

From: Overdevest, Linda <LOverdevest@ctt.com>
To: Lisa Diaz <rdiazfam6@aol.com>
Cc: Donna Rosmaier <lanceanddonna@earthlink.net>; Karen Bailey <kbailey@frazmtn.com>
Subject: Zurich property/escrow 75177Z-L0
Date: Wed, Aug 19, 2009 3:19 pm

Hi Lisa,

I just spoke with Karen Bailey, who represents the Seller on your escrow. If escrow cancels, the Seller indicated that according to the purchase contract, the money in escrow would go to him. Since there needs to be a mutual agreement as to cancellation and disbursement of funds, we will continue to hold the funds until a mutual agreement is reached. Please advise once an agreement has been reached.

Thanks.

Linda Overdevest
Certified Senior Escrow Officer
Chicago Title Company
4015 Coffee Road, Suite 100
Bakersfield, CA 93308
(661) 410-4749 - direct line
(661) 410-4665 - direct fax
loverdevest@ctt.com

From: Lisa Diaz <rdiazfam6@aol.com>
To: LOverdevest@ctt.com
Subject: Re: Zurich Property, PMC
Date: Mon, Aug 17, 2009 2:40 pm

Thank you very much Linda. I absolutely want you to handle it. I have already talked to Donna about it and she advised me to let you know. I will forward the entire email to you so you have it for your records.

Blessings,
The Diaz Family
Rene & Lisa Diaz
15905 Zurich Way #5159
Pine Mountain Club, CA 93222

-----Original Message-----

From: Overdevest, Linda <LOverdevest@ctt.com>

To: Lisa Diaz <rdiazfam6@aol.com>

Sent: Mon, Aug 17, 2009 2:38 pm

Subject: RE: Zurich Property, PMC

Hi Lisa – You should contact your Realtor about the situation and what will happen with a cancellation.

If you go forward with a different property, there will be a new escrow opened. I could handle that for you.

I hope everything works out well for all concerned. J

Linda Overdevest

Certified Senior Escrow Officer

Chicago Title Company

4015 Coffee Road, Suite 100

Bakersfield, CA 93308

(661) 410-4749 -20direct line

(661) 410-4665 - direct fax

loverdevest@ctt.com

From: Lisa Diaz [<mailto:rdiazfam6@aol.com>]

Sent: Monday, August 17, 2009 2:32 PM

To: Overdevest, Linda

Subject: Zurich Property, PMC

Hello Linda,

I am unsure as to how to word this in a manner that is short and to the point. But I am going to give it a try.

Rene and I have been recently advised that Mr. Willoughby is changing our agreement to include no dogs. The problem with that is we have had dogs for the past year and a half. I am not willing to get rid of my dogs just to stay in this house. Rene and I were currently working on our approval for this house and I have now had to stop that process and begin with a house I don't even have in mind. Currently we do not have a lease and are unsure as to how that works. Rene and I will need this money to use as a down on a new home. Would it be possible to continue with you as our escrow account holder for a new home?

Please let me know what has to be done as soon as possible as I have to relocate my kids for school. I appreciate all of the work and help that you have provided Rene and I and would love to continue if possible.

Thanks so much

Lisa Diaz

Blessings,

The Diaz Family

Rene & Lisa Diaz

15905 Zurich Way #5159

Pine Mountain Club, CA 93222

From: Lance & Donna <lanceanddonna@earthlink.net>
To: Lisa Diaz <rdiazfam6@aol.com>
Subject: Re: Zurich Property
Date: Fri, Aug 14, 2009 10:54 am

Lisa and Rene,

I understand about the dogs. I also have pets and parting with them was not something I'd consider under any circumstances. With the lease option situation your lease has changed drastically as a result of Mr. Willoughby not wanting to allow you your dogs. I think you still need to contact escrow and request (in writing) for your earnest money to be returned. You can state your concerns in that letter (I'd keep them brief) as reasons for wanting to end the agreement. I think you must start the process and soon as any delay will be seen as just that and might be considered "breaking" the terms of your lease agreement/option to purchase.

I also understand about Rene being transferred further away from home has created a burden for the family. That's a hard thing to deal with. Neighbor issues come about whether you're renting or buying a house and have happened to all of us. It's unfortunate that it's been a problem for you in PMC.

Please let me know how this all works out. I do hope the very best for you and know that originally you wanted this to be the answer to your home purchase quest.

Take care.

Donna Rosmaier

From: Lisa Diaz <rdiazfam6@aol.com>
To: kbailey@frazmtn.com
Cc: lanceanddonna@earthlink.net
Subject: Fwd: Zurich Property
Date: Fri, Aug 14, 2009 2:05 am

Hi Karen & Donna,

Donna,

First I would like you to know that I can completely sympathize with you regarding the computer issue. I just bought a new HP Touch Screen and it has crashed twice. I have lost several pictures, documents and files. They will never be recovered. I would recommend cnet.com for downloads to try and recover documents and pictures lost. Most of their downloads are free. Let me know how it turns out for you.

Donna & Karen,

I would like to touch on the statement indicating that I was not or am not happy up here. That is not completely true. When we first moved up here I was not happy, but it had nothing to do with the area. I was not happy about one issue pertaining to the house. This was the fact that the house smelled like urine. It didn't matter how many times I cleaned the carpet, it continued to smell. There was also the issue of our neighbors, the Smiths. Our first week here Mr. Smith actually walked over to request that he turn his music down. Mind you it was 3:00 in the afternoon and we had just finished weeding the yard and he was watering. I now that the music was not loud, nor

was he able to hear it from his house because I was talking to Ginnie next door and I was able to hear her (as she stood on her driveway) and she could hear me (as I stood on my walkway). The next issue was about 1 1/2 months later when patrol came out to our house because Rene was playing his drums (not at the normal level he usually plays). When patrol came to our door he stated that he had received a call from our neighbors but he was not too sure why because he could barely hear it from the street so he couldn't understand how they could hear it at their house (as he pointed to the Smiths home). It didn't stop there. Rene was practicing for "Shakespeare in the Park", a community event, and patrol was called out each time and each time patrol couldn't understand what the issue was. So they quit practicing. Then the issue with my dogs barking started once my dog Sophie (a present from my husband) arrived. Meantime we had already had Scruffy (the dog that is the barker) for one year and never received one complaint. Once Sophie came all of a sudden it was a problem and she wasn't even outside yet. Soon after that an article was published in the Condor providing everybody information on exactly how to find my home. Making me feel uncomfortable because I was at home alone with my kids all week because of a job reassignment Rene was given by his job (in Keeler, CA). This meant that he was not able to come home until the weekend.

"I read with interest, that eight spaces are available for motor homes and trailers. With that in mind, can you visit the home on Zurich with the huge trailer and truck, plus the other vehicles and ask them to use one of the eight spaces for their trailer? That way, they can park their truck further back. Please look into other "offenders" storing trailers, boats and mobile homes in front of their properties." (January 2009 issue)

First of all I had been placed on the waiting list from the first week we lived here. It just so happens that they didn't have the space for a trailer of our size. Not to mention that nowhere in the CC&R does it state you cannot park a trailer in your yard / driveway. It does however state that you cannot use one as a living quarters. Had Mrs. Smith read her January of 2008 Condor, she would have seen this. Also, I don't understand why she feels that she can tell us how and where to park our truck.

The next thing that happened somewhat proved to me that we were not doing anything to violate the rules; however we were just not what they had expected as a neighbor. Rene and I and the kids chose to invite Bent and his kids over for a Banana Split. When they arrived we sat down at the table to enjoy our treat and had to sit and listen to Bent make rude and derogatory comments about Mexicans. Now remember, I have one daughter who is full Mexican, another who is half Mexican and a husband who is 3/4 Mexican. Not to mention that all of my kids were at the table with us. It was at that point that I finally realized what was going on. A majority of the phone calls to patrol about our dogs barking were made by Bent. I explained this to the head of security and he stated that he does not want to believe it to be true but knows that it would explain the excess of calls. During this time we had a gentleman living next to Bent that was riding his dirt bike up and down the street causing my dogs to bark. I think it was about 1 1/2 weeks ago that I caught him parked in front of our house revving his engine as he stared at the dogs laughing. He was then caught by patrol and asked to remove his dirt bike from the area. Since then we have not had any complaints nor has patrol showed up at my door. It has finally been very peaceful. I would also like to point out something else that made me a bit concerned. We have new neighbors across the street and I noticed that one of their visitors had parked their truck on the street causing passing cars to stop suddenly. I decided to contact patrol to advise them of this and received the following response: "is it a blue dodge" I replied "yes" and he responded with "oh, don't worry I know them". I think at that point it became very clear to me that the only way you will survive on this mountain is if you know someone and you're not Mexican.

I love this mountain, but since this has happened I have been placed on medication for anxiety because the complaints were not warranted most of the time and I lost numerous nights' sleep

trying to keep my dogs from barking at all. It has been very stressful. Now I am faced with the option of getting rid of my dogs and staying here or keeping them and finding somewhere else to live. Giving away a dog because they are doing their job and protecting this house is not an option with me. My dogs will only bark when someone they don't know comes onto the property or they feel threatened by the bears that have been around (because a woman on Bernina was caught feeding them). I was even told that I could take them to the vet and have their vocal cords cut (leaving them nothing to defend themselves against the elements had they gotten loose) or running shocks of electricity through their body. Neither of those are humane options so therefore will not even be considered.

I never reported this to you Donna because you would have been bombarded with phone calls and I figured that I would try and handle it since we were going to buying the house.

So, at this point I feel that it would in the best interest for all involved that we part as friends. Unfortunately complying with what Mr. Willoughby wants two years into this would be not only cruel to my dogs but also to my kids who love these dogs dearly.

Because of these circumstances I don't feel that it would be Rene and I refusing to follow thru with the purchase of this house. It would be that the requirements are being changed after the fact. This is why I was concerned about the escrow money because now I have had to request the lender to stop the process on this house and start it on a property that I don't even have in mind yet. The escrow money is the only way I will be able to come out of this with a place for my family to have a roof over their head.

If I implied that I thought you were avoiding you Donna I am sorry. I didn't feel that at all. I just became very worried that we were going to be displaced and have no finances to help us in such a short time. The economy has not been one where Rene and I have been able to save any money. This relocation that he has had to take has caused us great worry because of all the job cuts the City of LA has made. It was not an option. Rene took it to knowing that we would be alright up here. Not to mention that I will have to move away from my mom and dad and worry about them because they are alone up here. So you see, all of this has caused great stress and concern for me and my family.

Blessings,
The Diaz Family
Rene & Lisa Diaz
15905 Zurich Way #5159
Pine Mountain Club, CA 93222

-----Original Message-----

From: Lance & Donna <lanceanddonna@earthlink.net>

To: Lisa Diaz <rdiazfam6@aol.com>

Cc: Karen Bailey <kbailey@frazmtn.com>

Sent: Wed, Aug 12, 2009 3:10 pm

Subject: Re: Zurich Property

Lisa, Rene & Karen,

I've just now gotten my computer back up and running again. My hard drive crashed and I lost some of my programs, information and files as a result. If anyone has experienced something like this you know just how difficult it is to rebuild what you had.

I just now received your emails Lisa. I was not avoiding you however I take the urgency of your situation seriously. Having not heard from you or Rene about this or anything else to do with the property since last Spring when you ran into financial difficulty and had to have the option on your home purchase renegotiated I'm at a loss for details as to just how your current situation occurred. I am not a property manager nor am I a lawyer so asking me for assurances about your contract and obligations as such I can not provide you with answers, I can only provide my opinion.

You had a lease with Mr. Willoughby and if you both kept to the terms of the lease then it should be spelled out there. Also breaking the lease by either party should be addressed there as well. If you are at a new period where your lease is being renegotiated I would think changes to that lease would be allowed by either party as long as it's agreed to by both parties. From what your email indicated you are unhappy being in the neighborhood and that Mr. Willoughby is asking you to no longer have pets on the premises. Is that about it? It sounds like you don't want to get rid of your animals and are unhappy there thus want to move. It's not his fault that you are unable to find another rental in PMC. Rene mentioned last Spring you weren't very happy in PMC but it seemed financial more than anything from what I understood.

You have had several situations occur while under contract with your lease option. One, the housing market has been severely effected by the economic conditions and pricing for the home by that contract is no longer viable. The home would never appraise for that now. However it is still a contract. Only an attorney would be able to explain to you what your legal obligations and that of Mr. Willoughby would be. Hopefully it won't have to get that far.

My opinion would be that Mr. Willoughby is a reasonable person and understands that even if you still wanted to buy the home at the price you'd discussed and agreed to over 2 years ago, it is not possible for various reasons. I wouldn't imagine he'd want you as renters if you don't want to be there or don't want to meet the requirements he wants in a renter of his property. It would make sense to discuss this with Karen as she is Mr. Willoughby's representative as far as your rental contract goes. I was involved with that only as a result of you wanting to purchase the home. As I said I am not a property manager nor did I request you as a renter for that property, I was involved only as was necessary to facilitate your contract to purchase under the lease option.

As you know I haven't lived in PMC for over 8 months now. I also no longer have my real estate license placed with Mountain Properties. I can't sell property or assist you two very well from two states away even if I was still working as an agent in California. It would make sense if you are no longer planning to purchase the home or rent from Mr. Willoughby that you request the money back from escrow. You need to understand it will take both parties to come to an agreement as to who's entitled to what portion of the money. Escrow may also require they be paid for the services they've provided.

Let me know what happens with all of this. I do care what happens as I've spent countless hours as has Karen Bailey trying to get this situation to work for your family and for Mr. Willoughby. I have my own trials and tribulations with my property in PMC that I'm experiencing right now so I'm not without sympathy for your situation there's just not a lot I can do to help you at this point or from here.

Donna Rosmaier

From: Lisa Diaz <rdiazfam6@aol.com>
To: lanceanddonna@earthlink.net
Cc: kbailey@frazmtn.com
Subject: Fwd: Zurich Property
Date: Wed, Aug 12, 2009 1:51 pm

Donna,
Still trying to get in touch with you. I need to make sure that this is not going to prevent us from getting our escrow money back because we have really been placed in a bad situation. We now have to move off the mountain because there is nothing available for us.

Blessings,
The Diaz Family
Rene & Lisa Diaz
15905 Zurich Way #5159
Pine Mountain Club, CA 93222

-----Original Message-----

From: Lisa Diaz <rdiazfam6@aol.com>
To: lanceanddonna@earthlink.net
Sent: Sun, Aug 9, 2009 4:07 pm
Subject: Zurich Property

Hi Donna,

I wanted to send you this email to let you know that we have been placed into a situation where we will no longer be living or purchasing Mr. Willoughby's home. We are being given the option to get rid of our dogs and stay, or keep them and go. Mr. Willoughby will be presenting a new lease that states "no dogs allowed". It seems that our neighbors find it disruptive when my dogs bark because something or someone they don't know is in our yard. We have been having an issue with the gentleman that lives next door to Bent Frederickson riding his dirt bike up and down the street intentionally to irritate my dogs and make them bark. On Thursday or Friday I caught him parked in front of my house on his dirt bike revving his engine laughing at my dogs. There is report on file with security regarding this issue. I wanted to thank you for all that you have done for us, but it just seems that the cards are stacked against us on this block. We have had nothing but problems with some of the neighbors since the day we moved in. I just thought it was because we were new to the "community". I guess not because it has not stopped.

Blessings,
The Diaz Family
Rene & Lisa Diaz
15905 Zurich Way #5159
Pine Mountain Club, CA 93222