

From: [Detterman, Karel, Env. Health](#)
To: "Denis DeSaix"
Cc: "Bill Mouat"; april@metrocalappraisal.com
Subject: RE: Reference: Fuel Leak Case No. R00002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608
Date: Tuesday, January 05, 2016 4:43:43 PM
Attachments: [NOR_L_2007-02-22.pdf](#)
[MAPS_ASSESSOR.pdf](#)

Hello Denis:

According to the attached Notice of Responsibility (NOR) sent to the responsible party in February 2007, Alameda County Environmental Health's environmental case R00002936 is comprised of APN 5-478-5-1 only. This determination is tied to the location of the former UST. The two APNs 5-478-8 and 5-478-9 shown on your attached summary are not a part of R00002936; consequently, the proposed parcel split from the environmental case is not needed. Please be aware that some environmental investigations have occurred on these two parcels proposed for merger, and it may be possible for additional environmental investigation to be required on the merged parcel. Please be aware that ACEH does not hold innocent property owners responsible for contamination caused by others; however, ACEH does request (continued) cooperation should that be necessary in the future.

Please e-mail me if you have further questions.

Karel Detterman, PG

Hazardous Materials Specialist

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502

Direct: 510.567.6708

Fax: 510.337.9335

Email: karel.detterman@acgov.org

PDF copies of case files can be downloaded at:

<http://www.acgov.org/aceh/lop/ust.htm>

From: Denis DeSaix [<mailto:denisd@metrocalappraisal.com>]
Sent: Monday, November 23, 2015 11:19 AM
To: Detterman, Karel, Env. Health
Cc: 'Bill Mouat'; april@metrocalappraisal.com
Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Hi, Karel:

I've attached a short summary which I hope provides you with the information you need to help me out.

If you need anything else, just let me know and thanks again!!!

Denis << File: Lot Split_K Detterman 11232015.pdf >>

Denis A. DeSaix, SRA

Principal

State Certified General Appraiser #AG017462

<< OLE Object: Picture (Device Independent Bitmap) >>

Metrocal Appraisal

2450 Armstrong St

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From: Detterman, Karel, Env. Health [<mailto:Karel.Detterman@acgov.org>]
Sent: Thursday, November 19, 2015 1:54 PM
To: 'Denis DeSaix'
Cc: 'Bill Mouat'; april@metrocalappraisal.com

Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Thank you

Karel Detterman, PG

Hazardous Materials Specialist

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From: Denis DeSaix [<mailto:denisd@metrocalappraisal.com>]

Sent: Thursday, November 19, 2015 1:39 PM

To: Detterman, Karel, Env. Health

Cc: 'Bill Mouat'; april@metrocalappraisal.com

Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Will do, Karel (will try to get it to you first thing tomorrow).

And, thank you!

Denis

Denis A. DeSaix, SRA

Principal

State Certified General Appraiser #AG017462

<< OLE Object: Picture (Device Independent Bitmap) >>

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From: Detterman, Karel, Env. Health [<mailto:Karel.Detterman@acgov.org>]

Sent: Thursday, November 19, 2015 1:32 PM

To: 'Denis DeSaix'

Cc: 'Bill Mouat'; april@metrocalappraisal.com

Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Hello Denis:

Please e-mail me a detailed figure showing the proposed parcel split to scale.

Thank you,

Karel Detterman, PG

Hazardous Materials Specialist

Alameda County Environmental Health

1131 Harbor Bay Parkway

Alameda, CA 94502

Direct: 510.567.6708

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<http://www.acgov.org/aceh/lop/ust.htm>

From: Denis DeSaix [<mailto:denisd@metrocalappraisal.com>]
Sent: Friday, November 13, 2015 6:51 AM
To: Detterman, Karel, Env. Health
Cc: 'Bill Mouat'; april@metrocalappraisal.com
Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Outstanding, Karel, and thank you very much!!!!

(Have a great weekend)

Denis

Denis A. DeSaix, SRA

Principal

State Certified General Appraiser #AG017462

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From: Detterman, Karel, Env. Health [<mailto:Karel.Detterman@acgov.org>]
Sent: Thursday, November 12, 2015 11:32 AM
To: 'Denis DeSaix'
Cc: 'Bill Mouat'; april@metrocalappraisal.com
Subject: RE: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Hello Denis:

Thank you for describing your question in an e-mail to me. I understand your question and yes, parcel splitting has occurred successfully on some of my other cases. I will look into it and let you know if I need additional information to respond to your question.

Karel Detterman, PG

Hazardous Materials Specialist

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From: Denis DeSaix [<mailto:denisd@metrocalappraisal.com>]

Sent: Tuesday, November 10, 2015 2:07 PM

To: Detterman, Karel, Env. Health

Cc: 'Bill Mouat'; april@metrocalappraisal.com

Subject: Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608

Hello, Karel:

My name is Denis DeSaix and I am an appraiser who has been engaged by Mr. Bill Mouat who is managing the property referenced above (3442 Adeline St, Oakland).

I am doing some feasibility analysis for Mr. Mouat and I was given your name/contact information by AEI Consultants. I have what I hope is a relatively simple and straightforward question:

There are two buildings on the above referenced property: one is located at the corner of 35th

St and Chestnut Ave. The other is located along the interior of the street on Chestnut Ave with parking lot access from Adeline St.

This property is currently undergoing remediation for the identified underground storage tank (UST). The remediation process (testing wells, pumps, etc.) are all located within the middle building. From what I understand, the corner building is not subject to the remediation process nor are any testing holes or remediation operations occurring within the confines of the corner building.

I am analyzing development potential at this site. Specifically, I'm looking at the possibility of carving out (lot split) the corner building and area below it from the whole parcel. I have already confirmed with the City of Oakland officials that the site can be subdivided consistent with the existing zoning regulations. But given the UST condition, I wanted to confirm the following with you or someone within your agency:

Assuming the corner building is not required to be part of the remediation-process (wells, test holes, etc.), is there any reason as far as your agency is concerned that the site could not be divided, and the corner building be separated on its own parcel for other use?

I would assume that there may be specifics to any situation that would need to be evaluated, but I'm hoping to get a general answer, e.g., "if the remediation process is limited to an identified area of a site, we generally have no issue with the any lot split" or "we consider the entire parcel to be subject to remediation and therefore we have the authority to object to a lot split" or "it depends; there is a process for this situation and it requires a review", etc.

I have to explore the option and determine if there is a reasonable change of a lot split occurring or not. My question for you is specific to the clean-up/remediation and if a UST clean-up site creates any lot-split issues as far as your agency is concerned. I'm not looking for a legal opinion or ruling, just some feedback about what, in general, can happen in a situation like this as far as your agency is concerned.

I thought I'd email you as I hope my written explanation of the why I'm asking what I'm asking makes sense. However, if you would prefer I call you direct, I'm happy to do so- just let me know what is most convenient for you.

Thanks in advance!

Denis

Denis A. DeSaix, SRA

Principal

State Certified General Appraiser #AG017462

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11/23/2015

Karel Detterman, PG
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Email: karel.detterman@acgov.org

Lot Split Evaluation of 3442 Adeline St/3433 Chestnut St, Oakland, CA

(Reference: Fuel Leak Case No. RO0002936 and GeoTracker Global ID T0600183099, Zimmerman Property, 3442 Adeline St., Oakland, CA 94608)

The property in question is located at the northeast corner of Chestnut St & 35th St in Oakland, CA. The public records address of the subject is 3433 Chestnut St. There is also another address, 3442 Adeline St; the Adeline Street address is due to the parking lot/yard space accessed via Adeline.

Below is a digital overhead image of the property; the property's lot boundaries are highlighted in red.



The next image identifies the structures/yard area on the subject site.



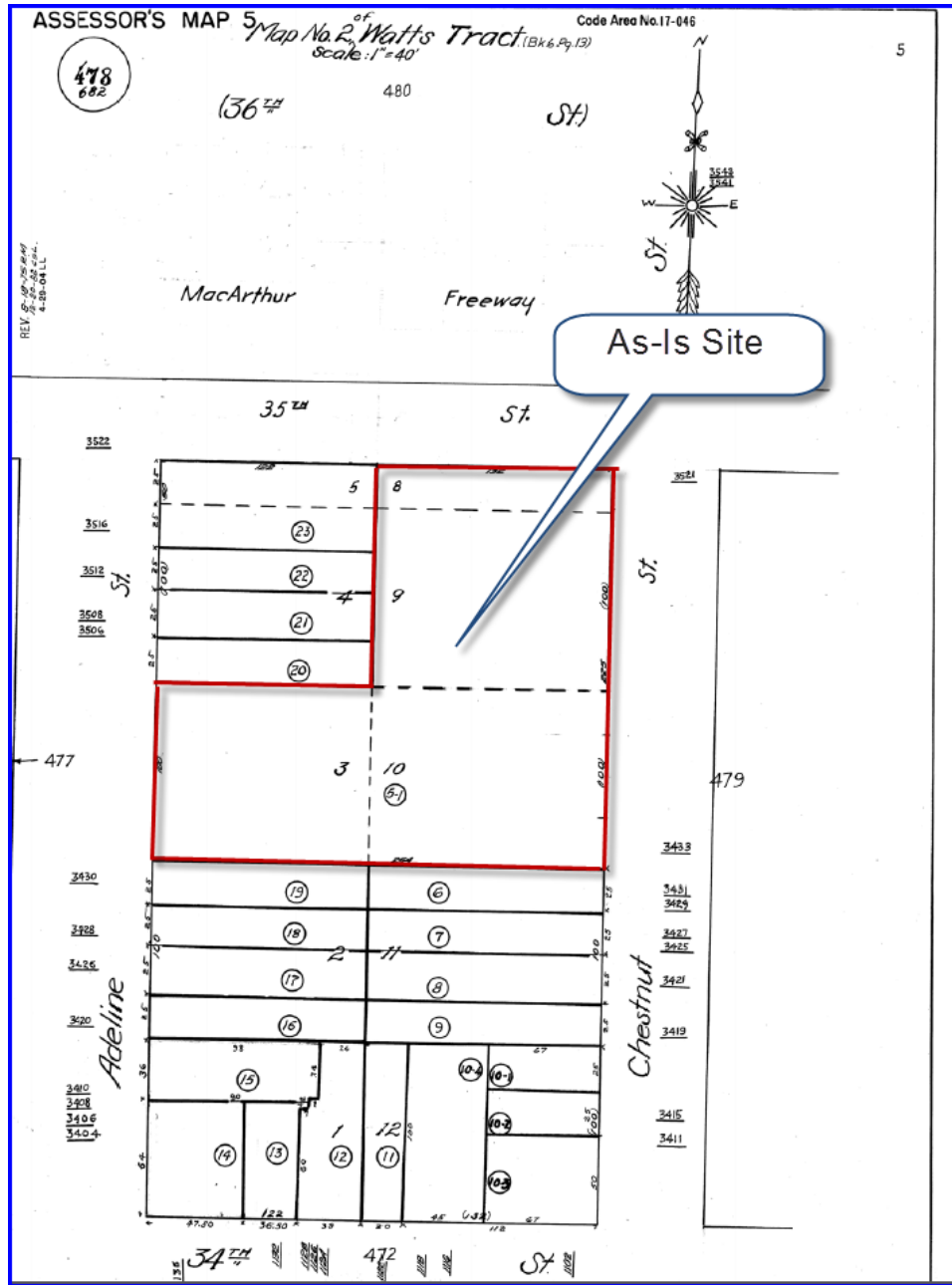
The two large buildings are independent, separate warehouse buildings. The lot split proposal is to separate the lot so that 3433 Chestnut St is on its own, separate lot. The next image shows the proposed lots.

The area in yellow is where the new lot proposal. The area in red is what remains from the original lot.

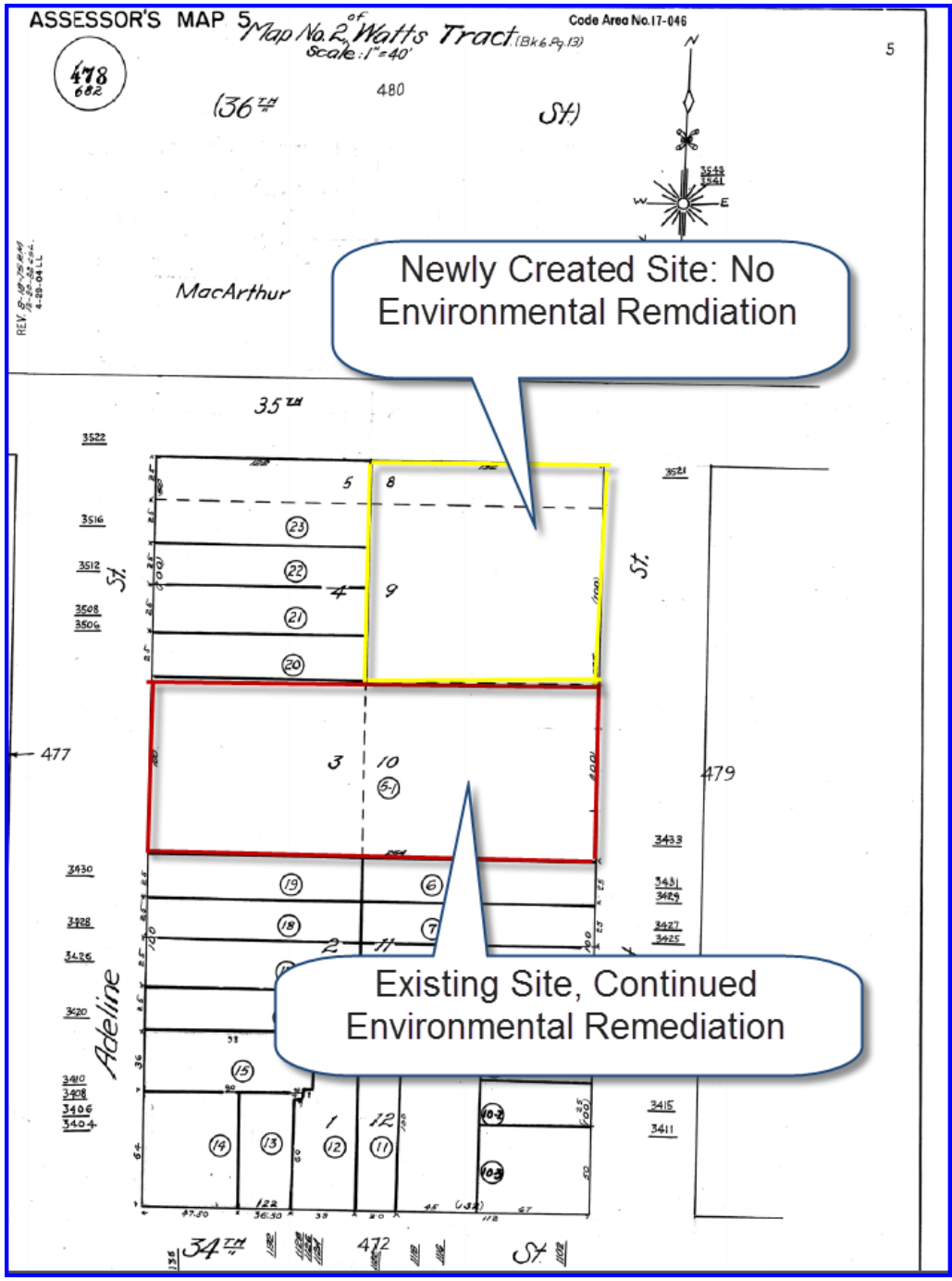


It is our understanding that the clean-up and remediation issues are contained in what is identified as 3442 Adeline St building. It is our understanding that the building and site that would become the new lot (3443 Chestnut St) is not part of the remediation or clean-up site. The proposal is to split the lot along the building lines. Clean-up/remediation would remain on-going and uninterrupted at the existing site (where it now exists) and the new lot would be available for use/development on its own.

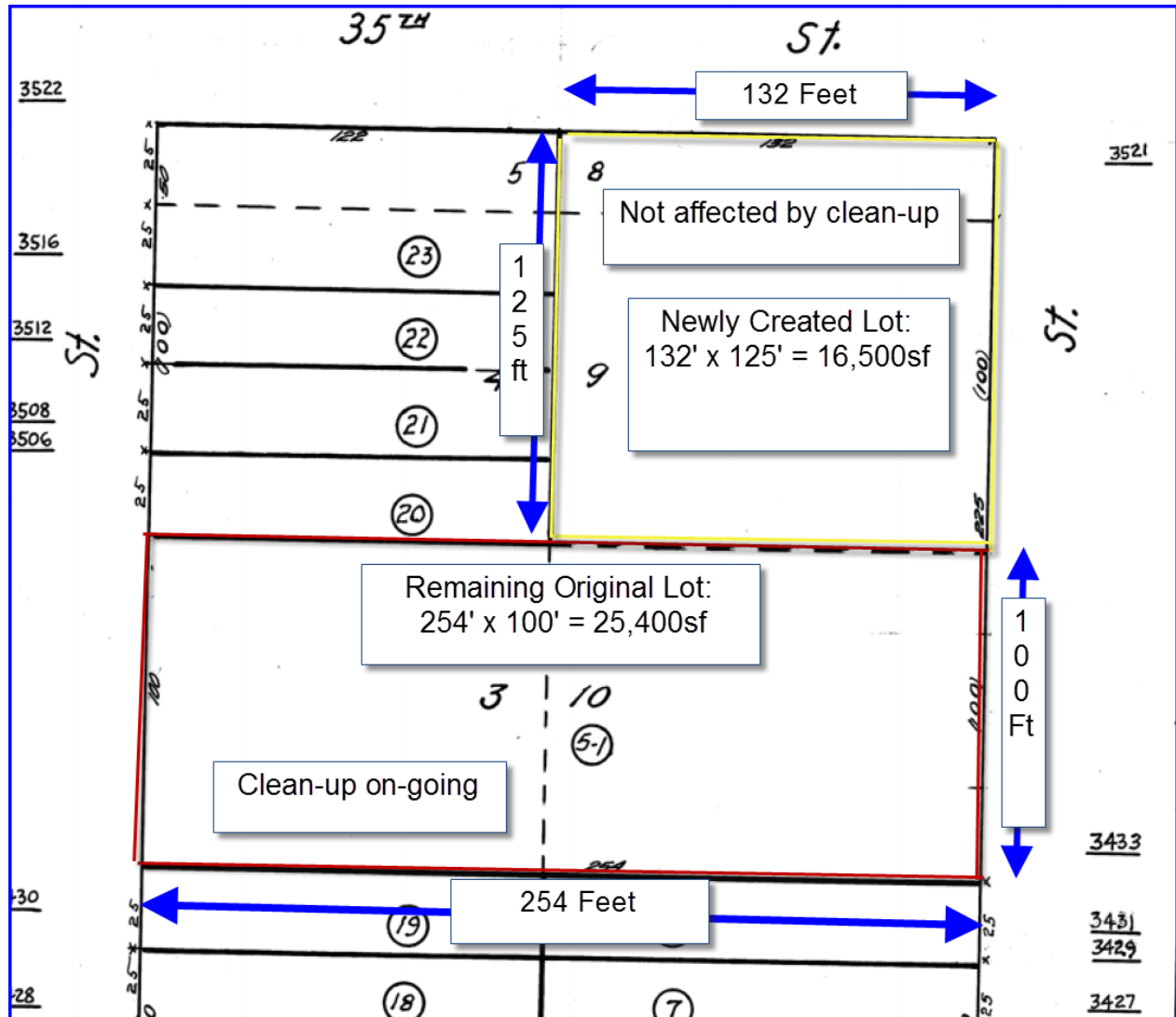
Below is a copy of the County Assessor Tax Map (in the red boundary).



Below is the same map showing the proposed lot and the remaining existing lot.



Finally, the area graphic below identifies the lot split dimensions. The newly created lot measures 16,500sf. The original lot (where the clean-up is occurring) would measure 25,400sf. The newly created lot would contain the single-building located at the corner of Chestnut and 35th St. The remaining original lot would contain the warehouse where the clean-up is on-going and also the yard space (covered and uncovered).



Summary of the Appraisal Issue

The reason for this inquiry is to determine if it is possible, given the above information, to split the lot.

This inquiry is for an appraisal, and the appraisal needs to make a determination if the lot-split is reasonable given the on-going environmental remediation occurring at the existing site.

The legal permissibility of the lot split has been verified with the city; if there were no clean-up issues, a lot split would be allowed. Indeed, the City of Oakland indicates that they have no jurisdiction over the clean-up issues but prior to allowing for a lot split, they would want to confirm with the county that there were no issues.

For the appraisal purposes, a legally binding determination is not necessary if such a determination requires significant approval submission, hearings, additional testing, etc. For the appraisal purpose, if it is (a) possible to do the split and (b) based on the information known, it is likely a split would occur **or** (c) a split would be possible based on what is presented but it would still need to go through some approval-process, then the appraisal can perform a valuation analysis using the appropriate disclosures and assumptions (i.e., *“Based on what has been researched, a lot split can occur and it would be reasonable to assume that, unless something specific is discovered in the approval process, would be allowed to proceed.”*)

If, however, based on what is presented a lot split cannot occur and would not likely be approved, then the appraisal cannot make that assumption.

I’ve provided this background to assist you in evaluating the issue. Any qualifications you think are necessary to include in your feedback of if a lot split is reasonably possible would be appreciated. And, of course, if the answer is, “no way”, that addresses the issue just as well.

Thank you for your time and assistance!

Denis A. DeSaix, SRA
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