

ADDENDUM TO SLOPE MANAGEMENT PROGRAM

This Addendum to the Stonebrae Country Club Slope Management Program dated March 14, 2005 and known by ENGEO Reference Project No. 4920.1.013.06 (the “SMP”) is submitted by ENGEO Incorporated and made effective for all purposes as of March 1, 2018.

ENGEO Incorporated prepared and transmitted the SMP to Hayward, 1900, Inc. (now Stonebrae L.P.), who adopted, and the City of Hayward approved, the SMP in satisfaction of Condition of Approval #22 for the Blue Rock Country Club Project (now known as Stonebrae Country Club, the “Project”).

During the construction of the Project, ENGEO has:

- (i) continued as the geo-technical advisor for the Project;
- (ii) participated in the design and review of all Project improvements contemplated by the SMP; and
- (iii) conducted onsite construction supervision and testing to validate the actual construction of the improvements contemplated by the SMP.

As part of the recommendations of the SMP, and for the overall benefit of the Project, subdrains are incorporated as part of the construction of the slopes and retaining walls throughout the Project. As constructed these subdrains are located beneath Stonebrae Home Owners Association (HOA) commonly owned parcels, the golf course parcels, as well as privately owned parcels. Outfalls for the subdrains are located in HOA controlled common areas and streets within the Project.

An ambiguity has arisen regarding the responsibilities for the monitoring, maintenance, and repair of these subdrains which have been installed within the Project pursuant to the SMP. The purpose of this Addendum is to clarify the SMP as to the allocation of these responsibilities regarding the subdrains constructed within the Project.

Therefore, Section X of the SMP - Monitoring and Maintenance Schedule – (at page 17) is amended by:

- 1) Substituting the following for the initial paragraph at the beginning of the Section:

X. MAINTENANCE AND MONITORING SCHEDULE

The HOA has the responsibility for performance of the monitoring, maintenance, and repair responsibilities provided for herein. The HOA should be prepared to conduct a minimum of 2 inspections per year. In addition, the HOA’s budget should provide for four or more inspections in years of heavy rainfall. A heavy rainfall event is defined as 2

or more inches of rain is a 24-hour period. Generally, inspections should take place in October, prior to the first significant rainfall; mid-winter as necessary during heavy rainfall years; and in early April at the end of the rainy season. The frequency of the inspections should increase depending upon the intensity and recurrence of rainfall. Site inspections should increase sufficiently to provide for mitigation of potential hazards. The HOA Manager shall keep inspection reports on file in the records of the HOA. The following are guidelines for a monitoring plan. The actual scope and frequency of monitoring events shall be at the discretion of the HOA manager or other responsible party.

- 2) The following is substituted in replacement for the second bullet point in Section X of the SMP as follows:

“All Subsurface drains constructed pursuant to the Geotechnical Corrective Grading Plans shall be inspected, maintained and repaired by the HOA. Subsurface drain outlets should be checked. Water flowing from these outlets should be measured and recorded during each inspection. The inspections should take place at least twice annually, preferably in the fall and spring. Any suspicious interruption in flow should signal a need to unplug or clean by flushing the affected drain and a Certified Engineering Geologist or licensed Geotechnical Engineer should be consulted to determine if any further corrective action or repair should be undertaken.

Any Subsurface drains constructed solely upon the upon the Golf Course are not part of the of the Corrective Grading Plans and are excluded from all obligations of the HOA and accordingly the HOA shall have no responsibility for any monitoring, maintenance, or repair of Subsurface drains. The owner of the Golf Course is encouraged to monitor Subsurface drains upon the golf course and consult with a Certified Engineering Geologist or licensed Geotechnical Engineer if changes in performance are noted.”

This Addendum to the SMP is acknowledged and shall be implemented:

Stonebrae, LP., a Delaware L.P.

Stonebrae Homeowners Association, Inc.,
a California non-profit corporation

By: YCS Nevada, Incorporated,
a Nevada corporation

By: _____
Michael Letchinger, Director

By: _____
Paul W. Yuen, Authorized Representative

By: _____
Michael J. Letchinger, Authorized Representative

The City of Hayward has reviewed and approves this Addendum to the Slope Management Program for Stonebrae Country Club

This _____ day of _____ 2018.

By: _____
Kelly McAdoo
City Manager

Approved as to form:

By: _____
Michael S. Lawson
City Attorney