

ENGINEER'S REPORT

for

WILDER GEOLOGIC HAZARD ABATEMENT DISTRICT  
ORINDA, CALIFORNIA  
March 12, 2008

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ENGINEER'S REPORT


WILDER GEOLOGIC HAZARD ABATEMENT DISTRICT

CERTIFICATION OF FILING

This report is presented at the direction of the Wilder Geologic Hazard Abatement District ("GHAD") Board of Directors. The GHAD is charged with responsibilities related to monitoring and maintenance of drainage facilities and associated improvements within the Wilder GHAD in order to prevent, mitigate, abate and control geologic hazards. The GHAD also levies and collects assessments in order to perform its activities.

The undersigned respectfully submits the enclosed Engineer's Report.

Date: 3/12/08 By: ENGEO Incorporated

 \_\_\_\_\_, GE

I HEREBY CERTIFY that the enclosed Engineer's Report was filed on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Clerk of the Board  
Wilder Geologic Hazard Abatement District  
Orinda, California

I HEREBY CERTIFY that the enclosed Engineer's Report was approved and confirmed by the GHAD Board on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
President of the Board  
Wilder Geologic Hazard Abatement District  
Orinda, California

APPROVED \_\_\_\_\_

## ENGINEER'S REPORT

for

### WILDER GEOLOGIC HAZARD ABATEMENT DISTRICT

for the

### ESTABLISHMENT OF AN ASSESSMENT LIMIT

#### I. INTRODUCTION

The Wilder Geologic Hazard Abatement District ("GHAD") was formed under the authority of the California Public Resources Code, Division 17, Section 26500 et seq. The "Plan of Control" referred to within this Engineer's Report is the approved final Plan of Control on file with the City of Orinda City Clerk. Capitalized terms are defined in the Plan of Control.

#### II. BACKGROUND

For the Wilder project, Section 4.10 of the Second Amendment and Restatement of the Development Agreement for Gateway Valley between the City of Orinda and Orinda Gateway, LLC ("OGLLC") and Condition of Approval No. 31 of the 2005 Vesting Tentative Map and Final Development Plan require the formation of a GHAD. The developer of the Wilder residential project has submitted a Plan of Control that describes the GHAD's responsibilities to permanently monitor and maintain GHAD improvements. This Engineer's Report describes the establishment of an assessment level to fund GHAD activities necessary or incidental to geologic hazard mitigation, abatement and control.

The GHAD also will be involved in activities required by the Long-Term Management Plan for the Montanera Project Preserve Areas (dated April 26, 2006, with final conforming changes June 23, 2006, and reproduced in the Plan of Control as Appendix D) ("LTMP"), which are funded by a Developer-established endowment. Accordingly, ENGEO does not include the cost of these activities in calculating the assessment level recommended in this Report. The GHAD's responsibility for endowment-funded activities is described more fully in Sections II and XIII of the Plan of Control.

#### III. GEOLOGIC HAZARD ABATEMENT DISTRICT BOUNDARIES

The boundaries for the GHAD are shown in the diagram attached hereto as Exhibit 1. A written description of the GHAD Boundaries is provided in Exhibit 2.

#### IV. SERVICE LEVELS

To establish the appropriate assessment level, ENGEO has assumed the GHAD will undertake the following activities, as described in the Plan of Control, Section VIII:

1. Oversight of GHAD operations.
2. In conjunction with the County Assessor's Office, setting the annual levying of assessments on the property tax rolls.
3. Engagement of technical professionals to perform the required monitoring duties as described in the Plan of Control.
4. Performance of GHAD maintenance activities in accordance with the GHAD Plan of Control. These maintenance activities include:
  - Perpetual maintenance of the Stormwater System at the level specified in the Stormwater Management Plan and Operation and Maintenance Plan and in accordance with Provision C.3 of the Water Board Order for the issuance of Contra Costa Countywide NPDES Permit.
  - Emergency vehicle access roads located outside of private residential lots.
  - Debris benches and berms.
  - Subdrains.
  - Restored and unaltered creek channels including grade control structures.
  - Settlement instruments.
  - Retaining walls (as shown on Figure 5 of the Plan of Control).
  - Slopes and graded areas for the PG&E Access Roads.
  - Landslide and erosion control of trails and fire roads within the Western Hills Open Space Area.
5. The GHAD will also have maintenance, monitoring and repair responsibilities for slopes, which will include natural, reconstructed or partially reconstructed landslides.

6. Annual report to the City of Orinda on implementation of the Plan of Control, including the Stormwater Management Plan and Operation and Maintenance Plan.
7. Preparation of annual GHAD budgets.

The GHAD Board of Directors is responsible for approving the GHAD's annual budget and Engineer's Report, and levying the annual assessment. In addition, the GHAD Board of Directors may appoint a GHAD Manager or other officers. The GHAD's day-to-day activities, and preparation of the annual budget and Engineer's Report, may be delegated to a GHAD Manager, as specified by the Board of Directors.

#### V. DESCRIPTION OF THE IMPROVEMENTS TO BE MAINTAINED BY THE GHAD

The GHAD shall maintain the improvements described in the Plan of Control, Sections VI, VIII, and XII.

#### VI. ASSESSMENT METHOD

The GHAD-maintained improvements set forth in the Plan of Control are distributed within the Wilder boundaries. Maintenance and protection of these improvements provide a special benefit to all residential and commercial property owners, and to owners of the public trails and sports fields within the Wilder GHAD. Although the Wilder GHAD contains public elements that will provide general benefits to members of the public, there is no special benefit for specific properties outside of the District. The Engineer hereby finds that the residential properties and nonresidential properties with habitable building areas within the GHAD receive approximately equal special benefit from the work and improvements within the GHAD. As a result, the GHAD assessment is distributed among all owners of parcels which are buildable with habitable space, or that contain improvements or structures that would benefit from the GHAD's activities, such as the community playfields and trails. See Plan of Control, Section VII. Habitable space is defined as the area within a structure that can potentially be used for human occupancy

Single-family residential lots will be assessed as one unit and will all be assessed equally. Non-residential buildings are assessed per square foot of habitable area. Trails are assessed per lineal foot. The sports fields are assessed a fixed sum for each individual field. To develop the annual assessment amount for the Wilder GHAD, a pro forma budget (Exhibit 4) was prepared. The pro forma budget includes estimated income, projected expenses and an appropriate reserve. The assessment level for each of the assessed entities; residential units, non-residential area, trails, and sports fields, was set at a level that provides for the budgeted GHAD expenses.

Based on ENGEO's experience managing and budgeting for over 25 GHADs over a 25-year period and general experience performing geologic monitoring and maintenance activities,

ENGEO performed a financial analysis to establish an operating budget for the on-going abatement, mitigation, prevention and control of geologic hazards within the Wilder GHAD boundaries. In preparation of the budget, ENGEO considered salient factors which can affect GHAD management, including:

- Site Geology
- Proposed Remedial Grading
- Proximity of Geologic Hazards to Proposed Residences, Improvements or Structures
- Site Access Considerations
- Size and Number of Elements Requiring Routine Maintenance, including:
  1. Surface Drainage Facilities
  2. Graded Slopes
  3. Detention Basins
  4. Water Quality Facilities
  5. Trails, Fire Breaks, Access Roadways and Fences

ENGEO also considered the assessed facilities (residences, community play fields, trails, and nonresidential building area), inflation and investment earnings, the estimated frequency of large-scale repairs and an appropriate reserve amount. The budget also includes a 10 percent add-on for miscellaneous, unanticipated costs (Exhibit 3). Exhibit 4 shows a ten-year pro-forma budget for the Wilder GHAD. The ten-year period shows the estimated period during which new homes will be eligible for levying of the GHAD assessment.

Given the political difficulty of raising assessment levels once they are set, it was assumed that the annual assessment level must be set at a level which will fund the GHAD's activities in perpetuity, and which will only increase each year in accordance with inflation.

## VII. ASSESSMENT AMOUNT

The purpose of this initial Engineer's Report is to establish the assessment level and the apportionment of the assessment within the GHAD as required under Proposition 218. Although the recommended assessment levels will not change, the annual Engineer's Report in each subsequent fiscal year will apprise the GHAD Board of Directors of the estimated GHAD budget for the upcoming year.

Based on the estimated expenses for on-going operations, and allowing for larger (approximately \$1,000,000) geologic events at 10-year intervals, ENGEO prepared a budget for the purpose of estimating initial assessment levels (Exhibit 3). In order to establish a reasonable reserve in the early years of the Wilder GHAD, there will be an initial deferral of GHAD expenses to OGLLC, as described in Plan of Control, Section VII.



The Engineer recommends an annual assessment limit for the Wilder development of \$2,390 per detached single residential unit, (Fiscal Year 2007/2008 dollars). The Engineer also recommends an annual assessment limit of \$0.10 per square foot of habitable nonresidential space. The residential and non-residential assessments are to be levied in conjunction with the issuance of the Final Map for the area containing the habitable building to be assessed. Each individual play field will be assessed annually the amount of \$200 (2007/2008 dollars). For the public trails within the GHAD boundary, excluding trail segments on GHAD owned property, the Engineer recommends an annual assessment limit of \$0.05 per lineal foot of trail (2007/2008 dollars).

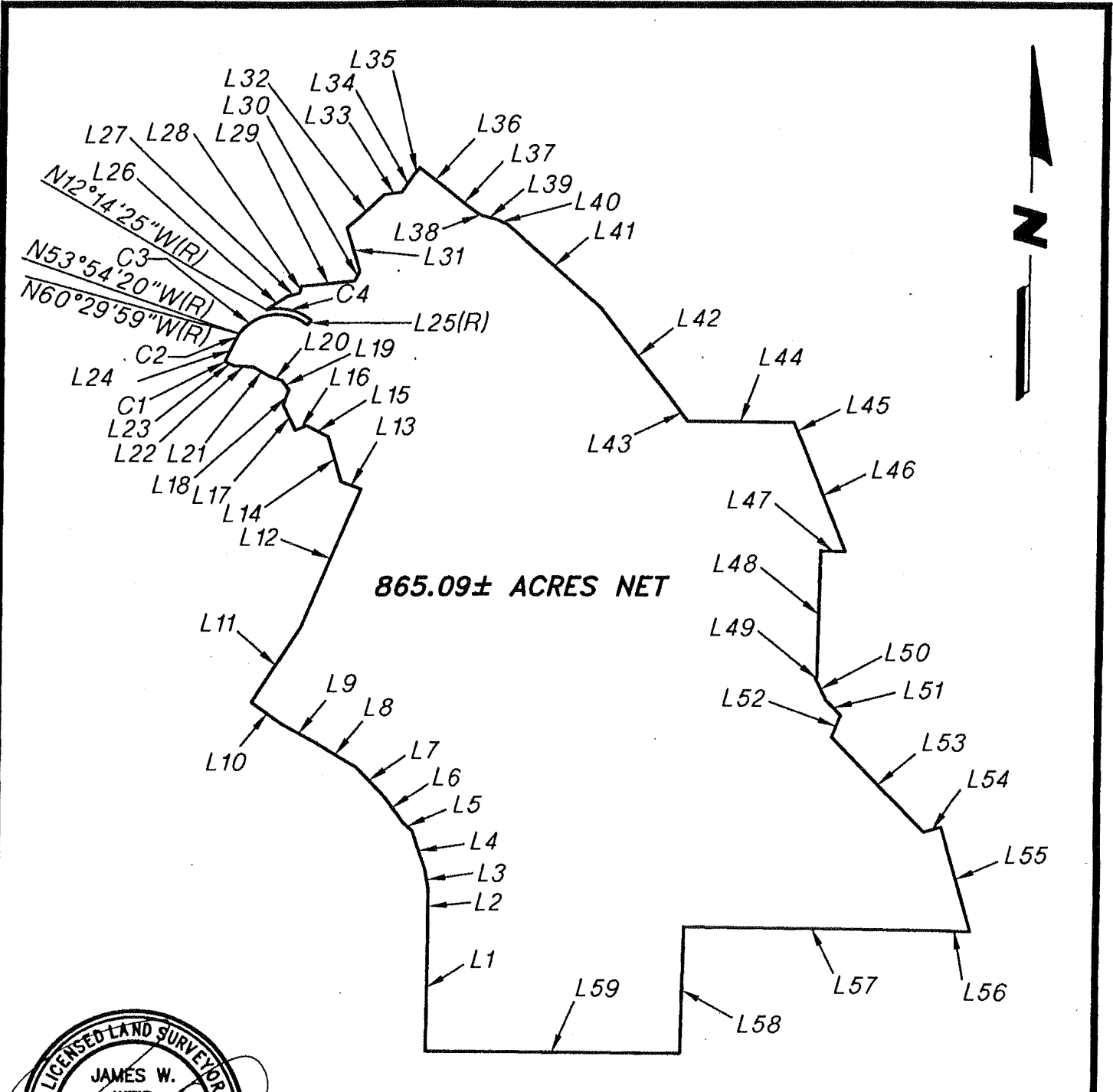
While the assumptions and estimated expenses listed in Exhibit 3 were used to determine the GHAD assessment levels, they do not represent the actual budget for any one year of the GHAD's operation, since assessment of the individual parcels will be based on the issuance of building permits, which will occur over a number of years. In addition, ENGEO anticipates that the projected expense amounts will be reached over time and that these amounts will be inflation-adjusted in the year that the expenses occur. The City staff has reviewed the assumptions and estimated annual expenses and found that they are reasonable.

The proposed initial assessment level for detached single-family units will be adjusted annually on June 30 to reflect the percentage change in the San Francisco-Oakland-San Jose Consumers Price Index for All Urban Consumers as will the assessments for habitable nonresidential space, the community play fields and the trail assessment.

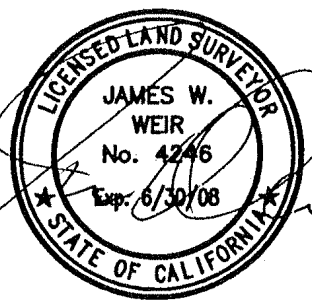
Pursuant to the schedule set forth in Section VII, paragraph 5 of the Plan of Control, the GHAD reserve at the time of transfer will be, at a minimum, \$200,000. The reserve amount will include cash and receivables from the Contra Costa County Tax Collector.

**EXHIBIT 1**

GHAD BOUNDARY



865.09± ACRES NET



01-30-08

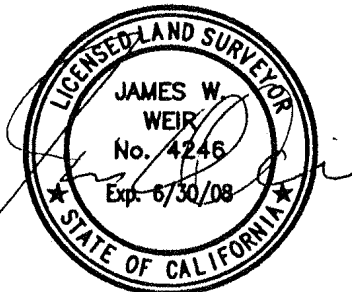
**NOTE:**  
 THE NET ACREAGE SHOWN REFLECTS  
 THE FEE TRANSFERS TO E.B.M.U.D.  
 (2007-117383 & 2007-117385) EXCEPTED  
 FROM WITHIN THIS BOUNDARY.

DATE: 01-30-08
SCALE: 1" = 1500'
SHEET <b>1</b>
OF 3 SHEETS
PROJ. NO. 20021

**EXHIBIT '1'**  
**G.H.A.D. BOUNDARY MAP**  
**WILDER**  
**TRACT 9074-05**  
**ORINDA, CALIFORNIA**

**P/A Design Resources, Inc.**  
*Planning • Engineering • Surveying*  
 2700 Ygnacio Valley Road, Suite 100  
 Walnut Creek, California 94596-3482 TEL (925) 710-8300

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N00°40'16"E	1315.15	L26	N57°28'17"E	250.53
L2	N00°01'44"W	363.00	L27	N75°19'18"E	123.71
L3	N09°11'59"W	192.77	L28	N17°28'51"E	77.65
L4	N18°42'09"W	435.52	L29	N84°23'21"E	529.71
L5	N47°59'39"W	133.31	L30	N25°48'26"E	107.71
L6	N35°14'39"W	369.81	L31	N16°23'11"W	456.18
L7	N43°29'39"W	384.58	L32	N47°36'37"E	500.00
L8	N57°42'29"W	478.20	L33	N81°18'00"E	180.28
L9	N61°12'29"W	374.50	L34	N33°24'11"E	195.57
L10	N54°08'25"W	395.41	L35	N40°25'44"E	106.84
L11	N32°42'11"E	910.20	L36	N52°09'58"W	405.64
L12	N22°17'29"E	1549.32	L37	N52°19'03"W	349.20
L13	N67°42'48"W	214.77	L38	N65°11'09"W	65.88
L14	N15°42'48"W	478.86	L39	N76°56'22"W	138.94
L15	N61°42'48"W	245.01	L40	N66°15'18"W	131.87
L16	N67°17'12"E	123.79	L41	N48°59'56"W	1287.00
L17	N25°42'48"W	288.15	L42	N37°30'28"W	1255.30
L18	N19°17'12"E	167.72	L43	N36°33'43"W	209.55
L19	N36°52'48"W	118.80	L44	N89°28'34"W	1087.84
L20	N70°52'48"W	131.69	L45	N22°58'07"W	189.47
L21	N60°52'48"W	191.91	L46	N21°51'48"W	1245.62
L22	N85°49'10"W	196.01	L47	N88°52'30"W	249.33
L23	N64°40'51"W	88.00	L48	N01°00'53"E	1318.95
L24	N25°19'09"E	249.52	L49	N89°02'45"W	15.85
L25(R)	N39°25'18"E	60.00	L50	N26°29'03"W	250.04
			L51	N43°21'37"W	220.84
			L52	N22°05'44"E	240.48
			L53	N43°58'16"W	1372.20
			L54	N74°11'11"E	184.35
			L55	N15°48'49"W	1124.20
			L56	N87°43'26"W	312.16



01-30-08

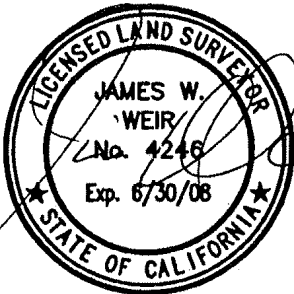
DATE: 01-30-08  
 SCALE:  
 SHEET  
**2**  
 OF 3 SHEETS  
 PROJ. NO. 20021

**EXHIBIT '1'**  
**G.H.A.D. BOUNDARY MAP**  
**WILDER**  
**TRACT 9074-05**  
**ORINDA, CALIFORNIA**

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3700 Yarnole Valley Road, Suite 100  
 Walnut Creek, California 94598-3482 TEL (926) 910-8300

LINE TABLE		
LINE	BEARING	LENGTH
L57	N89°18'33"W	2613.16
L58	N01°08'39"E	1310.06
L59	N89°25'17"W	2624.83

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	7.00'	11.00'
C2	4°10'52"	903.97'	65.97'
C3	93°19'38"	476.00'	775.34'
C4	51°39'43"	536.00'	483.29'



01-30-08

DATE: 01-30-08

SCALE:

SHEET

**3**

OF 3 SHEETS

PROJ. NO. 20021

**EXHIBIT '1'**  
**G.H.A.D. BOUNDARY MAP**  
**WILDER**  
**TRACT 9074-05**  
**ORINDA, CALIFORNIA**


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**EXHIBIT 2**

LEGAL DESCRIPTION

EXHIBIT 2

**WILDER G.H.A.D. BOUNDARY LEGAL DESCRIPTION**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF ORINDA, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTIONS 3, 4, 9, 10, 11 AND 15, TOWNSHIP 1 SOUTH, RANGE 3 WEST, MOUNT DIABLO BASE AND MERIDIAN ALSO BEING A PORTION OF THE RECORD OF SURVEY, RS 3172, FILED JUNE 22, 2007, IN BOOK 137 OF LICENSED SURVEYOR'S MAPS, AT PAGE 4, SAID COUNTY RECORDS, ALSO BEING A PORTION OF THE DEED TO OG PROPERTY OWNER, LLC., RECORDED FEBRUARY 2, 2007, SERIES NO. 2007-0033358, SAID COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 24 AT THE MOST EASTERLY CORNER AS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED DECEMBER 16, 1953, IN BOOK 2209, PAGE 340, SAID COUNTY RECORDS, SAID POINT ALSO BEING ON THE SOUTHWESTERLY LINE OF LOT 33 AS SHOWN ON THE MAP OF OAK SPRINGS UNIT NO. 4, FILED IN DECEMBER, 1926, IN BOOK 20 OF MAPS PAGE 540, SAID COUNTY RECORDS; THENCE ALONG SAID SOUTHWESTERLY LINE (20 M 540), SOUTH 52°09'58" EAST, 405.64 FEET TO THE WESTERLY CORNER OF PARCEL "D", AS SHOWN ON THE PARCEL MAP OF M.S. 188-71, FILED DECEMBER 21, 1972, IN BOOK 25 OF PARCEL MAPS, PAGE 45, SAID COUNTY RECORDS; THENCE, ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL MAP (25 PM 45), SOUTH 52°19'03" EAST 349.20 FEET; SOUTH 65°11'09" EAST, 65.88 FEET; SOUTH 76°56'22" EAST, 138.94 FEET; SOUTH 66°15'18" EAST, 131.87 FEET AND SOUTH 48°59'56" EAST, 559.90 FEET TO THE SOUTHERLY CORNER OF PARCEL "A" OF SAID PARCEL MAP (25 PM 45) THENCE, SOUTH 48°59'56" EAST, 727.10 FEET; THENCE, SOUTH 37°30'28" EAST, 618.60 FEET TO THE WESTERLY CORNER OF LOT 76 AS SHOWN ON THE RECORD OF SURVEY, RS 2740, FILED NOVEMBER 14, 2003, IN BOOK 127 OF LICENSED SURVEYORS MAPS, AT PAGE 25, SAID COUNTY RECORDS; THENCE, ALONG THE SOUTHWESTERLY LINE OF SAID RECORD OF SURVEY (127 LSM 25), SOUTH 37°30'28" EAST, 636.70 FEET AND SOUTH 36°33'43" EAST 209.55 FEET TO THE NORTHERLY CORNER OF PARCEL "B" AS SHOWN ON THE PARCEL MAP, MSO 4-90, FILED JANUARY 16, 1991, IN BOOK 150 OF PARCEL MAPS AT PAGE 32, SAID COUNTY RECORDS; THENCE, ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID PARCEL MAP (150 PM 32), SOUTH 89°28'34" EAST, 1087.84 FEET; SOUTH 22°58'07" EAST, 189.47 FEET; SOUTH 21°51'48" EAST, 1245.62 FEET; NORTH 88°52'30" WEST, 249.33 FEET; SOUTH 01°00'53" WEST, 1318.95 FEET; NORTH 89°02'45" WEST, 15.85 FEET; SOUTH 26°29'03" EAST, 250.04 FEET; SOUTH 43°21'37" EAST, 220.84 FEET; SOUTH 22°05'44" WEST, 240.48 FEET; SOUTH 43°58'16" EAST, 1372.20 FEET; NORTH 74°11'11" EAST, 184.35 FEET; SOUTH 15°48'49" EAST, 1124.20 FEET; NORTH 87°43'26" WEST, 312.16 FEET AND NORTH 89°18'33" WEST, 2613.16 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 15 (T. 1 S., R. 3 W.); THENCE, ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINES OF THE NORTHEAST AND NORTHWEST ONE-QUARTERS OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 15 (T. 1 S., R. 3 W.), SOUTH 01°08'39" WEST 1310.06 FEET; NORTH 89°25'17" WEST, 2624.83 FEET AND NORTH 00°40'16" EAST, 1315.15 FEET TO THE NORTHWEST CORNER OF SAID SECTION 15 (T. 1 S., R. 3 W.); THENCE; ALONG THE EAST LINE OF SAID SECTION 9 (T. 1 S., R. 3 W.), NORTH 00°01'44" WEST, 363.00 FEET TO A POINT ON AN EASTERLY LINE AS SHOWN ON THE RECORD OF SURVEY FILED FEBRUARY 20, 1968, IN BOOK 50 OF LICENSED SURVEYORS MAPS AT PAGE 45; THENCE, ALONG SAID EASTERLY LINE (50 LSM 45), NORTH 09°11'59" WEST, 192.77 FEET; NORTH 18°42'09" WEST, 435.52 FEET; NORTH 47°59'39" WEST, 133.31 FEET; NORTH 35°14'39" WEST,

369.81 FEET; NORTH 43°29'39" WEST, 384.58 FEET; NORTH 57°42'29" WEST, 478.20 FEET; NORTH 61°12'29" WEST, 374.50 FEET; NORTH 54°08'25" WEST, 395.41 FEET; NORTH 32°42'11" EAST, 910.20 FEET AND NORTH 22°17'29" EAST, 1549.32 FEET; THENCE, LEAVING SAID EASTERLY LINE (50 LSM 45), ALONG THE SOUTHWESTERLY LINE OF THE 27.34 ACRE, PLUS OR MINUS, PARCEL OF LAND TO BE CONVEYED BY THE EAST BAY MUNICIPAL UTILITY DISTRICT TO THE CITY OF ORINDA AS DEPICTED ON THE PLAT AND DESCRIBED IN EXHIBIT "A", LAFCO 05-24, MONTANERA/GATEWAY REORGANIZATION DOCUMENTS SOON TO BE RECORDED, NORTH 67°42'48" WEST, 214.77 FEET; NORTH 15°42'48" WEST, 478.86 FEET; NORTH 61°42'48" WEST, 245.01 FEET; NORTH 67°17'12" EAST, 123.79 FEET; NORTH 25°42'48" WEST, 288.15 FEET; NORTH 19°17'12" EAST, 167.72 FEET; NORTH 36°52'48" WEST, 118.80 FEET; NORTH 70°52'48" WEST, 131.69 FEET; NORTH 60°52'48" WEST, 191.91 FEET AND NORTH 85°49'10" WEST, 196.01 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED SEPTEMBER 6, 1967, IN BOOK 5447, AT PAGE 106 OF SAID COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERLY LINE (5447 OR 106), NORTH 64°40'51" WEST, 88.00 FEET; NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG THE ARC OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 7.00 FEET, A DELTA OF 90°00'00", A LENGTH OF 11.00 FEET; TANGENT, NORTH 25°19'09" EAST, 249.52 FEET; NORTHEASTERLY, ALONG THE ARC OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 903.97 FEET, A DELTA OF 04°10'52", A LENGTH OF 65.97 FEET TO A POINT OF NON-TANGENT CURVATURE; NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY, ALONG THE ARC OF A NON-TANGENT CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 53°54'20" EAST, CONCAVE SOUTHERLY, HAVING A RADIUS OF 476.00 FEET, A DELTA OF 93°19'38", A LENGTH OF 775.34 FEET; RADIAL, NORTH 39°25'18" EAST, 60.00 FEET; NORTHWESTERLY AND WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 39°25'18" WEST, HAVING A RADIUS OF 536.00 FEET, A DELTA OF 51°39'43", A LENGTH OF 483.29 FEET; NON-TANGENT, NORTH 57°28'17" EAST, 250.53 FEET AND NORTH 75°19'18" EAST, 123.71 FEET TO A POINT ON THE SOUTHEASTERLY LINE AS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED SEPTEMBER 24, 1973, IN BOOK 7053, AT PAGE 286, SAID COUNTY RECORDS; THENCE, ALONG SAID SOUTHEASTERLY LINE (7053 OR 286), NORTH 17°28'51" EAST, 77.65 FEET AND NORTH 84°23'21" EAST 111.13 FEET TO A POINT ON THE SOUTHEASTERLY LINE AS DESCRIBED IN THE DEED TO THE STATE OF CALIFORNIA, RECORDED JANUARY 3, 1962, IN BOOK 4027, AT PAGE 90, SAID COUNTY RECORDS; THENCE, ALONG SAID SOUTHEASTERLY LINE, NORTH 84°23'21" EAST, 418.58 FEET; NORTH 25°48'26" EAST, 107.71 FEET; NORTH 16°23'11" WEST, 456.18 FEET; NORTH 47°36'37" EAST, 500.00 FEET; NORTH 81°18'00" EAST, 180.28 FEET AND NORTH 33°24'11" EAST, 195.57 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID STATE OF CALIFORNIA DEED (2209 OR 340); THENCE ALONG, SAID SOUTHEASTERLY LINE (2209 OR 340), NORTH 40°25'44" EAST, 106.84 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

THAT PORTION THEREOF AS CONVEYED OT THE EAST BAY MUNICIPAL UTILITIES DISTRICT, BY INSTRUMENT RECORDED APRIL 20, 2007, SERIES NO. 2007-117383, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM:

THAT PORTION THEREOF AS CONVEYED TO THE EAST BAY MUNICIPAL UTILITIES DISTRICT, BY INSTRUMENT RECORDED APRIL 20, 2007, SERIES NO 2007-117385, OFFICIAL RECORDS.

SAID PARCEL CONTAINS 865.09 ACRES NET, PLUS OR MINUS.



BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE III,  
NAD 83. TO OBTAIN GROUND DISTANCES, MULTIPLY DISTANCES SHOWN BY 1.0000708.

PREPARED UNDER THE DIRECTION OF:



A handwritten signature in black ink, appearing to read "J. Weir", written over a horizontal line.

01-30-08

JAMES W. WEIR, L.S. 4246  
EXPIRES 06/03/08

DATED

GHAD DISTRICT BOUNDARY.txt

---

Parcel name: GHAD DIST BNDY

	North: 2135206.9546	East : 6074135.1875	
Line	Course: N 00-40-16 E	Length: 1315.15	
	North: 2136522.0144	East : 6074150.5917	
Line	Course: N 00-01-44 W	Length: 363.00	
	North: 2136885.0143	East : 6074150.4087	
Line	Course: N 09-11-59 W	Length: 192.77	
	North: 2137075.3047	East : 6074119.5893	
Line	Course: N 18-42-09 W	Length: 435.52	
	North: 2137487.8277	East : 6073979.9379	
Line	Course: N 47-59-39 W	Length: 133.31	
	North: 2137577.0395	East : 6073880.8784	
Line	Course: N 35-14-39 W	Length: 369.81	
	North: 2137879.0635	East : 6073667.4750	
Line	Course: N 43-29-39 W	Length: 384.58	
	North: 2138158.0549	East : 6073402.7760	
Line	Course: N 57-42-29 W	Length: 478.20	
	North: 2138413.5254	East : 6072998.5359	
Line	Course: N 61-12-29 W	Length: 374.50	
	North: 2138593.8960	East : 6072670.3337	
Line	Course: N 54-08-25 W	Length: 395.41	
	North: 2138825.5283	East : 6072349.8722	
Line	Course: N 32-42-11 E	Length: 910.20	
	North: 2139591.4452	East : 6072841.6398	
Line	Course: N 22-17-29 E	Length: 1549.32	
	North: 2141024.9794	East : 6073429.3234	
Line	Course: N 67-42-48 W	Length: 214.77	
	North: 2141106.4290	East : 6073230.5971	
Line	Course: N 15-42-48 W	Length: 478.86	
	North: 2141567.3934	East : 6073100.9101	
Line	Course: N 61-42-48 W	Length: 245.01	
	North: 2141683.4995	East : 6072885.1573	
Line	Course: S 67-17-12 W	Length: 123.79	
	North: 2141635.7016	East : 6072770.9675	
Line	Course: N 25-42-48 W	Length: 288.15	
	North: 2141895.3179	East : 6072645.9482	
Line	Course: N 19-17-12 E	Length: 167.72	
	North: 2142053.6251	East : 6072701.3452	
Line	Course: N 36-52-48 W	Length: 118.80	
	North: 2142148.6525	East : 6072630.0485	
Line	Course: N 70-52-48 W	Length: 131.69	
	North: 2142191.7873	East : 6072505.6232	
Line	Course: N 60-52-48 W	Length: 191.91	
	North: 2142285.1784	East : 6072337.9702	
Line	Course: N 85-49-10 W	Length: 196.01	
	North: 2142299.4675	East : 6072142.4817	
Line	Course: N 64-40-51 W	Length: 88.00	
	North: 2142337.1016	East : 6072062.9350	
Curve	Length: 11.00	Radius: 7.00	
	Delta: 90-00-00	Tangent: 7.00	
	Chord: 9.90	Course: N 19-40-51 W	
	Course In: N 25-19-09 E	Course Out: N 64-40-51 W	
	RP North: 2142343.4292	East : 6072065.9286	
	End North: 2142346.4228	East : 6072059.6011	
Line	Course: N 25-19-09 E	Length: 249.52	
	North: 2142571.9738	East : 6072166.3108	
Curve	Length: 65.97	Radius: 903.97	
	Delta: 4-10-52	Tangent: 33.00	

GHAD DISTRICT BOUNDARY.txt

Chord: 65.95	Course: N 27-24-35 E
Course In: S 64-40-51 E	Course Out: N 60-29-59 W
RP North: 2142185.3817	East : 6072983.4451
End North: 2142630.5217	East : 6072196.6718
Curve Length: 775.34	Radius: 476.00
Delta: 93-19-38	Tangent: 504.48
Chord: 692.42	Course: N 82-45-29 E
Course In: S 53-54-20 E	Course Out: N 39-25-18 E
RP North: 2142350.1015	East : 6072581.3022
End North: 2142717.8084	East : 6072883.5730
Line Course: N 39-25-18 E	Length: 60.00
North: 2142764.1580	East : 6072921.6743
Curve Length: 483.29	Radius: 536.00
Delta: 51-39-43	Tangent: 259.47
Chord: 467.09	Course: N 76-24-33 W
Course In: S 39-25-18 W	Course Out: N 12-14-25 W
RP North: 2142350.1015	East : 6072581.3022
End North: 2142873.9167	East : 6072467.6638
Line Course: N 57-28-17 E	Length: 250.53
North: 2143008.6318	East : 6072678.8914
Line Course: N 75-19-18 E	Length: 123.71
North: 2143039.9790	East : 6072798.5640
Line Course: N 17-28-51 E	Length: 77.65
North: 2143114.0429	East : 6072821.8890
Line Course: N 84-23-21 E	Length: 529.71
North: 2143165.8332	East : 6073349.0611
Line Course: N 25-48-26 E	Length: 107.71
North: 2143262.8006	East : 6073395.9521
Line Course: N 16-23-11 W	Length: 456.18
North: 2143700.4511	East : 6073267.2575
Line Course: N 47-36-37 E	Length: 500.00
North: 2144037.5360	East : 6073636.5457
Line Course: N 81-18-00 E	Length: 180.28
North: 2144064.8053	East : 6073814.7514
Line Course: N 33-24-11 E	Length: 195.57
North: 2144228.0708	East : 6073922.4176
Line Course: N 40-25-44 E	Length: 106.84
North: 2144309.3986	East : 6073991.7037
Line Course: S 52-09-58 E	Length: 405.64
North: 2144060.5895	East : 6074312.0751
Line Course: S 52-19-03 E	Length: 349.20
North: 2143847.1286	East : 6074588.4356
Line Course: S 65-11-09 E	Length: 65.88
North: 2143819.4803	East : 6074648.2331
Line Course: S 76-56-22 E	Length: 138.94
North: 2143788.0826	East : 6074783.5790
Line Course: S 66-15-18 E	Length: 131.87
North: 2143734.9829	East : 6074904.2857
Line Course: S 48-59-56 E	Length: 1287.00
North: 2142890.6161	East : 6075875.5806
Line Course: S 37-30-28 E	Length: 1255.30
North: 2141894.8234	East : 6076639.8940
Line Course: S 36-33-43 E	Length: 209.55
North: 2141726.5100	East : 6076764.7212
Line Course: S 89-28-34 E	Length: 1087.84
North: 2141716.5634	East : 6077852.5157
Line Course: S 22-58-07 E	Length: 189.47
North: 2141542.1148	East : 6077926.4520
Line Course: S 21-51-48 E	Length: 1245.62
North: 2140386.0864	East : 6078390.3133
Line Course: N 88-52-30 W	Length: 249.33
North: 2140390.9816	East : 6078141.0314
Line Course: S 01-00-53 W	Length: 1318.95

GHAD DISTRICT BOUNDARY.txt

Line	North: 2139072.2385	East : 6078117.6736	Length: 15.85
	Course: N 89-02-45 W		
Line	North: 2139072.5024	East : 6078101.8258	Length: 250.04
	Course: S 26-29-03 E		
Line	North: 2138848.7022	East : 6078213.3313	Length: 220.84
	Course: S 43-21-37 E		
Line	North: 2138688.1403	East : 6078364.9564	Length: 240.48
	Course: S 22-05-44 W		
Line	North: 2138465.3217	East : 6078274.4993	Length: 1372.20
	Course: S 43-58-16 E		
Line	North: 2137477.7631	East : 6079227.2117	Length: 184.35
	Course: N 74-11-11 E		
Line	North: 2137528.0001	East : 6079404.5847	Length: 1124.20
	Course: S 15-48-49 E		
Line	North: 2136446.3474	East : 6079710.9391	Length: 312.16
	Course: N 87-43-26 W		
Line	North: 2136458.7449	East : 6079399.0254	Length: 2613.16
	Course: N 89-18-33 W		
Line	North: 2136490.2518	East : 6076786.0553	Length: 1310.06
	Course: S 01-08-39 W		
Line	North: 2135180.4530	East : 6076759.8958	Length: 2624.83
	Course: N 89-25-17 W		
	North: 2135206.9599	East : 6074135.1997	

Perimeter: 31522.53 Area: 37,782,626 sq. ft. 867.37 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
 Error Closure: 0.0132 Course: N 66-33-17 E  
 Error North: 0.00526 East : 0.01213  
 Precision 1: 2,388,071.97

867.37 AC GROSS  
 - 0.11 " EB MUD  


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 867.26  
 - 2.17 EB MUD  


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 865.09 ± AC, NET

**EXHIBIT 3**

WILDER GHAD BUDGET

**EXHIBIT 3**

Wilder Geologic Hazard Abatement District  
Budget

ASSUMPTIONS & REVENUES

Total No. of Residences	245
Annual Assessment per Residence (current \$)	\$2,390
Sport Fields (Assessed per field)	5
Annual Assessment for sports fields (current \$)	\$1,000
Approximate Total Habitable Non-Residential Building Area, Art and Garden Center and Swim Club, and Sales Center/Future Clubhouse (square feet)	14,000
Annual Assessment per nonresidential (square feet)	\$0.10
Trails, (lineal feet)	1,000
Annual Assessment for trails (lineal foot)	\$0.05
Annual Adjustment in Assessment (estimated)	2.0%
Inflation (estimated)	2.0%
Investment Earnings (estimated)	4.0%
Frequency of Large-Scale Repair (years)	10
Cost of Large-Scale Repair (current \$)	\$1,000,000

ESTIMATED ANNUAL EXPENSES IN 2007/2008 DOLLARS

Administration, Accounting	\$50,000
Geotechnical Instrument Monitoring	\$4,000
Geotechnical Site Monitoring Program	\$22,500
Stormwater Management Improvements Monitoring	\$26,500
Technical Consultants	\$10,000
Subdrain Outfall Maintenance	\$5,000
Creek Bank Maintenance	\$10,000
On Site Facilities (Swim Center, Art and Garden, Trailhead and Play Fields)	\$10,000
Erosion Repairs (Including Trails, Fire Roads and PG&E Access Roads)	\$25,000
Slope Stabilization (Including Minor Landsliding)	\$25,000
Revegetation	\$5,000
Stormwater Management Improvements - Maintenance	\$86,700
Stormwater Management Improvements – Replacement	\$121,950
Major Repair (Annualized)	\$100,000
Miscellaneous & Contingency (10%)	\$50,165
<b>TOTAL</b>	<u><b>\$551,815</b></u>

**EXHIBIT 4**

Wilder Geologic Hazard Abatement District  
Pro Forma Budget

# EXHIBIT 4

## Wilder Geologic Hazard Abatement District Pro Forma Budget

FISCAL YEAR (STARTING JULY 1)	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Cumulative No. of Units	0	27	54	82	109	136	163	191	218	245
<b>A. INCOME</b>										
Assessment	-	66,096	134,836	208,846	283,164	360,372	440,555	526,558	613,012	702,714
<b>B. PROJECTED EXPENSES</b>										
1. Administration and Accounting	-	25,500	26,010	53,060	54,122	55,204	56,308	57,434	58,583	59,755
County Fees	-	276	303	331	360	390	421	454	487	521
2. Consultants	-	-	-	66,856	68,193	69,557	70,948	72,367	73,815	75,291
3. Maintenance & Operation	-	-	-	52,194	70,767	90,062	110,101	131,595	153,201	175,619
4. Slope Stabilization	-	-	-	8,879	12,039	15,322	18,731	22,388	26,063	29,877
5. Erosion Protection	-	-	-	41,449	56,199	71,523	87,437	104,506	121,664	139,467
6. Repair	-	-	-	-	-	-	-	-	-	-
7. Misc Expenses	-	-	-	17,818	24,158	30,745	37,586	44,923	52,299	59,952
8. Debt Service	-	-	-	-	-	-	-	-	-	-
SUBTOTAL - EXPENSES	-	25,776	26,313	240,588	285,839	332,803	381,532	433,666	486,112	540,482
RESERVE	-	40,320	108,523	(31,742)	(2,675)	27,569	59,023	92,891	126,900	162,232
EARNINGS	-	-	1,613	6,018	4,989	5,082	6,388	9,004	13,080	18,679
CUMULATIVE RESERVE	-	40,320	150,456	124,732	127,046	159,697	225,107	327,003	466,983	647,895

### ASSUMPTIONS

Total No. of Units	245	
Absorption Period (yrs)	9	
Annual Assessment per Unit	\$2,390	
Total Non-Residential Public Area	1	
Annual Assessment per non-res area	\$2,450.00	Art & Garden Center, Swim Center, Play Fields, Sales Center/Future Clubhouse, and Trails
Annual Increase in Assessment	2.0%	
Inflation	2.0%	
Investment Earnings	4.0%	
Initial Seed Fund	\$0	
Amount Financed	\$0	
Borrowing Rate	8.0%	
Term of Loan (yrs)	10	
Frequency of Large-Scale Repair (yrs)	10	
Cost of Large-Scale Repair (current \$)	\$1,000,000	
Assessment Cap (per residential unit)	5000	
Expense Deferral Period (Yrs)	3	

ESTIMATED ANNUAL EXPENSES IN 2007/2008 DOLLARS	PRO FORMA CATEGORY	
Creek Bank Maintenance	10,000	O&M
On Site facilities (swim center, art and garden, trailhead, play fields)	10,000	O&M
Erosion Repairs (trails, fire and PG&E roads)	25,000	Erosion Protection
Geotechnical Instrument Monitoring	4,000	Consultants
GHAD Monitoring Program (1)	49,000	Consultants
Major Landsliding (Annualized)	100,000	Repair
Revegetation	5,000	Erosion Protection
Sediment Removal - Concrete Structures	10,000	Erosion Protection
Sediment Removal - Water Quality and Detention Basin	76,700	Erosion Protection
Slope Stabilization (including minor landsliding)	25,000	Slope Stabilization
Subdrain Outfall Maintenance	5,000	O&M
Technical Consultants	10,000	Consultants
Stormwater Improvements - Replacement	121,950	O&M
Administration & Accounting	50,000	Administration & Accounting
Misc & Contingency (10%)	50,165	Misc Expenses
<b>TOTAL</b>	<b>551,815</b>	

1. GHAD Monitoring Program	
GHAD Monitoring Event - April	5,000
GHAD Monitoring Event - October	5,000
Heavy Rainfall Monitoring (Assume 2 per year)	7,000
Detention Basin Monitoring Event - January	1,000
Detention Basin Monitoring Event - April	1,000
Detention Basin Monitoring Event - July	1,000
Detention Basin Monitoring Event - October	1,000
Heavy Rainfall Monitoring (Assume 2 per year)	1,500
Stormwater Management Improvement Monitor	26,500
<b>Total</b>	<b>49,000</b>