

EXHIBIT F



IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

DEC 28 2009

2003-12
ML 11/2/09

Notice of (Off Reservation/Non-Gaming) Land Acquisition Application

Due to the lapse of time, we are reissuing this notice to again seek comments regarding the within subject application submitted by the Tule River Indian Tribe. The previous notice was dated July 8, 2003.

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Parts 151.10 and 151.11, notice is given of the application filed by the Tule River Indian Tribe to have real property accepted "into trust" for said applicant 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 government 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:

Tule River Indian Tribe of the Tule River Reservation, California

Legal Land Description/Site Location:

The land referred to herein is situated in the State of California, County of Tulare, and is described as follows:

Parcel No's 1 through 17 inclusive, of Parcel Map No. 4343, in the City of Porterville, County Tulare, State of California, according to the map thereof recorded in Book 44, Page 47 of Parcel Map, in the office of the County Recorder of said County and by certificates of correction recorded 118, 1982 as

TAKE PRIDE
IN AMERICA 

DUP

Instrument No. 51166, June 1, 1999 as Instrument No. 99-0041612 and August 12, 1999 as Instrument No. 99-0061851

Excepting therefrom all oil, gas, minerals and other hydrocarbon substances, in on, 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

Project Description/Proposed Land Use:

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 Numbers (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 remaining subject parcels.

Current Use/Taxes and Zoning:

The subject parcels are zoned industrial, which is consistent with the current/proposed use. Assessed property taxes for 2009-2010 totaled \$33,036.50

Existing Easements/Encumbrances:

Please refer to Exhibit "A".

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, which 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 address at the top of this notice. 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 an 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. You will be notified of the decision to approve or deny the application.

If any party receiving the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of the notice to said party or timely provide our office with the name and address of said 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 Arvada Wolfin, Realty Specialist, at (916) 978-6069.

Sincerely,


Acting Regional Director

Attachments: Exhibit "A"
Parcel Maps

cc: Distribution List

DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (ten copies) - 7004 2510 0001 5639 6980
Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

Ms. Sarah J. Drake, Deputy Attorney General - 7004 2510 0001 5639 6997
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Ms. Andrea Lynn Hoch, Legal Affairs Secretary - 7004 2510 0001 5639 7000
Office of the Governor of California
State Capitol Building
Sacramento, CA 95814

James Peterson, District Director – 7005 0390 0004 7317 1720
Office of U.S. Senator Feinstein
750 “B” Street, Suite 1030
San Diego, CA 92101

Tulare County Office of Public Works – 7005 0390 0004 7317 1737
291 N. Main St.
Porterville, CA 93257

Tulare County Board of Supervisors – 7005 0390 0004 7317 1744
2800 W. Burrel Avenue
Visalia, CA 93291

Tulare County Tax Assessor – 7005 0390 0004 7317 1751
221 S. Mooney Blvd., 104E
Visalia, CA 93291

Tulare County Fire Department – 7005 0390 0004 7317 1768
1968 S. Lover’s Lane
Visalia, CA 93292

Tulare County Sheriff’s Department – 7005 0390 0004 7317 1775
County Civic Center
Visalia, CA 93291

California Department of Forestry & Fire Protection – 7005 0390 0004 7317 1782
P.O. Box 798
Springville, CA 93265

Regular Mail:

Superintendent
Central California Agency
Bureau of Indian Affairs
650 Capitol Mall, Suite 8-500
Sacramento, CA 95814

Exhibit "A"

SCHEDULE B - SECTION II

EXCEPTIONS

EXCEPTIONS

File No.: 255406

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
 - (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:

- A. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
 - 1st Installment: \$7,057.86 open
 - 2nd Installment: \$7,057.86 open
 - Parcel No.: 302-400-001
 - Code Area: 004-000
- B. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
 - 1st Installment: \$2,873.84 open
 - 2nd Installment: \$2,873.84 open
 - Parcel No.: 302-400-002
 - Code Area: 004-000
- C. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
 - 1st Installment: \$209.72 open
 - 2nd Installment: \$209.72
 - Parcel No.: 302-400-003



Code Area: 004-000

- D. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$363.37 open
2nd Installment: \$363.37 open
Parcel No.: 302-400-004
Code Area: 004-000
- E. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$1,050.72 open
2nd Installment: \$1,050.72 open
Parcel No.: 302-400-005
Code Area: 004-000
- F. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$1,040.34 open
2nd Installment: \$1,040.34 open
Parcel No.: 302-400-106
Code Area: 004-000
- G. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$1,052.82 open
2nd Installment: \$1,052.82 open
Parcel No.: 302-400-007
Code Area: 004-000
- H. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$365.46 open
2nd Installment: \$365.46 open
Parcel No.: 302-400-008
Code Area: 004-000
- I. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$211.80 open
2nd Installment: \$211.80 open
Parcel No.: 302-400-009
Code Area: 004-000
- J. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$211.80 open
2nd Installment: \$211.80 open
Parcel No.: 302-400-010
Code Area: 004-000
- K. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:

1st Installment: \$417.35 open
2nd Installment: \$417.35 open
Parcel No.: 302-400-011
Code Area: 004-000

- L. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$417.35 open
2nd Installment: \$417.35 open
Parcel No.: 302-400-012
Code Area: 004-000
- M. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$415.30 open
2nd Installment: \$415.30 open
Parcel No.: 302-400-013
Code Area: 004-000
- N. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$207.61 open
2nd Installment: \$207.61 open
Parcel No.: 302-400-014
Code Area: 004-000
- O. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$207.61 open
2nd Installment: \$207.61 open
Parcel No.: 302-400-015
Code Area: 004-000
- P. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$415.30 open
2nd Installment: \$415.30 open
Parcel No.: 302-400-016
Code Area: 004-000
- Q. General and Special City and/or County taxes, including any personal property taxes and any assessments collected with taxes, for the fiscal year 2009 - 2010:
1st Installment: \$417.35 open
2nd Installment: \$417.35 open
Parcel No.: 302-400-017
Code Area: 004-000
- R. 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.
- S. Assessments, if any, for Community Facility Districts affecting said land which may exist by virtue of assessment maps or notices filed by said districts. Said assessments are collected with the County Taxes.

1. An easement for 30 foot easement for ingress and egress and rights incidental thereto in favor of The United States of America as set forth in a document recorded in Book 1005 Page 188 of Official Records, affects a portion of property herein described.
2. 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
3. An easement or other provisions for the purpose of landscape setback and rights incidental thereto as shown on the recorded map no. 3824, which affects the North 10 feet of Parcels 1 through 5.
4. The provisions and conditions contained in that certain document entitled "Option to Purchase" a certified copy of which was recorded October 29, 1990 as Instrument No. 71537 of Official Records

reference is made to said document for full particulars

5. An easement for public utilities easement and rights incidental thereto in favor of Southern California Edison Company as set forth in a document recorded February 13, 1995 as Instrument No. 95-008937, affects a portion of property herein described.
6. An easement or other provisions for the purpose of 15 foot drainage facilities and rights incidental thereto as shown on the recorded map no.4343, which affects a portion of property herein described.
7. An easement or other provisions for the purpose of 20 foot sewer and water facilities and rights incidental thereto as shown on the recorded map no. 4343, which affects a portion of property herein described.
8. An easement or other provisions for the purpose of 10 foot landscape set back and rights incidental thereto as shown on the recorded map no. 4343, which affects a portion of property herein described.
9. An easement or other provisions for the purpose of 15 foot water line and rights incidental thereto as shown on the recorded map no. 4343, which affects a portion of property herein described.
10. An easement or other provisions for the purpose of 10 foot by 30 foot for underground public utilities system and rights incidental thereto as shown on the recorded map no. 4343, which affects a portion of property herein described.
11. The fact that the ownership of said land does not include rights of access to or from the public street or highway abutting said land, such rights having been relinquished or severed by the map of said Tract or 4343, which affects West Street, aka Road 222.
12. An easement for public utilities easement and rights incidental thereto in favor of Southern California Edison Company as set forth in a document recorded May 30, 2000 as Instrument No. 2000-0033789, affects Southerly 16 feet of the Easterly 16 feet of Parcel 1.
13. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records
14. This office will require the following items for review prior to the close of this transaction.
 1. The full name of the tribe or organization
 2. A full copy of the charter or constitution, all amendments and current by-laws and a resolution.
 3. Statement that no other entity exists within the tribe with the same or similar name.

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 DEBRA BETHUNE
 SECRETARY



15. Any state of facts as would be disclosed by an accurate survey and inspection of the premises.
16. Any rights of the parties in possession of said land, based on an unrecorded lease, or leases.

This Company will require that a full copy of any unrecorded lease be submitted to us, together with all supplements, assignments and amendments, before issuing any policy of title insurance.

17. Due to the nature and/or projected liability amount of this proposed transaction, it will be necessary for this office to submit this application to our underwriter for review and approval. Although we don't expect any changes in the report, we do reserve the right to modify or amend said report at the request of our underwriter prior to the close of Escrow.

RECEIVED
ATTORNEY GENERAL
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stewart
title insurance company
SACRAMENTO OFFICE
DEPARTMENT OF JUSTICE