

Manzanita Band of Kumeyaay Nation

SEP 30 2008

Leroy J. Elliott, Chairperson
Manzanita Band of Kumeyaay Nation
P.O. Box 1302
Boulevard, CA 91905

Dear Mr. Elliott:

The Bureau of Indian Affairs (BIA) received from the Manzanita Band of Kumeyaay Nation (Tribe), a Fee-to-Trust application dated April 14, 2006.

With regard to the documentation that is required for the BIA to complete its review pursuant to 25 CFR 151, Land Acquisitions, we will need the Tribe to submit to the above address the following information:

1. A duly adopted tribal resolution including:

- a. Statement as to the action being requested.
- X b. Legal description and assessor's parcel number of the property to be acquired (the assessor's parcel numbers were not referenced in tribal resolution no. 06-04).
- c. Statement as to the proposed land use.
- d. Identification of the official (title only) with the authority to execute any required conveyance documents.

2. Title Requirements pursuant to the Department of Justice Title Standards:

- X a. An updated title commitment or binder on the American Land Title Association's (ALTA), U.S. Policy Form 9/28/91, with the proposed insured listed as the "The United States of America in trust for the Manzanita Band of Diegueno Mission Indians" and the amount of liability equal to the purchase price or assessed value of the subject property.

We have found some inconsistencies with the legal description of the property that is the subject of your fee-to-trust request. The title commitment from Chicago Title Insurance Company, Policy No. 57057916 dated October 21, 2005, includes seven parcels. The application package contains a description for the proposed 60 acre parcel, which includes one parcel. We will need an explanation of the subject property

and what the correct legal description will be. Consequently, the correct legal description will also need to be in the title commitment.

X

b. For any exception listed in Schedule B of the title commitment, a copy of the referenced document must be included, e.g., rights of way of record, deeds, survey maps. (full size copy)

X

c. Any document referenced in the legal description. (The documents listed below, are referenced in the application package legal description)

- ("Calexico Northern Retail Gateway" plat, dated January 18, 2006;
- Record of survey 14-36, FULL SIZE;
- Deed to Calexico International Center, LLC., recorded on may 23, 2002, Book 2125, page 1469, Imperial County;

X

d. Resolution from the Tribe acknowledging title exceptions that will remain on title and a statement as to whether the easement will interfere with the intended use of the subject property.

3. Maps or Other Visual Materials (full size copies of all maps are required):

X

a. Boundary map that describes the acquisition property in relation the reservation boundaries

4. Current Tax Statements

5. Vesting Deeds

If you have any questions, you may contact Terisa Draper, Supervisory Realty Specialist, or Lorrae Dietz, Realty Specialist at (916) 978-6071.

Sincerely,

Sgd. Dale Risling, Sr.

Acting Regional Director