

ALTA EXTENDED COVERAGE OWNER'S AFFIDAVIT

Escrow No. [to be inserted]

Title order No. [to be inserted]

ON THE _____ DAY OF _____, 2015, before me personally appeared the undersigned, who being duly sworn according to law and intending to be legally bound, deposes and says:

1. I have reviewed Report/Commitment No. _____ dated _____ (“Title Report”), the legal description of which describes the “Property” for purposes of this affidavit.
2. I know of no leases or agreements (recorded or unrecorded) affecting the Property, or other parties in possession, except as described in the Title Report and on the attached Exhibit A. As to those items set forth on Exhibit A, I know of no options to purchase or rights of first refusal contained in the respective leases and/or agreements.

(Exhibit A attached Yes No)

3. I know of no unrecorded claims against the Property, nor any set of facts by reason of which title to the Property might be disputed or questioned, and to the best of my knowledge, the Transbay Joint Powers Authority has been in peaceable and undisputed possession of the Property since title was acquired, except as described in the Title Report and on the attached Exhibit A.
4. I know of no construction, repairs, alterations or improvements made, ordered or contracted to be made on or to the Property, nor materials ordered therefor within the last six months, nor am I aware of any fixtures attached to the Property which have not been paid for in full, except as described in the Title Report and referenced on the attached Exhibit A.
5. To the best of my knowledge there has been no violation of any covenants, conditions or restrictions of record affecting the Property, and I know of no disputes with any adjoining property owners as to the location of property lines or the encroachment of any improvements, except as described in the Title Report and on the attached Exhibit A.

This affidavit is made for the purpose of aiding Chicago Title Insurance Company in determining the insurability of title to the Property, and to induce said company to issue its policies of title insurance and the affiant avers the foregoing statements are true and correct to the best of my knowledge and belief.

I understand that the purchaser and Title Insurance Company in this transaction are relying on the representations contained herein in purchasing and insuring same, and would not purchase and insure same unless said representations were made.

EXECUTED this _____ day of _____, 2015

By: _____

Name: Maria Ayerdi-Kaplan
Title: Executive Director, Transbay Joint Powers Authority

Address: 201 Mission Street, Suite 2100
San Francisco, CA 94105

Phone: (415) 597-4620

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 2015, before me, _____, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A
to ALTA EXTENDED COVERAGE OWNER'S AFFIDAVIT
Escrow No. [to be inserted]
Title Order No. [to be inserted]

TJPA Contract No. 08-04-CMGC-000, Construction Manager/General Contractor Services for the Construction of the Transbay Transit Center Building and Related Structures, to the joint venture of Webcor Builders and Obayashi Corporation, approved March 12, 2009, as subsequently amended.

The following agreements to be executed between TJPA and the purchaser of the Property at closing:

Easements for Transbay Subsurface Facilities and Transbay Venting Facilities (Train Box Easement)

Parcel F Reservation Agreement

Parcel F Pedestrian Bridge Easement Agreement

Parcel F Bus Ramp Easement Agreement

Security Agreement for Parcel F Project