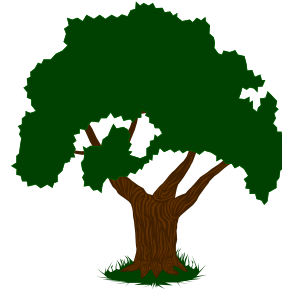

APPENDIX E

ARBORIST REPORT

**John J. Leone, Certified
Arborist**

4361 Carol Avenue
Fremont, CA 94538
510/657-3299
510-449-3654 cell

ArboriohnL@aol.com



May 19,2021

Nina Mu

Re: 972 Elm Street, San Jose CA

Dear Nina Mu,

Enclosed is the revised Arborist Report for the trees located at the above referenced property in the College Park area of San Jose. Thank you so much for giving me the opportunity to assist you with your project. Should you have any questions, or require any additional information, please contact me at my cell number 510/449-3654. Again, thank you for the opportunity to assist you.

Sincerely,

John J. Leone
Certified Arborist, I.S.A. W.C. #W.E.1056A
In the Landscape and Horticulture field since 1977

Purpose

At the request of Nina Mu, I prepared an Arborist Report for the trees located at 972 Elm Street, in San Jose, CA. This report is for the purpose of a completing an inventory of all applicable and their species, on the site including plotting their locations.

There are no defined Heritage trees on the property listed above.

The report includes full documentation with the following elements: Structure and Health Condition Comments page, photographs, site layout plan, Basic Tree Protection Guidelines, and a Glossary of Terms. Additionally, the Arborist Report includes a Tree Chart with the following information:

- * Tree number,
- * Full botanical name,
- * Common name,
- * Brief description,
- * Preservation rating,
- * Overall condition of the trees.

Field documentation

* I arrived at the property site, on October 28th, 2020. The weather was calm, dry and warm, with clear skies.

* I made all my inspections and observations, noting the trees and their condition at the location, given the time of year, and the lack of any maintenance on the trees.

* All measuring devices used for report documentations are approved by the International Society of Arboriculture and the American Society of Consulting Arborists.

* A Sony digital camera was used for taking photos of the trees, either individually or in groups.

* The trees are tagged with a oval sized aluminum tag with corresponding numbers as detailed in the chart.

Structure and Health Condition Comments

Tree #1, Holly Tree, Ilex specie: 6" DBH, an 18.8" circumference, and an 8' canopy. The tree is in poor condition and is in need of extensive pruning and shaping. There are areas of included bark; however, no decay is present. Tree foliage is sparse, has been neglected, is drought stressed, and has no preservation rating.

Tree # 2, Almond tree species: appx. 38" DBH combined, multiple main stem trunk, a 119.4" circumference, and an 18' canopy. Tree is in decline and struggling to survive due to drought stress and neglect. Tree is leaning a bit to the east, and appears to have had no maintenance for a long time. Some dead twigs and branches are present. Tree has no preservation value, and should be removed.

Tree # 3, Citrus species, Grapefruit tree: 15" DBH, a 47.1" circumference, and a 26' drip canopy. This tree is a mature fruit bearing which is in fair to good condition. Foliage is lush, dark-green, and full, with plenty of fruit within the canopy. Tree has a moderate preservation value.

Tree # 4, Citrus species, Orange tree: 6" DBH, an 18.8" circumference, and a 6' drip canopy. Tree is neglected, drought stressed, and in poor condition. Tree has no preservation value.

Tree # 5, Pomegranate species: Tree has many multiple stems growing from a common point in the ground, app. 36" DBH, a 113.1" circumference, and a 25' canopy. The tree has plenty of fruit growing within the canopy and is going dormant at the time of the inspections. Tree has no preservation value.

Tree # 6, Willow species, Salix species: 18" DBH combined with appx., a 56.5" circumference, and a 24' canopy. Overall tree structure is poor due to the wide apex ratio within the crotch. The tree is in fair to poor condition and has no preservation value.

Tree # 7, Eriobotrya japonica, Loquat tree: 7" DBH, a 22" circumference, and an appx. 8' canopy. Foliage is sparse, and the structure is poor and chaotic. Some dead twigs and branches are present and the tree appears to have been neglected for a long time. This tree is in poor condition and has no preservation value.

Tree # 8, Olea species, Olive species: 30" DBH combined, a 94.2" circumference, and a 41' drip canopy. Overall foliage is lush, medium-green, and full; however, the tree appears somewhat drought stressed. There are a few broken branches present within the canopy at the time of the inspections. This tree is in fair to poor condition due to its overall structure, with wide apex ratio at the ground level crotch, with reaching branches. Tree and has a low preservation value.

Structure and Health Condition Comments continued...

Tree # 9, Umbellularia californica, Calif. Bay tree: Tree has multiple main stems coming from a common point with a total of 38" DBH, a 119.4" circumference, and a 41' drip canopy. Overall structure is fair. The foliage is medium-green, full, lush, and thriving, with no signs of any diseases, infestations, or nutrient deficiencies at this time. There is no decay present at this time.

Tree has a low preservation value.

Tree # 10, Plum species, fruit tree: 12" DBH, with a 37.7" circumference. Tree is in poor overall condition with evidence of boring insects throughout the canopy on major branches, and the trunk. Decay is present in many areas of the large branches. Tree has no preservation value and should be removed.

Tree # 11, Citrus species, Orange species: 10" DBH combined, with a 31.4" circumference. Tree is in poor condition due to neglect and drought stress. Leaves are yellowing, and are deficient in nutrients and moisture. Tree has no preservation value and should be removed.

Reasons for Tree Removal

- * Construction: Excessive construction impact is unavoidable, and it may not be worthwhile to save the tree. Is located too closely to existing or proposed structures.
- * Condition: The tree may have poor structure, low vigor, be diseased, or have potential structure failure issues.
- * Landscaping: Tree is being removed because it does not fit in with or conflicts with a proposed new landscape scheme. Interferes with utility services. May be replaced by approved plantings.
- * Species: The tree may be considered a poor species. Acts as a host for a plant which is parasitic to another species of tree which is in danger of being infested or exterminated by the parasite.
- * Risk: The tree presents a moderate or extreme risk or potential hazard to people or the property around it. Is a substantial fire hazard.

Rating Trees on the Charts

Excellent: These trees are in unusually good health and condition. The trees are free of disease, infestations, structural defects, moisture, or nutrient deficiencies. Excellent trees are usually aesthetically pleasing, high quality species, or in a highly visual location.

Good: These trees may have a few minor defects or their conditions may require some kind of professional attention. Usually with some minor work, the trees can be improved and will thrive. Good trees may require a small amount of pruning, a few broken limbs might be present, or may need other treatment. They may provide some benefit to the location site or the environment.

Fair: This categorizes a majority of average trees. They may have a combination of problems and issues which include structural defects, combination of deficiencies, or general health problems. Fair trees may also include a poor choice of tree for the given location or site. These trees may require horticultural management to try to save them, or could be considered for removal.

Poor: This category is for trees which have severe defects, health, and structural defects. Trees which are poor will usually decline regardless of proper care or extensive treatment to improve its general health and condition. This classification may also qualify as a poor choice of tree species in a given landscape or environment which has or will have a great potential for being a liability or nuisance. Trees classified as poor are recommended to be removed and replaced with a more aesthetically pleasant species where people and property are considered.

Certification of Performance

I, John J. Leone, Certify,

- That I have personally inspected the trees and the property referred to in this report, and have stated my findings as accurately and to the best of my ability.
- That I have no current or prospective interest in the vegetation or the property that is the subject of this report, and have no personal interest or bias with respect to the parties involved.
- That the analysis, opinions, and conclusions stated herein are my own, and are based on current scientific procedures and facts.
- That my analysis, opinions, and conclusions were developed and this report has been prepared according to commonly accepted Arboricultural practices.
- Inspections were performed visually only, and I do not assume responsibility for defects or deficiencies that could only be discovered by probing, coring, excavating, or dissecting.
- I do not provide a guarantee that problems or deficiencies on trees inspected may not arise in the future.
- This report has been prepared exclusively for the use of the contracting, developing, or municipal agencies and parties, and may not be copied partially or in total without prior written consent.

I further certify that I am a member of the International Society of Arboriculture and a Certified Arborist with the organization. In addition to these facts, I have been involved in the practice of Arboriculture and the care and study of trees and landscape since 1977.

John J. Leone
I.S.A. Certified Arborist # WC 1056A.

References

Richard Harris; 1992 Arbor Culture – Integrated Management of Landscape Trees, Shrubs and Vines, Second Edition, Prentice Hall, Inc. Englewood Cliffs, New Jersey.

International Society of Arboriculture, Western Chapter

American Society of Consulting Arborists

Bay Area Landscape Supervisors Forum

Sunset Western Garden Book; copyright 2001

Master Gardner Program, U.C. Extension Program, Santa Clara County

Species Classification and Group Assignment; Guide for Plant Appraisal, 9th Edition, published by the International Society of Arboriculture.

Tree and Root Protection Guidelines

- * During construction, root protection is essential to the survival and safety of any established trees.
- * A written agreement should be made between the developer and the construction company with a clear understanding and procedure of these guidelines.
- * Driving vehicles and equipment, or stacking materials under the drip line of trees **is prohibited**. Heavy activity under the drip line will cause compaction, and compromise the health of the tree; thereby causing the tree to eventually perish. The drip line starts at the edge of the branches of the tree.
- * It is highly recommended a Project Arborist inspect the tree protection measures and devices before demolition and construction begins. It is highly recommended a Certified Arborist be hired by the construction company or the developer, to do periodic, monthly inspections of preserved trees. The protection practices must remain in place in order to insure the survival of the trees during and after the construction process.
- * Driving vehicles and equipment, or stacking materials under the drip line of trees **is prohibited**. Heavy activity under the drip line will cause compaction, and compromise the health of the tree; thereby causing the tree to eventually perish. The drip line starts at the edge of the branches of the tree.
- * Install a substantial non movable tree protection fence (i.e., chain link fence) to protect the roots, trunk, and branches of the trees to be preserved within the construction zone. The fence must be 6' chain link fencing and extend to the drip line or outer edge of the branches of the tree. 2" diameter posts, 10' long to the need to be securely driven into the ground 24 inches, until construction is complete. A weather proof sign posted on the fencing which reads, "Authorized Persons Only." Access inside the protection area must be provided by some kind of secure gate or similar device.
- * **Absolutely no** soil grade changes should occur in the root zones or drip line of the trees. No piling of soil or scraping of soil should occur within the drip line or at least 12 feet from the trunk of the tree.
- * Store soil intended for later use in piles located well outside of the root zones of trees to be preserved.
- * Cutting of buttress roots is to be prohibited, as it can cause instability with the structure of the tree. Buttress roots are located directly under the bark flare at the bottom of the tree.

Tree and Root Protection Guidelines continued...

- * Cutting of branches more than 1 inch in diameter must be done by a bonded and insured tree maintenance company with a Certified Arborist on staff.
- * Cutting roots over 3 inches in diameter must be done under the supervision of a Certified Arborist. Using a pruning saw to make clean cuts will encourage compartmentalize and heal properly, without causing decay.
- * When trenching, tunnel under roots larger than 3 inches in diameter.
- * Large roots exposed by excavation must be covered with burlap and kept damp to keep them from drying out. Trenching and shredding large roots within the drip line of the tree increases the chances of tree instability and mortality.
- * Washing of paints, solvents, or concrete materials within the drip line of the tree must be prohibited. A concrete washout must be provided. Paints, solvents, and concrete residues are toxic to plant materials and will cause them to decline or die.

Glossary of Terms

Aeration - Providing oxygen to the root system.

Branch Bark Ridge – A ridge of bark that forms in the branch crotches, where they meet, as specialized tissue of the branch and trunk. The bark ridge usually turns upward.

Caliper – Diameter of trunks or trunk at 4 feet 5 inches above the ground level.

Critical root zone – The root system of a tree that is generally considered to be within and under the drip line of the crown of the tree. It is the portion of the root system that is the minimum necessary to maintain the vitality and stability of the tree. Encroachment or damage to the critical zone will put the tree at risk of failure.

Crown – The full complement of branches, twigs, and leaves of a tree.

Decay – Changes over time of a host tree by a decay organism that results in the breakdown of tissues, wood, and bark, which can cause the tree or its parts to become weak.

Decline – A general loss of vitality over the entire tree caused by a disease or by a series of events that disrupt essential life processes such as too little water, too much fertilizer, improper pruning, soil compaction, or chemical pollution.

Drip line – The area under the canopy of a tree that is equal to the total branch spread.

Dieback – Death of shoots and branches, generally from the tip to the base.

Exotic Tree – Tree not native to California.

Included Bark – Pattern of development at branch junction where bark is turned inward rather than pushed outward.

Mulch – Wood chips or green waste used to hold in moisture and regulate the temperature of the soil.

Native Tree – Tree indigenous to California.

Root System- The portion of the tree containing the root organs, including buttress roots, transport roots, and fine absorbing roots; all underground parts of the tree.

Glossary of Terms continued...

Root Zone -The area and volume of soil around the tree in which roots are normally found. May extend to three or more times the branch spread of the tree or several times the height of the tree.

Suppressed – Trees that have been overtopped, and whose crown development is restricted.

Tree protection zone – A designated area around trees where maximum protection and preservation efforts are implemented.

Vigor - Overall health of the tree.

Tree Chart
972 Elm Street, San Jose, CA
(revised May 19, 2021)

TREE #	BOTANICAL NAME	COMMON NAME	DBH (in.)	CIRC (in.)	CANOPY (ft.)	CONDITION/OBSERVATION	COMMENTS
1	Ilex species	Holly Tree	6	18.8	8	<ul style="list-style-type: none"> - Tree is leaning somewhat to the southwest. - Tree has areas of included bark; however, no decay is present at this time. - Foliage is sparse. - The tree is in poor condition due to neglect and drought stress. - This tree has no preservation value. 	Remove this tree.
2	Prunus species	Almond tree species	38 comb.	119.4	33	<ul style="list-style-type: none"> - Tree has a multiple main stem trunk. - The tree is in poor overall structural condition with no signs of disease, infestations, decay, biological or mechanical damages of any kind at this time. - Tree is leaning to the east slightly, and appears to have had no maintenance. - Dead twigs and branches are present. - This tree has no preservation value. 	Remove this tree.
3	Citrus species	Grapefruit	15	47.1	26	<ul style="list-style-type: none"> - Tree has a single main stem leader from the ground to the canopy. - The tree is in fair to good condition with no signs of disease, infestations, decay, biological or mechanical damages of any kind at this time. - Tree foliage is full, lush, medium-green and thriving at this time. - This tree has a moderate preservation value. 	Tree is scheduled for removal, pending approval by the city planning dept.

TREE #	BOTANICAL NAME	COMMON NAME	DBH (in.)	CIRC (in.)	CANOPY (ft.)	CONDITION/OBSERVATION	COMMENTS
4	Citrus species	Orange	6	18.8	6	<ul style="list-style-type: none"> - Tree has a single main stem leader from the ground to the canopy. - The tree is in poor condition due to drought stress and neglect. - This tree has no preservation value. 	Tree is scheduled for removal, pending approval by the city planning dept.
5	Pomegranate species	Pomegranate	App. 36" comb. Multi. Stems	113.1	25	<ul style="list-style-type: none"> - The tree is in poor overall structural condition with multiple main stems growing from the ground. - Tree has plenty of fruit and leaves within the canopy and is are going dormant at the time of the inspections. - This tree has no preservation value. 	Tree is scheduled for removal, pending approval by the city planning dept.
6	Salix species	Willow species	18 comb.	56.5	Appx. 24	<ul style="list-style-type: none"> - Tree has a large apex ratio at the main crotch, which has the potential to fail. - Tree is in fair to poor condition. - Foliage is healthy and thriving, and displays medium-green color. - Tree has no preservation value. 	Tree is scheduled for removal, pending approval by the city planning dept.

TREE #	BOTANICAL NAME	COMMON NAME	DBH (in.)	CIRC (in.)	CANOPY (ft.)	CONDITION/OBSERVATION	COMMENTS
7	Eriobotrya japonica	Loquat tree	7	22	8	<ul style="list-style-type: none"> - The tree is in poor condition. - Tree has a poor overall structure which is chaotic and neglected. - Overall, foliage is lush, medium-green, and full. - Tree has some dead twigs and branches within the canopy. - This tree has no preservation value. 	Remove this tree.
8	Olea	Olive	30 comb.	94.2	41	<ul style="list-style-type: none"> - Tree is in poor condition with a poor overall canopy structure. - Tree has a wide apex ratio at the crotch, which could fail. - There are broken branches present within the canopy. - Foliage is lush, medium-green, and full; however, the tree appears somewhat drought stressed. - Tree has no preservation value. 	Remove this tree.
9	Umbellularia californica	California Bay Laurel	38 comb.	119.4	41	<ul style="list-style-type: none"> - Tree is in fair condition. - Tree has a canopy of many main stems coming from a common point from the ground. - Tree foliage is lush, full, medium-green, thriving, with no signs of infestation, disease, decay at this time. - No sign of decay on the structure canopy or branches of this tree at this time. - Tree has a low preservation value because of its species. 	Tree is scheduled for removal, pending approval by the city planning dept.

TREE #	BOTANICAL NAME	COMMON NAME	DBH (in.)	CIRC (in.)	CANOPY (ft.)	CONDITION/OBSERVATION	COMMENTS
10	Plum Fruit tree species	Plum	12"	37.7	~	<ul style="list-style-type: none"> - Tree is in poor condition with many dead, decayed, and broken limbs. - Tree is infested with boring type insects. - Tree has no preservation value. 	Remove this tree.
11	Citrus species	Orange	10	31.4	~	<ul style="list-style-type: none"> - Tree has a multiple main stem leader from the ground to the canopy. - Foliage is sparse throughout the canopy of this tree. - Existing foliage shows signs of nutrient and moisture deficiencies. - The tree is in poor condition due to drought stress and neglect. - This tree has no preservation value. 	Remove this tree.



Tree #2



Tree #1



Tree #3



Tree #4



Tree #5



Tree #6



Tree #7



Tree #8



Tree #9



Tree #10



Tree #11



Tree #5



SURVEY PREPARED FOR
CN ONE INVESTMENT LLC
JULY, 2020

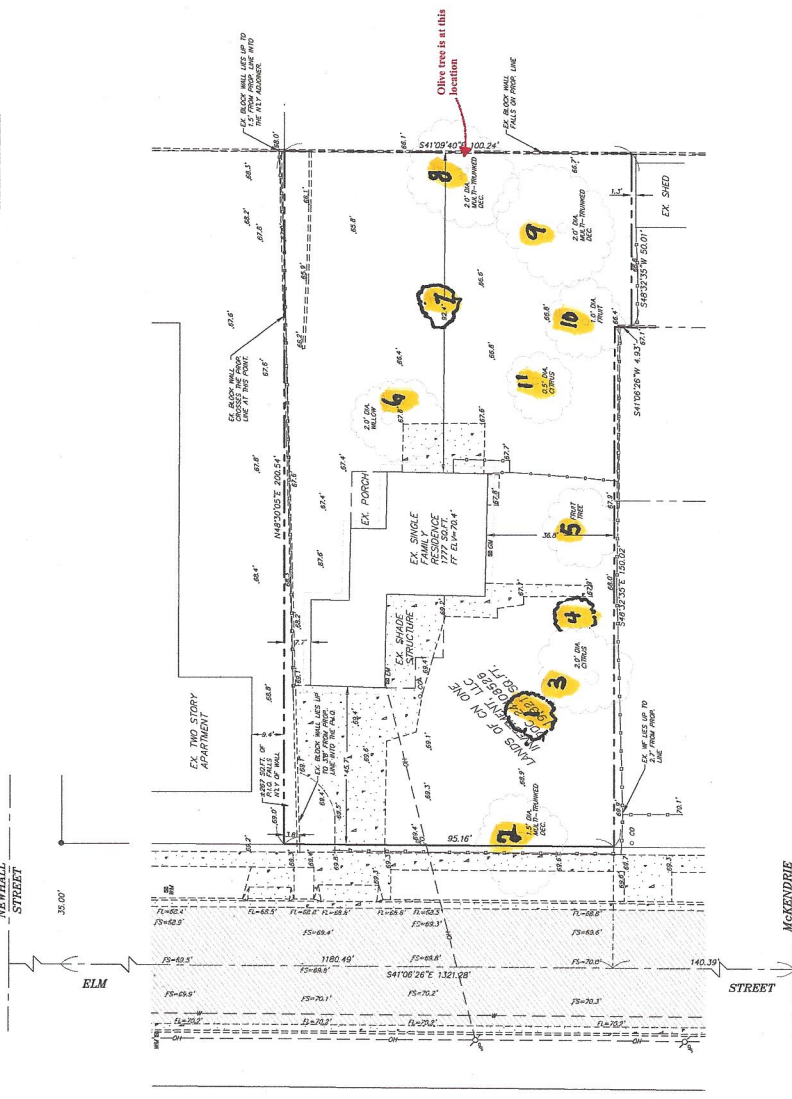
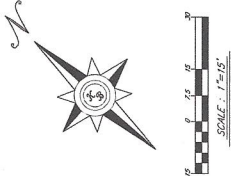
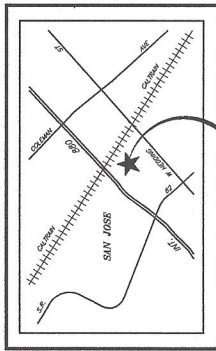
THE BRONSON COMPANY
SURVEYING SERVICES
6208 EPPS DRIVE
WINNITON, CA 95388
(209)606-7340
kevin@thebronsonco.com

TOPOGRAPHIC SURVEY OF
792 ELM STREET
CITY OF SAN JOSE,
COUNTY OF SANTA CLARA,
STATE OF CALIFORNIA

DATE	
NO. REVISIONS	
PROJECT NUMBER	
JOB NUMBER	
CONTRACTOR BY	
DATE	
SHEET	
JULY 09, 2020	
CAD FILE	
JOB NUMBER	3169
SHEET	S1 OF 1

TOPOGRAPHIC & BOUNDARY SURVEY OF

972 ELM ST
SAN JOSE, CA 95126
APN 230-41-025



LEGEND:

ASPHALT
CONCRETE
CHISEL AND OUTLET
SHADY STENCIL MARK
GRAVEL
SMOOTH STENCIL CLEAROUT
SHADY STENCIL UNIT LINE
WATER LINE
IR IRRIGATION METER
IR IRRIGATION FAUCET
IR IRRIGATION METER
GAS METER
ELECTRIC METER
WOOD FENCE
CHAIN LINK FENCE
FOUND MONUMENT PERK ROD/BRANDES

BENCHMARK:
CITY OF SAN JOSE BENCHMARK 417, A CHISELED SQUARE ON TOP OF THE CURB ON THE NW CORNER OF BAYLOR STREET AND ELM STREET, IS THE BASIS OF ALL ELEVATIONS SHOWN ON THIS MAP.

BASIS OF BEARINGS:
THE BEARINGS OF 54150218E BETWEEN FOUND MONUMENTS ON ELK STREET AND MCKENDRIE STREET AS SHOWN ON THE MAP RECORDED IN SAN JOSE CITY RECORDS IS THE BASIS OF BEARINGS FOR THIS SURVEY.

REFERENCES:
R1 BOOK X MAPS 68, SANTA CLARA COUNTY RECORDS

UTILITY NOTES:
THE UTILITIES AS OBTAINED ARE AS THEY ARE BELIEVED TO EXIST BASED ON SURFACE EVIDENCE. UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP AND ARE NOT RESPONSIBLE FOR THE LOCATION OF A SHIM WAS FOUND IN THE CENTER OF THE INTERSECTION OF ELM STREET AND MCKENDRIE STREET WITH A SMALL FLOW FROM THE WEST IN A PIPE, WHICH COMBINED TO FLOW NORTHWEST. ANOTHER SHIM WAS FOUND IN THE CENTER OF THE INTERSECTION OF ELM STREET AND MCKENDRIE STREET WITH A 3/8" SERVICE LINE OF 4" PIPE, WHICH COMBINED TO FLOW NORTH. NO PRODUCE WAS FOUND IN ELM STREET TO SHOW WHERE THE PRODUCE WAS FOUND TO SHOW WHICH DIRECTION THE PRODUCE FLOW FROM THE F.I.D. FLOW.