

**EXHIBIT B**



# United States Department of the Interior

## BUREAU OF INDIAN AFFAIRS

Central California Agency  
650 Capitol Mall, Suite 8-500  
Sacramento, CA 95814

IN REPLY REFER TO

JUL - 8 2003

### NOTICE OF LAND ACQUISITION APPLICATION OFF-RESERVATION/NON-GAMING

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151, as amended, notice is given of the application filed by the Tule River Tribal Council, to have real property accepted into Trust for the Tule River Indian Tribe of the Tule River Rancheria, California by the United States of America. The determination whether to acquire this property in trust will be made in the exercise of discretionary authority, which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information.

- 1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- 2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- 3) Any governmental services that are currently provided to the property by your organization; and
- 4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

We are providing the following information regarding this application:

#### **APPLICANT (S)**

Tule River Indian Tribe of the Tule River Reservation, California

#### **LEGAL LAND DESCRIPTION:**

*All that certain real property situated in the unincorporated are of the County of Tulare, State of California described as follow:*

*Parcels No. 1 through 17 inclusive, of parcel map No. 4343, in the City of Porterville, County of*

TUL 3930

*Tulare, State California, as per map recorded in Book 44, Page 47 of Parcel Maps, Tulare County Records.*

*Excepting therefrom all oil, gas, minerals and other hydrocarbon substances, in, on, upon or under said land, as reserved by the City of Porterville, a municipal corporation, in a deed recorded October 29, 1990 as file No. 71536 of official records.*

**Assessor's Parcel Numbers: 302-400-001 through 017.**

**PROPOSED LAND USE/SITE LOCATION:**

The land acquisition request is for seventeen parcels of land consisting of 40 acres, more or less, commonly referred to as Tulare County Assessor Parcel Nos (APN): 302-400-001 through 017. The subject parcels are located in the City of Porterville, approximately 20 miles west of the Tule River Indian Reservation. Located on APN 302-400-001 and 002 are three structures leased to various entities. The remaining fifteen parcels are undeveloped. There is no planned change in land use for any of the subject parcels.

***See Exhibit "1" for assessor and location maps.***

**CURRENT TAXES AND ZONING:**

The subject parcels are zoned industrial, which is consistent with the current/proposed use. Assessed property taxes for 2002-2003 totaled \$27,394.50.

**EXISTING EASEMENTS/ENCUMBRANCES:**

***See Exhibit "2" for a list of encumbrances.***

**SUPPLEMENTAL DATA:**

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government that may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.


Your written comments should be addressed to the Bureau of Indian Affairs at the above address. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided you submit a written justification requesting such extension within thirty days of receipt of this letter.

An extension of ten to thirty days may be granted. Copies of all comments will additionally be provided to the applicant(s). You will be notified of the decision to approve or deny the application.

If you are aware of additional governmental entities that may be interested or affected by the acquisition, other than those listed in our distribution list, please forward the enclosed notice to their attention or timely contact our office with the name and address of such party.

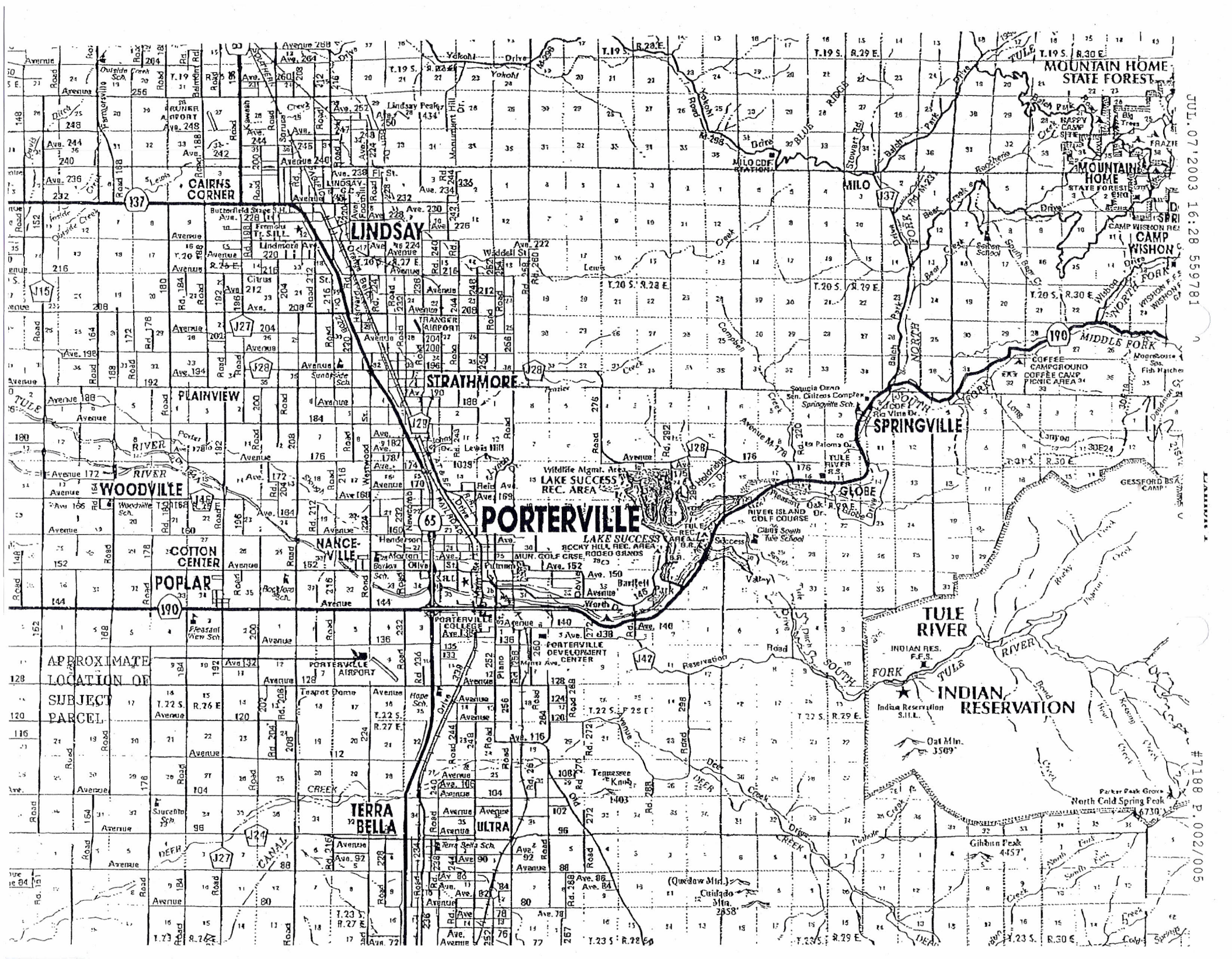
A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Terisa Draper, Realty Specialist, at the above address or (916) 930-3749.

Sincerely,

  
Dale Risling, Sr.  
Superintendent

*Elaine Doyle  
930-3748*

Enclosure(s): Exhibit "1"  
Exhibit "2"  
Distribution List



APPROXIMATE  
LOCATION OF  
SUBJECT  
PARCEL

JUL 07 2003 16:28 559781

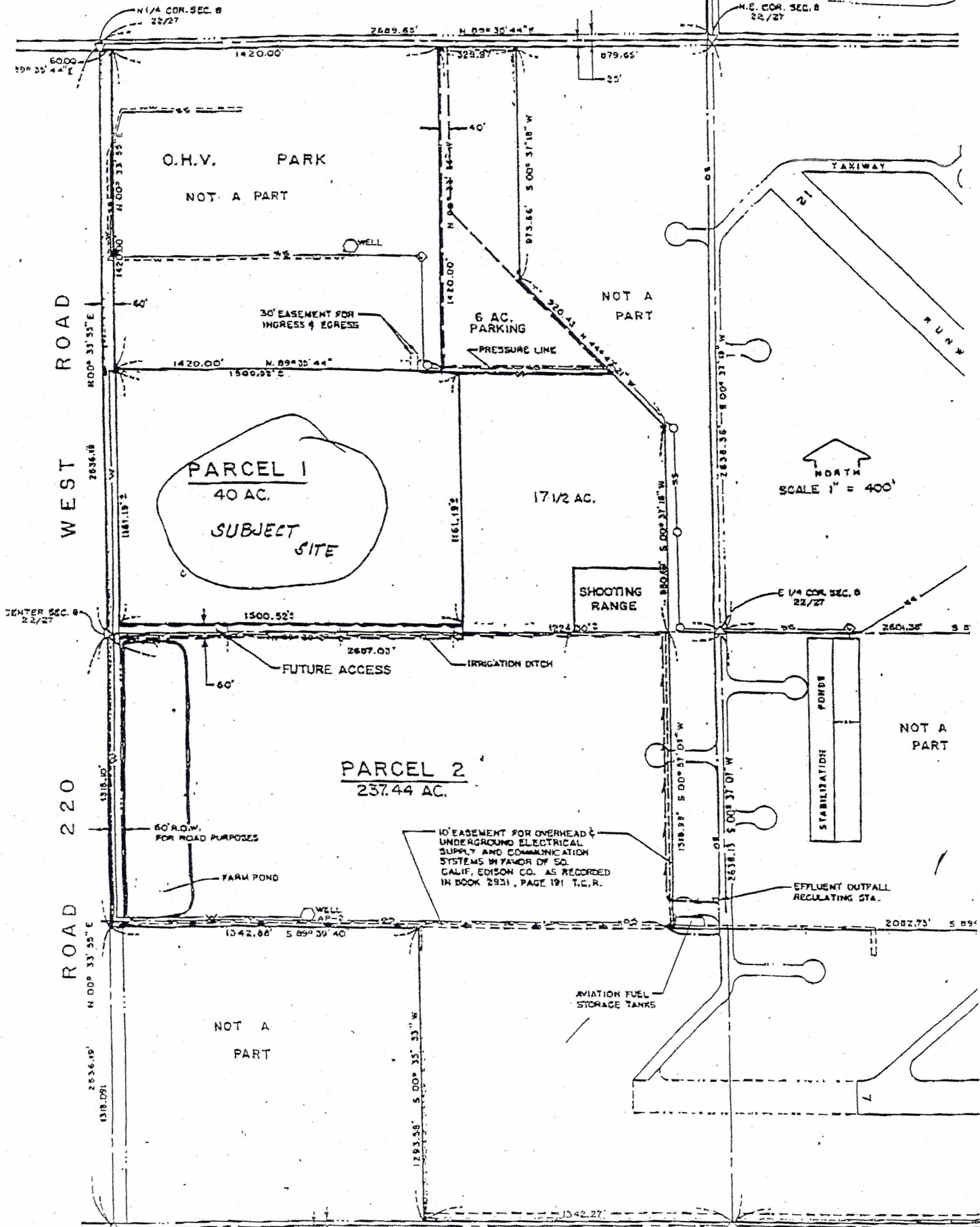
LANDMARS 1

# 7188 P. 002/005

Exhibit 1

AVE. 136

SCRANTON



NORTH  
SCALE 1" = 400'

TRW-REDI  
1-800-345-7334

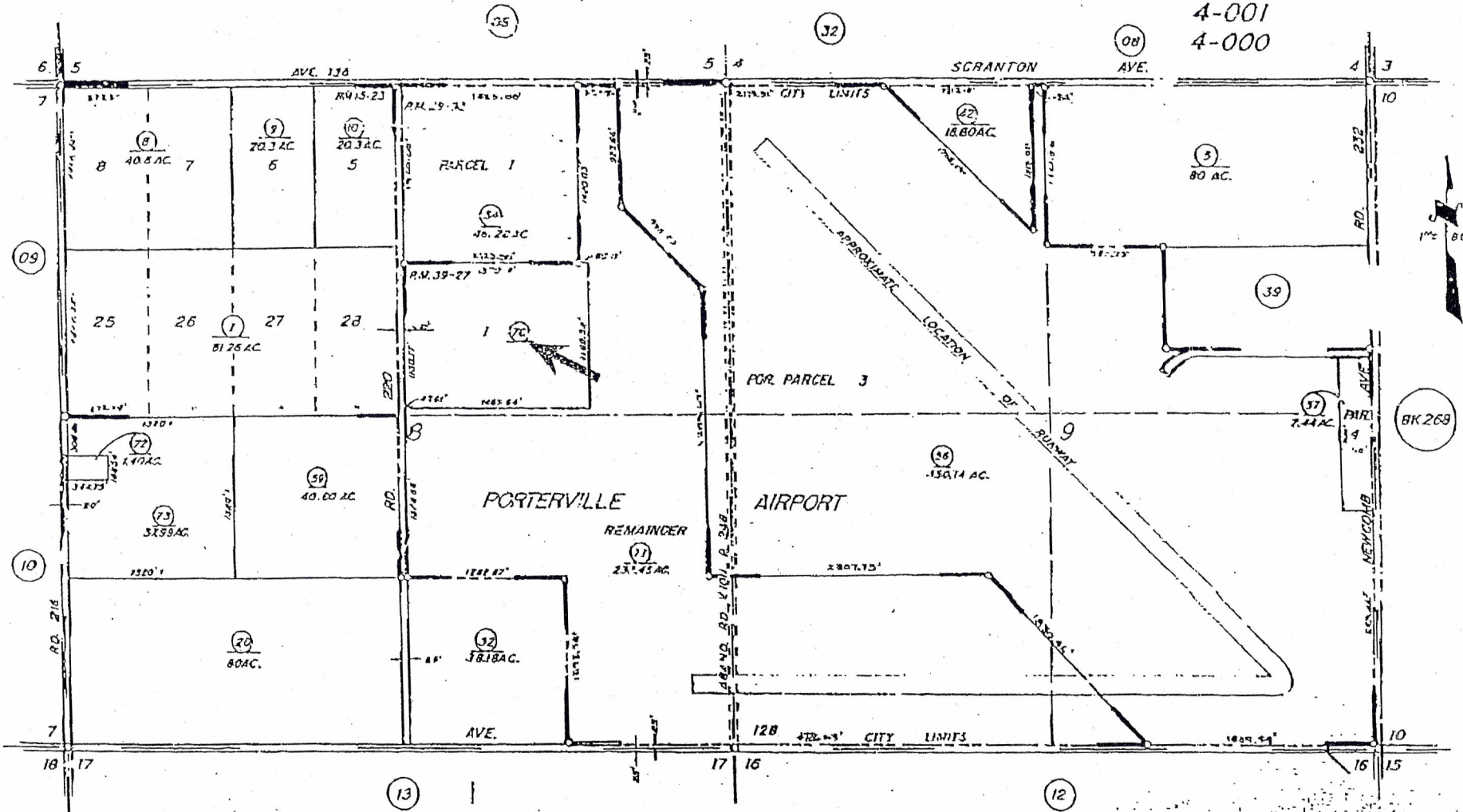


SCALE IN 1/10 OF AN INCH

"This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the Company assumes no liability for any loss occurring by reason of reliance thereon."  
CHICAGO TITLE COMPANY

SEC'S 9 & 9 T.22S., R. 27E., M.D.B. & M.

TAX CODE AREA 302-11  
126-001  
94-000  
4-001  
4-000



POR. PORTERVILLE FRUIT & FARMS TRACT R.M. 15-23

PARCEL MAP 2881, P.M. 29-82  
PARCEL MAP 3824, P.M. 39-27

CITY OF PORTERVILLE  
ASSESSOR'S MAPS BK. 302, PG. 11.  
COUNTY OF TULARE, CALIF.

NOTE - ASSessor'S BLOCK NUMBERS SHOWN IN ELLIPSES  
ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

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TULE RIVER TRIBAL COMMUNITY

#7188 P.005/005

# SCHEDULE B

Page 1

Order No: 1038053 HR

Your Ref: 000438273

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in the policy form designated on the face page of this Report would be as follows:

1. THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
2. TAX INFORMATION FOR PRORATION AND ANY DELINQUENCIES WILL BE REPORTED IN A SUPPLEMENTAL LETTER.
- ✓ 3. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: THE UNITED STATES OF AMERICA  
PURPOSE: A 30 FOOT EASEMENT FOR INGRESS AND EGRESS  
RECORDED: IN BOOK 1005, PAGE 188 OF OFFICIAL RECORDS  
AFFECTS: SAID LAND

- ✓ 4. THE PROVISIONS AND CONDITIONS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "DEED OF RELEASE" A CERTIFIED COPY OF WHICH WAS RECORDED APRIL 28, 1969 IN BOOK 2840, PAGE 101 OF OFFICIAL RECORDS.

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

- ✓ 5. A CERTIFICATE OF CORRECTION RECORDED NOVEMBER 8, 1982 AS FILE NO. 51166 CORRECTS THAT PORTION OF THE WEST LINE OF SAID LAND COINCIDENTAL WITH THE EAST LINE OF PARCEL 1, OF PARCEL MAP NO. 2881 TO READ NORTH 00°33'55" EAST.

6. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SHOWN OR AS OFFERED FOR DEDICATION ON THE RECORDED MAP SHOWN BELOW.

MAP OF: PARCEL MAP NO. 3824  
RECORDED: IN BOOK 39, PAGE 27 OF PARCEL MAPS  
EASEMENT  
PURPOSE: LANDSCAPE SETBACK  
AFFECTS: THE NORTH 10 FEET OF SAID LAND

- ✓ 7. THE PROVISIONS AND CONDITIONS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED "OPTION TO PURCHASE" A CERTIFIED COPY OF WHICH WAS RECORDED OCTOBER 29, 1990 AS FILE NO. 71537 OF OFFICIAL RECORDS.

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

NOTE: IT ISN'T KNOWN WHETHER SAID OPTION TO PURCHASE HAS BEEN MODIFIED, EXTENDED OR EXERCISED BY THE CITY OF PORTERVILLE.



SCHEDULE B  
(continued)

Order No: 1038053 HR

Your Ref: 000438273

- ✓ 8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: SOUTHERN CALIFORNIA EDISON COMPANY  
 PURPOSE: PUBLIC UTILITIES  
 RECORDED: FEBRUARY 13, 1995 AS FILE NO. 95-008937 OF OFFICIAL RECORDS  
 AFFECTS: THAT PORTION OF SAID LAND AS DESCRIBED THEREIN

REFERENCE IS MADE TO SAID DOCUMENT FOR FULL PARTICULARS.

- ✓ 9. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SHOWN OR AS OFFERED FOR DEDICATION ON THE RECORDED MAP SHOWN BELOW.

MAP OF: PARCEL MAP NO. 4343  
 RECORDED: IN BOOK 44, PAGE 47 OF PARCEL MAPS  
 EASEMENT  
 PURPOSE: 15 FOOT DRAINAGE FACILITIES DEDICATED TO THE CITY OF PORTERVILLE  
 AFFECTS: AS SHOWN ON SAID MAP

EASEMENT  
 PURPOSE: 20 FOOT EASEMENT FOR SEWER & WATER FACILITIES DEDICATED TO THE CITY OF PORTERVILLE  
 AFFECTS: AS SHOWN ON SAID MAP

EASEMENT  
 PURPOSE: EXISTING 10 FOOT LANDSCAPE SET BACK  
 AFFECTS: AS SHOWN ON SAID MAP

EASEMENT  
 PURPOSE: 15 FOOT EASEMENT FOR WATER LINES DEDICATED TO THE CITY OF PORTERVILLE  
 AFFECTS: AS SHOWN ON SAID MAP

EASEMENT  
 PURPOSE: 100 FOOT WILDLIFE, ACCESS, STORM DRAIN & IRRIGATION  
 EASEMENT  
 AFFECTS: AS SHOWN ON SAID MAP

EASEMENT  
 PURPOSE: 10 FOOT BY 30 FOOT EASEMENT FOR UNDERGROUND PUBLIC UTILITIES SYSTEM  
 AFFECTS: AS SHOWN ON SAID MAP

- 10. THE FACT THAT THE OWNERSHIP OF SAID LAND DOES NOT INCLUDE RIGHTS OF ACCESS TO OR FROM THE STREET OR HIGHWAY ABUTTING SAID LAND, SUCH RIGHTS HAVING BEEN RELINQUISHED BY THE MAP OF SAID TRACT.

SCHEDULE B  
(continued)

Order No: 1038053 HR

Your Ref: 000438273

AFFECTS: WEST STREET, AKA ROAD 220

- ✓ 11. A CERTIFICATE OF CORRECTION RECORDED JUNE 1, 1999, AS DOCUMENT NO. 99-0042612, OFFICIAL RECORDS
- ✓ 12. A CERTIFICATE OF CORRECTION RECORDED AUGUST 12, 1999, AS DOCUMENT NO. 99-0061851, OFFICIAL RECORDS
- ✓ 13. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT

GRANTED TO: SOUTHERN CALIFORNIA EDISON COMPANY  
 PURPOSE: PUBLIC UTILITIES  
 RECORDED: MAY 30, 2000, AS DOCUMENT NO. 2000-0033789, OFFICIAL RECORDS  
 AFFECTS: SOUTHERLY 16 FEET OF THE EASTERLY 16 FEET OF PARCEL 1 OF PARCEL MAP NO. 3824, IN BOOK 39, PAGE 27 OF PARCEL MAPS

14. NOTE: IF AN ALTA POLICY IS REQUESTED, THE FOLLOWING ITEMS WILL BE ADDRESSED AND RESOLVED OR SHOWN AS EXCEPTIONS IN SAID POLICY:
- A. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION OR BY A SURVEY OF SAID LAND THAT IS SATISFACTORY TO THIS COMPANY, OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.
  - B. ANY EASEMENTS NOT DISCLOSED BY THOSE PUBLIC RECORDS WHICH IMPART CONSTRUCTIVE NOTICE AND WHICH ARE NOT VISIBLE AND APPARENT FROM AN INSPECTION OF THE SURFACE OF SAID LAND.
  - C. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS ARE SHOWN BY THE PUBLIC RECORDS.

**\*\*END OF SCHEDULE B\*\***

NOTE NO. 1: THERE ARE NO CONVEYANCES AFFECTING SAID LAND, RECORDED WITHIN SIX (6) MONTHS OF THE DATE OF THIS REPORT.

NOTE NO. 2: THE CHARGES FOR A POLICY OF TITLE INSURANCE, WHEN ISSUED THROUGH THIS TITLE ORDER, WILL BE BASED ON THE SHORT-TERM RATE.

NOTE NO. 3: IF A 1970 ALTA OWNER'S OR LENDER'S OR 1975 ALTA LEASEHOLD OWNER'S OR LENDER'S POLICY FORM HAS BEEN REQUESTED, THE POLICY, WHEN APPROVED FOR ISSUANCE, WILL BE ENDORSED TO ADD THE FOLLOWING TO THE EXCLUSIONS FROM COVERAGE CONTAINED THEREIN:

## DISTRIBUTION LIST

*Certified Mail – Return receipt requested*

California State Clearinghouse – 7001 2510 0009 4496 3090  
Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

Ms. Sarah J. Drake – 7001 2510 0009 4496 3083  
Deputy Attorney General  
State of California  
P.O. Box 944255  
Sacramento, CA 94244-2550

Ms. Kathryn Doi – 7001 2510 0009 4496 3076  
Office of the Governor of California  
Sate Capitol Building  
Sacramento, CA 95814

Mr. Bill Lockyear, Attorney General – 7001 2510 0009 4496 3069  
State of California  
1300 I Street, Suite 125  
Sacramento, CA 94244

James Peterson, District Director – 7001 2510 0009 4496 3052  
Office of U.S. Senator Diane Feinstein  
750 B St., Suite 1030  
San Diego, CA 92101

Tulare County Office of Public Works – 7001 2510 0009 4496 3045  
291 N. Main St.  
Porterville, CA 93257

Tulare County Board of Supervisors – 7001 2510 0009 4496 3038  
2800 W. Burrel Avenue  
Visalia, CA 93291

Tulare County Tax Assessor/Collector – 7001 2510 0009 4496 3021  
221 S. Mooney Blvd., 104E  
Visalia, CA 93291

State Forestry County Fire – 7001 2510 0009 4496 3014  
1968 S. Lovers Lane  
Visalia, CA 93292

Neil Peyron, Chairman – 7001 2510 0009 4496 3007  
Tule River Reservation  
P.O. Box 459  
Porterville, CA 93258

*Regular Mail*

Regional Director, Pacific Region  
Department of Interior  
Bureau of Indian Affairs  
2800 Cottage Way  
Sacramento, CA 95825