

## EXHIBIT A

The land referred to is situated in the County of Santa Clara, City of San Jose, State of California, and is described as follows:

Parcels 1 and 2 as shown on that certain Parcel Map filed in the office of the Recorder of the County of Santa Clara, State of California on [December 27, 1978, in Book 433 of Maps page 21.](#)

Excepting therefrom that portion described as Parcel 1 in the Grant Deed to the State of California recorded [March 6, 1997 under Recorder's Serial Number 13631715](#) in Official Records and being more particularly described as follows:

Being a portion of Parcels 1 and 3 as shown on that certain Parcel Map filed for record in [Book 433 of Maps at page 21](#) Santa Clara County Records, described as follows:

Beginning at the northwest corner of said Parcel 1; thence from said Point of Beginning, along the northerly line of said Parcels 1 and 3 the following courses: North 68° 33' 16" East 104.76 feet; North 74° 49' 21" East 1584.86 feet and along a tangent curve to the right with a radius of 7886.00 feet, through a central angle of 7° 34' 01" for an arc length of 1041.49 feet to the northeast corner of said Parcel 3; thence along the easterly line of said Parcel 3 South 21° 57' 21" West 31.80 feet; thence leaving said easterly line South 79° 08' 50" West 216.06 feet; thence South 80° 27' 13" West 296.31 feet; thence South 76° 52' 05" West 493.07 feet; thence South 74° 56' 05" West 649.93 feet; thence South 70° 11' 52" West 660.47 feet; thence South 65° 52' 19" West 262.30 feet; thence South 60° 39' 25" West 139.73 feet; thence along a tangent curve to the left with a radius of 165.00 feet, through a central angle of 19° 31' 26" for an arc length of 56.22 feet to a point in the westerly line of said Parcel 1; thence along said westerly line the following courses: from a tangent bearing of North 5° 32' 54" West, along a curve to the left with a radius of 1061.94 feet, through a central angle of 3° 21' 02" for an arc length of 62.10 feet; thence North 83° 11' 07" East 23.12 feet; thence North 6° 18' 47" West 112.51 feet to the Point of Beginning.

Excepting therefrom all deposits of minerals, including oil and gas, lying below the depth of 500 feet, without however, the right to drill or mine through the surface thereof as excepted and reserved in the Quitclaim Deed from the State of California recorded [September 26, 1975 in Book B632 of Official Records, Page 458 under Recorder's Serial Number 5108919.](#)

APN: 097-04-020 and 097-04-037



**OLD REPUBLIC**  
TITLE COMPANY

224 Airport Parkway, Suite 170  
San Jose, CA 95110  
(408) 557-8400 Fax: (408) 249-2314

## PRELIMINARY REPORT

FOURTH UPDATE

SANTA CLARA VTA  
3331 North 1st Street, Bldg. A  
San Jose, CA 95134

Our Order Number 0616014245-RR

Attention: Jessie Thielen

When Replying Please Contact:

Randy Romriell  
(408) 557-8400

Property Address:

Cerone Bus Maintenance Yard 3990 Zanker Road, San Jose, CA

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY, as issuing Agent of Old Republic National Title Insurance 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 below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations 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 Exhibit I attached. 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 Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit I. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit I 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.**

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.

Dated as of September 19, 2018, at 7:30 AM

**OLD REPUBLIC TITLE COMPANY**  
For Exceptions Shown or Referred to, See Attached

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
**FOURTH UPDATE**

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

CLTA Standard Coverage Policy -1990; AND ALTA Loan Policy - 2006. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee

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

Santa Clara Valley Transportation Authority, a public agency of the State of California who acquired title as Santa Clara County Transit District

The land referred to in this Report is situated in the County of Santa Clara, City of San Jose, State of California, and is described as follows:

Parcels 1 and 2 as shown on that certain Parcel Map filed in the office of the Recorder of the County of Santa Clara, State of California on [December 27, 1978, in Book 433 of Maps page 21](#).

Excepting therefrom that portion described as Parcel 1 in the Grant Deed to the State of California recorded [March 6, 1997 under Recorder's Serial Number 13631715](#) in Official Records and being more particularly described as follows:

Being a portion of Parcels 1 and 3 as shown on that certain Parcel Map filed for record in [Book 433 of Maps at page 21](#) Santa Clara County Records, described as follows:

Beginning at the northwest corner of said Parcel 1; thence from said Point of Beginning, along the northerly line of said Parcels 1 and 3 the following courses: North 68° 33' 16" East 104.76 feet; North 74° 49' 21" East 1584.86 feet and along a tangent curve to the right with a radius of 7886.00 feet, through a central angle of 7° 34' 01" for an arc length of 1041.49 feet to the northeast corner of said Parcel 3; thence along the easterly line of said Parcel 3 South 21° 57' 21" West 31.80 feet; thence leaving said easterly line South 79° 08' 50" West 216.06 feet; thence South 80° 27' 13" West 296.31 feet; thence South 76° 52' 05" West 493.07 feet; thence South 74° 56' 05" West 649.93 feet; thence South 70° 11' 52" West 660.47 feet; thence South 65° 52' 19" West 262.30 feet; thence South 60° 39' 25" West 139.73 feet; thence along a tangent curve to the left with a radius of 165.00 feet, through a central angle of 19° 31' 26" for an arc length of 56.22 feet to a point in the westerly line of said Parcel 1; thence along said westerly line the following courses: from a tangent bearing of North 5° 32' 54" West, along a curve to the left with a radius of 1061.94 feet, through a central angle of 3° 21' 02" for an arc length of 62.10 feet; thence North 83° 11' 07" East 23.12 feet; thence North 6° 18' 47" West 112.51 feet to the Point of Beginning.

Excepting therefrom all deposits of minerals, including oil and gas, lying below the depth of 500 feet, without however, the right to drill or mine through the surface thereof as excepted and reserved in the Quitclaim Deed from the State of California recorded [September 26, 1975 in Book B632 of Official Records, Page 458 under Recorder's Serial Number 5108919](#).

APN: 097-04-020 and 097-04-037

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
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At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments, general and special, for the fiscal year 2017 - 2018, a lien, but not yet due or payable.
  
2. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.
  
3. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas and Electric Company  
For : a single line of poles and wires  
Recorded : [October 1, 1919 in Book 494 of Deeds, Page 489](#)  
Affects : The exact location is not disclosed of record

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

4. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas & Electric Company  
For : Gas pipelines  
Recorded : [June 23, 1944 in Book 1200 of Official Records, Page 473 under Recorder's Serial Number 313450](#)  
Affects : As described therein

Relocation Agreement recorded [November 6, 1996 in Official Records under Recorder's Serial Number 13515147](#).

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
**FOURTH UPDATE**

5. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose  
For : Sanitary sewer pipe line or lines  
Recorded : [July 31, 1968 in Book 8210 of Official Records, Page 676 under Recorder's Serial Number 3458436](#)  
Affects : As described therein

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

6. Redevelopment Plan, as follows:

Entitled : Rincon De Los Esteros Project Redevelopment Plan  
Executed By : City of San Jose  
Recorded : [July 11, 1975 in Book B502 of Official Records, Page 711 under Recorder's Serial Number 5048517](#)

And any amendments thereof

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

7. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : The Pacific Telephone and Telegraph Company  
For : Communication facilities  
Recorded : [February 27, 1980 in Book F162 of Official Records, Page 343 under Recorder's Serial Number 6659485](#)  
Affects : As described therein

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

8. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas and Electric Company  
For : Electric utility facilities  
Recorded : [June 27, 1985 in Book J385 of Official Records, Page 561 under Recorder's Serial Number 8452169](#)  
Affects : As described therein

**OLD REPUBLIC TITLE COMPANY**  
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The above easement was partially terminated by the Quitclaim Deed from Pacific Gas & Electric Company recorded [January 12, 2000 in Official Records under Recorder's Serial Number 15119270](#).

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

9. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas and Electric Company  
For : A line of poles and wires for the transmission of electric energy and communication  
Recorded : [April 8, 1991 in Book L668 of Official Records, Page 0167 under Recorder's Serial Number 10858377](#)  
Affects : As described therein

Relocation Agreement recorded [November 6, 1996 in Official Records under Recorder's Serial Number 13515148](#).

Said matters affect Parcel 1 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

10. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : State of California  
For : Sanitary sewer pipelines  
Recorded : [March 6, 1997 in Official Records under Recorder's Serial Number 13631715](#)  
Affects : As described therein

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

11. Release and relinquishment of abutter's or access rights to and from the Southbay Freeway 237, upon which premises abuts, together with waiver of damages by reason of construction or maintenance of a freeway, as follows:

Instrument Entitled : Grant Deed  
To : State of California  
Recorded : [March 6, 1997 in Official Records under Recorder's Serial Number 13631715](#)

**OLD REPUBLIC TITLE COMPANY**  
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Said matters affect Parcel 1 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

12. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose  
For : Public utilities and public services  
Recorded : [March 27, 1997 in Official Records under Recorder's Serial Number 13650818](#)  
Affects : As described therein

Said matters affect Parcel 1 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

13. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose  
For : Waterline  
Recorded : [March 31, 1999 in Official Records under Recorder's Serial Number 14730774](#)  
Affects : As described therein

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

14. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose  
For : Street  
Recorded : [May 7, 1999 in Official Records under Recorder's Serial Number 14798776](#)  
Affects : As described therein

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

**OLD REPUBLIC TITLE COMPANY**  
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15. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : Pacific Gas and Electric Company  
For : Utilities  
Recorded : [January 12, 2000 in Official Records under Recorder's Serial Number 15119272](#)  
Affects : As described therein

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

16. An unrecorded lease upon the terms, covenants, and conditions contained or referred to therein,

Lessor : Santa Clara Valley Transportation Authority, a public agency of the State of California  
Lessee : Sprint Spectrum L.P., a Delaware limited partnership  
Disclosed by : Memorandum of Agreement  
Dated : December 4, 2002  
Recorded : [December 30, 2002 in Official Records under Recorder's Serial Number 16716941](#)

NOTE: Said lease contains provisions for renewal.

NOTE: The present ownership of said leasehold or leaseholds and other matters affecting the interest of the lessee or lessees are not shown herein.

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

17. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose  
For : Traffic signal facilities  
Recorded : [May 18, 2004 in Official Records under Recorder's Serial Number 17793576](#)  
Affects : As described therein

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

**OLD REPUBLIC TITLE COMPANY**  
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18. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : City of San Jose Department of Public Works  
For : Sanitary sewer pipelines  
Recorded : [June 23, 2004 in Official Records under Recorder's Serial Number 17861162](#)  
Affects : As described therein

Said matters affect Parcel 1 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

19. An unrecorded lease upon the terms, covenants, and conditions contained or referred to therein,

Lessor : Santa Clara Valley Transportation Authority, a public agency in the State of California  
Lessee : New Cingular Wireless PCS, LLC, a Delaware limited liability company  
Disclosed by : Memorandum of Lease  
Dated : March 30, 2005  
Recorded : [April 29, 2005 in Official Records under Recorder's Serial Number 18346985](#)

NOTE: Said lease contains provisions for renewal.

NOTE: The present ownership of said leasehold or leaseholds and other matters affecting the interest of the lessee or lessees are not shown herein.

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

20. An unrecorded lease upon the terms, covenants, and conditions contained or referred to therein,

Lessor : Santa Clara Valley Transportation Authority, a public agency in the State of California  
Lessee : New Cingular Wireless PCS, LLC, a Delaware limited liability company  
Disclosed by : Memorandum of Lease  
Dated : March 30, 2005  
Recorded : [July 12, 2005 in Official Records under Recorder's Serial Number 18462980](#)

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
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NOTE: Said lease contains provisions for renewal.

NOTE: The present ownership of said leasehold or leaseholds and other matters affecting the interest of the lessee or lessees are not shown herein.

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

21. Terms and conditions contained in the permit
- |              |   |   |
|--------------|---|---|
| File No.     | : | SP05-032/V05-007  |
| Issued by    | : | City of San Jose  |
| Disclosed by | : | Certificate of Permit   |
| Recorded     | : | <a href="#">December 22, 2005 in Official Records under Recorder's Serial Number 18740759</a> |

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

22. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following:
- |              |   |  |
|--------------|---|--|
| Instrument   | : | Final Order of Condemnation  |
| Condemned to | : | Pacific Gas and Electric Company   |
| For          | : | A line of tubular steel poles and wires for the transmission of electric energy and communication purposes |
| Recorded     | : | <a href="#">April 22, 2009 in Official Records under Recorder's Serial Number 20221300</a>                 |
| Affects      | : | As described therein   |

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

23. Matters shown on the Record of Survey filed [June 2, 2009 in Book 832 of Maps, Pages 14 and 15](#) as follows:
- |    |   |  |
|----|---|--|
| a. | : | 25' Unrecorded Sewer Easement, Plotted by VTA Per HMH Exhibit and & Description Dated May 1987 |
| b. | : | Prop. PG&E 40' Elec. Trans. Easement   |
| c. | : | Proposed 10' Guy Esmts.  |

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

**OLD REPUBLIC TITLE COMPANY**  
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**FOURTH UPDATE**

24. Terms and conditions contained in the permit

File No. : SP10-022  
Issued by : City of San Jose  
Disclosed by : Certificate of Permit  
Recorded : [May 4, 2011 in Official Records under Recorder's Serial Number 21165750](#)

Said matters affect Parcel 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

25. An unrecorded lease upon the terms, covenants, and conditions contained or referred to therein,

Lessor : Santa Clara Valley Transportation Authority, a California public entity created by the California State Legislature pursuant to Section 100000 of the Public Utilities Code  
Lessee : Solar Star California XXI, LLC, a Delaware limited liability company  
Disclosed by : Memorandum of Lease Agreement  
Dated : July 12, 2011  
Recorded : [November 15, 2011 in Official Records under Recorder's Serial Number 21421191](#)

NOTE: The present ownership of said leasehold or leaseholds and other matters affecting the interest of the lessee or lessees are not shown herein.

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

26. Conditions contained and/or referred to in an instrument,

Entitled : Certificate of Permit  
By : City of San Jose  
Recorded : [July 2, 2018 in Official Records under Recorder's Serial Number 23968408](#)

27. The requirement that satisfactory evidence be furnished to this Company of compliance with applicable statutes, ordinances and charters governing the ownership and disposition of the herein described land.

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
**FOURTH UPDATE**

- 28. 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.
- 29. Any unrecorded and subsisting leases.
- 30. The requirement that this Company be provided with a suitable Owner's Declaration (form ORT 174). The Company reserves the right to make additional exceptions and/or requirements upon review of the Owner's Declaration.

----- **Informational Notes** -----

- A. The applicable rate(s) for the policy(s) being offered by this report or commitment appears to be section(s) 1.1 and 2.1.
- B. The above numbered report (including any supplements or amendments thereto) is hereby modified and/or supplemented to reflect the following additional items relating to the issuance of an American Land Title Association loan form policy:

NONE

NOTE: Our investigation has been completed and there is located on said land publicly owned facilities and buildings known as 3990 Zanker Road, San Jose, CA.

The ALTA loan policy, when issued, will contain the CLTA 100 Endorsement and 116 series Endorsement.

Unless shown elsewhere in the body of this report, there appear of record no transfers or agreements to transfer the land described herein within the last three years prior to the date hereof, except as follows:

NONE

**OLD REPUBLIC TITLE COMPANY**  
**ORDER NO. 0616014245-RR**  
**FOURTH UPDATE**

C. NOTE: The last recorded transfer or agreement to transfer the land described herein is as follows:

Instrument  
Entitled : Quitclaim Deed  
By/From : State of California, through its duly appointed, qualified, and acting  
Director of General Services  
To : Santa Clara County Transit District  
Recorded : [September 26, 1975 in Book B632 of Official Records, Page 458](#)  
[under Recorder's Serial Number 5108919](#)

Said matters affect Parcels 1 and 2 of Parcel Map filed in Book 433 of Maps, Pages 21 and 22

D. No taxes were assessed and no taxes are due on APNs 097-04-020 and 097-04-037 for the fiscal year 2015-2016.

**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 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 which may be asserted by persons in possession thereof,
3. Easements, liens or encumbrances, or claims thereof, which are 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.

**AMERICAN LAND TITLE ASSOCIATION  
LOAN POLICY OF TITLE INSURANCE - 2006  
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).

**EXCEPTIONS FROM COVERAGE – SCHEDULE B, PART 1, SECTION ONE**

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:

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.

**FACTS**
**WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?**

<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
<b>What?</b>	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> <li>• Social Security number and employment information</li> <li>• Mortgage rates and payments and account balances</li> <li>• Checking account information and wire transfer instructions</li> </ul> <p>When you are no longer our customer, we continue to share your information as described in this notice.</p>
<b>How?</b>	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
<b>For our everyday business purposes</b> — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
<b>For our marketing purposes</b> — to offer our products and services to you	No	We don't share
<b>For joint marketing with other financial companies</b>	No	We don't share
<b>For our affiliates' everyday business purposes</b> — information about your transactions and experiences	Yes	No
<b>For our affiliates' everyday business purposes</b> — information about your creditworthiness	No	We don't share
<b>For our affiliates to market to you</b>	No	We don't share
<b>For non-affiliates to market to you</b>	No	We don't share

Questions

 Go to [www.oldrepublictitle.com](http://www.oldrepublictitle.com) (Contact Us)

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit <a href="http://www.OldRepublicTitle.com/newnational/Contact/privacy">http://www.OldRepublicTitle.com/newnational/Contact/privacy</a> .
How does Old Republic Title collect my personal information?	<p>We collect your personal information, for example, when you:</p> <ul style="list-style-type: none"> <li>• Give us your contact information or show your driver's license</li> <li>• Show your government-issued ID or provide your mortgage information</li> <li>• Make a wire transfer</li> </ul> <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
Why can't I limit all sharing?	<p>Federal law gives you the right to limit only:</p> <ul style="list-style-type: none"> <li>• Sharing for affiliates' everyday business purposes - information about your creditworthiness</li> <li>• Affiliates from using your information to market to you</li> <li>• Sharing for non-affiliates to market to you</li> </ul> <p>State laws and individual companies may give you additional rights to limit sharing. See the "Other important information" section below for your rights under state law.</p>

Definitions	
<b>Affiliates</b>	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> <li>• Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.</li> </ul>
<b>Non-affiliates</b>	<p>Companies not related by common ownership or control. They can be financial and non-financial companies.</p> <ul style="list-style-type: none"> <li>• Old Republic Title does not share with non-affiliates so they can market to you</li> </ul>
<b>Joint marketing</b>	<p>A formal agreement between non-affiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> <li>• Old Republic Title doesn't jointly market.</li> </ul>

## Other Important Information

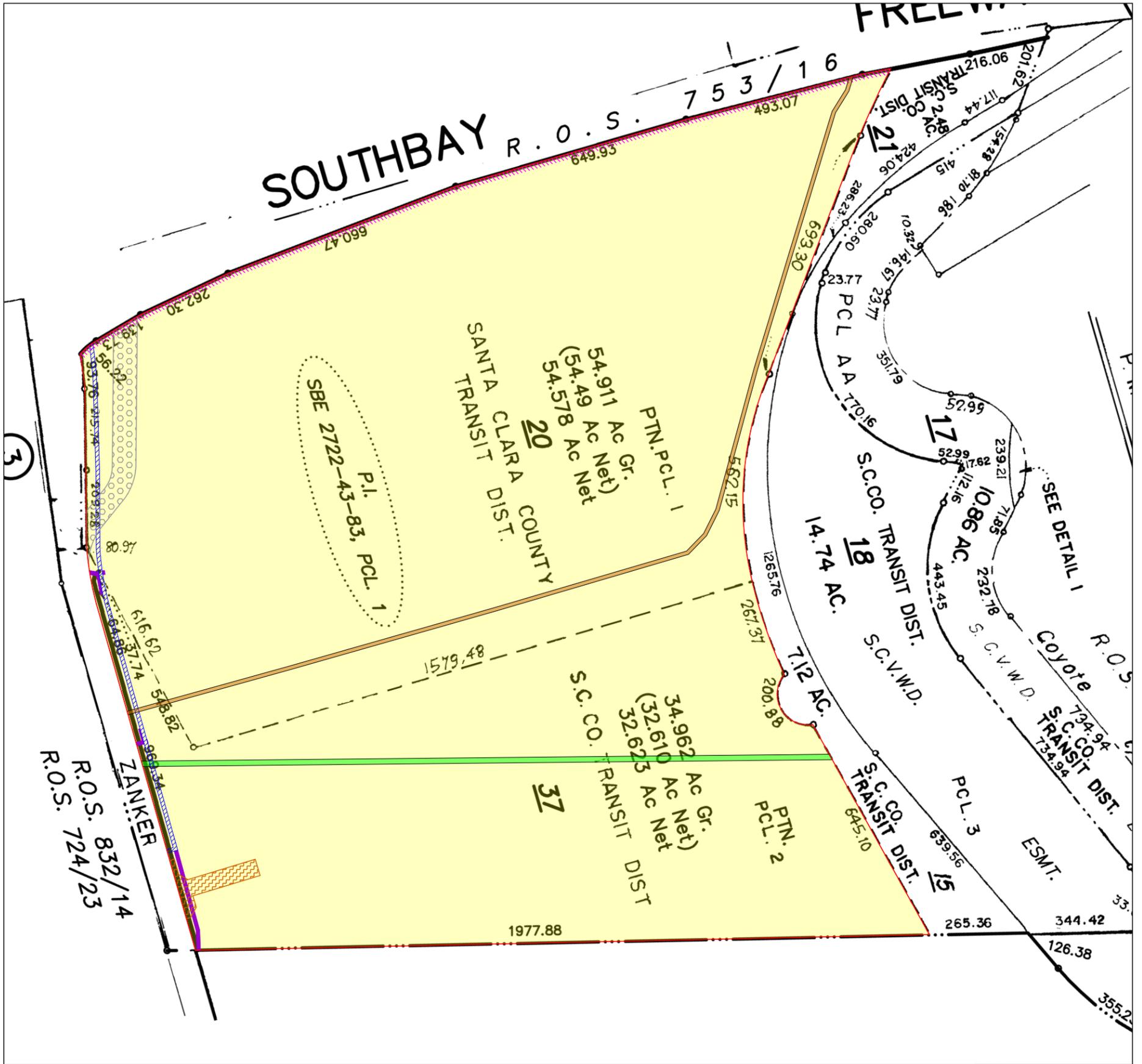
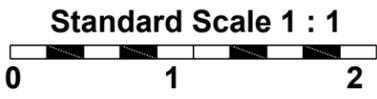
Oregon residents only: We are providing you this notice under state law. We may share your personal information (described on page one) obtained from you or others with non-affiliate service providers with whom we contract, such as notaries and delivery services, in order to process your transactions. You may see what personal information we have collected about you in connection with your transaction (other than personal information related to a claim or legal proceeding). To see your information, please click on "Contact Us" at [www.oldrepublictitle.com](http://www.oldrepublictitle.com) and submit your written request to the Legal Department. You may see and copy the information at our office or ask us to mail you a copy for a reasonable fee. If you think any information is wrong, you may submit a written request online to correct or delete it. We will let you know what actions we take. If you do not agree with our actions, you may send us a statement.

## Affiliates Who May be Delivering This Notice

American First Abstract, LLC	American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.
eRecording Partners Network, LLC	Genesis Abstract, LLC	Kansas City Management Group, LLC	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mara Escrow Company	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Exchange Company	Old Republic National Title Insurance Company	Old Republic Title and Escrow of Hawaii, Ltd.
Old Republic Title Co.	Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma
Old Republic Title Company of Oregon	Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.
Old Republic Title, Ltd.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	The Title Company of North Carolina	Title Services, LLC
Trident Land Transfer Company, LLC				

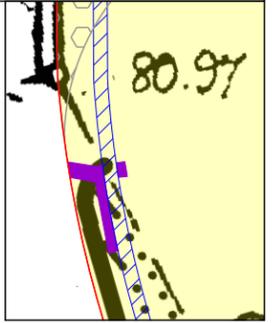




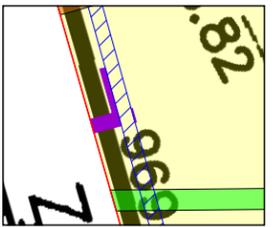


**LEGEND**

- Parcel (Fee, Property in Question)
- Item No. 3 - Easement for Single line of poles and wires  
10/01/1919, Book 494, Page 489, of Deeds  
Said Easement is not specifically delineated and is un-locatable
- Item No. 4 - Easement for Gas pipeline  
06/23/1944, Instrument No. 313450, Book 1200, Page 473, of Official Records  
11/06/1996, Instrument No. 13515147, of Official Records.  
Affects as described therein
- Item No. 5 - Easement for Sanitary sewer pipe line  
07/31/1968, Instrument No. 3458436, Book 8210, Page 676, of Official Records  
Said Easement is not specifically delineated and is un-locatable
- Item No. 7 - Easement for Communication facilities  
02/27/1980, Instrument No. 6659485, Book F-162, Page 343, of Official Records  
Affects as described therein
- Item No. 8 - Easement for Electric utility facilities  
06/27/1985, Book J-385, Page 561, of Official Records  
Affects as described therein
- Item No. 10 - Easement for Sanitary sewer pipelines  
03/06/1997, Instrument No. 13631715, of Official Records  
Affects as described therein
- Item No. 11 - Release and relinquishment of abutter's or access rights  
03/06/1997, Instrument No. 13631715, of Official Records  
Affects as described therein
- Item No. 15 - Easement for Utilities  
01/12/2000, Instrument No. 15119272, of Official Records  
Affects as described therein
- Item No. 17 - Easement for Traffic signal facilities  
05/18/2004, Instrument No. 17793576, of Official Records  
Affects as described therein



**Detail View**



**Detail View**

**Old Republic Title Company**  
 224 Airport Parkway, Suite 170  
 San Jose, CA 95110  
 (408) 557-8400 Fax: (408) 249-2314

Title Order No. 0616014245, Preliminary Report Dated as of August 08, 2016  
 Reference :  
 Property: Cerone Bus Maintenance Yard 3990 Zanker Road, San Jose, CA

Drawing Date: 08/23/2016  
 Data :  
 Assessor's Parcel Nos. : 097-04-020 & 037

**"Notice: This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon."**

Plat Showing the land referred to herein is situated in the County of Santa Clara, City of San Jose, State of California.

**NOTE: Easements depicted hereon are provided as a courtesy only and no representation is made as to the accuracy or completeness thereof. The Company assumes no liability for any loss occurring by reason of reliance thereon. It is recommended that a survey be obtained from a licensed professional to determine actual locations.**

