



UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR

IN REPLY REFER TO:

MA 547

BUREAU OF INDIAN AFFAIRS
Southern California Agency
1451 Research Park Dr., Suite 100
Riverside, CA 92507-2154
Telephone (951) 276-6624 Telefax (951) 276-6641

OCT 13 2011

Notice of On-Reservation Land Acquisition Application (Non-Gaming)

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 and Part 151.11, as amended, notice is given of the application filed by Leah Waters, a member of the Morongo Band of Mission Indians of California to have real property accepted into trust for her 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 her 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 request that you provide the following information:

1. The annual 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.

Please see the following for information on the subject property:

APPLICANT

Leah Waters, a married woman as her sole and separate property

LEGAL LAND DESCRIPTION

All that certain real property situated in the County of Riverside, State of California, described as follows:

Lot 96 of Section 36, Township 2 South, Range 1 East, San Bernardino Base and Meridian, in the County of Riverside, State of California.

EXCEPT, therefrom the oil, gas, minerals, and other hydrocarbon substances lying below the surface of said land, as provided in deeds of records.

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IN AMERICA** 

MOR 4696

Except any mobile home or manufactured housing unit and appurtenances, if any, located on said land.

APN 531-150-007-2, containing approximately 5.06 acres.

See enclosed map.

PROPOSED LAND USE/SITE LOCATION

The property is developed with a single family residence and will continue to be utilized as such. There is no planned change in land use. Ms. Waters wishes to bring the property back into trust status for the purpose of Housing (current residence) and consolidation, and protection of the unique Indian land status and insure its integration back into the larger Reservations land base.

CURRENT TAXES AND ZONING

Assessed property taxes for 2010-2011 are \$1,428.88.

EXISTING EASEMENTS/ENCUMBRANCES

See attached Schedule B

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 which may result from the removal of the subject property from the tax rolls and local jurisdiction.

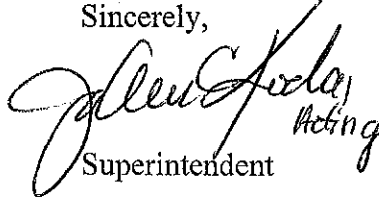
This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs, Southern California Agency, 1451 Research Park Drive, Suite 100, Riverside, CA 92507. Any comments received within thirty days of your receipt of this notice will be considered and made part of our record. You may be granted an extension of time to furnish comments, provided that 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 listed party is aware of additional governmental entities, which may be interested or affected by this acquisition, other than those listed in our distribution list, please forward a copy of this notice to the interested party or contact our office with the name(s) and address(es) of such party(ies).

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 Beverly Sweetwater, Realty Specialist, at (951) 276-6624.

Sincerely,


Acting
Superintendent

Enclosures:

cc: Distribution List
Assessor's Parcel Map
Schedule B

DISTRIBUTION LIST

California State Clearinghouse (10 copies) 7010 1670 0001 5794 3249
Office of Planning and Research
P.O. Box 3044
Sacramento, CA 92220

Honorable Ken Calvert 7010 1670 0001 5794 2099
43rd District Office
3400 Central Avenue, Suite 200
Riverside, CA 92506

Mr. Jacob Appelsmith 7010 1670 0001 5794 3263
Deputy Legal Affairs Secretary
Office of the Governor
State Capitol Building
Sacramento, CA 95814

Ms. Sara Drake 7010 1670 0001 5794 3256
Deputy Attorney General
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Honorable Duncan Hunter 7010 1670 0001 5794 3287
Member of Congress
1870 Cordell Court #206
El Cajon, CA 92020

Riverside County Board of Supervisors 7010 1670 0001 5794 3300
County Administrative Center
4080 Lemon Street, 14th Floor
Riverside, CA 92501

County of Riverside 7010 1670 0001 5794 3294
Office of the Assessor
4080 Lemon Street
Riverside, CA 92502-2204

County of Riverside 7010 1670 0001 5794 3317
Planning Department
4080 Lemon Street 9th Floor
Riverside, CA 92501

Riverside County Treasurer & Tax Collector 7010 1670 0001 5794 3224
4080 Lemon Street, 4th Floor
Riverside, CA 92501

County of Riverside 7010 1670 0001 5794 3317
Planning Department
4080 Lemon Street 9th Floor
Riverside, CA 92501

Riverside County Treasurer & Tax Collector 7010 1670 0001 5794 3224
4080 Lemon Street, 4th Floor
Riverside, CA 92501

Riverside County Sheriff's Department 7010 1670 0001 5794 3331
P.O. Box 512
Riverside, CA 92502

Chairperson 7010 1670 0001 5794 3348
Agua Caliente Reservation
Tribal Administration Plaza
5401 Dinah Shore Drive
Palm Springs, CA 92264

Chairperson 7010 1670 0001 5794 3355
Augustine Band of Mission Indians
P.O. Box 846
Coachella, CA 92236

Chairperson 7010 1670 0001 5794 3362
Cabazon Band of Mission Indians
84-245 Indio Springs Drive
Indio, CA 92201

Chairperson 7010 1670 0001 5794 3379
Cahuilla Band of Mission Indians
P.O. Box 391760
Anza, CA 92539-1760

Chairperson 7010 1620 0001 5794 3386
Morongo Band of Mission Indians
12700 Pumarra Road
Banning, CA 92220

Chairperson 7010 1670 0001 5794 3393
Pechanga Band of Luiseno Indians
P.O. Box 1477
Temecula, CA 92593

Chairperson 7010 1670 0001 5794 3409
Ramona Band of Mission Indians
P.O. Box 391372
Anza, CA 92539

Chairperson 7010 1670 0001 5794 3416
Santa Rosa Band of Mission Indians
P.O. Box 391820
Anza, CA 92546

Chairperson 7010 1670 0001 5794 3423
Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 9258

Chairperson 7010 1670 0001 5794 3430
Torres-Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA 92274

Chairperson 7010 1670 0001 5794 3447
Twenty Nine Palms
46-200 Harrison Place
Coachella, CA 92236

Regular Mail:

Regional Director
Pacific Region Office
Bureau of Indian Affairs
2800 Cottage Way, Rm. W-2820
Sacramento, CA 95825

SCHEDULE B – SECTION I

The following are requirements to be complied with:

1. Instrument creating the estate or interest to be insured must be executed and filed for record, to wit:
Record Deed from Vested Owner to Proposed Insured Herein
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor or material.
5. This Company will require that a full copy of any unrecorded agreement, contract or lease be submitted to us, together with all supplements, assignments and amendments, before any policy of title insurance will be issued.

END OF SCHEDULE B – SECTION I

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CENTRAL CALIFORNIA AGENCY

SCHEDULE B – SECTION II
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EXCEPTIONS

Schedule B of policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
2. Property taxes, including general and special taxes, personal property taxes, if any, and any assessments collected with taxes, for the fiscal year 2010 - 2011.

1st Installment: \$714.44 Paid
2nd Installment: \$714.44, Open, This amount is valid until April 10, after which penalties apply
Penalty (including cost): \$99.43 Due with installment amount if paid after April 10
Land Value \$91,582.00
Improvement Value: \$10,175.00
Exemption: None
Code Area: 055-008
Assessment No.: 531-150-007-2
3. Supplemental or escaped assessments of property taxes, if any, assessed pursuant to the Revenue and Taxation Code of the State of California.
4. Water rights, claims or title to water, whether or not shown by the public records.
5. An easement in favor of the public over any existing roads lying within said land.
6. 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.
7. The following reservations and/or provisions contained in the patent from the United States of America.
Recorded: September 13, 1961 as Instrument No. 78518 in Book 2980, page 489 of Official Records

Subject to a right-of-way for an irrigation pipeline in favor of the United States and for a right-of-way for Riverside County Road as reserved in said patent.
8. Title search discloses no open deeds of trust. Please confirm prior to close of escrow.
9. Any rights, interests or claims of parties in possession of the land not shown by the public records.

SCHEDULE B – SECTION II
Continued

NOTE: AN OWNER'S POLICY ISSUED IN CONNECTION WITH THIS COMMITMENT WILL CONTAIN THE FOLLOWING PRE-PRINTED EXCEPTIONS:

1. Rights or claims of parties other than the Insured in actual possession of any or all of the property.
2. Unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area and encroachments which an accurate and complete survey would disclose.
3. Unfiled mechanic's or materialmen's liens.

END OF SCHEDULE B – SECTION II