



IN REPLY REFER TO:

United States Department of the Interior

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

WAR 16 2015

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

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 and 151.11, notice is given of the application filed by the Pechanga Band of Luiseno Mission Indians of California, 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 (1) 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:

Pechanga Band of Luiseno Mission Indians

Legal Land Description/Site Location:

Parcel 1: (APN: 918-090-011-7, 918-090-012-8, 918-090-013-9, 918-090-015-1, 918-090-016-2, 918-090-017-3, 918-090-020-5, 918-090-021-6, 918-090-023-8, 918-090-024-9, 918-090-026-1, 918-090-027-2, 918-090-028-3, 918-090-029-4, 918-090-030-4, 918-090-031-5, 918-090-032-6, 918-090-033-7, 918-090-034-8, 918-090-035-9, 918-090-036-0, 918-090-037-1, 918-090-038-2, 918-090-039-3, 918-090-040-3, 918-090-042-5 and 918-130-031-8.)

The Southwest Quarter, the Northwest Quarter of the Southwest Quarter of the Northwest Quarter, the East half of the Southwest Quarter of the Northwest Quarter, and the West half of the Southeast Quarter of the Northwest Quarter of Section 36, Township 8 South, Range 3 West,

San Bernardino Base and Meridian, in the City of Murrieta, County of Riverside, State of California, according to the official plat thereof.

Excepting from the Southwest Quarter one-sixteenth of all coal, oil, gas, and other mineral deposits in said land reserved in Patent from the State of California to F.A. Jungquist Recorded August 10, 1946 in Book 764 Page 504 of Official Records of Riverside County, California;

Excepting from the Northwest Quarter and the West ½ of the Northeast Quarter of said Section 36, All Oil, Gas, Oil Shale, Coal, Phosphate, Sodium, Gold, Silver and other mineral deposits contained in said lands, as reserved by the State of California, and further reserving to the State of California, and persons authorized by the State, the right to drill for and extract such deposits of Oil and Gas, or Gas, and to prospect for, mine and remove such deposits of other minerals from said lands and to occupy and use so much of the surface of said lands as may be required therefor, upon compliance with the conditions and subject to the provisions and limitations of Chapter 5, Part 1, Division 6 of the Public Resources Code, and further reserving in the people the absolute right to fish thereupon as provided by Section 26 of Article 1 of the Constitution of the State of California, as reserved in Patent from the State of California, recorded July 11, 1958 as Instrument No. 53462, in Book 2307, Page 230 of Official Records.

Also excepting from the Southwest Quarter that portion shown as Parcel 6321-1 as conveyed to the State of California by Final Order recorded September 30, 1986 as Instrument No. 240566 of Official Records of Riverside County, California;

Together with that portion of the Southwest Quarter of the Southeast Quarter of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian described as follows:

Beginning at the Southeast corner of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian; thence North along its easterly line a distance of 132.29 feet to the Point of Beginning; thence continuing North along the said line a distance of 259.67 feet; thence South 76° 40' 55" East, a distance of 259.74 feet; thence South 36° 56' 37" West, a distance of 146.89 feet; thence South 63° 36' 22" West, a distance of 185.44 feet to the true point of beginning.

Parcel 2: (APN: 918-100-012-8, 918-110-028-4, 918-120-044-9 and 918-130-043-9)

That portion of Section 36, Township 8 South, Range 3 West, San Bernardino Meridian, in the City of Temecula, County of Riverside, State of California, as conveyed to the State of California, by documents recorded April 27, 1981, as Instrument No. 74586, July 15, 1975 as Instrument No. 84029, March 25, 1987 as Instrument No. 81522, August 23, 1982 as Instrument No. 144402, February 23, 1973 as Instrument No. 23266, May 20, 1982 as Instrument No. 86621, June 10, 1975 as Instrument No. 67387, February 14, 1985 as Instrument No. 31117, May 7, 1982 as Instrument No. 78627, March 3, 1982 as Instrument No. 53522, October 29, 1970 as Instrument No. 108816, All of Official Records of Riverside County, lying Westerly of the Westerly Right of Way line of State Route I-15, described as follows:

Beginning at a point on the Southerly line of said Section 36, distant thereon, North 88° 57' 01" West, 256.30 feet from the Southeast corner of the Southwest Quarter of said Section 36; thence along said Right of Way line, North 63° 36' 22" East, 472.45 feet; thence North 36° 56' 37" East, 925.56 feet; thence North 02° 23' 24" East, 352.02 feet; thence North 17° 32' 01" East, 614.79 feet; thence North 49° 13' 47" East, 743.87 feet; thence North 20° 26' 11" East, 1009.31 feet; thence North 16° 03' 09" East, 827.48 feet; thence North 71° 28' 29" East, 158.64 feet; thence North 15° 54' 25" East, 869.08 feet; thence North 15° 37' 07" East, 284.02 feet to the Northerly line of said Section 36.

Excepting therefrom all that portion included within the boundaries of Parcel A of Lot Line Adjustment #2903 recorded June 29, 1990 as Instrument No. 242241 of Official Records.

Also excepting therefrom one-sixteenth of all coal, oil, gas and other mineral deposits contained in said land as provided by an Act of Legislative, approved May 25, 1921 (Chapter 303, Statutes of California, 1921) of the State of California, as recorded in various patents from the State of California.

Parcel 3: (APN: 102-230-66-00)

That portion of Lot 2 in Section 1, Township 9 South, Range 3 West, San Bernardino Base and Meridian, in County of San Diego, State of California, according to Official Plat thereof, described as follows:

Beginning at a point on the Northerly line of Lot 2, said point being on a course described as "South 88° 57' 01" East, 756.23 feet"; in deed to the State of California, recorded September 30, 1981 as Instrument No. 81-310037 of Official Records, filed in the Office of the County Recorder of San Diego County, said point being 256.30 feet Westerly of the Easterly terminus of said course; thence (1) leaving said course South 49° 34' 55" West, 404.37 feet; thence (2) along a tangent curve to the left, with a radius of 214.00 feet, through a central angle of 36° 04' 51", an arc length of 134.76 feet to the boundary of that land conveyed to the County of San Diego in Segment 3 of Relinquishment No. 24321, recorded August 29, 1985 as Instrument No. 85-315370 of Official Records of said County; thence (3) along said boundary, from a tangent which bears North 78° 40' 20" West, along a curve to the left, having a radius of 130.00 feet, through a central angle of 27° 31' 24", an arc length of 62.45 feet; thence (4) leaving last said curve along the Northeasterly boundary of said Relinquishment parcel, North 25° 50' 50" West, 159.10 feet to the Westerly line of said Lot 2; thence (5) leaving said Relinquishment parcel boundary along said Westerly line of Lot 2, North 02° 00' 01" East, 243.89 feet to the Northerly line of said Lot 2; thence (6) leaving said Westerly line along said Northerly line, South 88° 57' 01" East, 499.93 feet to the Point of Beginning.

Parcel 4: (APN(S): 918-090-014-0, 918-090-018-4, 918-090-022-7 and 918-090-025-0)

The East half of the Southeast Quarter of the Northwest Quarter of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian, in the City of Murrieta, County of

Riverside, State of California, according to the Official Plat of said land approved by the surveyor general.

Except all oil, gas, oil shale, coal, phosphate, sodium, gold, silver and all other mineral deposits contained in said lands, as reserved by the state of California, and further reserving to the State of California, and persons authorized by the state, the right to drill for and extract such deposits of oil and gas, or gas, and to prospect for, mine and remove such deposits of other minerals from said lands and to occupy and use so much of the surface of said lands as may be required therefor, upon compliance with the conditions and subject to the provisions and limitations of Chapter 5, Part 1, Division 6 of the Public Resources Code, and further reserving in the people the absolute right to fish thereupon as provided by Section 26 of Article 1 of the Constitution of the State of California, as reserved in Patent from the State of California, Recorded July 11, 1958 as Instrument No. 53462, in Book 2307, Page 230 of Official Records.

Parcel 5: (APN: 918-110-001-9)

The West half of the Southwest Quarter of the Northeast Quarter of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian, in the City of Temecula, County of Riverside, State of California, according to the Official Plat thereof.

Except all oil, gas, oil shale, coal, phosphate, sodium, gold, silver and all other mineral deposits contained in said lands, as reserved by the State of California, and further reserving to the State of California, and persons authorized by the State, the right to drill for and extract such deposits of oil and gas, or gas, and to prospect for, mine and remove such deposits of other minerals from said lands and to occupy and use so much of the surface of said lands as may be required therefor, upon compliance with the conditions and subject to the provisions and limitations of Chapter 5, Part 1, Division 6 of the Public Resources Code, and further reserving in the people the absolute right to fish thereupon as provided by Section 26 of Article 1 of the Constitution of the State of California, as reserved in patent from the State of California, Recorded July 11, 1958 as Instrument No. 53462, in Book 2307, Page 230 of Official Records.

Parcel 6: (APN: 918-090-002-9)

The North ½ of the Northeast ¼ of the Northwest ¼ of the Northwest ¼ of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian in the County of Riverside, State of California, according to the Official Plat of said land approved by the surveyor general.

Parcel 7:

A non-exclusive easement for ingress and egress over the easterly 20 feet of the East ½ of the Northwest ¼ of the Northwest ¼ of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian, according to the Official Plat of said land approved by the surveyor general.

Parcel 8:

A 60.00 foot road and utility easement over, under, along and across that certain existing road, from State Highway 395 through the following described parcels of land:

Parcel 8A:

That portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian described as follows:

Beginning at the southwest corner of the said Southeast $\frac{1}{4}$; thence north on the west line of the said Southeast $\frac{1}{4}$ for a distance of 392 feet; thence on a straight line southeasterly, to a point on the east line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the said Section 36, 90 feet north from the southeast corner of the Southwest $\frac{1}{4}$ of the said Southeast $\frac{1}{4}$; thence south on the said east line, 90 feet; thence west on the south line of said Southeast $\frac{1}{4}$ to the point of beginning:

Excepting therefrom that portion conveyed to the State of California by the deed filed for record March 5, 1948 as Instrument No. 872, described as follows:

Beginning at the southeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 36; Thence North $89^{\circ} 40' 39''$ West, along the south line of said Southwest $\frac{1}{4}$, 128.96 feet; Thence from a tangent bearing North $42^{\circ} 17' 27''$ East, along a curve to the left with a radius of 2950 feet, through an angle of $2^{\circ} 33' 46''$, a distance of 131.95 feet, to a point on the northerly line of the property conveyed to Alfred E. Lutze, a single man, by deed recorded August 10, 1946 in Book 770 Page 52 of Official Records, Riverside County Records; thence South $76^{\circ} 43' 03''$ East, along the northerly line of said Lutze property 45.52 feet, to the east line of said Southwest $\frac{1}{4}$; thence south $1^{\circ} 13' 50''$ West, along the east line of said Southwest $\frac{1}{4}$, 89.85 feet (recorded 90 feet), to the Point of Beginning.

Parcel 8B:

The Southwest $\frac{1}{4}$ of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian.

Parcel 8D:

The West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian, according to the Official Plat of said land and approved by the surveyor general.

Said easement is to touch the southerly portion of the east side of Parcel 1 hereinabove described and to continue to the northeast corner of said Parcel 1 hereinabove described.

Project Description/Proposed Land Use:

The subject property consists of 353.80 acres, more or less, and is located approximately 500 yards from the western boundary of the Pechanga Indian Reservation and is bisected by Interstate 15. This property is a tribal sacred site, part of the Tribe’s traditional homelands. There is no proposed change in use or development planned. A top priority for the Tribe is to protect its sacred sites and restore tribal homelands in order to promote greater cultural development and improve the health and welfare of the tribal community. Placing the property into federal trust will enhance the Tribe’s self-determination and self-governance.

Current Use/Taxes and Zoning:

Riverside County Assessed property taxes for 2012-13:

918090002-9	\$462.58	918090030-4	\$745.50	918090031-5	\$745.50
918090032-6	\$745.50	918090033-7	\$745.50	918090034-8	\$745.50
918090035-9	\$745.50	918090036-0	\$745.50	918090037-1	\$745.50
918090038-2	\$745.50	918090039-3	\$745.50	918090040-3	\$745.50
918090042-5	\$714.92	918090011-7	\$372.74	918100012-8	\$2,022.56
918110001-9	\$1,391.52	918110028-4	\$913.52	918120044-9	\$3,123.28
918130043-9	\$910.74	918130031-8	\$109.22	918090012-8	\$372.74
918090013-9	\$372.74	918090014-0	\$372.74	918090015-1	\$372.74
918090016-2	\$372.74	918090017-3	\$372.74	918090018-4	\$372.74
918090020-5	\$372.74	918090021-6	\$372.74	918090022-7	\$372.74
918090023-8	\$372.74	918090024-9	\$372.74	918090025-0	\$372.74
918090026-1	\$745.50	918090027-2	\$745.50	918090028-3	\$372.75
918090029-4	\$745.50				

County of San Diego Assessed property taxes for 2012-13:

102-230-66-00	\$276.92
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Transferring Pu’eska property into trust will not have a significant impact on the State of California, Riverside County or San Diego County’s tax revenue because the amount of property taxes assessed on these parcels are small in comparison to the County’s annual tax revenue.

Existing Easements/Encumbrances:

See attached Schedule B

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.

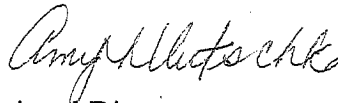
This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act of 1969.

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 this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of this 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 Joyce Coleman, Realty Specialist, at (916) 978-6059.

Sincerely,



Regional Director

Enclosures

cc: Distribution List

DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (10 copies) - 7013 2630 0001 5557 7060
Office Planning and Research
P.O. Box 3044
Sacramento, CA 95814

Joe Dhillon – 7013 2630 0001 5557 7077
Senior Advisor for Tribal Negotiations
Office of the Governor
State Capitol Building, Suite 1173
Sacramento, CA 95814

Sara Drake, Deputy Attorney General - 7013 2630 0001 5557 7084
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Office of the Honorable Dianne Feinstein - 7013 2630 0001 5557 7091
750 “B” Street, Suite 1030
San Diego, CA 92101

John J. Benoit, Supervisor – 7013 2630 0001 5557 7107
Fourth District, Riverside County Board of Supervisors
Riverside Office
Post Office Box 1647
Riverside, CA 92502-1647

County of Riverside – 7013 2630 0001 5557 7114
Office of the Treasurer-Tax Collector
Post Office Box 12005
Riverside, CA 92502-2205

County of Riverside – 7013 2630 0001 5557 7121
Planning Department
Post Office Box 1409
Riverside, CA 92502-1409

County of Riverside – 7013 2630 0001 5557 7138
Office of the Tax Assessor
2724 Gateway Drive
Riverside, CA 92507

San Diego County Assessor - 7013 2630 0001 5557 7145
600 Pacific Highway, Suite 162
San Diego, CA 92101

San Diego Treasurer & Tax Collector - 7013 2630 0001 5557 7152
1600 Pacific Highway, Suite 162
San Diego, CA 92101-2480

San Diego County Board of Supervisors - 7013 2630 0001 5557 7169
1600 Pacific Highway, Room 335
San Diego, CA 92101-2480

San Diego County Sheriff's Department - 7016 2630 0001 5557 7176
9621 Ridge Haven Court
San Diego, CA 92120

San Diego County - 7013 2630 0001 5557 7183
Planning & Development Services
5510 Overland Avenue, Suite 110
San Diego, CA 92123

San Diego County - 7013 2630 0001 5557 7190
Land Use and Environment Group
1600 Pacific Highway, Rm 212
San Diego, CA 92101

Mayor, City of Temecula - 7013 2630 0001 5557 7206
41000 Main Street
Temecula, CA 92590

Mayor, City of Murrieta - 7013 2630 0001 5557 7374
1 Town Square
Murrieta, CA 92562

Chairperson - 7013 2630 0001 5557 7213
Barona Reservation
1095 Barona Road
Lakeside, CA 92040

Chairperson - 7013 2630 0001 5557 7220
Campo Band of Mission Indians
36190 Church Rd., Suite 1
Campo, CA 91906

Chairperson – 7013 2630 0001 5557 7237
Ewiiapaayp Band of Kumeyaay Indians
4054 Willows Road
Alpine, CA 91901

Chairperson – 7013 2630 0001 5557 7244
Inaja-Cosmit Band of Mission Indians
2005 S. Escondido Boulevard
Escondido, CA 92025

Chairperson - 7013 2630 0001 5557 7251
Jamul Indian Village
P.O. Box 612
Jamul, CA 91935

Chairperson - 7013 2630 0001 5557 7268
La Jolla Band of Luiseno Indians
22000 Highway 76
Pauma Valley, CA 92061

Chairperson – 7013 2630 0001 5557 7275
La Posta Band of Mission Indians
P.O. Box 1120
Boulevard, CA 91905

Chairperson – 7013 2630 0001 5557 7282
Los Coyotes Band of Cahuilla & Cupeno Indians
P.O. Box 189
Warner Springs, CA 92086

Chairperson – 7013 2630 0001 5557 7299
Manzanita Band of Mission Indians
P.O. Box 1302
Boulevard, CA 91905

Chairperson - 7013 2630 0001 5557 7305
Mesa Grande Band of Mission Indians
P.O. Box 270
Santa Ysabel, CA 92070

Chairperson – 7013 2630 0001 5557 7312
Pala Reservation
35008 Pala Temecula Rd. PMB 50
Pala, CA 92059

Chairperson - 7013 2630 0001 5557 7329
Rincon Band of Mission Indians
P.O. Box 68
Valley Center, CA 92082

Chairperson - 7013 2630 0001 5557 7336
Santa Ysabel Band of Mission Indians
P.O. Box 130
Santa Ysabel, CA 92070

Chairperson - 7013 2630 0001 5557 7343
Sycuan Band of Mission Indians
5459 Sycuan Road
El Cajon, CA 92021

Chairperson - 7013 2630 0001 5557 7350
San Pasqual Band of Mission Indians
P.O. Box 365
Valley Center, CA 92082

Chairperson - 7013 2630 0001 5557 7367
Viejas (Baron Long) Band of Mission Indians
P.O. Box 908
Alpine, CA 91903

Regular Mail:

Superintendent, Southern California Agency, BIA
1451 Research Park Drive, Ste. 100
Riverside, California 92507-2154

SCHEDULE B**SECTION ONE
REQUIREMENTS**

The following requirements must be met:

- (A) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (B) Pay us the premiums, fees and charges for the policy.
- (C) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (D) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (E) Releases(s) or Reconveyance(s) of Item(s): None
- (F) Other:
 - 1. Furnish for review copies of the following:
 - a) Current organizational documents of The (name of Tribe) ("Tribe") including, but not limited to the Constitution, Charter, and By-Laws.
 - b) The Resolution, Minutes of Meeting, Ordinance, Code, Statute, or Law setting out the person or persons approved to sign a deed giving the land described in Schedule A to the United States of America in Trust for The (name of Tribe).
 - c) Documentation confirming said Resolution, Minutes of Meeting, Ordinance, Code, Statute or Law was adopted in compliance with Tribal Law adopted by the governing body of The (name of Tribe).
 - d) Certification from an authorized tribal officer or the tribal attorney, certifying that the version of documents furnished are current and accurate.
 - 2. The Company requires a certified Title Status Report from the appropriate Bureau of Indian Affairs Land Title and Records Office:
 - 3. The Company requires recordation in the county records of certified copies of any conveyance documents or other instruments affecting the land.
 - 4. Furnish for review opinion of Tribal Attorney affirming the following:
 - a) No matters exist in Tribal Court, tribal land records or tribal tax records which could create liens on the land or affect the Tribe's right to convey the property to Trust.
 - b) No challenge has been made to the authority of those parties holding official positions within the Tribe that are submitting the application to the Department of the Interior or making other decisions on behalf of the Tribe pertaining to this transaction.

5. Furnish documentation that sets forth that the (name of Tribe) was a recognized Indian Tribe under federal jurisdiction on June 18, 1934. (This requirement is necessary pursuant to *Carcieri v. Salazar*, 555 US 379, the Supreme Court held that under the Indian Reorganization Act of 1934, the Secretary of the Interior was not authorized to take land into trust from tribes that were not recognized and under federal jurisdiction at that date).

6. Proof of compliance with applicable laws and regulations relating to the acquisition of title by the United States of America in Trust (25 U.S.C. 465 and 25 CFR, Part 151), including the following (Note: the following requirements are independent, and must all be satisfied in order to insure):

a) Proof of notification of the proposed acquisition by the Secretary of the Interior to state and local governments having regulatory jurisdiction over the land (25 CFR 151.10, 151.11).

b) Confirmation that: (i) an administrative appeal has not been filed pursuant to 25 CFR Part 2, or (ii) if an appeal has been filed, proof that all administrative and judicial appeal rights and remedies have been exhausted.

c) Proof of publication of the Secretary of interior's decision to take the land into trust (may be described as "notice of final agency determination") and that Interior shall acquire title in the name of the United States no sooner than 30 days after the notice is published. 25 CFR 151.12 requires publication as follows:

- If the BIA official makes a decision to approve the request, publish the Public Notice in a newspaper of general circulation serving the affected areas.
- If the AS-IA makes a decision to approve the request, publish the Public Notice in the Federal Register

d) Confirmation that more than 30 days have passed since the publication of the Secretary of the interior's notice of final agency determination to take the land in trust, without appeal or challenge of any kind. Confirmation shall include an express representation that the records of the United States District Court or the Interior Board of Indian Appeals for proceedings challenging the decision by the Assistant Secretary of the Interior- Indian Affairs or the Bureau of Indian Affairs to take the land into trust brought against any of the following: the United States of America, the Department of Interior, the Secretary of Interior (by name and/or title), the Bureau of Indian Affairs, and the Tribe.) (25 CFR 151.12) have been researched.

e) If the land being transferred into trust is greater than 200 acres in aggregate, we require proof that the BIA official notified the AS-IA of the fee to trust application.

f) Provide a copy of the decision issued by the BIA or AS-IA to acquire land in trust.

7. A properly executed Warranty Deed¹ from (name of Tribe) to the United States of America in Trust for (name of Tribe), approved by the Secretary of the Interior, to be filed with the office of the county recorder in _____ county _____ and the Bureau of Indian Affairs Land Title and Records Office.

Said instrument must be dated more than 30 days after publication of the Secretary of Interior's final determination. (25 CFR 151.14, 151.12)

8. If the Company is asked to perform escrow services in connection with the transaction vesting the interest set forth in item 3 on Schedule A in the Proposed Insured, the Company will require an Agreement for Settlement Services on its form. Alternatively, a separate document agreed upon by the Tribe and the Company that contains a clear and express waiver by the Tribe of its sovereign immunity, submission of jurisdiction to the courts of the United States of America or of the State where the land is located and a stipulation that the choice of law for disputes shall be the law of the State where the land is located may be acceptable to the Company, at its discretion. The Company will require sufficient documentation evidencing the authority of the individual signing on behalf of the Tribe to execute either document.

9. If the existing or intended use of this property is for gaming purposes, the Company must be informed and the Company will have additional requirements.

Upon review of the above Requirements, we reserve the right to make further Requirements

- (G) You must give us the following information:
1. Any off record leases, surveys, etc.
 2. Statement(s) of Identity, all parties.
 3. Other: None

The following additional requirements, as indicated by "X", must be met:

- (H) Provide information regarding any off-record matters, which may include, but are not limited to: leases, recent works of improvement, or commitment statements in effect under the Environmental Responsibility Acceptance Act, Civil Code Section 850, et seq.

The Company's Owner's Affidavit form(as provided by company) must be completed and submitted prior to close in order to satisfy this requirement. This Commitment will then be subject to such further exceptions and/or requirements as may be deemed necessary.

- (I) An ALTA/ACSM survey of recent date, which complies with the current minimum standard detail requirements for ALTA/ACSM land title surveys, must be submitted to the Company for review. This Commitment will then be subject to such further exceptions and/or requirements as may be deemed necessary.

- (J) The following LLC documentation is required:
- (i) a copy of the Articles of Organization
 - (ii) a copy of the Operating Agreement, if applicable
 - (iii) a Certificate of Good Standing and/or other evidence of current Authority to Conduct Business within the State
 - (iv) express Company Consent to the current transaction

- (K) The following partnership documentation is required :
- (i) a copy of the partnership agreement, including all applicable amendments thereto
 - (ii) a Certificate of Good Standing and/or other evidence of current Authority to Conduct Business within the State
 - (iii) express Partnership Consent to the current transaction

- (L) The following corporation documentation is required:
- (i) a copy of the Articles of Incorporation
 - (ii) a copy of the Bylaws, including all applicable Amendments thereto
 - (iii) a Certificate of Good Standing and/or other evidence of current Authority to Conduct Business within the State
 - (iv) express Corporate Resolution consenting to the current transaction

- (M) Based upon the Company's review of that certain partnership/operating agreement dated **Not disclosed** for the proposed insured herein, the following requirements must be met:

Any further amendments to said agreement must be submitted to the Company, together with an affidavit from one of the general partners or members stating that it is a true copy, that said partnership or limited liability company is in full force and effect, and that there have been no further amendments to the agreement. This Commitment will then be subject to such further requirements as may be deemed necessary.

- (N) A copy of the complete lease, as referenced in Schedule A, #3 herein, together with any amendments and/or assignments thereto, must be submitted to the Company for review, along with an affidavit executed by the present lessee stating that it is a true copy, that the lease is in full force and effect, and that there have been no further amendments to the lease. This Commitment will then be subject to such further requirements as may be deemed necessary.
- (O) Approval from the Company's Underwriting Department must be obtained for issuance of the policy contemplated herein and any endorsements requested thereunder. This Commitment will then be subject to such further requirements as may be required to obtain such approval.
- (P) Potential additional requirements, if ALTA Extended coverage is contemplated hereunder, and work on the land has commenced prior to close, some or all of the following requirements, and any other requirements which may be deemed necessary, may need to be met:
- (Q) The Company's "Mechanic's Lien Risk Addendum" form must be completed by a Company employee, based upon information furnished by the appropriate parties involved.
- (R) The Company's "Indemnity Agreement I" must be executed by the appropriate parties.
- (S) Financial statements from the appropriate parties must be submitted to the Company for review.
- (T) A copy of the construction contract must be submitted to the Company for review.
- (U) An inspection of the land must be performed by the Company for verification of the phase of construction.

SCHEDULE B**SECTION TWO****EXCEPTIONS**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the policy or policies are set forth in Exhibit A attached. Copies of the policy forms should be read. They are available from the office which issued this Commitment.

1. General and special taxes and assessments for the fiscal year 2014-2015

APN	TRA	1st Half, STATUS	Penalty	2nd half, STATUS	Penalty	Affects
918-090-011-7	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-012-8	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-013-9	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-015-1	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-016-2	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-017-3	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-020-5	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-021-6	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-023-8	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-024-9	082-143	\$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 1
918-090-026-1	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-027-2	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-028-3	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-029-4	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-030-4	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-031-5	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-032-6	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-033-7	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-034-8	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-035-9	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-036-0	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-037-1	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-038-2	082-143	\$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1

918-090-039-3	082-143 \$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-040-3	082-143 \$372.56, OPEN	\$0.00	\$372.56, OPEN	\$0.00	Portion of Parcel 1
918-090-042-5	082-143 \$357.28, OPEN	\$0.00	\$357.28, OPEN	\$0.00	Portion of Parcel 1
918-130-031-8	094-005 \$54.51, OPEN	\$0.00	\$54.51, OPEN	\$0.00	Portion of Parcel 1
918-100-012-8	094-005 \$1,009.53, OPEN	\$0.00	\$1,009.53, OPEN	\$0.00	Portion of Parcel 2
918-110-028-4	094-005 \$455.97, OPEN	\$0.00	\$455.97, OPEN	\$0.00	Portion of Parcel 2
918-120-044-9	094-005 \$1,558.93, OPEN	\$0.00	\$1,558.93, OPEN	\$0.00	Portion of Parcel 2
918-130-043-9	094-005 \$454.58, OPEN	\$0.00	\$454.58, OPEN	\$0.00	Portion of Parcel 2
102-230-66-00	93011 \$139.41, OPEN	\$0.00	\$139.41, OPEN	\$0.00	Parcel 3
918-090-014-0	082-143 \$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 4
918-090-018-4	082-143 \$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 4
918-110-028-4	094-005 \$455.97, OPEN	\$0.00	\$455.97, OPEN	\$0.00	Portion of Parcel 2
918-090-025-0	082-143 \$186.27, OPEN	\$0.00	\$186.27, OPEN	\$0.00	Portion of Parcel 4
918-110-001-9	094-009 \$694.55, OPEN	\$0.00	\$694.55, OPEN	\$0.00	Parcel 5
918-090-002-9	082-143 \$231.29, OPEN	\$0.00	\$231.29, OPEN	\$0.00	Parcel 6

2. The lien of special tax for the following municipal improvement bond, which tax is collected with the county taxes.
District: No. 159 (Rancho Villages)
3. The lien of special tax assessed pursuant to Chapter 2.5 commencing with Section 53311 of the California Government Code for Community Facilities District No. 2002-2 (Redhawk) of the Temecula Valley Unified School District, as disclosed by Notice of Special Tax Lien recorded October 10, 2002 as Instrument No. 2002-566712 of Official Records.
4. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.

The Following Matters Affect Parcel 1:

5. A: A right of way for ditches and canals as reserved by the United States of America in the patent recorded August 10, 1946 in Book 764, Page 504 of Official Records.

B: Rights of Way granted to the United States by an Act of the Legislature, approved May 18, 1921 (Chapter 173, Statutes of California, 1921), for the uses prescribed in the Act of Congress, approved June 17, 1902, relating to irrigation and reclamation, as set out in patent recorded August 10, 1946 in Book 764 Page 504 of Official Records of Riverside County, California.
6. The absolute right of the public to fish as provided in Section 25 of Article I of the Constitution of the State of California as reserved by Patents recorded in Book 2307 Page 230, and in Book 764 Page 504 of Official Records.
7. An easement for public utilities and incidental purposes, recorded November 22, 1971 as Instrument No. 133238 of Official Records.
In Favor of: San Diego Gas and Electric Company
Affects: As described therein

8. A non-exclusive easement for road and public utilities and incidental purposes, recorded December 20, 1979 as Instrument No. 270463 of Official Records.

In Favor of: Propiedades H & M, S.A.

Affects: As described therein

An Amendment To Easement dated December 07, 2009 by and between Kishor D. Doshi and Sudha K. Doshi, Trustees of the Doshi 2003 Family Trust dated October 09, 2003, and Belinda F. Kirkpatrick and Brian M. Kirkpatrick, under the terms and provisions as contained therein, recorded December 22, 2011 as Instrument No. 2011-0566939 of Official Records.

9. A non-exclusive easement for road and public utilities and incidental purposes, recorded December 20, 1979 as Instrument No. 270465 of Official Records.

In Favor of: M.P. O'Brien

Affects: As described therein

An Amendment To Easement dated December 07, 2009 by and between Kishor D. Doshi and Sudha K. Doshi, Trustees of the Doshi 2003 Family Trust dated October 09, 2003, and Arthur C. Hausen, Jr., under the terms and provisions as contained therein, recorded December 22, 2011 as Instrument No. 2011-0566938 of Official Records.

10. An easement for road and public utilities and incidental purposes, recorded September 30, 1986 as Instrument No. 240566 of Official Records.

In Favor of: State of California

Affects: As described therein

11. Abutter's rights of ingress and egress to or from Freeway have been relinquished in the document recorded September 30, 1986 as Instrument No. 240566 of Official Records.

12. Lot Line Adjustment No. 2903; Approved by the Riverside County Planning Department. A notice of said lot line adjustment recorded June 29, 1990 as Instrument No. 242241 of Official Records of Riverside County, California.

13. A non-exclusive easement for road and public utilities and incidental purposes, recorded April 13, 1992 as Instrument No. 130481 of Official Records.

In Favor of: Arthur C. Hausen, Jr., a married man as his sole and separate property

Affects: As described therein

14. The Terms, Provisions and Easement(s) contained in the document entitled "Easement Agreement" recorded April 13, 1992 as Instrument No. 130481 of Official Records.

15. The Terms, Provisions and Easement(s) contained in the document entitled "Grant Deed and Easement Agreement" recorded October 27, 1992 as Instrument No. 405872 of Official Records.

16. An easement for private road and utility purposes and incidental purposes; recorded December 15, 2003 as Instrument No. 2003-976591 of Official Records.

In Favor of: Leroy E. and Lucille A. Grunder, husband and wife as joint tenants and Augustine L. Nieto 1994 Trust

Affects: As described therein

The Following Matters Affect Parcel 2:

17. The absolute right of the public to fish as provided by Section 25 of Articles I of the constitution of the State of California as reserved by Patent recorded March 14, 1939 in Book 408, Page 496 of Official Records.
18. An easement for pipe lines and incidental purposes, recorded March 11, 1947 in Book 824, Page 50 of Official Records.
In Favor of: Frank Barnum
Affects: As described therein
19. An easement for either pole lines, conduits and incidental purposes, recorded December 17, 1947 in Book 877, Page 382 of Official Records.
In Favor of: California Electric Power Co.
Affects: As described therein
20. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded March 09, 1948 in Book 901, Page 90 of Official Records.
21. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded October 11, 1948 in Book 1018, Page 176 of Official Records.
22. Abutter's rights of ingress and egress to or from state freeway have been relinquished in the document recorded May 24, 1948 in Book 913, Page 156 of Official Records.
23. A waiver of any claims for damages by reason of the location, construction, landscaping or maintenance of a contiguous freeway, highway or roadway, as contained in the document recorded May 24, 1948 in Book 913, Page 156 of Official Records.
24. An easement for road and incidental purposes, recorded June 14, 1951 in Book 1279, Page 392 of Official Records.
In Favor of: Albert G. Burbank
Affects: As described therein
25. An easement for pipelines and incidental purposes, recorded November 16, 1960 as Instrument No. 97757 of Official Records.
In Favor of: Metropolitan Water District of Southern California
Affects: As described therein
26. An easement for road and incidental purposes, recorded July 25, 1969 as Instrument No. 75887 of Official Records.
In Favor of: Wallace F. Street Jr. and Virginia C. Street
Affects: As described therein
27. An easement for road and incidental purposes, recorded April 26, 1971 as Instrument No. 42749 of Official Records.
In Favor of: Charles F. Howard and Margaret H. Howard
Affects: As described therein
28. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded July 15, 1975 as Instrument No. 84029 of Official Records.
29. An access opening to provide ingress to and egress from the adjacent highway across the Northeasterly 20.00 feet of the Southwesterly 50.00 feet of the Southeasterly line of that certain

parcel of land vested in the Grantee and lying within the South Half of the Southeast Quarter of Section 36, Township 8 South, Range 3 West, San Bernardino Base and Meridian, and as conveyed by deed recorded March 17, 1980 as Instrument No. 51040 of Official Records of Riverside County, California.

30. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded April 27, 1981 as Instrument No. 74586 of Official Records.
31. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded May 05, 1982 as Instrument No. 76543 of Official Records.
32. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded May 07, 1982 as Instrument No. 78627 of Official Records.
33. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded May 20, 1982 as Instrument No. 86621 of Official Records.
34. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded April 18, 1988 as Instrument No. 101225 of Official Records.
35. Abutter's rights of ingress and egress to or from freeway have been relinquished in the document recorded June 22, 1988 as Instrument No. 171411 of Official Records.

The Following Matters Affect Parcel 3:

36. An easement for public utilities and incidental purposes, recorded September 02, 1970 as Instrument No. 159076 of Official Records.
In Favor of: San Diego Gas & Electric Company
Affects: As described therein
37. Abutter's rights of ingress and egress to or from State Freeway have been relinquished in the document recorded December 27, 1988 as Instrument No. 88-665592 of Official Records.
38. Abutter's rights of ingress and egress to or from State Freeway have been relinquished in the document recorded December 22, 1989 as Instrument No. 89 0694527 of Official Records.
39. An easement for private road, utility and incidental purposes, recorded December 15, 2003 as Instrument No. 03-1474747 of Official Records.
In Favor of: Kishor Doshi and Sudha Doshi, husband and wife as joint tenants
Affects: As described therein

The Following Matters Affect Parcel 4:

40. The absolute right of the public to fish as provided by Section 25 of Articles I of the constitution of the State of California as reserved in Patent recorded July 25, 1958 in Book 2307, Page 230 of Official Records.
41. An easement for ingress, egress and incidental purposes, recorded April 13, 1992 as Instrument No. 92-130485 of Official Records.
In Favor of: Kishor Doshi and Sudha Doshi, husband and wife as joint tenants
Affects: As described therein

The Following Matters Affect Parcel 5:

42. The absolute right of the public to fish as provided in Section 26 of Article I of the Constitution of the State of California as reserved by Patent recorded in Book 2307 Page 230.

The Following Matters Affect Parcel 6:

43. The following reservations and/or provisions contained in the patent from the United States of America.

Recorded: July 25, 1958, as Instrument No. 53462, of Official Records.

Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts; also a right of way for ditches or canals constructed by authority of the United States are reserved in said patent.

The Following Matters Affect All Parcels:

44. Any claim that the United States lacks proper authority to acquire or hold title to the land, or arising from or related to an alleged defect in the process of approving or authorizing the acquisition of title by the United States of America in Trust for (name of Tribe), a federally recognized tribe.
45. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is (a) a fraudulent conveyance or fraudulent transfer or (b) a preferential transfer. (Not necessary if US Policy form Rev. 12-3-12 is used).
46. Paragraphs 1 and 2 of the Exclusions from Coverage are expressly extended to include those laws, ordinances or regulations of an Indian tribe or nation.
47. Public records as defined in this Policy do not include records of an Indian tribe, band, pueblo, nation, community, village, Rancheria or similar entity or association of Indians or any other repository of Indian Land Records, including, but not limited to the Bureau of Indian Affairs Land Titles and Records Office.
48. Tribal records for any tax, law or regulation are not "public records" within the meaning of this policy, and this policy provides no coverage respecting any loss occasioned by any such tribal tax law or regulation.
49. Water rights, claims or title to water, whether or not shown by the public records.
50. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
51. Easements, claims of easement or encumbrances which are not shown by the public records.
52. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
53. Rights of the public in and to that portion of the land lying within any Road, Street, Alley or Highway.

54. Rights of parties in possession.

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