be Present |
| Aimophila ruficeps canescens | southern California rufous-crowned sparrow | None | None | CDFW_WL-Watch List | Chaparral Coastal scrub | Frequents relatively steep, often rocky hillsides with grass & forb patches. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|------------------------------|-------------------------|-----------------|---------------|--|---|---|-------------------------|
| Anaxyrus californicus | arroyo toad | Endangered | None | CDFW_SSC-Species of Special Concern IUCN_EN-Endangered | Desert wash Riparian scrub Riparian woodland South coast flowing waters South coast standing waters | Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range. | Not present |
| Aquila chrysaetos | golden eagle | None | None | BLM_S-Sensitive CDF_S-Sensitive CDFW_FP-Fully Protected CDFW_WL-Watch List IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern | Broadleaved upland forest Cismontane woodland Coastal prairie Great Basin grassland Great Basin scrub Lower montane coniferous forest Pinon & juniper woodlands Upper montane coniferous forest Valley & foothill grassland | Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas. | Not present |
| Arizona elegans occidentalis | California glossy snake | None | None | CDFW_SSC-Species of Special Concern | | Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|--------------------------------|--------------------------|-----------------|---------------|---|---|---|-------------------------|
| Artemisiospiza belli belli | Bell's sage sparrow | None | None | CDFW_WL-Watch List USFWS_BCC-Birds of Conservation Concern | Chaparral Coastal scrub | Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart. | Potential to be present |
| Asio otus | long-eared owl | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern | Cismontane woodland Great Basin scrub Riparian forest Riparian woodland Upper montane coniferous forest | Require adjacent open land productive of mice and the presence of old nests of crows, hawks, or magpies for breeding. | Potential to be present |
| Aspidoscelis hyperythra | orange-throated whiptail | None | None | CDFW_WL-Watch List IUCN_LC-Least Concern USFS_S-Sensitive | Chaparral Cismontane woodland Coastal scrub | Prefers washes & other sandy areas with patches of brush & rocks. Perennial plants necessary for its major food-termites. | Potential to be present |
| Aspidoscelis tigris stejnegeri | coastal whiptail | None | None | CDFW_SSC-Species of Special Concern | | Ground may be firm soil, sandy, or rocky. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|---------------------|--------------------------|-----------------|---------------|---|--|--|-------------------------|
| Athene cunicularia | burrowing owl | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern | Coastal prairie Coastal scrub Great Basin grassland Great Basin scrub Mojavean desert scrub Sonoran desert scrub Valley & foothill grassland | Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel. | Potential to be present |
| Bombus crotchii | Crotch bumble bee | None | None | | | Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum. | Not present |
| Branchinecta lynchi | vernal pool fairy shrimp | Threatened | None | IUCN_VU-Vulnerable | Valley & foothill grassland Vernal pool Wetland | Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|------------------------------------|-------------------------------------|-----------------|---------------|--|---|---|-------------------------|
| Buteo regalis | ferruginous hawk | None | None | CDFW_WL-Watch List IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern | Great Basin grassland Great Basin scrub Pinon & juniper woodlands Valley & foothill grassland | Eats mostly lagomorphs, ground squirrels, and mice. Population trends may follow lagomorph population cycles. | Not present |
| Buteo swainsoni | Swainson's hawk | None | Threatened | BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern | Great Basin grassland Riparian forest Riparian woodland Valley & foothill grassland | Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations. | Not present |
| Chaetodipus californicus femoralis | Dulzura pocket mouse | None | None | CDFW_SSC-Species of Special Concern | Chaparral Coastal scrub Valley & foothill grassland | Attracted to grass-chaparral edges. | Not present |
| Chaetodipus fallax fallax | northwestern San Diego pocket mouse | None | None | CDFW_SSC-Species of Special Concern | Chaparral Coastal scrub | Sandy, herbaceous areas, usually in association with rocks or coarse gravel. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|---------------------------------|-------------------------------|-----------------|---------------|--|--|---|-------------------------|
| Charadrius alexandrinus nivosus | western snowy plover | Threatened | None | CDFW_SSC-Species of Special Concern NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern | Great Basin standing waters Sand shore Wetland | Needs sandy, gravelly or friable soils for nesting. | Present |
| Cicindela senilis frosti | senile tiger beetle | None | None | | Mud shore/flats Wetland | Inhabits dark-colored mud in the lower zone and dried salt pans in the upper zone. | Potential to be present |
| Crotalus ruber | red-diamond rattlesnake | None | None | CDFW_SSC-Species of Special Concern USFS_S-Sensitive | Chaparral Mojavean desert scrub Sonoran desert scrub | Occurs in rocky areas & dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects. | Not present |
| Diadophis punctatus modestus | San Bernardino ringneck snake | None | None | USFS_S-Sensitive | | Avoids moving through open or barren areas by restricting movements to areas of surface litter or herbaceous veg. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|---------------------|------------------------|-----------------|---------------|---|--|--|-------------------------|
| Dipodomys stephensi | Stephens' kangaroo rat | Endangered | Threatened | IUCN_EN-Endangered | Coastal scrub Valley & foothill grassland | Prefers buckwheat, chamise, brome grass & filaree. Will burrow into firm soil. | Not present |
| Elanus leucurus | white-tailed kite | None | None | BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern | Cismontane woodland Marsh & swamp Riparian woodland Valley & foothill grassland Wetland | Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching. | Potential to be present |
| Emys marmorata | western pond turtle | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive | Aquatic Artificial flowing waters Klamath/North coast flowing waters Klamath/North coast standing waters Marsh & swamp Sacramento/San Joaquin flowing waters Sacramento/San Joaquin standing waters South coast flowing waters South coast standing waters Wetland | Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|-----------------------------|-----------------------------|-----------------|---------------|--|---|--|-------------------------|
| Eremophila alpestris actia | California horned lark | None | None | CDFW_WL-Watch List IUCN_LC-Least Concern | Marine intertidal & splash zone communities Meadow & seep | Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats. | Potential to be present |
| Eumops perotis californicus | western mastiff bat | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern WBWG_H-High Priority | Chaparral Cismontane woodland Coastal scrub Valley & foothill grassland | Roosts in crevices in cliff faces, high buildings, trees & tunnels. | Potential to be present |
| Euphydryas editha quino | quino checkerspot butterfly | Endangered | None | XERCES_CI-Critically Imperiled | Chaparral Coastal scrub | Hills & mesas near the coast. need high densities of food plants Plantago erecta, P. insularis, Orthocarpus purpureus | Not present |
| Gila orcuttii | arroyo chub | None | None | AFS_VU-Vulnerable CDFW_SSC-Species of Special Concern USFS_S-Sensitive | Aquatic South coast flowing waters | Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation & associated invertebrates. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|--------------------------|----------------------|-----------------|---------------|--|---|--|-------------------------|
| Haliaeetus leucocephalus | bald eagle | Delisted | Endangered | BLM_S-Sensitive CDF_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern | Lower montane coniferous forest Oldgrowth | Nests in large, old-growth, or dominant live tree w/open branches, especially ponderosa pine. Roosts communally in winter. | Potential to be present |
| Icteria virens | yellow-breasted chat | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern | Riparian forest Riparian scrub Riparian woodland | Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground. | Potential to be present |
| Lanius ludovicianus | loggerhead shrike | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern | Broadleaved upland forest Desert wash Joshua tree woodland Mojavean desert scrub Pinon & juniper woodlands Riparian woodland Sonoran desert scrub | Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|------------------------------|-----------------------------------|-----------------|---------------|--|---|--|-------------------------|
| Lasiurus xanthinus | western yellow bat | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern WBWG_H-High Priority | Desert wash | Roosts in trees, particularly palms. Forages over water and among trees. | Potential to be present |
| Lepus californicus bennettii | San Diego black-tailed jackrabbit | None | None | CDFW_SSC-Species of Special Concern | Coastal scrub | Coastal sage scrub habitats in Southern California. | Present |
| Linderiella santarosae | Santa Rosa Plateau fairy shrimp | None | None | | Vernal pool | Southern basalt flow vernal pools. | Potential to be present |
| Myotis yumanensis | Yuma myotis | None | None | BLM_S-Sensitive IUCN_LC-Least Concern WBWG_LM-Low-Medium Priority | Lower montane coniferous forest Riparian forest Riparian woodland Upper montane coniferous forest | Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices. | Potential to be present |
| Neotoma lepida intermedia | San Diego desert woodrat | None | None | CDFW_SSC-Species of Special Concern | Coastal scrub | Moderate to dense canopies preferred. They are particularly abundant in rock outcrops & rocky cliffs & slopes. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|-----------------------------|-------------------------------------|-----------------|---------------|--|--|---|-------------------------|
| Nyctinomops femorosaccus | pocketed free-tailed bat | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern WBWG_M-Medium Priority | Joshua tree woodland Pinon & juniper woodlands Riparian scrub Sonoran desert scrub | Rocky areas with high cliffs. | Not present |
| Oncorhynchus mykiss irideus | steelhead - southern California DPS | Endangered | None | AFS_EN-Endangered | Aquatic South coast flowing waters | Southern steelhead likely have greater physiological tolerances to warmer water & more variable conditions. | Not present |
| Onychomys torridus ramona | southern grasshopper mouse | None | None | CDFW_SSC-Species of Special Concern | Chenopod scrub | Feeds almost exclusively on arthropods, especially scorpions & orthopteran insects. | Potential to be present |
| Pandion haliaetus | osprey | None | None | CDF_S-Sensitive CDFW_WL-Watch List IUCN_LC-Least Concern | Riparian forest | Large nests built in tree-tops within 15 miles of a good fish-producing body of water. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|-------------------------------------|--------------------------|-----------------|---------------|---|--|--|-------------------------|
| Perognathus longimembris brevinasus | Los Angeles pocket mouse | None | None | CDFW_SSC-Species of Special Concern | Coastal scrub | Open ground with fine sandy soils. May not dig extensive burrows, hiding under weeds & dead leaves instead. | Potential to be present |
| Phrynosoma blainvillii | coast horned lizard | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern | Chaparral Cismontane woodland Coastal bluff scrub Coastal scrub Desert wash Pinon & juniper woodlands Riparian scrub Riparian woodland Valley & foothill grassland | Open areas for sunning, bushes for cover, patches of loose soil for burial, & abundant supply of ants & other insects. | Present |
| Plegadis chihi | white-faced ibis | None | None | CDFW_WL-Watch List IUCN_LC-Least Concern | Marsh & swamp Wetland | Dense tule thickets for nesting interspersed with areas of shallow water for foraging. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|------------------------------------|--------------------------------|-----------------|---------------|---|--|---|-------------------------|
| Polioptila californica californica | coastal California gnatcatcher | Threatened | None | CDFW_SSC-Species of Special Concern NABCI_YWL-Yellow Watch List | Coastal bluff scrub Coastal scrub | Low, coastal sage scrub in arid washes, on mesas & slopes. Not all areas classified as coastal sage scrub are occupied. | Potential to be present |
| Rana draytonii | California red-legged frog | Threatened | None | CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable | Aquatic Artificial flowing waters Artificial standing waters Freshwater marsh Marsh & swamp Riparian forest Riparian scrub Riparian woodland Sacramento/San Joaquin flowing waters Sacramento/San Joaquin standing waters South coast flowing waters South coast standing waters Wetland | Requires 11-20 weeks of permanent water for larval development. must have access to estivation habitat. | Not present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|-------------------------------|-------------------------|-----------------|---------------|---|---|---|-------------------------|
| Salvadora hexalepis virgultea | coast patch-nosed snake | None | None | CDFW_SSC-Species of Special Concern | Coastal scrub | Require small mammal burrows for refuge and overwintering sites. | Potential to be present |
| Spea hammondii | western spadefoot | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened | Cismontane woodland Coastal scrub Valley & foothill grassland Vernal pool Wetland | Vernal pools are essential for breeding and egg-laying. | Potential to be present |
| Streptocephalus woottoni | Riverside fairy shrimp | Endangered | None | IUCN_EN-Endangered | Coastal scrub Valley & foothill grassland Vernal pool Wetland | Inhabit seasonally astatic pools filled by winter/spring rains. Hatch in warm water later in the season. | Potential to be present |
| Taricha torosa | Coast Range newt | None | None | CDFW_SSC-Species of Special Concern | | Lives in terrestrial habitats & will migrate over 1 km to breed in ponds, reservoirs & slow moving streams. | Potential to be present |

| Scientific Name | Common Name | Federal Listing | State Listing | OthrStatus | Habitat | MicroHabitat | Presence/Absence |
|-----------------------|-------------------------|-----------------|---------------|--|---|--|-------------------------|
| Taxidea taxus | American badger | None | None | CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern | Alkali marsh Alkali playa Alpine Alpine dwarf scrub Bog & fen Brackish marsh Broadleaved upland forest Chaparral Chenopod scrub | Needs sufficient food, friable soils & open, uncultivated ground. Preys on burrowing rodents. Digs burrows. | Potential to be present |
| Thamnophis hammondi | two-striped gartersnake | None | None | BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive | Marsh & swamp Riparian scrub Riparian woodland Wetland | Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth. | Potential to be present |
| Vireo bellii pusillus | least Bell's vireo | Endangered | Endangered | IUCN_NT-Near Threatened NABCI_YWL-Yellow Watch List | Riparian forest Riparian scrub Riparian woodland | Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite. | Potential to be present |

APPENDIX C



View of the site from the south.



View of the southern portion of the site.



View of the tamarisk dominant jurisdictional areas on the site.



A recently dried vernal pool located within the central portion of the site.



View of the fault forming the northern boundary of the adjacent wetland area.



View of the adjacent wetland area from the northwest.

Hernandez

Environmental
Services



Emergent wetland located along the Lake Elsinore shoreline within the northern portion of the site.



View of a sand piper along the Lake Elsinore shoreline within the northern portion of the site.

APPENDIX D



March 21, 2017

U.S. Fish and Wildlife Service
Attn: Karin Cleary-Rose
Inland Division Chief
777 East Tahquitz Canyon Way, Suite 208
Palm Spring, CA 92220

Subject: 90-day Report for Listed Vernal Pool Branchiopods at the Lake Elsinore Mitigation Site, City of Lake Elsinore, Riverside County, California

Ms. Cleary-Rose:

This report summarizes the results of single vernal pool branchiopod survey conducted by Rocks Biological Consulting (RBC) at the Lake Elsinore Mitigation (LEM) site during the 2017 wet season. A vernal pool supporting fairy shrimp was observed on the site during an agency meeting on March 8, 2017. Documentation of all special-status resources on site is important since the site is a planned mitigation bank. Upon arrival on March 10, 2017 the pool was no longer holding water. Desiccated but identifiable specimens of the non-listed versatile fairy shrimp (*Branchinecta lindahli*) were successfully collected from the mud in the recently dried pool.

Introduction

The approximately 55.83-acre LEM site is located on the southwestern shore of Lake Elsinore in the City of Lakeland Village, Riverside County, California. The site is within the Lake Elsinore 7.5' USGS Quad Map (Figure 1). According to a wetland delineation conducted by Hernandez Environmental Services, the pool is located within an area that is designated as U.S. Army Corps Jurisdictional Waters of the United States may be under water at times (Figure 2).

Methodology

A single modified listed vernal pool branchiopod protocol survey was conducted following the U.S. Fish and Wildlife Service Wildlife Service (USFWS) Survey Guidelines for Listed Large Brachiopods (Guidelines) dated May 31, 2015. Modifications were made to the protocol because the pool had recently dried and identifiable fairy shrimp specimens were collected. A single survey is not protocol under the Guidelines.

Results

The pool was surveyed on March 10, 2017 by RBC biologist Brian Lohstroh (TE-063608-5). The pool was no longer inundated but had likely dried up within the last 12-24 hours due to the presence of water in the pool on March 8, 2017. The substrate lining the bottom of the pool was still moist during the sampling visit. Desiccated, but identifiable fairy shrimp specimens were removed from the deepest spots within the pool boundary. These specimens were placed within 95% ethanol and identified as *Branchinecta lindahli* under a dissecting scope in the laboratory. A total of nine males and one female were collected and will be vouchered at the Natural History Museum of Los Angeles County in accordance with the Guidelines. Completed survey datasheets are included as Attachment A. Photos are provided in Attachment B.

Conclusion

Several desiccated, but identifiable specimens were collected in the event that the pool supported more than one species of vernal pool brachiopod. Only the common versatile fairy shrimp was detected at the LEM site.

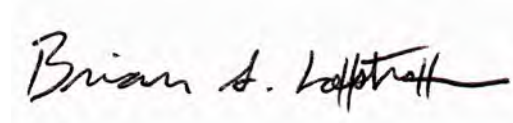
Please feel free to contact Lee Ripma at 619.508.3803 or Brian Lohstroh at 858.750.9300 with any questions.

We certify that the information in this survey report and attached exhibit fully and accurately represents our work.

Sincerely,



Lee Ripma
Senior Biologist
Permit Number TE-221290-3.3



Brian Lohstroh
Biologist
Permit Number TE-063608-5

Attachments: Figure 1 – Lake Elsinore Mitigation Site Vicinity Map
Figure 2 – Site Satellite Photograph
Attachment A – Fairy Shrimp Survey Datasheet
Attachment B – Site Photograph

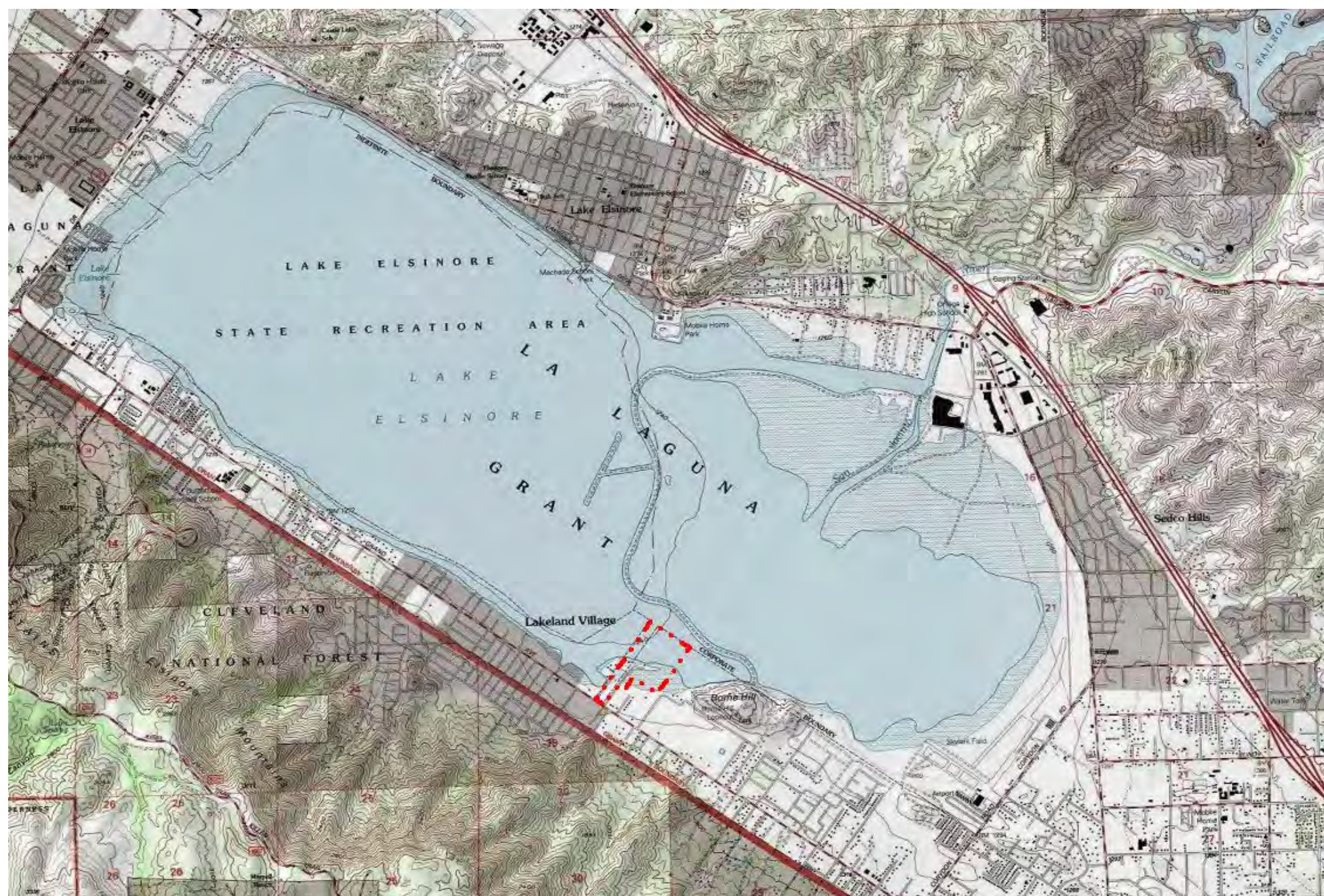


FIGURE 1 VICINITY MAP

Lake Elsinore Mitigation Site
 Lake Elsinore, Riverside County, CA



Property Boundary



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 Services

Figure 2
Site Satellite Photograph





Fairy Shrimp Survey Form

Surveyor: Brian Lokstodt Add'l Persons: Shawn Gatchel-Hernandez Date: 3/10/17
 Project: Lake Elsinore Mitigation Site Survey 1 of 1
 Start Time: 1000 T: 71 F CC: 70% thin Wind Sp/Dir: 0-1 General Weather Condition: Cirrus, calm.
 End Time: 1040 T: 72 F CC: " Wind Sp/Dir: 0-1 General Weather Condition: "

| Pool or Area ID | Latitude* | Longitude* | Air Temp. (°C) | Water Temp. (°C) | Average Depth (cm) | Max. Depth (cm) | Pool length (m) | Pool width (m) |
|--|--------------------|----------------------|---------------------|--|--------------------|-----------------|-----------------|----------------|
| LE1 | 33.636408 | -117.330001 | 81 | — | 0 | ~25 | ~30 | 10 |
| Fairy Shrimp Present (Species) | Voucher # Male (♂) | Voucher # Female (♀) | Population Estimate | Other species present in pool (circle, add additional below) | | | | |
| <i>Branchinecta indali</i> | 9 | 1 | 105 | copepods, ostracods, cladocera, coleptera, hemiptera, <u>diptera</u> , <u>culicidea</u> , platyhelminths | | | | |
| Habitat condition (circle one): 1. natural vernal pool 2. constructed pool Pool condition (circle all): 1. undisturbed 2. <u>disturbed</u> (fire tracks trash plowing) 3. <u>ungrazed</u> 4. grazed (cattle horses sheep) (light moderate heavy) 5. algal blooms | | | | | | | | |
| Additional Comments: <u>Pool dry, collected recently desiccated sp. @ pool bottom.</u> | | | | | | | | |
| Pool or Area ID | Latitude | Longitude | Air Temp. (°C) | Water Temp. (°C) | Average Depth (cm) | Max. Depth (cm) | Pool length (m) | Pool width (m) |
| | | | | | | | | |
| Fairy Shrimp Present (Species) | Voucher # Male (♂) | Voucher # Female (♀) | Population Estimate | Other species present in pool (circle, add additional below) | | | | |
| | | | | copepods, ostracods, cladocera, coleptera, hemiptera, diptera, culicidea, platyhelminths | | | | |
| Habitat condition (circle one): 1. natural vernal pool 2. constructed pool Pool condition (circle all): 1. undisturbed 2. disturbed (tire tracks trash plowing) 3. ungrazed 4. grazed (cattle horses sheep) (light moderate heavy) 5. algal blooms | | | | | | | | |
| Additional Comments: | | | | | | | | |
| Pool or Area ID | Latitude | Longitude | Air Temp. (°C) | Water Temp. (°C) | Average Depth (cm) | Max. Depth (cm) | Pool length (m) | Pool width (m) |
| | | | | | | | | |
| Fairy Shrimp Present (Species) | Voucher # Male (♂) | Voucher # Female (♀) | Population Estimate | Other species present in pool (circle, add additional below) | | | | |
| | | | | copepods, ostracods, cladocera, coleptera, hemiptera, diptera, culicidea, platyhelminths | | | | |
| Habitat condition (circle one): 1. natural vernal pool 2. constructed pool Pool condition (circle all): 1. undisturbed 2. disturbed (tire tracks trash plowing) 3. ungrazed 4. grazed (cattle horses sheep) (light moderate heavy) 5. algal blooms | | | | | | | | |
| Additional Comments: | | | | | | | | |

Attachment B
Site Photographs



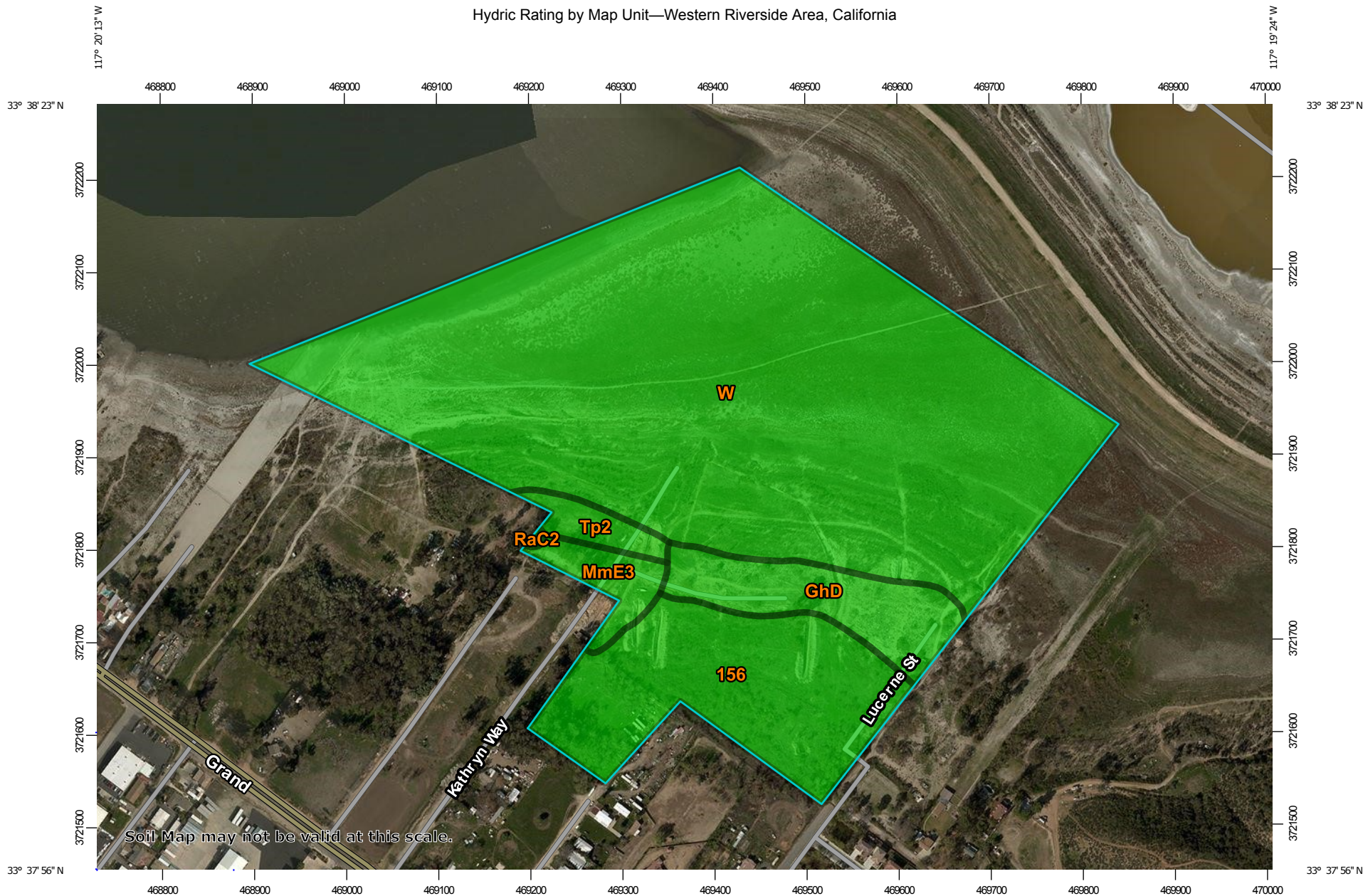
Photo 1. View facing east of recently dried pool. Identifiable specimens of *Branchinecta lindahli* were collected from the low spots visible at center and left of center.



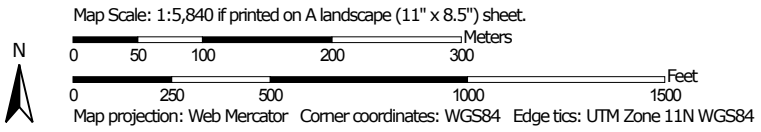
Photo 2. View facing southeast of presumed extent of ponding within sampled pool. Tamarisk (*Tamarix* sp.) is the dominant vegetation visible. Sample location is at left, out of view.

APPENDIX E

Hydric Rating by Map Unit—Western Riverside Area, California




Soil Map may not be valid at this scale.









MAP LEGEND

Area of Interest (AOI)







 Area of Interest (AOI)

Soils







Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available






Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Western Riverside Area, California
 Survey Area Data: Version 9, Sep 12, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 25, 2010—Feb 26, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

| Hydric Rating by Map Unit— Summary by Map Unit — Western Riverside Area, California (CA679) | | | | |
|---|--|--------|--------------|----------------|
| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
| 156 | Hanford sandy loam, 2 to 9 percent slopes | 0 | 13.0 | 16.4% |
| GhD | Gorgonio loamy sand, 8 to 15 percent slopes | 0 | 5.3 | 6.7% |
| MmE3 | Monserate sandy loam, 15 to 25 percent slopes, severely eroded | 0 | 1.9 | 2.4% |
| RaC2 | Ramona sandy loam, 5 to 8 percent slopes, eroded | 0 | 0.1 | 0.1% |
| Tp2 | Traver loamy fine sand, eroded | 0 | 1.4 | 1.7% |
| W | Water | 0 | 57.8 | 72.7% |
| Totals for Area of Interest | | | 79.4 | 100.0% |

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower



**JURISDICTIONAL DELINEATION
FOR**

ASSESSOR'S PARCEL NUMBERS

**371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003,
371-090-004, 371-150-009, 371-150-010, 371-160-007, 371-150-001,
371-150-002, & 371-150-016**

LAKE ELSINORE, COUNTY OF RIVERSIDE, CALIFORNIA

Prepared for:

Steve Galvez

31938 Temecula Parkway #A369

Temecula, CA 92592

Prepared by:

Hernandez Environmental Services

17037 Lakeshore Drive

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JUNE 2017

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- Figure 3 – CDFW Jurisdictional Areas Map
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- Appendix A – Site Photos
- Appendix B – Soils Map

1.0 Introduction

Hernandez Environmental Services (HES) was contracted to prepare a Jurisdictional Delineation (JD) for Assessor's Parcel Numbers (APNs) 371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-160-007, and portions of 371-150-001, 371-150-002, and 371-150-016, which are located within the city of Lake Elsinore and County of Riverside, California.

1.1 Purpose

The purpose of this JD is to:

- Determine if any state or federal jurisdictional waters are present within the site boundaries;
- Quantify any impacts to jurisdictional waters due to the proposed project, if possible;
- Determine if the project will require state or federal permits for impacts to jurisdictional waters; and,
- Recommend mitigation measures to offset impacts to state or federal jurisdictional waters.

1.2 Site Location

The approximate 74-acre site is made up of 12 contiguous parcels and is located at the south end of Lake Elsinore within Section 19, Township 6 South, Range 4 West within the *Lake Elsinore* United States Geologic Service (USGS) 7.5' series quadrangle map. The site consists of APNs 371-070-001, 371-070-002, 371-090-001, 371-090-002, 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-160-007, and portions of 371-150-001, 371-150-002, and 371-150-016. The site is located within the city of Lake Elsinore and County of Riverside. It is bound to the southwest by Grand Avenue, to the north and west by Lake Elsinore, to the east by vacant lands, and to the southeast by residential development. Refer to Figures 1 and 2.

2.0 Regulatory Background

2.1 California Department of Fish and Wildlife Lake and Streambed Alteration Agreement

The California Department of Fish and Wildlife (CDFW) is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the California Fish and Game Code (F&GC), requires that the CDFW be consulted if a proposed development project has the potential to detrimentally affect a stream and thereby wildlife resources that depend on a stream for continued viability (F&GC Division 2, Chapter 5, section 1600-1616). A Section 1602 Lake or Streambed Alteration Agreement is required, should the CDFW determine that the proposed project may do one or more of the following:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream or lake.

For the purposes of clarification, a stream is defined by CDFW as “a body of water that flows perennially or episodically and that is defined by the area in which water currently flows, or has flowed, over a given course during the historic hydrologic regime, and where the width of its course can reasonably be identified by physical or biological indicators.” The historic hydrologic regime is defined as circa 1800 to the present (CDFW 2010).

2.2 Regional Water Quality Control Board Clean Water Act /Porter-Cologne Act

The Regional Water Quality Control Board (RWQCB) regulates activities pursuant to Section 401(a)(1) of the federal Clean Water Act (CWA) as well as the Porter Cologne Act (Water Code Section 13260). Section 401 of the CWA specifies that certification from the State is required for any project requesting a federal license or permit to conduct any activities including, but not limited to, the construction or operation of facilities that may result in any discharge into navigable waters. The certification shall originate from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable water at the point where the discharge originates or will originate. Any such discharges will comply with the applicable provisions of sections 301, 302,303, 306, and 307 of the CWA. The Porter Cologne Water Quality Control Act (PCWQCA) requires “any person discharging waste, or proposing to discharge waste, within any region that could affect the waters of the state to file a report of discharge.” Discharge of fill material into “waters” of the State which does not fall under the jurisdiction of the United States Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act, may require authorization through application of waste discharge requirements or through waiver of Waste Discharge Requirements.

2.3 United States Army Corps of Engineers Clean Water Act 404 Permit

The United States Army Corps of Engineers (USACE) regulates “discharge of dredged or fill material” into wetlands and waters of the United States (WUS), which includes tidal waters, interstate waters, and “all other waters, interstate lakes, rivers, streams (including intermittent streams), mud flats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce or which are tributaries to waters subject to the ebb and flow of the tide” (33 C.F.R. 328.3(a)), pursuant to provisions of Section 404 of the Clean Water Act.

The USACE requires that the 1987 Corps of Engineers Wetland Delineation Manual (Environmental Laboratories, 1987) be used for delineating wetlands and WUS. To qualify for wetlands status; vegetation, soils, and hydrologic parameters must all be met. WUS are delineated based upon the “ordinary high water mark” (OHWM) as determined by erosion, the deposition of vegetation or debris, and changes in vegetation within rivers and streams.

For the purposes of this section, the term “fill” is defined as: material placed in WUS where the material has the effect of:

- Replacing any portion of a WUS with dry land; or
- Changing the bottom elevation of any portion of a WUS.

Examples of such fill material include, but are not limited to: rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in the WUS. The term fill material does not include trash or garbage.

The definition of “discharge of dredged material” is defined as: any addition of dredged material into, including redeposit of dredged material other than incidental fallback within, the WUS. The term includes, but is not limited to, the following:

- The addition of dredged material to a specified discharge site located in WUS;
- The runoff or overflow, associated with a dredging operation, from a contained land or water disposal area; and
- Any addition, including redeposit other than incidental fallback, of dredged material, including excavated material, into WUS which is incidental to any activity, including mechanized land clearing, ditching, channelization, or other excavation.

The term discharge of dredged material does not include the following:

- Discharges of pollutants into WUS resulting from the onshore subsequent processing of dredged material that is extracted for any commercial use (other than fill). These discharges are subject to section 402 of the Clean Water Act even though the extraction and deposit of such material may require a permit from the Corps or applicable State.
- Activities that involve only the cutting or removing of vegetation above the ground (e.g., mowing, rotary cutting, and chain-sawing) where the activity neither substantially disturbs the root system nor involves mechanized pushing, dragging, or other similar activities that redeposit excavated soil material.
- Incidental fallback.

3.0 Methodology

3.1 Literature Review

Prior to the site visit, a literature review was conducted to aid in determining the potential for permanent, intermittent or ephemeral drainages, wetlands and riparian vegetation. Project background documents, topographic maps, satellite imaging, soils maps, and land use maps were examined to establish an accurate site location, project description, potential for onsite drainages and wetlands, records of on-site vegetation, watershed, soils, and surrounding land uses.

3.2 Field Survey

On April 11, 2017, HES conducted a field survey of the site. The ambient temperature at 7:00 a.m. was 53 degrees Fahrenheit, sunny, with winds ranging from four to six miles per hour from the southwest. The purpose of the field survey was to delineate jurisdictional drainages and wetlands resources associated with jurisdictional drainages.

The extent of CDFW jurisdictional waters was determined by the limits of the Federal Emergency Management Agency (FEMA) designated floodplain for Lake Elsinore, which extends to an elevation of 1,265 feet above mean sea level (amsl). Where riparian vegetation was present, the drip line of the outer edge of the vegetation was used as the measuring criteria.

The extent of federally jurisdictional waters, WUS, was determined by the highest point the lake can reach before the water level starts to spill into the Temescal watershed. This point has been identified at a lake elevation of 1,255 feet amsl. Where changes in plant community composition were apparent, the area was examined for the possibility of wetlands. Whether or not adjacent to WUS, the potential wetland area was evaluated for the presence of the three wetland indicators: hydrology, hydric soils and hydrophytic vegetation. The guidelines followed are those established in the 1987 Army Corps of Engineers Manual.

4.0 Results

4.1 Environmental Setting

Elevations on the site range between approximately 1,240 feet above mean sea level amsl in the northern portion along the Lake Elsinore shoreline and 1,284 feet amsl where the project site meets Grand Avenue. An approximate five to seven-foot high, east-west ridge trends southeast across much of the site. Onsite groundwater occurs at a depth of 5 feet below the ground surface. The site contains three types of habitat types: 60 acres of tamarisk dominant habitat, 11.82 acres of ruderal habitat, and 2.18 acres of vernal pool habitat. Surrounding land uses are generally characterized as undeveloped areas and residential development with limited, interspersed commercial development.

4.2 Soils

The Natural Resources Conservation Services Soils Survey identifies six soil types within the site, as described below (Appendix B):

- Hanford sandy loam (156), 2 to 9 percent slopes;
- Monserate sandy loam (MmE3), 15 to 25 percent slopes and severely eroded;
- Ramona sandy loam (RaC2), 5 to 8 percent slopes, eroded;
- Traver loamy fine sand (Tp2), eroded; and.
- Water.

None of the soils present on-site are classified as hydric soils.

4.3 Hydrology

The site is located on the shoreline of Lake Elsinore. Lake Elsinore is 3,000-acre freshwater lake with 14 miles of shoreline. The lake is the largest naturally occurring lake in Southern California. The elevation of the lake bottom is 1,218 feet amsl. The size of the lake has varied over the years. Water control structures have been constructed on the east end of the lake. When water levels reach approximately 1,255 feet amsl water is diverted through an outflow into Temescal Wash ultimately reaching the Santa Ana River and flowing to the Pacific Ocean.

The site is located within the Santa Ana River Basin Plan, the San Jacinto Valley hydrologic unit, and the Elsinore Valley hydrologic area. The Santa Ana River Basin Plan identifies the following Beneficial Uses within the Lake Elsinore hydrologic area:

**Table 1.
Beneficial Uses**

| | |
|------|--|
| REC1 | Water Contact Recreation (REC 1) waters are used for recreational activities involving body contact with water where ingestion of water is reasonably possible. These uses may include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing and use of natural hot springs. |
| REC2 | Non-contact Water Recreation (REC 2) waters are used for recreational activities involving proximity to water, but not normally involving body contact with water where ingestion of water would be reasonably possible. These uses may include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting sightseeing and aesthetic enjoyment in conjunction with the above activities. |
| WARM | Warm Freshwater Habitat (WARM) waters support warm water ecosystems that may include, but are not limited to, preservation and enhancement of aquatic habitats, vegetation, fish and wildlife, including invertebrates. |

| | |
|------|--|
| WILD | Wildlife Habitat (WILD) waters support wildlife habitats that may include, but are not limited to, the preservation and enhancement of vegetation and prey species used by waterfowl and other wildlife. |
|------|--|

4.4 Existing Wetlands

The site contains approximately 2.18 acres of vernal pool habitat. These depressional areas were formed below the 1,265-foot elevation line by human activity (in an attempt to control lake levels). In years of average rainfall, these vernal pools fill up via sheet flow and remain for approximately 1-2 months. They remain wet long enough for common species of Branchiopods to become established.

4.5 California Department of Fish and Wildlife Jurisdiction

The extent of CDFW jurisdictional waters was determined by the limits of the Federal Emergency Management Agency (FEMA) designated floodplain for Lake Elsinore, which extends to an elevation of 1,265 feet above mean sea level (amsl). Where riparian vegetation was present, the drip line of the outer edge of the vegetation was used as the measuring criteria. The site contains approximately 69.8 acres of habitat associated with Lake Elsinore, including approximately 58.82 acres of tamarisk dominant habitat, 8.82 acres of ruderal habitat, and 2.18 acres of vernal pool habitat. (Figure 3). These areas would be regulated under Section 1602 of the California Department of Fish and Game Code.

4.6 Federal Jurisdictional Waters

Lake Elsinore is a federally jurisdictional, traditional navigable water that conveys water to Temescal Wash, the Santa Ana River, and terminates at the Pacific Ocean. The extent of federally jurisdictional waters, WUS, was determined by the highest point the lake can reach before the water level starts to spill into the Temescal watershed. This point has been identified at a lake elevation of 1,255 feet amsl. The site contains approximately 50.0 acres of WUS identified by the OHWM that has been established at 1,255 amsl (Figure 4). These areas would be regulated under Section 404 and 401 of the Clean Water Act.

Adjacent Wetland

The site contains approximately 9.44 acres of wetlands adjacent to Lake Elsinore. This area appears on historical *Lake Elsinore* USGS 7.5' series quadrangle map as a wetland. The wetlands were formed by a fault located immediately to the northeast. During years of heavy rainfall, water from Lake Elsinore historically flowed into the wetland from the southeast. It appears that sometime in the recent past, channels were created to drain the wetland; however, the soils, hydrophytes, and signs of hydrology remain. Hydric soils (10YR 4/1) are present throughout the wetland area.

5.0 Certification

“CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this jurisdictional delineation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.”



DATE 06/27/2017

SIGNED _____

Project Manager

Fieldwork Performed By:

Juan J. Hernandez

Principal Biologist

6.0 References

Department of the Army. 1986 (Nov 13). 33 CFR Parts 320 Through 330, Regulatory Programs of the Corps of Engineers; Final Rule. Federal Register 51(219):41206-41206.

Department of the Army. 2000 (Mar 9). 33 CFR Parts 320 Through 330, Regulatory Programs of the Corps of Engineers; Final Rule. Federal Register 65(47):12818-12899.

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USGS (United States Geological Survey). *Lake Elsinore, California 7.5-Minute Topographic Quadrangle Map*. Department of the Interior. U.S. Government Printing Office. Washington, D.C.

Web Soil Survey. Available online at <http://websoilsurvey.nrcs.usda.gov/>. Accessed June 2017.

FIGURES

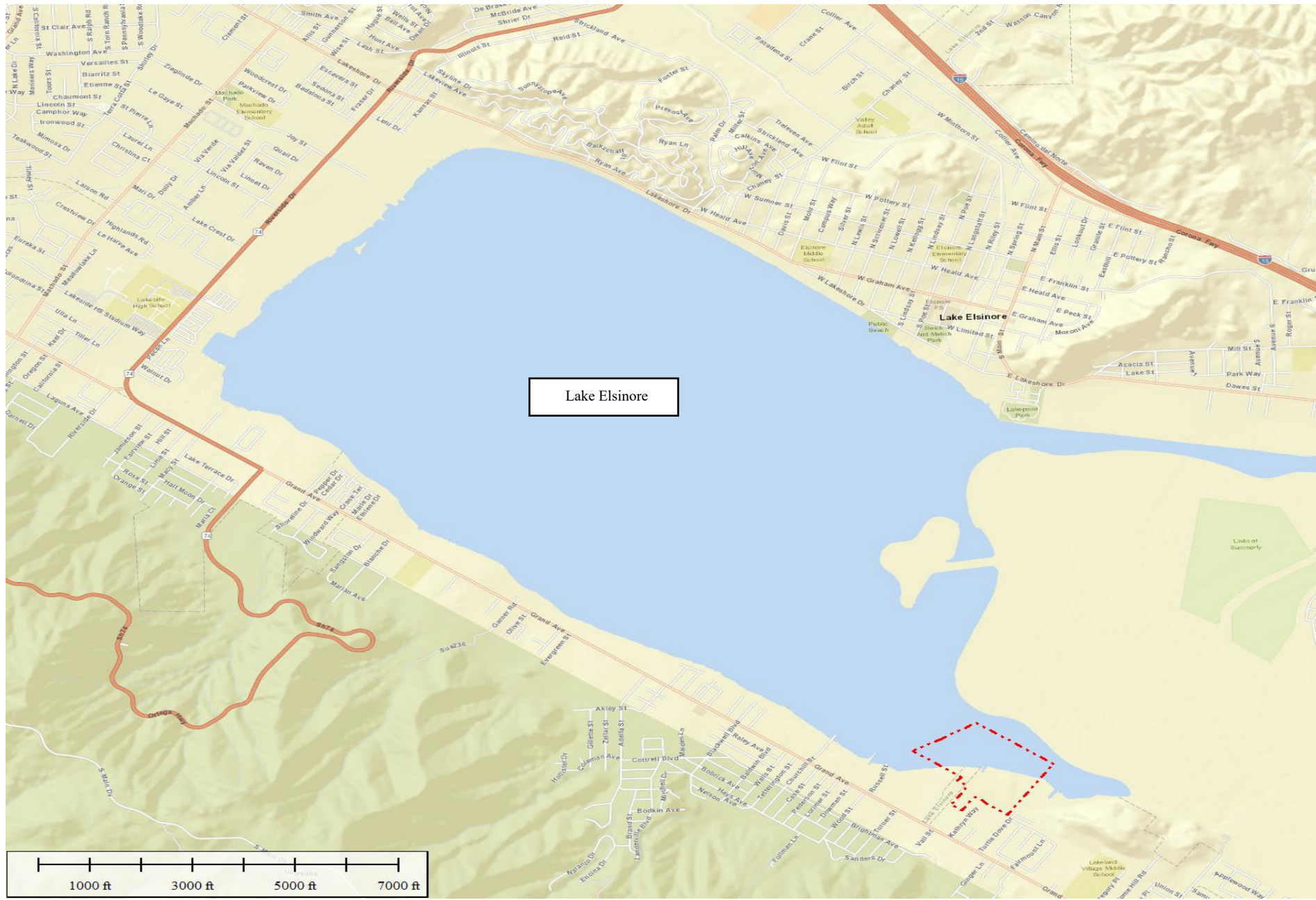


Figure 1
 Location Map
 Galvez Site
 Lake Elsinore, Riverside County, CA

Legend

Site Boundary

N

Hernandez
Environmental
Services

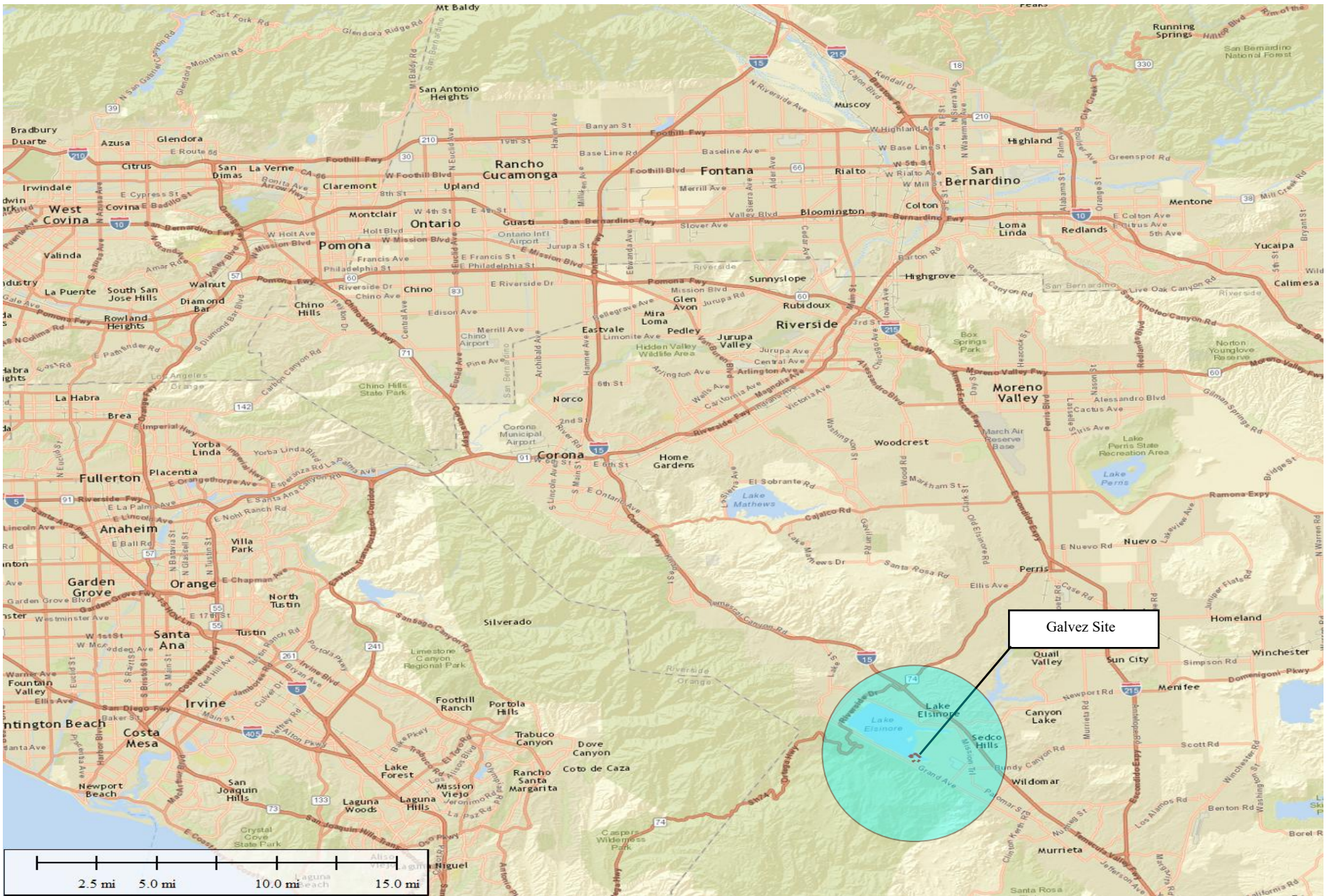


Figure 2
 Vicinity Map
 Galvez Site
 Lake Elsinore, Riverside County, CA

Legend



Site Boundary



N



Hernandez
 Environmental
 Services



Figure 3
 CDFW Jurisdictional Areas Map
 Galvez Site
 Lake Elsinore, Riverside County, CA



Site Boundary
 58.82 Acres of Tamarisk Dominant Habitat

Legend



8.82 Acres of Ruderal Habitat
 2.18 Acres of Vernal Pool Habitat



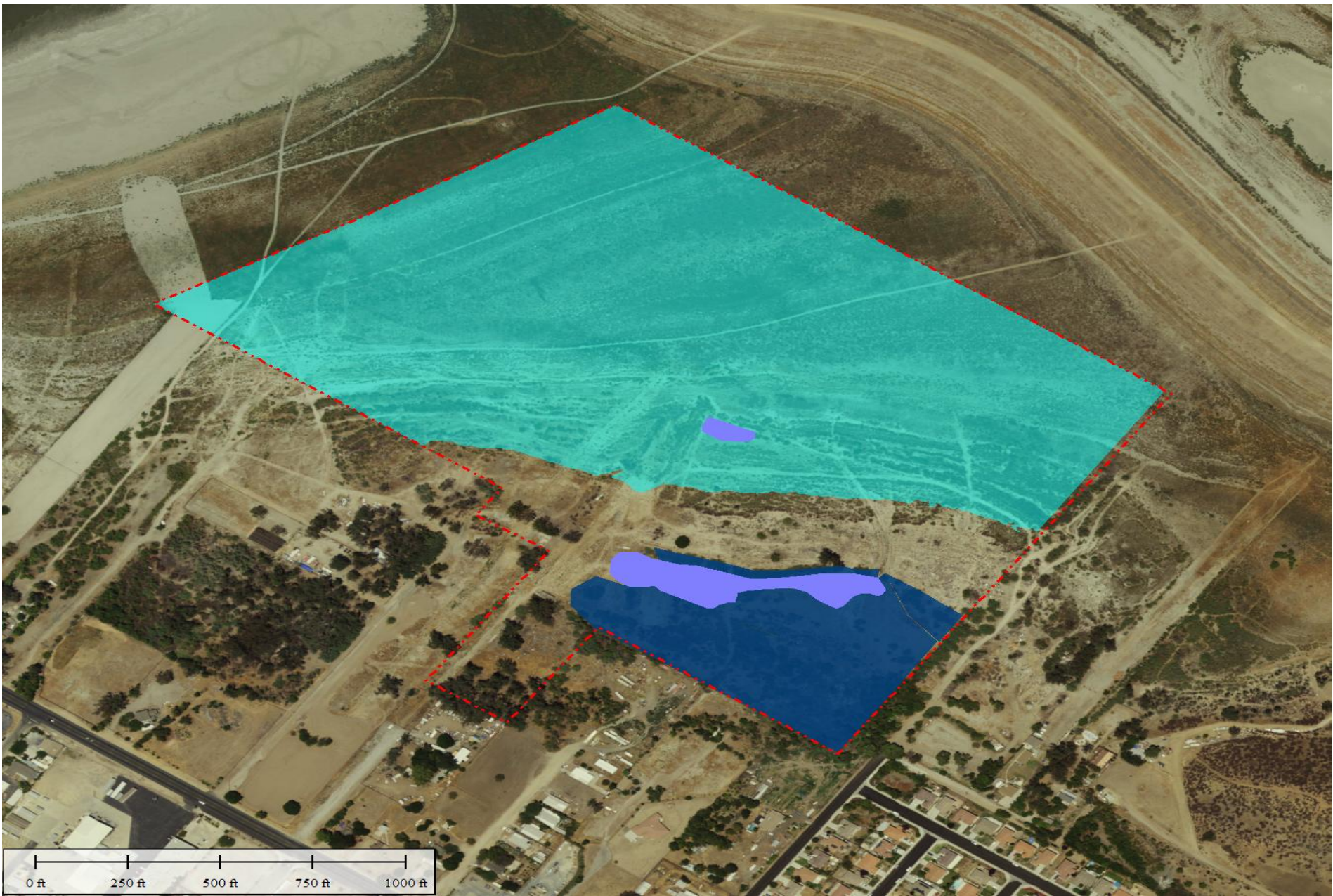


Figure 4
 Waters of the United States Map
 Galvez Site
 Lake Elsinore, Riverside County, CA



Site Boundary
 49.82 Acres of Waters of the United States



7.44 Acres of Adjacent Wetlands
 2.18 Acres of Vernal Pool Habitat



Total of 59.44 Acres of Waters of the United States

APPENDIX A



View of the tamarisk dominant jurisdictional areas on the site.



View of a recently dried vernal pool on the site.



View of the fault forming the northern boundary of the adjacent wetland area.



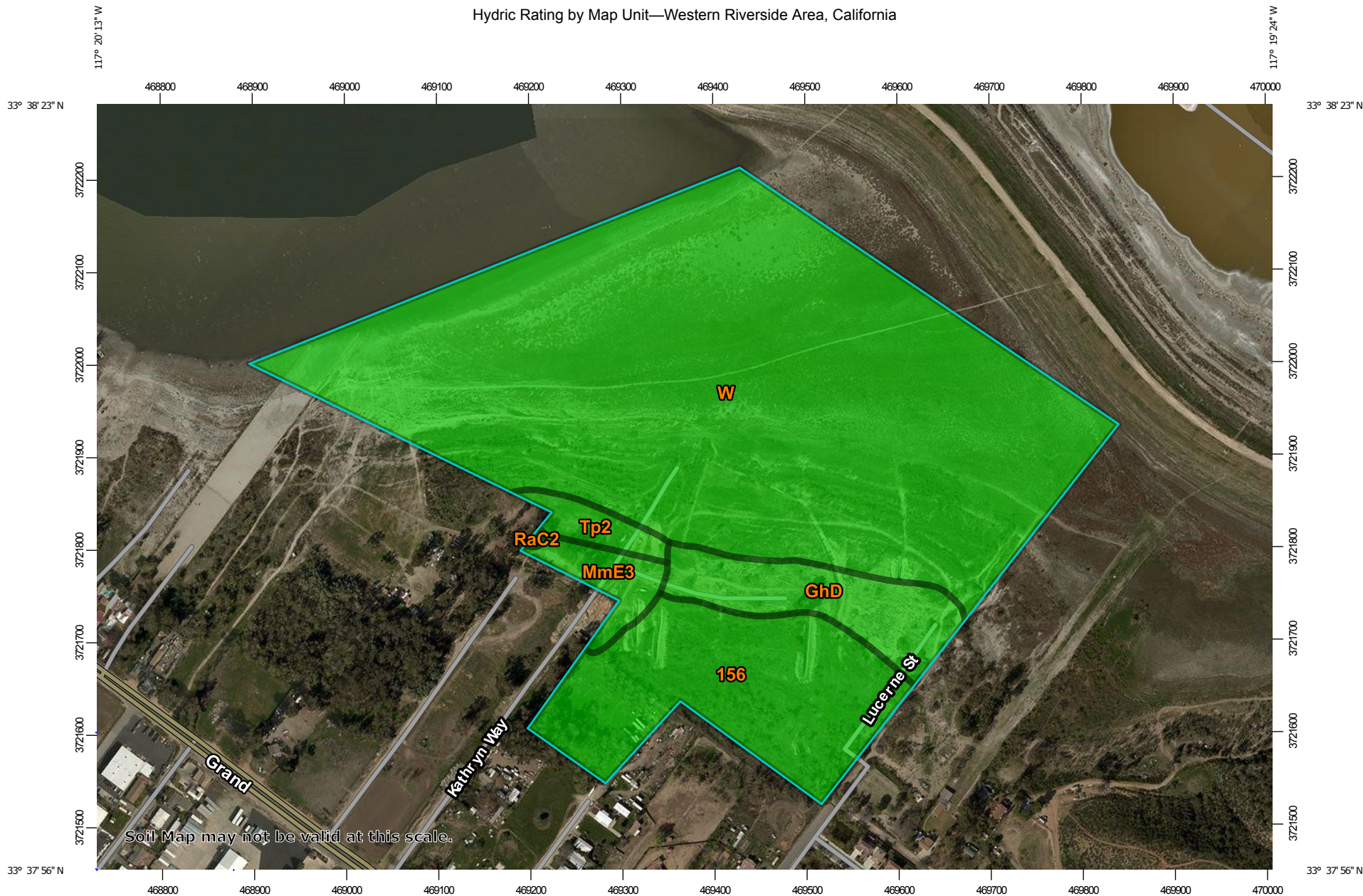
View of adjacent wetland from the northwest.

Hernandez

Environmental
Services

APPENDIX B

Hydric Rating by Map Unit—Western Riverside Area, California



Map Scale: 1:5,840 if printed on A landscape (11" x 8.5") sheet.

0 50 100 200 300 Meters


0 250 500 1000 1500 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 11N WGS84









MAP LEGEND

Area of Interest (AOI)







 Area of Interest (AOI)

Soils







Soil Rating Polygons

 Hydric (100%)
 Hydric (66 to 99%)
 Hydric (33 to 65%)
 Hydric (1 to 32%)
 Not Hydric (0%)
 Not rated or not available


Soil Rating Lines

 Hydric (100%)
 Hydric (66 to 99%)
 Hydric (33 to 65%)
 Hydric (1 to 32%)
 Not Hydric (0%)
 Not rated or not available






Soil Rating Points

 Hydric (100%)
 Hydric (66 to 99%)
 Hydric (33 to 65%)
 Hydric (1 to 32%)
 Not Hydric (0%)
 Not rated or not available


Water Features

 Streams and Canals

Transportation

 Rails
 Interstate Highways
 US Routes
 Major Roads
 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Western Riverside Area, California
 Survey Area Data: Version 9, Sep 12, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 25, 2010—Feb 26, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

| Hydric Rating by Map Unit— Summary by Map Unit — Western Riverside Area, California (CA679) | | | | |
|---|--|--------|--------------|----------------|
| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
| 156 | Hanford sandy loam, 2 to 9 percent slopes | 0 | 13.0 | 16.4% |
| GhD | Gorgonio loamy sand, 8 to 15 percent slopes | 0 | 5.3 | 6.7% |
| MmE3 | Monserate sandy loam, 15 to 25 percent slopes, severely eroded | 0 | 1.9 | 2.4% |
| RaC2 | Ramona sandy loam, 5 to 8 percent slopes, eroded | 0 | 0.1 | 0.1% |
| Tp2 | Traver loamy fine sand, eroded | 0 | 1.4 | 1.7% |
| W | Water | 0 | 57.8 | 72.7% |
| Totals for Area of Interest | | | 79.4 | 100.0% |

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

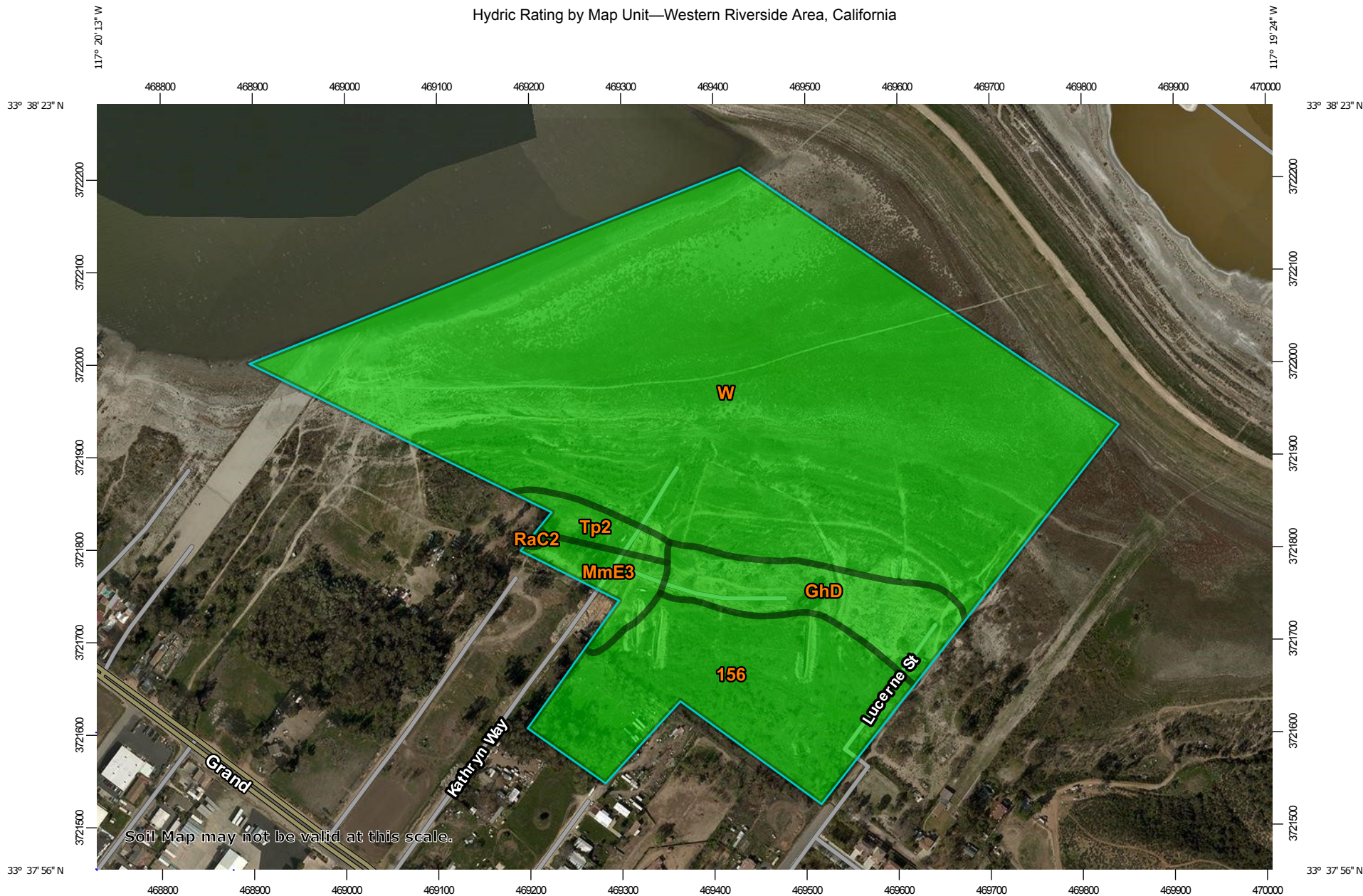
Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

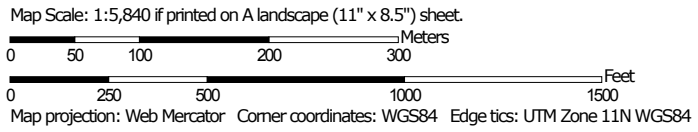
Tie-break Rule: Lower

APPENDIX B

Hydric Rating by Map Unit—Western Riverside Area, California




Soil Map may not be valid at this scale.









MAP LEGEND

Area of Interest (AOI)







 Area of Interest (AOI)

Soils







Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available






Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Western Riverside Area, California
 Survey Area Data: Version 9, Sep 12, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 25, 2010—Feb 26, 2015

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Hydric Rating by Map Unit

| Hydric Rating by Map Unit— Summary by Map Unit — Western Riverside Area, California (CA679) | | | | |
|---|--|--------|--------------|----------------|
| Map unit symbol | Map unit name | Rating | Acres in AOI | Percent of AOI |
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| GhD | Gorgonio loamy sand, 8 to 15 percent slopes | 0 | 5.3 | 6.7% |
| MmE3 | Monserate sandy loam, 15 to 25 percent slopes, severely eroded | 0 | 1.9 | 2.4% |
| RaC2 | Ramona sandy loam, 5 to 8 percent slopes, eroded | 0 | 0.1 | 0.1% |
| Tp2 | Traver loamy fine sand, eroded | 0 | 1.4 | 1.7% |
| W | Water | 0 | 57.8 | 72.7% |
| Totals for Area of Interest | | | 79.4 | 100.0% |

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

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Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

APPENDIX C



View of the Bank Property from the south.



View of the southern portion of the Bank Property.



View of the tamarisk dominant jurisdictional areas on the Bank Property.



A recently dried vernal pool located within the central portion of the Bank Property.



View of the fault forming the northern boundary of the adjacent wetland area.



View of the adjacent wetland area from the northwest.

Hernandez

Environmental
Services



Emergent wetland located along the Lake Elsinore shoreline within the northern portion of the Bank Property.



View of a sand piper along the Lake Elsinore shoreline within the northern portion of the Bank Property.

Hernandez

Environmental
Services



Gopher snake observed on the Bank Property.



Turkey vulture within trees located in the southern portion of the Bank Property.



Great blue heron within the emergent wetland located along the Lake Elsinore shoreline within the northern portion of the Bank Property.



Great egret nests located within the southern portion of the Bank Property.

Hernandez

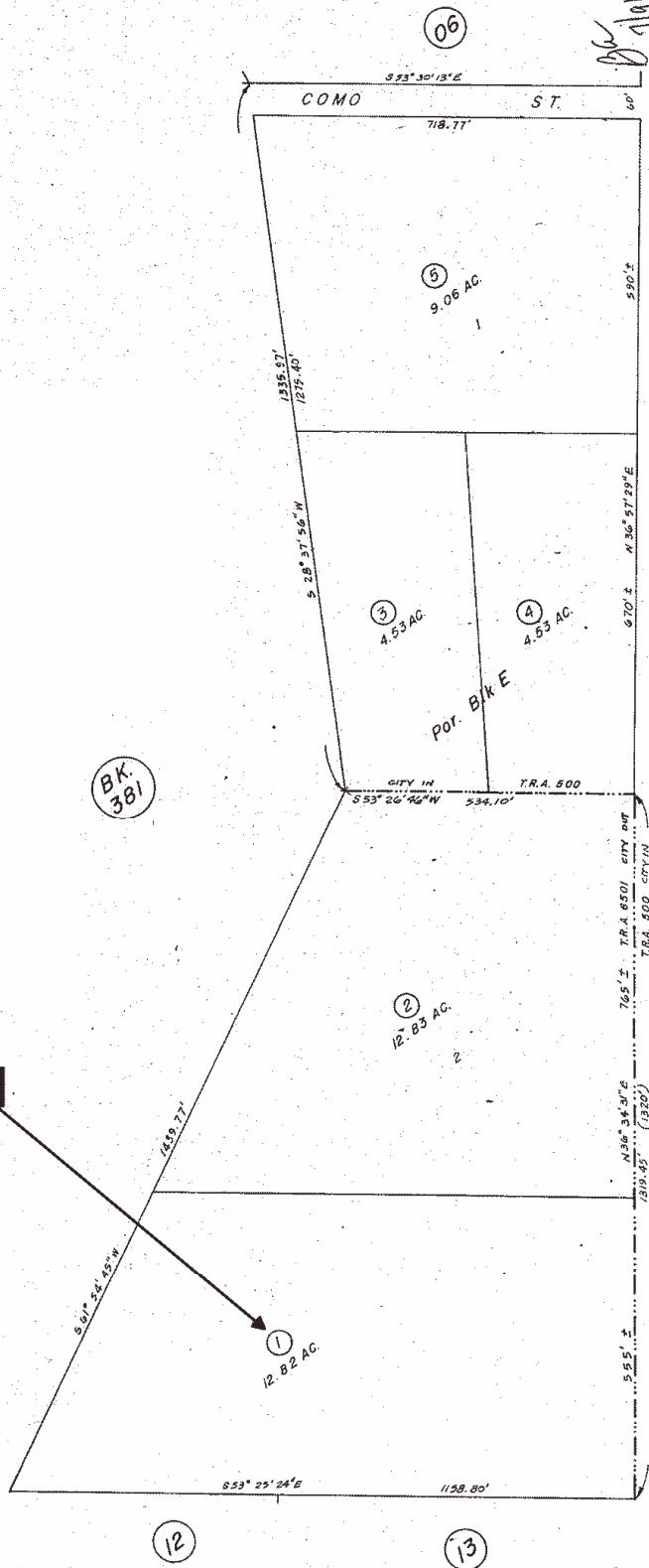
Environmental
Services

APPENDIX D

19-53
371-07

T.R.A. 500
6501

RANCHO LA LAGUNA
(T6S R4W)



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M.B. 6/296 S.D.
Re-sub of Bk. 'D' of Elsinore

SEPT. 1973

PIQ

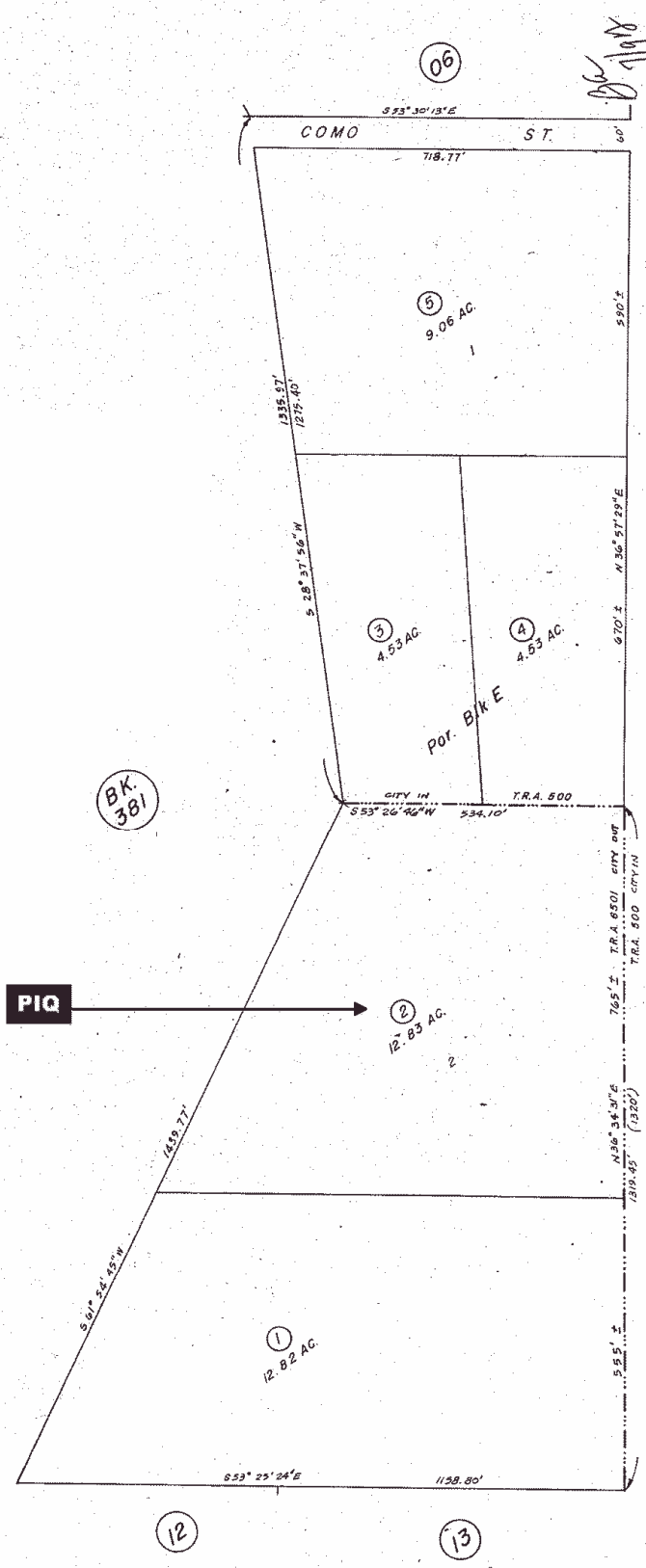
DATA M.B. 6/289 S.D.
R.S. 3670-11
24173 2/73
142360 12/71

ASSESSOR'S MAP BK.371 PG.07
RIVERSIDE COUNTY, CALIF

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

19-53
371-07
T.R.A. 500
6501

RANCHO LA LAGUNA
(T6S R4W)



| DATE | D.L.D. | NEW NO. |
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M.B. 6/296 S.D.
Re-sub of Bk. 'D' of Elsinore

SEPT. 1973

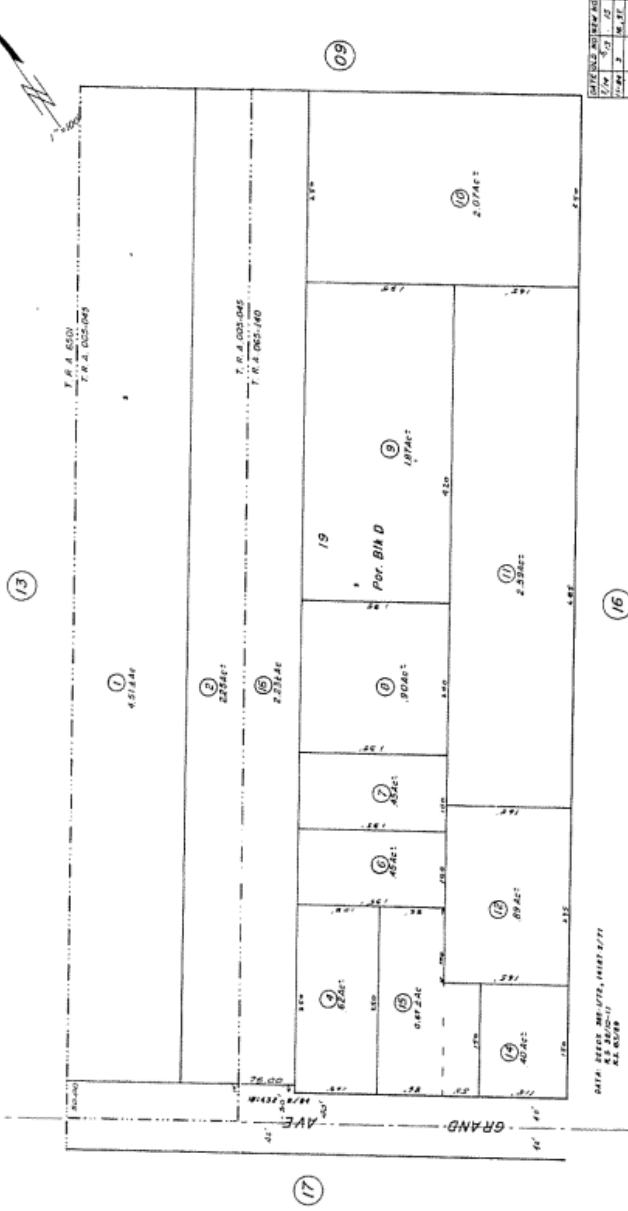
DATA M.B. 6/289 S.D.
R.S. 3670-11
24173 2/73
142380 12/71

ASSESSOR'S MAP BK.371 PG.07
RIVERSIDE COUNTY, CALIF

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19-01
T.R.A. 085-140
085-045
371-15

RANCHO LA LAGUNA
(176S R4W)



| TRACT | ACRES | FRONT | DEPTH | AREA |
|-------|--------|-------|-------|------|
| 1 | 4.5124 | | | |
| 2 | 2.2244 | | | |
| 3 | 2.2312 | | | |
| 4 | 0.8242 | | | |
| 5 | 0.1422 | | | |
| 6 | 0.8242 | | | |
| 7 | 0.8242 | | | |
| 8 | 0.8242 | | | |
| 9 | 0.8242 | | | |
| 10 | 2.0742 | | | |
| 11 | 2.5322 | | | |
| 12 | 0.8242 | | | |
| 13 | 0.8242 | | | |
| 14 | 0.8242 | | | |
| 15 | 0.8242 | | | |
| 16 | 0.8242 | | | |
| 17 | 0.8242 | | | |
| 18 | 0.8242 | | | |
| 19 | 0.8242 | | | |

M.B. 6/296 S.D. Re-Sub of Blk D of Elmhurst

ASSESSOR'S MAP BK 279 PG 15
RIVERSIDE COUNTY, CALIF.

SEPT 1973

371-09
19-53

T.R.A. 065-134
005-044

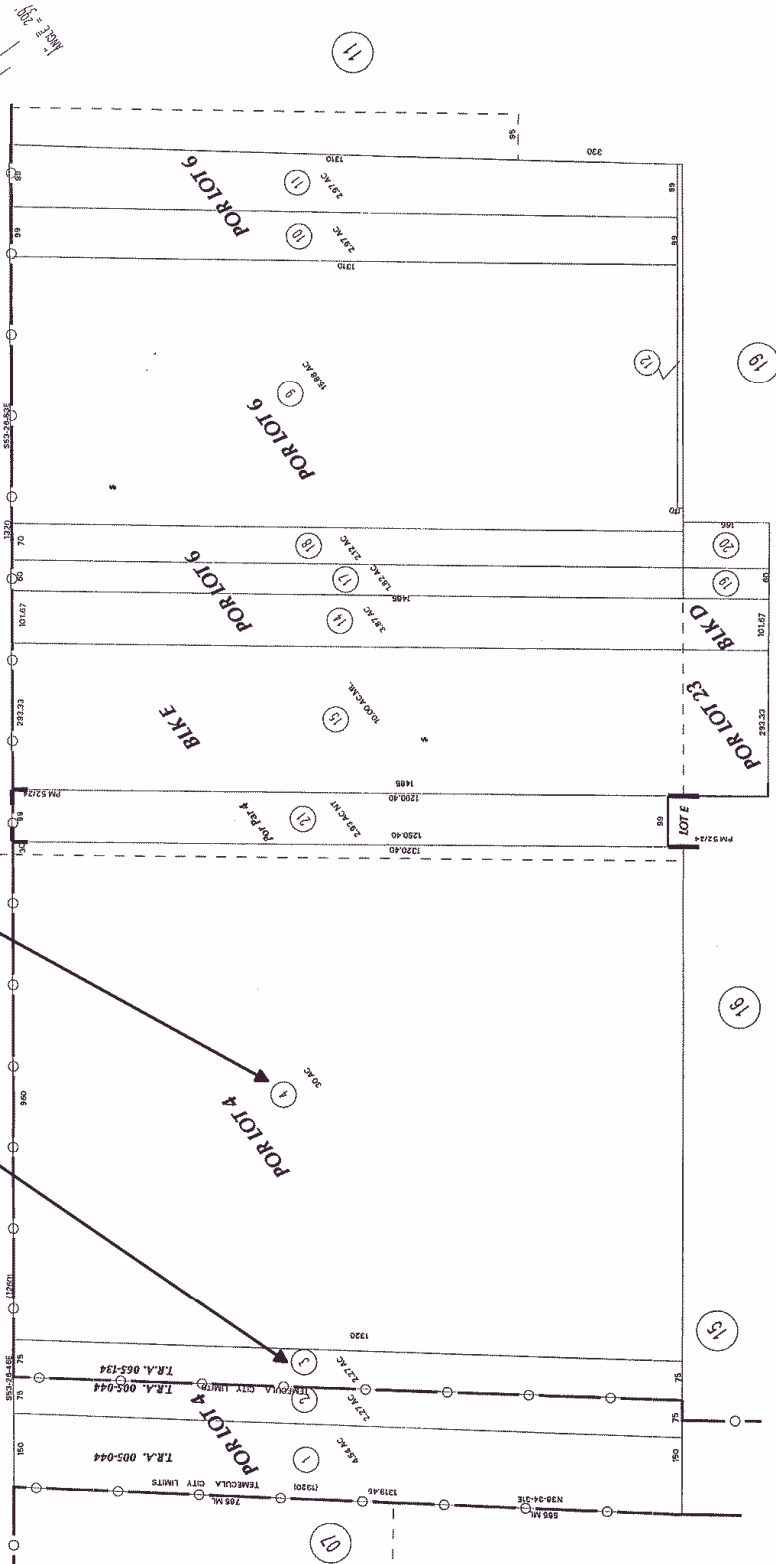
SEC. 19, 20 T. 6S., R. 4W
CITY OF LAKE ELSINORE

PIQ

PIQ

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSURED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCEL MAPS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

FEB 08 2005



| DATE | OLD NUMBER | NEW NUMBER |
|---------|------------|------------|
| 5/14/04 | 18-109 | 11 |
| 5/14/04 | 18-109-3.8 | 18 |
| 5/14/04 | 18-109-3.8 | 17-26 |
| 5/14/04 | 18-109-3.8 | 18 |
| 5/14/04 | 18-109-3.8 | 21-37 |

MB 6/296 S.D. Re-sub of Blk. 10' of Elsinore
PW 52/24 PARCEL MAP NO. 10947

Feb 2005

DATE: MB 6/296 S.D.
PW 52/24 PARCEL MAP NO. 10947

ASSESSOR'S MAP BK371 PG. 09
Riverside County, Calif.

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

19-51
371-15
 T.R.A. 005-140
 005-045

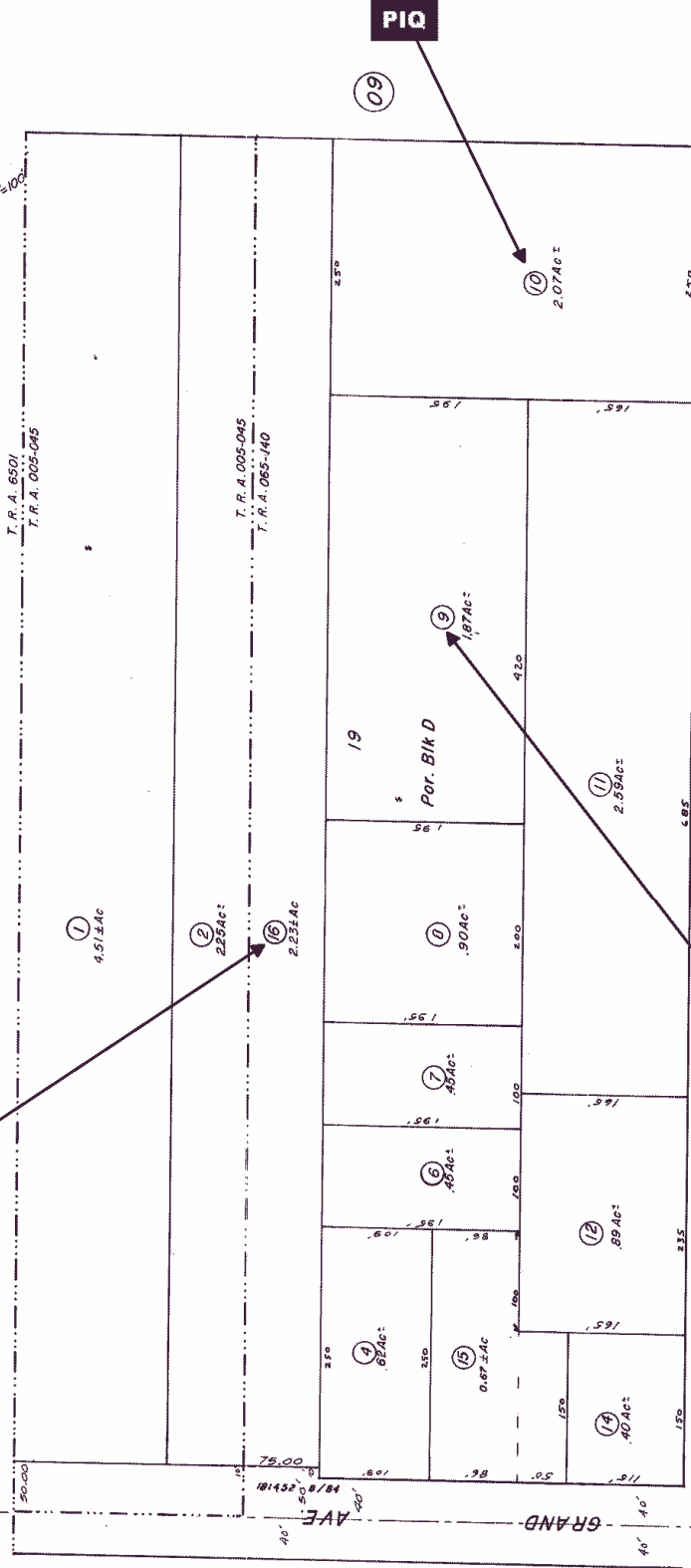
**RANCHO LA LAGUNA
 (T6S R4W)**

(13)

PIQ

(09)

| DATE | OLD | NO | NEW | NO |
|------|------|----|-----|--------|
| 7-20 | 7-23 | | | 75 |
| 7-24 | 3 | | | 16 ST. |
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M.B. 6/296 S.D. Re-Sub of Blk D of Elsinore

PIQ

(16)

SEPT. 1973

ASSESSOR'S MAP BK 279 PG 15
 RIVERSIDE COUNTY, CALIF.

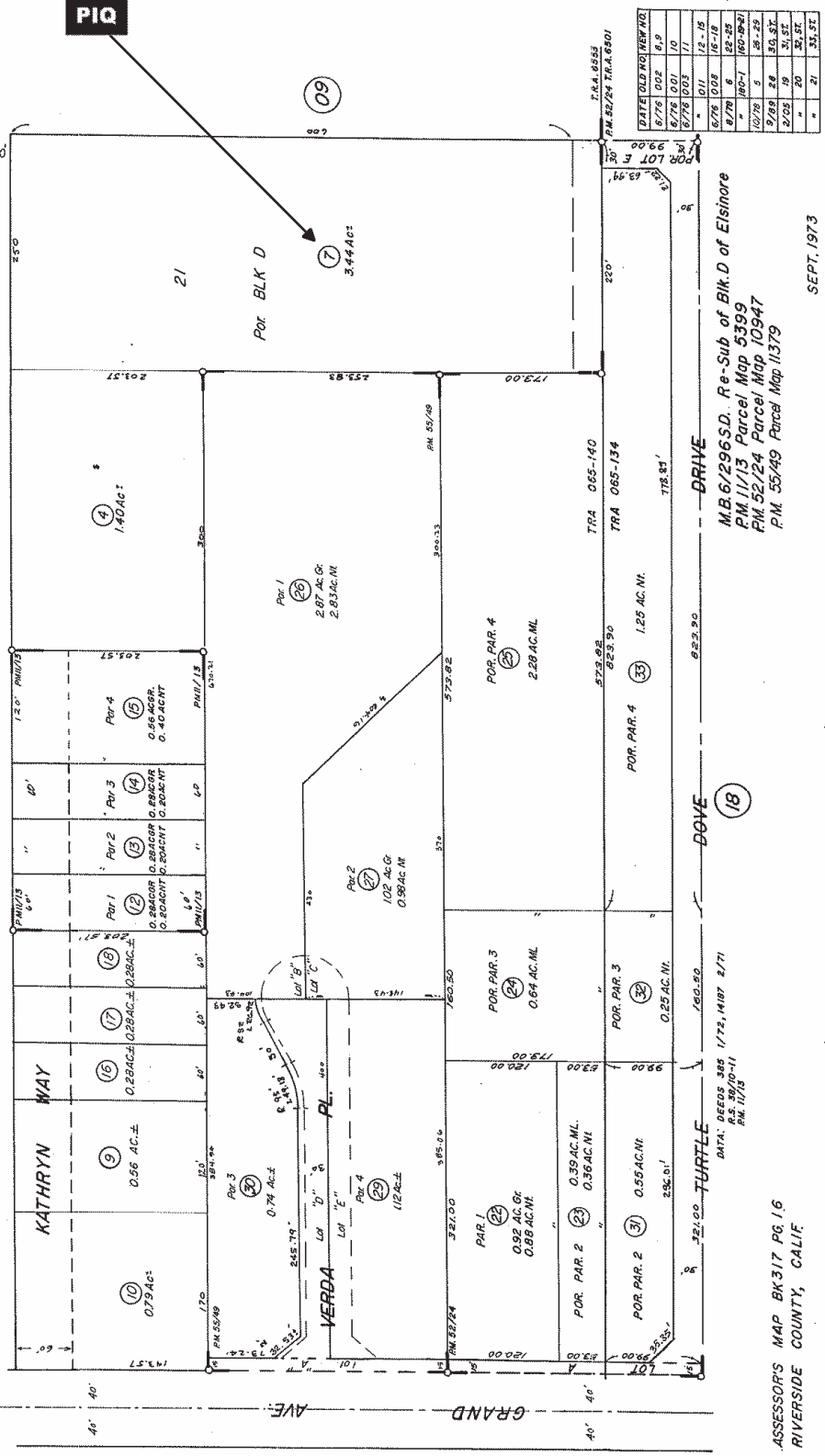
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19-51
 371-16
 T.R. A. 065-140
 065-134

RANCHO LA LAGUNA
 (T6S R4W)

THIS MAP IS FOR
 ASSESSMENT PURPOSES ONLY
FEB 08 2005

(15)



| DATE | OLD NO. | NEW NO. |
|-------|---------|---------|
| 5/78 | 102 | 59 |
| 6/78 | 107 | 70 |
| " | " | " |
| 6/78 | 103 | 11 |
| 6/78 | 108 | 16 |
| 4/78 | 8 | 28-29 |
| " | 105-1 | 100-101 |
| 10/78 | 5 | 35-39 |
| 9/88 | 28 | 50, 57 |
| 2/05 | 19 | 31, 51 |
| " | " | 20 |
| " | " | 21 |
| " | " | 33, 51 |

TRA 065-140
 TRA 065-134
 TRA 065-190
 TRA 065-134
 DRIVE
 M.B. 6/296 S.D. Re-Sub of Blk. D of Elsinore
 P.M. 11/13 Parcel Map 5399
 P.M. 52/24 Parcel Map 10947
 P.M. 55/49 Parcel Map 11379

SEPT. 1973

(18)

ASSESSOR'S MAP BK 317 PG. 16
 RIVERSIDE COUNTY, CALIF.

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APPENDIX E



PRELIMINARY REPORT

Order No.: 7101703609-CB
Property: 371-090-003 & 004, 371-150-009, 010 & 016, 371-160-007
Lake Elsinore, CA 92532

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

Countersigned By:

Authorized Officer or Agent



By:

President

Attest:

Secretary



ISSUING OFFICE: 560 E. Hospitality Lane, San Bernardino, CA 92408

FOR SETTLEMENT INQUIRIES, CONTACT:

Chicago Title Company
Three Better World Circle, Suite 100 • Temecula, CA 92590
(951)676-3695 • FAX (951)695-2339

PRELIMINARY REPORT

Title Officer: Carol Bengel
Email: bengelc@ctt.com
Phone No.: (909)384-7909
Fax No.: (909)384-7901
Title No.: 7101703609-CB

Escrow Officer: Marie Hessom
Email: marie.hessom@ctt.com
Phone No.: (951)676-3695
Fax No.: (951)695-2339
Escrow No.: 7101703609-MH

PROPERTY ADDRESS(ES): 371-090-003 & 004, 371-150-009, 010 & 016, 371-160-007, Lake Elsinore, CA

EFFECTIVE DATE: March 6, 2017 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy 1990 (04-08-14)

1. The estate or interest in the Land hereinafter described or referred to covered by this Report is:

Fee

2. Title to said estate or interest at the date hereof is vested in:

Carlos Lopez, An Unmarried Man as to Parcels 1, 2, 3 and Carlos R. Lopez, a single man as to Parcel 4, subject to item no. 25, 27, 28, 30, 31

3. The Land referred to in this Report is described as follows:

For APN/Parcel ID(s): 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-150-016 and 371-160-007

Parcel 1:

All That Portion Of Lot 19 In Block D And Of Lot 4 In Block E Of The Resubdivision Of Block D, Elsinore, In The County Of Riverside, State Of California, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County, California, Described As Follows:

Beginning At A Point On The Northeasterly Line Of Grand Avenue, 225 Feet Southeasterly From The Most Westerly Corner Of Said Lot 19, In Block D;

Thence Southeasterly Along Said Northeasterly Line Of Grand Avenue, 75 Feet;

Thence Northeasterly And Parallel With The Northwesterly Line Of Said Lot 19 In Block D And Of Said Lot 4 In Block E 2,640 Feet To A Point On The Northeasterly Line Of Said Lot 4, In Block E, 300 Feet

PRELIMINARY REPORT

(continued)

Southeasterly From The Most Northerly Corner Thereof;

Thence Northwesterly Along Said Northeasterly Line, 75 Feet;

Thence Southwesterly And Parallel With The Northwesterly Line Of Said Lot 4 In Block E And Of Said Lot 19 In Block D, 2,618 Feet To The Pointof Beginning:

Excepting Therefrom That Portion Described In Deed To The County Of Riverside, Recorded August 20, 1984 As Instrument No. 181452 And Re-Recorded October 19, 1984 As Instrument No. 226573 Of Official Records Of Riverside County, California.

Parcel 2:

Lot 4, In Block E And The Northeasterly Rectangular 250 Feet Of Lot 19 And 21, In Block D Of The Resubdivision Of Block D, Elsinore, County Of Riverside, State Of California, As Show By Map On File In Book 6, Pages 296, Of Maps, Records Of San Diego County, California.

Excepting From Said Lot 4, In Block E And From The Northeasterly 250 Feet Of Lot 19, In Block D, The Northwesterly Rectangular 300 Feet Thereof.

Parcel 3:

The Northwesterly Rectangular 30 Feet Of Lucerne Street, As Abandoned By Resolution Of The Board Of Supervisors Of Riverside County, Dated July 17, 1911 In Book 11, Page 248, Adjacent To Lot 4, In Block E And Lying Within The Northeasterly Rectangular 250 Feet Of Lot 21 In Block D, Elsinore, As Shown By Map On File In Book 6, Page 296, Of Maps, Records Of San Diego County, California.

Parcel 4:

The Southwesterly Rectangular 420 Feet Of The Northeasterly Rectangular 670 Feet Of The Southeasterly 195 Feet On The Northwesterly Rectangular 495 Feet Of Lot 19 In Block "D" Of Elsinore, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County.

Excepting Therefrom An Easement For Road Purposes Over The Northwesterly 16 Feet Thereof.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

2. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-090-003-3
 Fiscal Year: 2016-2017
 1st Installment: \$134.60 paid.
 2nd Installment: \$134.60, unpaid
 Penalty and Cost: \$52.09 (Due after April 10)
 Code Area: 965-134

Affects: A Portion of Parcel 1

3. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-150-016-0
 Fiscal Year: 2016-2017
 1st Installment \$177.61 paid
 2nd Installment: \$177.61, unpaid
 Penalty and Cost: \$56.39 (Due after April 10)
 Code Area: 065-140

Affects: A portion of Parcel 1

4. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-090-004-4
 Fiscal Year: 2016-2017
 1st Installment: \$1,778.35 paid.
 2nd Installment: \$1,778.35, unpaid
 Penalty and Cost: \$216.46 (Due after April 10)
 Code Area: 065-134

Affects: A portion of Parcel 2

5. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-150-010-4
 Fiscal Year: 2016-2017
 1st Installment: \$185.56 paid.
 2nd Installment: \$185.56, unpaid
 Penalty and Cost: \$57.18 (Due after April 10)
 Code Area: 065-140

Affects: A portion of Parcel 2

EXCEPTIONS

(continued)

6. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-160-007-3
 Fiscal Year: 2016-2017
 1st Installment: \$308.75 paid.
 2nd Installment: \$308.75, unpaid
 Penalty and Cost: \$69.50 (Due after April 10)
 Code Area: 065-140

Affects: A portion of Parcel 2 and Parcel 3

7. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-150-009-4
 Fiscal Year: 2016-2017
 1st Installment: \$293.85 paid.
 2nd Installment: \$293.85, unpaid
 Penalty and Cost: \$68.01 (Due after April 10)
 Code Area: 065-140

Affects: Parcel 4

8. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.

9. Water rights, claims or title to water, whether or not disclosed by the public records.

10. Rights of the public to any portion of the Land lying within the area commonly known as any lawfully established streets, roads or highways.

11. Notwithstanding the insuring clauses of the policy, the company does not insure against loss or damage by reason of a lack of a right of access to and from the land.

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: Temescal Water Company
 Purpose: right of way for irrigation and domestic water ditches, pipes, flumes and apparatus

The exact location and extent of said easement is not disclosed of record.

13. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document;

Granted to: Elsinore Valley Municipal Water District
 Purpose: the right to sink wells, to establish and maintain pumping plants, to develop water for irrigation and domestic use; rights of way through and across any portion of said Land for surface or underground pipe lines; also rights of way through and across any portion of said Land for the construction of electric transmission lines; the perpetual right of entry for the aforesaid purposes.

The exact location and extent of said easement is not disclosed of record.

EXCEPTIONS

(continued)

14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Forest Clinton Heersema and Maudie Beatrice Heersema, husband and wife
 Purpose: road
 Recording Date: January 15, 1944
 Recording No.: in book 611 page 343, Official Records
 Affects: as described therein

15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Elsinore Valley Municipal Water District
 Purpose: sewer
 Recording Date: December 11, 1985
 Recording No.: 278925, Official Records
 Affects: said land

16. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

Redevelopment Agency: County of Riverside
 Recording Date: December 11, 1985
 Recording No.: 278925, Official Records

17. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$29,600.00
 Dated: October 5, 1998
 Trustor/Grantor: Carlos R. Lopez, a single man
 Trustee: Escrow Chalet, Inc., a California Corporation
 Beneficiary: Joseph L. McGinley, An Unmarried Man
 Recording Date: October 27, 1998
 Recording No.: 462336, Official Records

This Company will require that the original note, the original deed of trust and a properly executed request for full reconveyance together with appropriate documentation (i.e., copy of trust, partnership agreement or corporate resolution) be in this office prior to the close of this transaction if the above-mentioned item is to be paid through this transaction or deleted from a policy of title insurance.

Any demands submitted to us for payoff must be signed by all beneficiaries as shown on said deed of trust, and/or any assignments thereto. In the event said demand is submitted by an agent of the beneficiary(s), we will require the written approval of the demand by the beneficiary(s). Servicing agreements do not constitute approval for the purposes of this requirement.

If no amounts remain due under the obligation a zero balance demand will be required along with the reconveyance documents.

In addition, we require the written approval of said demand by the trustor(s) on said deed of trust or the current owners if applicable.

Affects: Parcel 4

EXCEPTIONS

(continued)

- 18.** The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

Redevelopment Agency: County of Riverside
Recording Date: July 28, 1999
Recording No.: 337077 and August 5, 1999, as instrument no. 351785, Official Records

- 19.** Notice of Noncompliance pursuant to Sections 17274 and 24436.5 of the California Revenue and Taxation Code by the Bureau of Building Inspection Code Enforcement Division

Recording Date: April 22, 2003
Recording No.: 2003-283429, Official Records

Reference is hereby made to said document for full particulars.

- 20.** Notice of Noncompliance pursuant to Sections 17274 and 24436.5 of the California Revenue and Taxation Code by the Bureau of Building Inspection Code Enforcement Division

Recording Date: April 22, 2003
Recording No.: 2003-283430, Official Records

Reference is hereby made to said document for full particulars.

- 21.** Notice of Noncompliance pursuant to Sections 17274 and 24436.5 of the California Revenue and Taxation Code by the Bureau of Building Inspection Code Enforcement Division

Recording Date: April 22, 2003
Recording No.: 2003-283431, Official Records

Reference is hereby made to said document for full particulars.

- 22.** Notice of Noncompliance pursuant to Sections 17274 and 24436.5 of the California Revenue and Taxation Code by the Bureau of Building Inspection Code Enforcement Division

Recording Date: June 2, 2003
Recording No.: 2003-397800, Official Records

Reference is hereby made to said document for full particulars.

- 23.** Notice of Noncompliance pursuant to Sections 17274 and 24436.5 of the California Revenue and Taxation Code by the Bureau of Building Inspection Code Enforcement Division

Recording Date: June 3, 2003
Recording No.: 2003-397802, Official Records

Reference is hereby made to said document for full particulars.

EXCEPTIONS

(continued)

24. Deed as set forth below:

Grantor: Carlos R. Lopez, a single man
 Grantee: Elsinore View Estates, LLC, a California limited liability company
 Dated: December 13, 2008
 Recording Date: January 21, 2009
 Recording No: 2009-0026838, Official Records

Any defect or invalidity of the title to the estate or interest of the grantee herein arising out of or occasioned by the execution of the above-referenced deed.

For insurance purposes, the Company will require that an affidavit, executed by the above grantor and acknowledged by a notary known to the Company, be submitted to the Company for review and approval in order for the Company to show title vested in the above-named grantee. Said affidavit will be provided by the Company.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

25. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$30,000.00
 Dated: October 12, 2009
 Trustor/Grantor Elsinore View Estates, LLC a California limited liability company
 Trustee: First American Title Insurance Company
 Beneficiary: Home Front Investment Properties
 Recording Date: October 20, 2009
 Recording No.: 2009-0541043, Official Records

This Company will require that the original note, the original deed of trust and a properly executed request for full reconveyance together with appropriate documentation (i.e., copy of trust, partnership agreement or corporate resolution) be in this office prior to the close of this transaction if the above-mentioned item is to be paid through this transaction or deleted from a policy of title insurance.

Any demands submitted to us for payoff must be signed by all beneficiaries as shown on said deed of trust, and/or any assignments thereto. In the event said demand is submitted by an agent of the beneficiary(s), we will require the written approval of the demand by the beneficiary(s). Servicing agreements do not constitute approval for the purposes of this requirement.

If no amounts remain due under the obligation a zero balance demand will be required along with the reconveyance documents.

In addition, we require the written approval of said demand by the trustor(s) on said deed of trust or the current owners if applicable.

EXCEPTIONS

(continued)

26. A Deed:

From: Elsinore View Estates, LLC, a California limited liability company
 To: John Johnson, as to a 27% tenant-in-common interest, Hushman Taghdiri, as to a 27% tenant-in-common interest, Carlos Lopez, as to a 25% tenant-in-common interest and Steve Galvez, as to a 21% tenant-in-common interest, all as tenants in common
 Dated: February 24, 2015
 Recording Date: April 29, 2015
 Recording No.: 2015-0173643, Official Records

For insurance purposes, the Company is not willing to divest the interest of the following party(ies):

Party(ies): Carlos Lopez aka Carlos R. Lopez

NOTE: This Company Is Unable To Determine The Sufficiency Of Said Deed

27. A Deed:

From: Hushman Taghdiri
 To: Steve Galvez, as to a 20% tenant-in-common interest, as tenants in common
 Dated: December 18, 2015
 Recording Date: April 13, 2016
 Recording No.: 2016-0145789, Official Records

For insurance purposes, the Company is not willing to divest the interest of the following party(ies):

Party(ies): Carlos Lopez aka Carlos R. Lopez

NOTE; This Company Is Unable To Determine The Sufficiency Of Said Deed.

28. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$100,000.00
 Dated: September 15, 2016
 Trustor/Grantor: Steve Galvez
 Trustee: First American Title Company
 Beneficiary: Stephen Bello, an individual
 Recording Date: October 13, 2016
 Recording No.: 2016-0448183, Official Records

EXCEPTIONS

(continued)

This Company will require that the original note, the original deed of trust and a properly executed request for full reconveyance together with appropriate documentation (i.e., copy of trust, partnership agreement or corporate resolution) be in this office prior to the close of this transaction if the above-mentioned item is to be paid through this transaction or deleted from a policy of title insurance.

Any demands submitted to us for payoff must be signed by all beneficiaries as shown on said deed of trust, and/or any assignments thereto. In the event said demand is submitted by an agent of the beneficiary(s), we will require the written approval of the demand by the beneficiary(s). Servicing agreements do not constitute approval for the purposes of this requirement.

If no amounts remain due under the obligation a zero balance demand will be required along with the reconveyance documents.

In addition, we require the written approval of said demand by the trustor(s) on said deed of trust or the current owners if applicable.

Affects: Parcels 1, 2, 3

29. A Deed:

From: Carlos R. Lopez, an individual, who took title as Carlos Lopez
 To: CMB Investments LLC a 27% tenant-in-common interest
 Dated: October 7, 2016
 Recording Date: October 26, 2016
 Recording No.: 2016-0470490, Official Records

For insurance purposes, the Company is not willing to divest the interest of the following party(ies):

Party(ies): Carlos Lopez aka Carlos R. Lopez

NOTE: This Company Is Unable To Determine The Sufficiaency Of Said Deed.

30. A Deed:

From: John Johnson
 To: CMB Investments LLC, as to a 27% tenant-in-common interest, as tenant in common
 Dated: January 25, 2017
 Recording Date: February 16, 2017
 Recording No.: 2017-0069724, Official Records

For insurance purposes, the Company is not willing to divest the interest of the following party(ies):

Party(ies): Carlos Lopez aka Carlos R. Lopez

NOTE: This Company Is Unable To Determine The Sufficiency Of Said Deed

EXCEPTIONS

(continued)

31. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(ies),

Party(ies): Carlos Lopez, John Johnson, Steve Galvez

The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

END OF EXCEPTIONS

NOTES

- Note 1.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 2.** If this company is requested to disburse funds in connection with this transaction, Chapter 598, Statutes of 1989 mandates hold periods for checks deposited to escrow or sub-escrow accounts. The mandatory hold period for cashier's checks, certified checks and teller's checks is one business day after the day deposited. Other checks require a hold period of from two to five business days after the day deposited. In the event that the parties to the contemplated transaction wish to record prior to the time that the funds are available for disbursement (and subject to Company approval), the Company will require the prior written consent of the parties. Upon request, a form acceptable to the company authorizing said early recording may be provided to Escrow for execution.
- Note 3.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 4.** Note: In compliance with the new RESPA regulations, Chicago Title Company will be averaging recording fees for Single Family 1-4 Residential properties. Please contact your Title Officer to obtain the current recording fees. In addition, Chicago Title Company will pay our underwriter 12% of the title premium, as disclosed on lines 1107 and 1108 of the HUD-1.
- Note 5.** The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the suspended corporation or LLC named below:
- Name of Corporation or LLC: Elsinore View Estates, LLC, a California limited liability company
- a. A Certificate of Revivor
 - b. A Certificate of Relief from Voidability
 - c. Confirmation that there is no court order voiding the contract upon which the conveyance is based.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

NOTES
(continued)

Note 6. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: CMB Investments LLC

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company that it was validly formed, is in good standing and authorized to do business in the state of origin.
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

jk

END OF NOTES

EXHIBIT "A"
Legal Description

**For APN/Parcel ID(s): 371-090-003, 371-090-004, 371-150-009, 371-150-010, 371-150-016 and
371-160-007**

Parcel 1:

All That Portion Of Lot 19 In Block D And Of Lot 4 In Block E Of The Resubdivision Of Block D, Elsinore, In The County Of Riverside, State Of California, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County, California, Described As Follows:

Beginning At A Point On The Northeasterly Line Of Grand Avenue, 225 Feet Southeasterly From The Most Westerly Corner Of Said Lot 19, In Block D;

Thence Southeasterly Along Said Northeasterly Line Of Grand Avenue, 75 Feet;

Thence Northeasterly And Parallel With The Northwesterly Line Of Said Lot 19 In Block D And Of Said Lot 4 In Block E 2,640 Feet To A Point On The Northeasterly Line Of Said Lot 4, In Block E, 300 Feet Southeasterly From The Most Northerly Corner Thereof;

Thence Northwesterly Along Said Northeasterly Line, 75 Feet;

Thence Southwesterly And Parallel With The Northwesterly Line Of Said Lot 4 In Block E And Of Said Lot 19 In Block D, 2,618 Feet To The Point of Beginning:

Excepting Therefrom That Portion Described In Deed To The County Of Riverside, Recorded August 20, 1984 As Instrument No. 181452 And Re-Recorded October 19, 1984 As Instrument No. 226573 Of Official Records Of Riverside County, California.

Parcel 2:

Lot 4, In Block E And The Northeasterly Rectangular 250 Feet Of Lot 19 And 21, In Block D Of The Resubdivision Of Block D, Elsinore, County Of Riverside, State Of California, As Shown By Map On File In Book 6, Pages 296, Of Maps, Records Of San Diego County, California.

Excepting From Said Lot 4, In Block E And From The Northeasterly 250 Feet Of Lot 19, In Block D, The Northwesterly Rectangular 300 Feet Thereof.

Parcel 3:

The Northwesterly Rectangular 30 Feet Of Lucerne Street, As Abandoned By Resolution Of The Board Of Supervisors Of Riverside County, Dated July 17, 1911 In Book 11, Page 248, Adjacent To Lot 4, In Block E And Lying Within The Northeasterly Rectangular 250 Feet Of Lot 21 In Block D, Elsinore, As Shown By Map On File In Book 6, Page 296, Of Maps, Records Of San Diego County, California.

Parcel 4:

The Southwesterly Rectangular 420 Feet Of The Northeasterly Rectangular 670 Feet Of The Southeasterly 195 Feet On The Northwesterly Rectangular 495 Feet Of Lot 19 In Block "D" Of Elsinore, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County.

Excepting Therefrom An Easement For Road Purposes Over The Northwesterly 16 Feet Thereof.

EXHIBIT "A"
Legal Description

**FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE**

Effective: May 1, 2015; Last Updated: March 1, 2017

At Fidelity National Financial, Inc., we respect and believe it is important to protect the privacy of consumers and our customers. This Privacy Notice explains how we collect, use, and protect any information that we collect from you, when and to whom we disclose such information, and the choices you have about the use of that information. A summary of the Privacy Notice is below, and we encourage you to review the entirety of the Privacy Notice following this summary. You can opt-out of certain disclosures by following our opt-out procedure set forth at the end of this Privacy Notice.

| | |
|---|---|
| <p><u>Types of Information Collected.</u> You may provide us with certain personal information about you, like your contact information, address demographic information, social security number (SSN), driver's license, passport, other government ID numbers and/or financial information. We may also receive browsing information from your Internet browser, computer and/or mobile device if you visit or use our websites or applications.</p> | <p><u>How Information is Collected.</u> We may collect personal information from you via applications, forms, and correspondence we receive from you and others related to our transactions with you. When you visit our websites from your computer or mobile device, we automatically collect and store certain information available to us through your Internet browser or computer equipment to optimize your website experience.</p> |
| <p><u>Use of Collected Information.</u> We request and use your personal information to provide products and services to you, to improve our products and services, and to communicate with you about these products and services. We may also share your contact information with our affiliates for marketing purposes.</p> | <p><u>When Information Is Disclosed.</u> We may disclose your information to our affiliates and/or nonaffiliated parties providing services for you or us, to law enforcement agencies or governmental authorities, as required by law, and to parties whose interest in title must be determined.</p> |
| <p><u>Choices With Your Information.</u> Your decision to submit information to us is entirely up to you. You can opt-out of certain disclosure or use of your information or choose to not provide any personal information to us.</p> | <p><u>Information From Children.</u> We do not knowingly collect information from children who are under the age of 13, and our website is not intended to attract children.</p> |
| <p><u>Privacy Outside the Website.</u> We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.</p> | <p><u>International Users.</u> By providing us with you information, you consent to its transfer, processing and storage outside of your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.</p> |
| <p><u>The California Online Privacy Protection Act.</u> Some FNF companies provide services to mortgage loan servicers and, in some cases, their websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.</p> | |
| <p><u>Your Consent To This Privacy Notice.</u> By submitting information to us or by using our website, you are accepting and agreeing to the terms of this Privacy Notice.</p> | <p><u>Access and Correction; Contact Us.</u> If you desire to contact us regarding this notice or your information, please contact us at privacy@fnf.com or as directed at the end of this Privacy Notice.</p> |

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective: May 1, 2015; Last Updated: March 1, 2017

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing title insurance, real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. We will take reasonable steps to ensure that your Personal Information and Browsing Information will only be used in compliance with this Privacy Notice and applicable laws. This Privacy Notice is only in effect for Personal Information and Browsing Information collected and/or owned by or on behalf of FNF, including Personal Information and Browsing Information collected through any FNF website, online service or application (collectively, the "Website").

Types of Information Collected

We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- social security number (SSN), driver's license, passport, and other government ID numbers;
- financial account information; and
- other personal information needed from you to provide title insurance, real estate- and loan-related services to you.

Browsing Information. FNF may collect the following categories of Browsing Information:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language and type;
- domain name system requests;
- browsing history, such as time spent at a domain, time and date of your visit and number of clicks;
- http headers, application client and server banners; and
- operating system and fingerprinting data.

How Information is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative;
- the correspondence you and others send to us;
- information we receive through the Website;
- information about your transactions with, or services performed by, us, our affiliates or nonaffiliated third parties; and
- information from consumer or other reporting agencies and public records maintained by governmental entities that we obtain directly from those entities, our affiliates or others.

If you visit or use our Website, we may collect *Browsing Information* from you as follows:

- **Browser Log Files.** Our servers automatically log each visitor to the Website and collect and record certain browsing information about each visitor. The Browsing Information includes generic information and reveals nothing personal about the user.
- **Cookies.** When you visit our Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit a website again, the cookie allows the website to recognize your computer. Cookies may store user preferences and other information. You can choose whether or not to accept cookies by changing your Internet browser settings, which may impair or limit some functionality of the Website.

Use of Collected Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or any affiliate or third party who is obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you and to inform you about our, our affiliates' and third parties' products and services, jointly or independently.

When Information Is Disclosed

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Please see the section "Choices With Your Personal Information" to learn how to limit the discretionary disclosure of your Personal Information and Browsing Information.

Disclosures of your Personal Information may be made to the following categories of affiliates and nonaffiliated third parties:

- to third parties to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to our affiliate financial service providers for their use to market their products or services to you;
- to nonaffiliated third party service providers who provide or perform services on our behalf and use the disclosed information only in connection with such services;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to market financial products or services to you;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoena or court order;
- to lenders, lien holders, judgment creditors, or other parties claiming an interest in title whose claim or interest must be determined, settled, paid, or released prior to closing; and
- other third parties for whom you have given us written authorization to disclose your Personal Information.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any material, document, image, graphic, logo, design, audio, video or any other information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep your Personal Information secure. When we provide Personal Information to our affiliates or third party service providers as discussed in this Privacy Notice, we expect that these parties process such information in compliance with our Privacy Notice or in a manner that is in compliance with applicable privacy laws. The use of your information by a business partner may be subject to that party's own Privacy Notice. Unless permitted by law, we do not disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by a third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you. The uses of your Personal Information and/or Browsing Information that, by law, you cannot limit, include:

- for our everyday business purposes – to process your transactions, maintain your account(s), to respond to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders, or report to credit bureaus;
- for our own marketing purposes;
- for joint marketing with financial companies; and
- for our affiliates' everyday business purposes – information about your transactions and experiences.

You may choose to prevent FNF from disclosing or using your Personal Information and/or Browsing Information under the following circumstances ("opt-out"):

- for our affiliates' everyday business purposes – information about your creditworthiness; and
- for our affiliates to market to you.

To the extent permitted above, you may opt-out of disclosure or use of your Personal Information and Browsing Information by notifying us by one of the methods at the end of this Privacy Notice. We do not share your personal information with non-affiliates for their direct marketing purposes.

For California Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by California law. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by Vermont law, such as to process your transactions or to maintain your account. In addition, we will not share information about your creditworthiness with our affiliates except with your authorization. For joint marketing in Vermont, we will only disclose your name, contact information and information about your transactions.

Information From Children

The Website is meant for adults and is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian. By using the Website, you affirm that you are over the age of 13 and will abide by the terms of this Privacy Notice.

Privacy Outside the Website

The Website may contain links to other websites. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States or are a citizen of the European Union, please note that we may transfer your Personal Information and/or Browsing Information outside of your country of residence or the European Union for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection and transfer of such information in accordance with this Privacy Notice.

The California Online Privacy Protection Act

For some FNF websites, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer via the website. The information which we may collect on behalf of the mortgage loan servicer is as follows:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- three security questions and answers; and
- IP address.

The information you submit through the website is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than (1) those with which the mortgage loan servicer has contracted to interface with the CCN application, or (2) law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled "Choices with Your Information" and "Access and Correction." If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information by us in compliance with this Privacy Notice. Amendments to the Privacy Notice will be posted on the Website. Each time you provide information to us, or we receive information about you, following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you submit to us in any manner that we may choose without notice or compensation to you.

Accessing and Correcting Information: Contact Us

If you have questions, would like to access or correct your Personal Information, or want to opt-out of information sharing with our affiliates for their marketing purposes, please send your requests to privacy@fnf.com or by mail or phone to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

| | <u>Your Deductible Amount</u> | <u>Our Maximum Dollar Limit of Liability</u> |
|------------------|---|--|
| Covered Risk 16: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 10,000.00 |
| Covered Risk 18: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 19: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 21: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 5,000.00 |

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY TITLE REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 to 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (CTC, CTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (CTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.



PRELIMINARY REPORT

Order No.: 7101705069-CB
Property: APN: 371-070-001
Lake Elsinore, CA 92530

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

Countersigned By:

Authorized Officer or Agent



By:

President

Attest:

Secretary



ISSUING OFFICE: 560 E. Hospitality Lane, San Bernardino, CA 92408

FOR SETTLEMENT INQUIRIES, CONTACT:

Chicago Title Company
Three Better World Circle, Suite 100 • Temecula, CA 92590
(951)676-3695 • FAX (951)695-2339

PRELIMINARY REPORT

Title Officer: Carol Bengel
Email: bengelc@ctt.com
Phone No.: (909)384-7909
Fax No.: (909)384-7901
Title No.: 7101705069-CB

Escrow Officer: Marie Hessom
Email: marie.hessom@ctt.com
Phone No.: (951)676-3695
Fax No.: (951)695-2339
Escrow No.: 7101705069-MH

PROPERTY ADDRESS(ES): APN: 371-070-001, Lake Elsinore, CA

EFFECTIVE DATE: March 29, 2017 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy 1990 (04-08-14)

1. The estate or interest in the Land hereinafter described or referred to covered by this Report is:

Fee

2. Title to said estate or interest at the date hereof is vested in:

Anuchit Ruksomboonde, a single man

3. The Land referred to in this Report is described as follows:

For APN/Parcel ID(s): 371-070-001-9

Parcel 1:

Lot 2 In Block E Of Rancho Laguna, County of Riverside, State of California, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County, California.

Excepting Therefrom The Northeasterly 12.83 Acres.

Parcel 2:

Together With A Non-Exclusive Easement For Road Purposes Over And Across The Southeasterly 20 Feet Of The Herein Described Northeasterly 12.83 Acres Of Said Lot 2.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.

2. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

| | |
|-------------------------|---------------------------------|
| Tax Identification No.: | 371-070-001-9 |
| Fiscal Year: | 2016-2017 |
| 1st Installment: | \$935.70, delinquent |
| Penalty: | \$93.57 (Due after December 10) |
| 2nd Installment: | \$935.70, unpaid |
| Penalty and Cost: | \$132.20 (Due after April 10) |
| Code Area: | 065-134 |

3. Said property has been declared tax defaulted for non-payment of delinquent taxes for the fiscal year 2015.

| | |
|---------------|---------------|
| APN No.: | 371-070-001-9 |
| Default No.: | 371-070-001-9 |
| Default Date: | June 30, 2016 |

Amounts to redeem for the above-stated fiscal year (and subsequent years if any) are:

| | |
|---------|------------------------------|
| Amount: | \$3,665.31 by April 30, 2017 |
| Amount: | \$3,707.92 by May 31, 2017 |

4. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 or Part 2, Chapter 3, Articles 3 and 4 respectively (commencing with Section 75) of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A; or as a result of changes in ownership or new construction occurring prior to date of policy.

5. Water rights, claims or title to water, whether or not disclosed by the public records.

6. A Right Of Way Over The Herein Described Property For All Ditches, Pipelines And Other Apparatus For The Distribution Of Water For Domestic And Irrigation Purposes, In Favor Of The Temescal Water Company, Its Successors Or Assigns.

7. Rights of the public to any portion of the Land lying within the area commonly known as
any public street, road or highway .

8. Notwithstanding the insuring clauses of the policy, the company does not insure against loss or damage by reason of a lack of a right of access to and from the land.

9. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

| | |
|-----------------------|-----------------------------|
| Redevelopment Agency: | County of Riverside |
| Recording Date: | July 28, 1999 |
| Recording No.: | 99-337077, Official Records |

EXCEPTIONS

(continued)

10. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

Redevelopment Agency: County of Riverside
Recording Date: August 5, 1999
Recording No.: 99-351785, Official Records

11. The herein described Land is located in an area frequently subject to Land Conservation Contracts executed pursuant to the Williamson Act (Cal. Govt. Code §§ 51200 et seq.). Land Conservation Contracts restrict the land use to agricultural, recreational, open-space and other compatible uses. If the herein described Land is subject to a Land Conservation Contract, please notify the Title Department.

The Company reserves the right to add additional items and/or make further requirements

12. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

END OF EXCEPTIONS

NOTES

- Note 1.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 2.** If this company is requested to disburse funds in connection with this transaction, Chapter 598, Statutes of 1989 mandates hold periods for checks deposited to escrow or sub-escrow accounts. The mandatory hold period for cashier's checks, certified checks and teller's checks is one business day after the day deposited. Other checks require a hold period of from two to five business days after the day deposited. In the event that the parties to the contemplated transaction wish to record prior to the time that the funds are available for disbursement (and subject to Company approval), the Company will require the prior written consent of the parties. Upon request, a form acceptable to the company authorizing said early recording may be provided to Escrow for execution.
- Note 3.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 4.** Note: In compliance with the new RESPA regulations, Chicago Title Company will be averaging recording fees for Single Family 1-4 Residential properties. Please contact your Title Officer to obtain the current recording fees. In addition, Chicago Title Company will pay our underwriter 12% of the title premium, as disclosed on lines 1107 and 1108 of the HUD-1.
- Note 5.** The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.
- Limited Liability Company: Home Front Investment Properties, LLC
- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
 - b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
 - c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
 - d. If the Limited Liability Company was formed in a foreign jurisdiction, evidence, satisfactory to the Company that it was validly formed, is in good standing and authorized to do business in the state of origin.
 - e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.
- The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

jk

END OF NOTES

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 371-070-001-9

Parcel 1:

Lot 2 In Block E Of Rancho Laguna, County of Riverside, State of California, As Shown By Map On File In Book 6, Page 296 Of Maps, Records Of San Diego County, California.

Excepting Therefrom The Northeasterly 12.83 Acres.

Parcel 2:

Together With A Non-Exclusive Easement For Road Purposes Over And Across The Southeasterly 20 Feet Of The Herein Described Northeasterly 12.83 Acres Of Said Lot 2.

**FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE**

Effective: May 1, 2015; Last Updated: March 1, 2017

At Fidelity National Financial, Inc., we respect and believe it is important to protect the privacy of consumers and our customers. This Privacy Notice explains how we collect, use, and protect any information that we collect from you, when and to whom we disclose such information, and the choices you have about the use of that information. A summary of the Privacy Notice is below, and we encourage you to review the entirety of the Privacy Notice following this summary. You can opt-out of certain disclosures by following our opt-out procedure set forth at the end of this Privacy Notice.

| | |
|---|---|
| <p><u>Types of Information Collected.</u> You may provide us with certain personal information about you, like your contact information, address demographic information, social security number (SSN), driver's license, passport, other government ID numbers and/or financial information. We may also receive browsing information from your Internet browser, computer and/or mobile device if you visit or use our websites or applications.</p> | <p><u>How Information is Collected.</u> We may collect personal information from you via applications, forms, and correspondence we receive from you and others related to our transactions with you. When you visit our websites from your computer or mobile device, we automatically collect and store certain information available to us through your Internet browser or computer equipment to optimize your website experience.</p> |
| <p><u>Use of Collected Information.</u> We request and use your personal information to provide products and services to you, to improve our products and services, and to communicate with you about these products and services. We may also share your contact information with our affiliates for marketing purposes.</p> | <p><u>When Information Is Disclosed.</u> We may disclose your information to our affiliates and/or nonaffiliated parties providing services for you or us, to law enforcement agencies or governmental authorities, as required by law, and to parties whose interest in title must be determined.</p> |
| <p><u>Choices With Your Information.</u> Your decision to submit information to us is entirely up to you. You can opt-out of certain disclosure or use of your information or choose to not provide any personal information to us.</p> | <p><u>Information From Children.</u> We do not knowingly collect information from children who are under the age of 13, and our website is not intended to attract children.</p> |
| <p><u>Privacy Outside the Website.</u> We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.</p> | <p><u>International Users.</u> By providing us with your information, you consent to its transfer, processing and storage outside of your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.</p> |
| <p><u>The California Online Privacy Protection Act.</u> Some FNF companies provide services to mortgage loan servicers and, in some cases, their websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.</p> | |
| <p><u>Your Consent To This Privacy Notice.</u> By submitting information to us or by using our website, you are accepting and agreeing to the terms of this Privacy Notice.</p> | <p><u>Access and Correction; Contact Us.</u> If you desire to contact us regarding this notice or your information, please contact us at privacy@fnf.com or as directed at the end of this Privacy Notice.</p> |

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective: May 1, 2015; Last Updated: March 1, 2017

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing title insurance, real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. We will take reasonable steps to ensure that your Personal Information and Browsing Information will only be used in compliance with this Privacy Notice and applicable laws. This Privacy Notice is only in effect for Personal Information and Browsing Information collected and/or owned by or on behalf of FNF, including Personal Information and Browsing Information collected through any FNF website, online service or application (collectively, the "Website").

Types of Information Collected

We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- social security number (SSN), driver's license, passport, and other government ID numbers;
- financial account information; and
- other personal information needed from you to provide title insurance, real estate- and loan-related services to you.

Browsing Information. FNF may collect the following categories of Browsing Information:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language and type;
- domain name system requests;
- browsing history, such as time spent at a domain, time and date of your visit and number of clicks;
- http headers, application client and server banners; and
- operating system and fingerprinting data.

How Information is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative;
- the correspondence you and others send to us;
- information we receive through the Website;
- information about your transactions with, or services performed by, us, our affiliates or nonaffiliated third parties; and
- information from consumer or other reporting agencies and public records maintained by governmental entities that we obtain directly from those entities, our affiliates or others.

If you visit or use our Website, we may collect *Browsing Information* from you as follows:

- **Browser Log Files.** Our servers automatically log each visitor to the Website and collect and record certain browsing information about each visitor. The Browsing Information includes generic information and reveals nothing personal about the user.
- **Cookies.** When you visit our Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit a website again, the cookie allows the website to recognize your computer. Cookies may store user preferences and other information. You can choose whether or not to accept cookies by changing your Internet browser settings, which may impair or limit some functionality of the Website.

Use of Collected Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or any affiliate or third party who is obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you and to inform you about our, our affiliates' and third parties' products and services, jointly or independently.

When Information Is Disclosed

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Please see the section "Choices With Your Personal Information" to learn how to limit the discretionary disclosure of your Personal Information and Browsing Information.

Disclosures of your Personal Information may be made to the following categories of affiliates and nonaffiliated third parties:

- to third parties to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to our affiliate financial service providers for their use to market their products or services to you;
- to nonaffiliated third party service providers who provide or perform services on our behalf and use the disclosed information only in connection with such services;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to market financial products or services to you;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoena or court order;
- to lenders, lien holders, judgment creditors, or other parties claiming an interest in title whose claim or interest must be determined, settled, paid, or released prior to closing; and
- other third parties for whom you have given us written authorization to disclose your Personal Information.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any material, document, image, graphic, logo, design, audio, video or any other information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep your Personal Information secure. When we provide Personal Information to our affiliates or third party service providers as discussed in this Privacy Notice, we expect that these parties process such information in compliance with our Privacy Notice or in a manner that is in compliance with applicable privacy laws. The use of your information by a business partner may be subject to that party's own Privacy Notice. Unless permitted by law, we do not disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by a third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you. The uses of your Personal Information and/or Browsing Information that, by law, you cannot limit, include:

- for our everyday business purposes – to process your transactions, maintain your account(s), to respond to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders, or report to credit bureaus;
- for our own marketing purposes;
- for joint marketing with financial companies; and
- for our affiliates' everyday business purposes – information about your transactions and experiences.

You may choose to prevent FNF from disclosing or using your Personal Information and/or Browsing Information under the following circumstances ("opt-out"):

- for our affiliates' everyday business purposes – information about your creditworthiness; and
- for our affiliates to market to you.

To the extent permitted above, you may opt-out of disclosure or use of your Personal Information and Browsing Information by notifying us by one of the methods at the end of this Privacy Notice. We do not share your personal information with non-affiliates for their direct marketing purposes.

For California Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by California law. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by Vermont law, such as to process your transactions or to maintain your account. In addition, we will not share information about your creditworthiness with our affiliates except with your authorization. For joint marketing in Vermont, we will only disclose your name, contact information and information about your transactions.

Information From Children

The Website is meant for adults and is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian. By using the Website, you affirm that you are over the age of 13 and will abide by the terms of this Privacy Notice.

Privacy Outside the Website

The Website may contain links to other websites. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States or are a citizen of the European Union, please note that we may transfer your Personal Information and/or Browsing Information outside of your country of residence or the European Union for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection and transfer of such information in accordance with this Privacy Notice.

The California Online Privacy Protection Act

For some FNF websites, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer via the website. The information which we may collect on behalf of the mortgage loan servicer is as follows:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- three security questions and answers; and
- IP address.

The information you submit through the website is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than (1) those with which the mortgage loan servicer has contracted to interface with the CCN application, or (2) law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled "Choices with Your Information" and "Access and Correction." If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information by us in compliance with this Privacy Notice. Amendments to the Privacy Notice will be posted on the Website. Each time you provide information to us, or we receive information about you, following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you submit to us in any manner that we may choose without notice or compensation to you.

Accessing and Correcting Information: Contact Us

If you have questions, would like to access or correct your Personal Information, or want to opt-out of information sharing with our affiliates for their marketing purposes, please send your requests to privacy@fnf.com or by mail or phone to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

| | <u>Your Deductible Amount</u> | <u>Our Maximum Dollar Limit of Liability</u> |
|------------------|---|--|
| Covered Risk 16: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 10,000.00 |
| Covered Risk 18: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 19: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 21: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 5,000.00 |

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY TITLE REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 to 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (CTC, CTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (CTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.



PRELIMINARY REPORT

Order No.: 7101709620-CB
Property: APN 371-070-002
Lake Elsinore, CA 92530

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

Countersigned By:

Authorized Officer or Agent



By:

President

Attest:

Secretary



ISSUING OFFICE: 560 E. Hospitality Lane, San Bernardino, CA 92408

FOR SETTLEMENT INQUIRIES, CONTACT:

Chicago Title Company
Three Better World Circle, Suite 100 • Temecula, CA 92590
(951)676-3695 • FAX (951)695-2339

PRELIMINARY REPORT

Title Officer: Carol Bengel
Email: bengelc@ctt.com
Phone No.: (909)384-7909
Fax No.: (909)384-7901
Title No.: 7101709620-CB

Escrow Officer: Marie Hessom
Email: marie.hessom@ctt.com
Phone No.: (951)676-3695
Fax No.: (951)695-2339
Escrow No.: 7101709620-MH

PROPERTY ADDRESS(ES): APN 371-070-002, Lake Elsinore, CA

EFFECTIVE DATE: June 12, 2017 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy 1990 (04-08-14)

ALTA Loan Policy 2006

1. The estate or interest in the Land hereinafter described or referred to covered by this Report is:

Fee simple as to Parcel(s) 1

Easement(s) more fully described below as to Parcel(s) 2

2. Title to said estate or interest at the date hereof is vested in:

Thai Dinh Nguyen and Kim-Thoa Thi Tran, husband and wife as joint tenants and Khuong Minh Nguyen, a single man, all as joint tenants

3. The Land referred to in this Report is described as follows:

For APN/Parcel ID(s): 371-070-02-0

Parcel 1:

The Northeasterly 12.83 Acres Of Lot 2 In Block "E" Of Rancho La Laguna, In The County Of Riverside, State Of California, As Shown By Map On File In Book 6 Page 296 Of Maps, Records Of San Diego County, California

Parcel 2:

A Non-Exclusive Easement For Road Purposes Over And Across The Southeasterly 20 Feet Of The

PRELIMINARY REPORT
(continued)

Southwesterly 12.83 Acres Of Said Lot 2.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.
2. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

| | |
|-------------------------|---------------------------------|
| Tax Identification No.: | 371-070-002-0 |
| Fiscal Year: | 2016-2017 |
| 1st Installment: | \$606.48, delinquent |
| Penalty: | \$60.64 (Due after December 10) |
| 2nd Installment: | \$606.48, delinquent |
| Penalty and Cost: | \$99.27 (Due after April 10) |
| Code Area: | 065-134 |
3. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
4. Water rights, claims or title to water, whether or not disclosed by the public records.
5. The herein described Land is located in an area frequently subject to Land Conservation Contracts executed pursuant to the Williamson Act (Cal. Govt. Code §§ 51200 et seq.). Land Conservation Contracts restrict the land use to agricultural, recreational, open-space and other compatible uses. If the herein described Land is subject to a Land Conservation Contract, please notify the Title Department.

The Company reserves the right to add additional items and/or make further requirements

6. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No.: in Book 347, Page 127, of Deeds

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Superior Mutual Water Company, a corporation
 Purpose: public utilities and incidental purposes
 Recording No.: in Book 379, Page 385, of Deeds
 Affects: as described therein

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Lake Elsinore Recreation Park and Parkway District
 Purpose: maintaining and changing the location of the channel of the San Jacinto River, replacement of any works, structures, dykes, levies, buildings, roads or other facilities, stabilization or development of Lake Elsinore, right of ingress and egress
 Recording No.: in Book 2137, Page 40, Official Records
 Affects: as described therein

EXCEPTIONS

(continued)

9. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:

Purpose: road
 Recording Date: July 19, 1961
 Recording No: 61442, Official Records
 Affects: as described therein

10. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$1,265.93
 Dated: May 16, 1961
 Trustor/Grantor Sven Sarnefors And Mart A. Sarnefors, Husband And Wife As Joint Tenants, As To An Undivided 1/4 interest, Ingvar Bodin and Amy Bodin, husband and wife, as joint tenants as to an undivided 1/4 interest; Paul S. Junefelt And Martha Unefelt, Husband And Wife as joint tenants As To An Undivided 1/4 interest and Ture Johanson, a single man as to an undivided 1/4 interest
 Trustee: First American Title Insurance & Trust Company
 Beneficiary: Fred J. Geirrine and Marion I. Geirrine, husband and wife, as joint tenants
 Recording Date: July 19, 1961
 Recording No.: 61445, Official Records

This Company will require that the original note, the original deed of trust and a properly executed request for full reconveyance together with appropriate documentation (i.e., copy of trust, partnership agreement or corporate resolution) be in this office prior to the close of this transaction if the above-mentioned item is to be paid through this transaction or deleted from a policy of title insurance.

Any demands submitted to us for payoff must be signed by all beneficiaries as shown on said deed of trust, and/or any assignments thereto. In the event said demand is submitted by an agent of the beneficiary(s), we will require the written approval of the demand by the beneficiary(s). Servicing agreements do not constitute approval for the purposes of this requirement.

If no amounts remain due under the obligation a zero balance demand will be required along with the reconveyance documents.

In addition, we require the written approval of said demand by the trustor(s) on said deed of trust or the current owners if applicable.

11. Notice of Power to Sell tax defaulted property for non-payment of delinquent taxes for the fiscal year 2008-2009.

APN No.: 371-070-02-0
 Default No.: 371-070-002-0
 Original amount: \$647.56
 Recording Date: July 25, 2014
 Recording No.: 2014-0278452 and March 3, 2016, as instrument no. 2016-0085697, Official Records

Contact your title officer for current amounts to redeem, prior to the close of escrow.

12. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land and not shown by the Public Records.
13. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

EXCEPTIONS

(continued)

14. In order to complete this report, the Company requires a Statement of Information to be completed by the following party(ies),

Party(ies): Thai Dinh Nguyen and Khuong Minh Nguyen

The Company reserves the right to add additional items or make further requirements after review of the requested Statement of Information.

NOTE: The Statement of Information is necessary to complete the search and examination of title under this order. Any title search includes matters that are indexed by name only, and having a completed Statement of Information assists the Company in the elimination of certain matters which appear to involve the parties but in fact affect another party with the same or similar name. Be assured that the Statement of Information is essential and will be kept strictly confidential to this file.

END OF EXCEPTIONS

NOTES

- Note 1.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 2.** If this company is requested to disburse funds in connection with this transaction, Chapter 598, Statutes of 1989 mandates hold periods for checks deposited to escrow or sub-escrow accounts. The mandatory hold period for cashier's checks, certified checks and teller's checks is one business day after the day deposited. Other checks require a hold period of from two to five business days after the day deposited. In the event that the parties to the contemplated transaction wish to record prior to the time that the funds are available for disbursement (and subject to Company approval), the Company will require the prior written consent of the parties. Upon request, a form acceptable to the company authorizing said early recording may be provided to Escrow for execution.
- Note 3.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 4.** Note: In compliance with the new RESPA regulations, Chicago Title Company will be averaging recording fees for Single Family 1-4 Residential properties. Please contact your Title Officer to obtain the current recording fees. In addition, Chicago Title Company will pay our underwriter 12% of the title premium, as disclosed on lines 1107 and 1108 of the HUD-1.
- Note 5.** The Company will require an ALTA/NSPS LAND TITLE SURVEY. If the owner of the Land the subject of this transaction is in possession of a current ALTA/NSPS LAND TITLE SURVEY, the Company will require that said survey be submitted for review and approval; otherwise, a new survey, satisfactory to the Company, must be prepared by a licensed land surveyor and supplied to the Company prior to the close of escrow.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

NOTES
(continued)

Note 6. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Home Front Investment Properties, LLC, a California limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

jk

END OF NOTES

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 371-070-02-0

Parcel 1:

The Northeasterly 12.83 Acres Of Lot 2 In Block "E" Of Rancho La Laguna, In The County Of Riverside, State Of California, As Shown By Map On File In Book 6 Page 296 Of Maps, Records Of San Diego County, California

Parcel 2:

A Non-Exclusive Easement For Road Purposes Over And Across The Southeasterly 20 Feet Of The Southwesterly 12.83 Acres Of Said Lot 2.

**FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE**

Effective: May 1, 2015; Last Updated: March 1, 2017

At Fidelity National Financial, Inc., we respect and believe it is important to protect the privacy of consumers and our customers. This Privacy Notice explains how we collect, use, and protect any information that we collect from you, when and to whom we disclose such information, and the choices you have about the use of that information. A summary of the Privacy Notice is below, and we encourage you to review the entirety of the Privacy Notice following this summary. You can opt-out of certain disclosures by following our opt-out procedure set forth at the end of this Privacy Notice.

| | |
|---|---|
| <p><u>Types of Information Collected.</u> You may provide us with certain personal information about you, like your contact information, address demographic information, social security number (SSN), driver's license, passport, other government ID numbers and/or financial information. We may also receive browsing information from your Internet browser, computer and/or mobile device if you visit or use our websites or applications.</p> | <p><u>How Information is Collected.</u> We may collect personal information from you via applications, forms, and correspondence we receive from you and others related to our transactions with you. When you visit our websites from your computer or mobile device, we automatically collect and store certain information available to us through your Internet browser or computer equipment to optimize your website experience.</p> |
| <p><u>Use of Collected Information.</u> We request and use your personal information to provide products and services to you, to improve our products and services, and to communicate with you about these products and services. We may also share your contact information with our affiliates for marketing purposes.</p> | <p><u>When Information Is Disclosed.</u> We may disclose your information to our affiliates and/or nonaffiliated parties providing services for you or us, to law enforcement agencies or governmental authorities, as required by law, and to parties whose interest in title must be determined.</p> |
| <p><u>Choices With Your Information.</u> Your decision to submit information to us is entirely up to you. You can opt-out of certain disclosure or use of your information or choose to not provide any personal information to us.</p> | <p><u>Information From Children.</u> We do not knowingly collect information from children who are under the age of 13, and our website is not intended to attract children.</p> |
| <p><u>Privacy Outside the Website.</u> We are not responsible for the privacy practices of third parties, even if our website links to those parties' websites.</p> | <p><u>International Users.</u> By providing us with you information, you consent to its transfer, processing and storage outside of your country of residence, as well as the fact that we will handle such information consistent with this Privacy Notice.</p> |
| <p><u>The California Online Privacy Protection Act.</u> Some FNF companies provide services to mortgage loan servicers and, in some cases, their websites collect information on behalf of mortgage loan servicers. The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through those websites.</p> | |
| <p><u>Your Consent To This Privacy Notice.</u> By submitting information to us or by using our website, you are accepting and agreeing to the terms of this Privacy Notice.</p> | <p><u>Access and Correction; Contact Us.</u> If you desire to contact us regarding this notice or your information, please contact us at privacy@fnf.com or as directed at the end of this Privacy Notice.</p> |

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective: May 1, 2015; Last Updated: March 1, 2017

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing title insurance, real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. We will take reasonable steps to ensure that your Personal Information and Browsing Information will only be used in compliance with this Privacy Notice and applicable laws. This Privacy Notice is only in effect for Personal Information and Browsing Information collected and/or owned by or on behalf of FNF, including Personal Information and Browsing Information collected through any FNF website, online service or application (collectively, the "Website").

Types of Information Collected

We may collect two types of information from you: Personal Information and Browsing Information.

Personal Information. FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- social security number (SSN), driver's license, passport, and other government ID numbers;
- financial account information; and
- other personal information needed from you to provide title insurance, real estate- and loan-related services to you.

Browsing Information. FNF may collect the following categories of Browsing Information:

- Internet Protocol (or IP) address or device ID/UDID, protocol and sequence information;
- browser language and type;
- domain name system requests;
- browsing history, such as time spent at a domain, time and date of your visit and number of clicks;
- http headers, application client and server banners; and
- operating system and fingerprinting data.

How Information is Collected

In the course of our business, we may collect *Personal Information* about you from the following sources:

- applications or other forms we receive from you or your authorized representative;
- the correspondence you and others send to us;
- information we receive through the Website;
- information about your transactions with, or services performed by, us, our affiliates or nonaffiliated third parties; and
- information from consumer or other reporting agencies and public records maintained by governmental entities that we obtain directly from those entities, our affiliates or others.

If you visit or use our Website, we may collect *Browsing Information* from you as follows:

- **Browser Log Files.** Our servers automatically log each visitor to the Website and collect and record certain browsing information about each visitor. The Browsing Information includes generic information and reveals nothing personal about the user.
- **Cookies.** When you visit our Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. When you visit a website again, the cookie allows the website to recognize your computer. Cookies may store user preferences and other information. You can choose whether or not to accept cookies by changing your Internet browser settings, which may impair or limit some functionality of the Website.

Use of Collected Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or any affiliate or third party who is obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you and to inform you about our, our affiliates' and third parties' products and services, jointly or independently.

When Information Is Disclosed

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) and Browsing Information to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Please see the section "Choices With Your Personal Information" to learn how to limit the discretionary disclosure of your Personal Information and Browsing Information.

Disclosures of your Personal Information may be made to the following categories of affiliates and nonaffiliated third parties:

- to third parties to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to our affiliate financial service providers for their use to market their products or services to you;
- to nonaffiliated third party service providers who provide or perform services on our behalf and use the disclosed information only in connection with such services;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to market financial products or services to you;
- to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoena or court order;
- to lenders, lien holders, judgment creditors, or other parties claiming an interest in title whose claim or interest must be determined, settled, paid, or released prior to closing; and
- other third parties for whom you have given us written authorization to disclose your Personal Information.

We may disclose Personal Information and/or Browsing Information when required by law or in the good-faith belief that such disclosure is necessary to:

- comply with a legal process or applicable laws;
- enforce this Privacy Notice;
- investigate or respond to claims that any material, document, image, graphic, logo, design, audio, video or any other information provided by you violates the rights of a third party; or
- protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep your Personal Information secure. When we provide Personal Information to our affiliates or third party service providers as discussed in this Privacy Notice, we expect that these parties process such information in compliance with our Privacy Notice or in a manner that is in compliance with applicable privacy laws. The use of your information by a business partner may be subject to that party's own Privacy Notice. Unless permitted by law, we do not disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors. You expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings. We cannot and will not be responsible for any breach of security by a third party or for any actions of any third party that receives any of the information that is disclosed to us.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you. The uses of your Personal Information and/or Browsing Information that, by law, you cannot limit, include:

- for our everyday business purposes – to process your transactions, maintain your account(s), to respond to law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders, or report to credit bureaus;
- for our own marketing purposes;
- for joint marketing with financial companies; and
- for our affiliates' everyday business purposes – information about your transactions and experiences.

You may choose to prevent FNF from disclosing or using your Personal Information and/or Browsing Information under the following circumstances ("opt-out"):

- for our affiliates' everyday business purposes – information about your creditworthiness; and
- for our affiliates to market to you.

To the extent permitted above, you may opt-out of disclosure or use of your Personal Information and Browsing Information by notifying us by one of the methods at the end of this Privacy Notice. We do not share your personal information with non-affiliates for their direct marketing purposes.

For California Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by California law. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not share your Personal Information and Browsing Information with nonaffiliated third parties, except as permitted by Vermont law, such as to process your transactions or to maintain your account. In addition, we will not share information about your creditworthiness with our affiliates except with your authorization. For joint marketing in Vermont, we will only disclose your name, contact information and information about your transactions.

Information From Children

The Website is meant for adults and is not intended or designed to attract children under the age of thirteen (13). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian. By using the Website, you affirm that you are over the age of 13 and will abide by the terms of this Privacy Notice.

Privacy Outside the Website

The Website may contain links to other websites. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States or are a citizen of the European Union, please note that we may transfer your Personal Information and/or Browsing Information outside of your country of residence or the European Union for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection and transfer of such information in accordance with this Privacy Notice.

The California Online Privacy Protection Act

For some FNF websites, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer via the website. The information which we may collect on behalf of the mortgage loan servicer is as follows:

- first and last name;
- property address;
- user name and password;
- loan number;
- social security number - masked upon entry;
- email address;
- three security questions and answers; and
- IP address.

The information you submit through the website is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than (1) those with which the mortgage loan servicer has contracted to interface with the CCN application, or (2) law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders. All sections of this Privacy Notice apply to your interaction with CCN, except for the sections titled "Choices with Your Information" and "Access and Correction." If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.

Your Consent To This Privacy Notice

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information by us in compliance with this Privacy Notice. Amendments to the Privacy Notice will be posted on the Website. Each time you provide information to us, or we receive information about you, following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you submit to us in any manner that we may choose without notice or compensation to you.

Accessing and Correcting Information: Contact Us

If you have questions, would like to access or correct your Personal Information, or want to opt-out of information sharing with our affiliates for their marketing purposes, please send your requests to privacy@fnf.com or by mail or phone to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

| | <u>Your Deductible Amount</u> | <u>Our Maximum Dollar Limit of Liability</u> |
|------------------|---|--|
| Covered Risk 16: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 10,000.00 |
| Covered Risk 18: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 19: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$ 25,000.00 |
| Covered Risk 21: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$ 5,000.00 |

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY TITLE REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 to 36 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge.

FEE REDUCTION SETTLEMENT PROGRAM (CTC, CTIC)

Eligible customers shall receive a \$20.00 reduction in their title and/or escrow fees charged by the Company for each eligible transaction in accordance with the terms of the Final Judgments entered in *The People of the State of California et al. v. Fidelity National Title Insurance Company et al.*, Sacramento Superior Court Case No. 99AS02793, and related cases.

DISASTER LOANS (CTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be 32% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.



2365 Northside Drive, Suite 600
San Diego, CA 92108
Phone: (619) 521-3500
Fax: (619) 521-3608

Issuing Policies of Chicago Title Insurance Company

ORDER NO.: **00033926-996-SD1**

Escrow/Customer Phone: **(619) 521-3500**

Chicago Title Company/Fresno
One Better World Circle #230
Temecula, CA 92590
ATTN: Marie Hessom
Email: marie.hessom@ctt.com
Ref: 7101502883-MH

Title Officer: **Tom Votel & Ken Cyr (SD/BS)**
Title Officer Phone: **(619) 521-3673**
Title Officer Fax: **(619) 521-3608**
Title Officer Email: **Cyr-Votel@ctt.com**

PROPERTY: **VACANT LAND, LAKE ELSINORE, CA**

FIRST AMENDED PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Chicago Title Company** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a Nebraska Corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Company

By: 
Authorized Signature



By: 
Randy Quirk, President
Attest: 
Michael Gravelle, Secretary



2365 Northside Drive, Suite 600
San Diego, CA 92108
Phone: (619) 521-3500
Fax: (619) 521-3608

PRELIMINARY REPORT

EFFECTIVE DATE: November 6, 2015 at 7:30 a.m.

ORDER NO.: 00033926-996-SD1

The form of policy or policies of title insurance contemplated by this report is:

Standard Owner’s Policy

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee as to Parcel(s) 1 and 2

An Easement more fully described below as to Parcel(s) 1A and 2A

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

William E. Leddy and Audrey J. Leddy, Trustees of the Leddy Family Trust dated July 15, 1983, ¼ interest; The Family Trust of Robert Kammerer and Deborah Kammerer dated May 2, 1995, Robert Kammerer and Deborah Kammerer Trustors and Trustees, ¼ interest; Richard J. Leddy, Co-Trustee of the Leddy Family Trust dated September 10, 1998, ¼ interest; and Don M. Kammerer as trustee of the Kammerer Family Trust dated April 9, 2009, ¼ interest, as his sole and separate property, as tenants in common

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

See Exhibit A attached hereto and made a part hereof.

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE NORTHWESTERLY 150 FEET OF THE NORTHWESTERLY 225 FEET OF LOT 19 IN BLOCK "D"; AND THE NORTHWESTERLY 150 FEET OF THE NORTHWESTERLY 225 FEET OF LOT 4 IN BLOCK "E", RESUBDIVISION OF BLOCK D, ELSINORE, AS SHOWN BY MAP ON FILE IN [BOOK 6, PAGE 296](#) OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA.

EXCEPT THEREFROM ANY PORTION DEED TO THE CITY OF ELSINORE BY DEED RECORDED [JANUARY 3, 1972, AS INSTRUMENT NO. 385 OF OFFICIAL RECORDS](#).

PARCEL 1A:

AN EASEMENT FOR ROAD PURPOSES OVER A STRIP OF LAND 16 FEET IN WIDTH, OVER AND ACROSS THAT PORTION OF LOT 19 IN BLOCK "D" AND LOT 4 IN BLOCK "E" OF THE RESUBDIVISION OF BLOCK "D" ELSINORE, AS SHOWN BY MAP ON FILE IN [BOOK 6, PAGE 296](#) OF MAPS, SAN DIEGO COUNTY RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D" 135 FEET SOUTHWESTERLY FROM THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 19 IN BLOCK "D" 300 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D" AND LOT 4 IN BLOCK "E", 1455 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 4 IN BLOCK "E" 300 FEET SOUTHEASTERLY FROM THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY ON SAID NORTHEASTERLY LINE OF LOT 4 IN BLOCK "E" 16 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 4 IN BLOCK "E" AND LOT 19 IN BLOCK "D" 1471 FEET; THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 19 IN BLOCK "D" 316 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D", 151 FEET SOUTHWESTERLY FROM THE MOST NORTHERLY CORNER THEREOF; THENCE NORTHEASTERLY ALONG THE SAID NORTHWESTERLY LINE 16 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE SOUTHEASTERLY 75 FEET OF THE NORTHWESTERLY 225 FEET OF LOT 19 IN BLOCK "D"; AND THE SOUTHEASTERLY 75 FEET OF THE NORTHWESTERLY 225 FEET OF LOT 4 IN BLOCK "E", RESUBDIVISION OF BLOCK D, ELSINORE, AS SHOWN BY MAP ON FILE IN [BOOK 6, PAGE 296](#) OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA.

EXCEPT THEREFORM ANY PORTION TO THE CITY OF ELSINORE BY DEED RECORDED JANUARY 3, 1972 AS INSTRUMENT NO. 385 OF OFFICIAL RECORDS.

PARCEL 2A:

AN EASEMENT FOR ROAD PURPOSES OVER, A STRIP OF LAND 16 FEET IN WIDTH, OVER AND ACROSS THAT PORTION OF LOT 19 IN BLOCK "D" AND LOT 4 IN BLOCK "E" OF THE RESUBDIVISION OF BLOCK "D" ELSINORE OF LOT 19 IN BLOCK "D" AND LOT 4 IN BLOCK "E" OF THE RESUBDIVISION OF BLOCK "D" ELSINORE, AS SHOWN BY MAP ON FILE IN [BOOK 6, PAGE 296](#) OF MAPS, SAN DIEGO COUNTY RECORDS DESCRIBED AS FOLLOWS:

EXHIBIT A
(Continued)

BEGINNING AT APPOINT ON THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D" 135 FEET SOUTHWESTERLY FROM THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTHEASTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 19 IN BLOCK "D" 300 FEET; THENCE NORTHEASTERLY AND PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D" AND LOT 4 IN BLOCK "E", 1455 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID LOT 4 IN BLOCK "E" 300 FEET SOUTHEASTERLY FROM THE MOST NORTHERLY CORNER; THEREOF; THENCE SOUTHEASTERLY ON SAID NORTHEASTERLY LINE OF LOT 4 IN BLOCK "E" 16 FEET; THENCE SOUTHWESTERLY, PARALLEL WITH THE NORTHWESTERLY LINE OF SAID LOT 4 IN BLOCK "E" AND LOT 19 IN BLOCK "D" 1471 FEET; THENCE NORTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID LOT 19 IN BLOCK "D" 316 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID LOT 19 IN BLOCK "D", 151 FEET SOUTHWESTERLY FROM THE MOST NORTHERLY CORNER THEREOF; THENCE NORTHEASTERLY ALONG THE SAID NORTHWESTERLY 16 FEET TO THE POINT OF BEGINNING.

APN: **371-150-001, 002**Error! Unknown op code for conditional.

EXCEPTIONS

AT THE DATE HEREOF, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

A. Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-090-001-1
Fiscal Year: 2015-2016
1st Installment: \$150.04, unpaid (Delinquent after December 10)
Penalty: \$15.00
2nd Installment: \$150.04, unpaid (Delinquent after April 10)
Penalty and Cost: \$53.63
Code Area: 005-044

Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-090-002-2
Fiscal Year: 2015-2016
1st Installment: \$68.80, unpaid (Delinquent after December 10)
Penalty: \$6.88
2nd Installment: \$68.80, unpaid (Delinquent after April 10)
Penalty and Cost: \$45.51
Code Area: 005-044

Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-150-001-6
Fiscal Year: 2015-2016
1st Installment: \$192.64, unpaid (Delinquent after December 10)
Penalty: \$19.26
2nd Installment: \$192.64, unpaid (Delinquent after April 10)
Penalty and Cost: \$57.89
Code Area: 005-045

Property taxes, including any personal property taxes and any assessments collected with taxes, are as follows:

Tax Identification No.: 371-150-002-7
Fiscal Year: 2015-2016
1st Installment: \$87.21, unpaid (Delinquent after December 10)
Penalty: \$8.72
2nd Installment: \$87.21, unpaid (Delinquent after April 10)
Penalty and Cost: \$47.35
Code Area: 005-045

C. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.

EXCEPTIONS
(Continued)

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: California Electric Power Company, a corporation
Purpose: public utilities
Recording Date: December 31, 1947
Recording No: [4047 in Book 882, page 254 of Official Records](#)
Affects: The route thereof affects a portion of said land and is more fully described in said document.

2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Southern California Gas Company
Purpose: pipeline
Recording Date: July 31, 1953
Recording No: [1496, page 283 of Official Records](#)
Affects: The Northwesterly 10 feet of Lot 19 Block D

3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Elsinore Valley Municipal Water District
Purpose: sanitary sewer system
Recording Date: September 3, 1985
Recording No: [197422 of Official Records](#)
and Recording Date: October 28, 1985
and Recording No: [85-242353 of Official Records](#)
Affects: The route thereof affects a portion of said land and is more fully described in said document.

4. The Land described herein is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the Redevelopment Plan) as disclosed by a document.

Redevelopment Agency: City of Lake Elsinore
Recording Date: September 18, 1987
Recording No: [87-271071 of Official Records](#)

5. Water rights, claims or title to water, whether or not disclosed by the public records.

6. Matters which may be disclosed by an inspection and/or by a correct ALTA/ACSM Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.

7. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

EXCEPTIONS
(Continued)

PLEASE REFER TO THE “INFORMATIONAL NOTES” AND “REQUIREMENTS” SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.

END OF EXCEPTIONS

REQUIREMENTS SECTION

1. The Company will require either (a) a complete copy of the trust agreement and any amendments thereto certified by the trustee(s) to be a true and complete copy with respect to the hereinafter named trust, or (b) a Certification, pursuant to California Probate Code Section 18100.5, executed by all of the current trustee(s) of the hereinafter named trust, a form of which is attached.

Name of Trust: THE LEDDY FAMILY TRUST DATED JULY 15, 1983
THE FAMILY TRUST OF ROBERT KAMMERER AND DEBORAH KAMMERER
DATED MAY 2, 1995, RICHARD J. LEDDY, CO-TRUSTEE OF THE LEDDY
FAMILY TRUST DATED SEPTEMBER 10, 1998
THE KAMMERER FAMILY TRUST DATED APRIL 9, 2009

END OF REQUIREMENTS

INFORMATIONAL NOTES SECTION

1. None of the items shown in this report will cause the Company to decline to attach CLTA Endorsement Form 100 to an Extended Coverage Loan Policy, when issued.
2. The Company is not aware of any matters which would cause it to decline to attach CLTA Endorsement Form 116 indicating that there is located on said Land Undeveloped Land properties, known as Vacant Land, located within the city of Lake Elsinore, California, , to an Extended Coverage Loan Policy.
3. Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.

END OF INFORMATIONAL NOTES

Tom Votel & Ken Cyr (SD/BS)/gp

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, “FNF”, “our” or “we”) respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice. The provision of this Privacy Notice to you does not create any express or implied relationship, or create any express or implied duty or other obligation, between Fidelity National Financial, Inc. and you. See also **No Representations or Warranties** below.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the “Website”). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

How Information is Collected

The types of personal information FNF collects may include, among other things (collectively, “Personal Information”): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver’s license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a “cookie” to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer’s hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as “clear gifs”). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of certain online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org>.

- You can opt-out via the Consumer Choice Page at <http://www.aboutads.info>.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at <http://www.youronlinechoices.com>.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

Use of Personal Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and

promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information From Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices With Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances (“opt out”). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section “Additional Ways That Information Is Collected Through the Website,” subsection “Third Party Opt Out.”

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please

contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California’s “Shine the Light” law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2015 will receive information regarding 2014 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with “Request for California Privacy Information” in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the “Shine the Light” requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California’s Online Privacy Protection Act requires us to disclose how we respond to “do not track” requests and other similar mechanisms. Currently, our policy is that we do not recognize “do not track” requests from Internet browsers and similar devices.

No Representations or Warranties

By providing this Privacy Notice, Fidelity National Financial, Inc. does not make any representations or warranties whatsoever concerning any products or services provided to you by its majority-owned subsidiaries. In addition, you also expressly agree that your use of the Website is at your own risk. Any services provided to you by Fidelity National Financial, Inc. and/or the Website are provided “as is” and “as available” for your use, without representations or warranties of any kind, either express or implied, unless such warranties are legally incapable of exclusion. Fidelity National Financial, Inc. makes no representations or warranties that any services provided to you by it or the Website, or any services offered in connection with the Website are or will remain uninterrupted or error-free, that defects will be corrected, or that the web pages on or accessed through the Website, or the servers used in connection with the Website, are or will remain free from any viruses, worms, time bombs, drop dead devices, Trojan horses or other harmful components. Any liability of Fidelity National Financial, Inc. and your exclusive remedy with respect to the use of any product or service provided by Fidelity National Financial, Inc.

including on or accessed through the Website, will be the re-performance of such service found to be inadequate.

Your Consent To This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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EFFECTIVE AS OF: JANUARY 6, 2015

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries (“FNF”) must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer’s right to be charged the field rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for each discount. These discounts only apply to transaction involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

FNF Underwritten Title Company

CTC - Chicago Title Company

FNF Underwriter

CTIC - Chicago Title Insurance Company

Available Discounts

CREDIT FOR PRELIMINARY REPORTS AND/OR COMMITMENTS ON SUBSEQUENT POLICIES (CTIC)

Where no major change in the title has occurred since the issuance of the original report or commitment, the order may be reopened within 12 months and all or a portion of the charge previously paid for the report or commitment may be credited on a subsequent policy charge within the following time period from the date of the report.

DISASTER LOANS (CTIC)

The charge for a lender’s Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within 24 months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be 50% of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church’s obligation the charge for an owner’s policy shall be 50% to 70% of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender’s policy shall be 40% to 50% of the appropriate title insurance rate, depending on the type of coverage selected.

EMPLOYEE RATE (CTC and CTIC)

No charge shall be made to employees (including employees on approved retirement) of the Company or its underwritten, subsidiary title companies for policies or escrow services in connection with financing, refinancing, sale or purchase of the employees’ bona fide home property. Waiver of such charges is authorized only in connection with those costs which the employee would be obligated to pay, by established custom, as a party to the transaction.

Attachment One (Revised 06-05-14)
CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY – 1990 (04-08-14)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE—SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;

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- c. land use;
- d. improvements on the Land;
- e. land division; and
- f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.

- 2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
- 3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
- 4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
- 5. Failure to pay value for Your Title.
- 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.

- 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
- 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
- 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

| | <u>Your Deductible Amount</u> | <u>Our Maximum Dollar Limit of Liability</u> |
|------------------|--|--|
| Covered Risk 16: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$10,000.00 |
| Covered Risk 18: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 19: | 1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less) | \$25,000.00 |
| Covered Risk 21: | 1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less) | \$5,000.00 |

**2006 ALTA LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;

- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13 or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

Except as provided in Schedule B - Part II, this policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

PART I

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.

4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and that are not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
7. Variable exceptions such as taxes, easements, CC&R's, etc. shown here.

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (12-02-13)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.

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9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.