



**EXEMPT SELLER DISCLOSURE**  
 Use by Sellers Who Are Exempt From Completing a TDS,  
 Or For Any Seller Who Does Not Provide a SPQ.  
 (C.A.R. Form ESD, Revised 6/23)



Seller makes the following disclosures with regard to the real property or manufactured home described as 581 Berkeley Ave, situated in Menlo Park (City), San Mateo (County), California, 94025 (Zip Code), Assessor's Parcel No. 062-171-180 ("Property").

This property is a duplex, triplex or fourplex. An ESD is required for all units. This ESD is for all units (or  only unit(s) \_\_\_\_\_).

1. **A.** Under California law (Civil Code §1102, et seq.) most Sellers of real property containing 1-4 residential units are required to provide prospective Buyers with a completed Real Estate Transfer Disclosure Statement ("TDS"). Certain Sellers are exempt from completing the TDS but not exempt from making other disclosures. Sellers who are not legally required to complete a TDS can use this form to make other required disclosures, including the disclosure of material facts of which they are aware.
- B.** Under Civil Code §§ 1101.4 and 1101.5, non-compliant plumbing fixtures in any single family or multi-family residential real property built before January 1, 1994 shall be replaced by the Property owner with water- conserving plumbing fixtures.

**2. THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS DISCLOSURE STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT(S) AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN. A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF SELLER OR BUYER DESIRE LEGAL ADVICE, CONSULT AN ATTORNEY.**

**3. Are you (Seller) aware of any of the following? (Explain any "yes" answers below.)**

- A.** Within the last 3 years, the death of an occupant of the Property upon the Property .....  Yes  No
- B.** An Order from a government health official identifying the Property as being contaminated by methamphetamine. (If yes, attach a copy of the Order.) .....  Yes  No
- C.** The release of an illegal controlled substance on or beneath the Property .....  Yes  No
- D.** Whether the Property is located in or adjacent to an "industrial use" zone .....  Yes  No  
(In general, a zone or district allowing manufacturing, commercial or airport uses.)
- E.** Whether the Property is affected by a nuisance created by an "industrial use" zone .....  Yes  No
- F.** Whether the Property is located within 1 mile of a former federal or state ordnance location (In general, an area once used for military training purposes that may contain potentially explosive munitions.) .....  Yes  No
- G.** Whether the Property is a condominium or located in a planned unit development or other common interest subdivision .....  Yes  No
- H.** Insurance claims affecting the Property within the past 5 years.....  Yes  No
- I.** Matters affecting title of the Property .....  Yes  No
- J.** Plumbing fixtures on the Property that are non-compliant plumbing fixtures as defined by Civil Code § 1101.3 .....  Yes  No
- K.** Any other material facts or defects affecting the Property, or material documents in Seller's possession affecting the Property, not otherwise disclosed to Buyer .....  Yes  No

Explanation, or  (if checked) see attached; \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Seller represents that the information herein is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a Copy of this statement to any person or entity in connection with any actual or anticipated sale of the Property.**

Seller \_\_\_\_\_ The Survivor's Marital Tr under the Elmer J. & Helen E. Reist Date \_\_\_\_\_  
 Seller \_\_\_\_\_ Date \_\_\_\_\_

**By signing below, Buyer acknowledges Buyer has received, read, and understands this Exempt Seller Disclosure form.**

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
 Buyer \_\_\_\_\_ Date \_\_\_\_\_

© 2023, California Association of REALTORS®, Inc. United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS®. NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL. This form is made available to real estate professionals through an agreement with or purchase from the California Association of REALTORS®. It is not intended to identify the user as a REALTOR®, REALTOR® is a registered collective membership mark which may be used only by members of the NATIONAL ASSOCIATION OF REALTORS® who subscribe to its Code of Ethics.

**R** Published and Distributed by:  
**E** REAL ESTATE BUSINESS SERVICES, LLC.  
**B** a subsidiary of the CALIFORNIA ASSOCIATION OF REALTORS®  
**S** c 525 South Virgil Avenue, Los Angeles, California 90020



**ESD REVISED 6/23 (PAGE 1 OF 1)**

**EXEMPT SELLER DISCLOSURE (ESD PAGE 1 OF 1)**