



UNITED STATES OF AMERICA  
DEPARTMENT OF THE INTERIOR

IN REPLY REFER TO:

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

NOV 01 2011

**Notice of (Non-Gaming) Land Acquisition Application**

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10, notice is given of the application filed by the Rincon Band of Luiseno Mission Indians 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:**


Rincon Band of Luiseno Mission Indians, California

**Legal Land Description/Site Location:**

See attached legal description.

**Project Description/Proposed Land Use:**

The subject property consists of two parcels of land, encompassing approximately 520 acres more or less, commonly referred to as Assessor's Parcel Numbers: 133-190-04 and 133-190-07. The parcels are contiguous to the Rincon Reservation. Currently, the property is vacant. There is no proposed change in land use.

**TAKE PRIDE  
IN AMERICA** 

See Assessor parcel/site map.

**Current Use/Taxes and Zoning:**

133-190-04 - \$ 13,013.20

133-190-07 \$ 8,868.56

**Existing Easements/Encumbrances:**

See Schedule "B"

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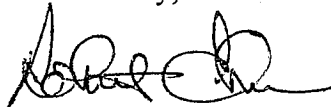
As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

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

Sincerely,



Superintendent

Enclosure: Distribution List  
Assessor Parcel Map  
Schedule "B"

## DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (10 copies) – 7010 1670 0001 5794 2105  
Office Planning and Research  
P.O. Box 3044  
Sacramento, CA 95814

Legal Affairs Secretary – 7010 1670 0001 5794 2112  
Office of the Governor  
State Capitol Building  
Sacramento, CA 95814

Ms. Sara Drake – 7010 1670 0001 5794 2129  
State of California  
Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244-2550

U.S. House of Representatives – 7010 1670 0001 5794 2126  
52<sup>nd</sup> District  
1870 Cordell Court, Suite 206  
El Cajon, CA 92020-0916

San Diego County Assessor – 7010 1670 0001 5794 2143  
600 Pacific Highway, Suite 162  
San Diego, CA 92101

San Diego Treasurer & Tax Collector – 7010 1670 0001 5794 2150  
1600 Pacific Highway, Suite 162  
San Diego, CA 92101-2480

County of San Diego – 7010 1670 0001 5794 2167  
Board of Supervisors  
Office of the Chief Administrative Officer  
1600 Pacific Highway  
San Diego, CA 92101-2480

San Diego County Sheriff's Department - 7010 1670 0001 5794 2174  
9621 Ridge Haven Court  
San Diego, CA 92120

Chairperson – 7010 1670 0001 5794 2181  
Barona Group of Capitan Grande Band  
of Mission Indians  
1095 Barona Road  
Lakeside, CA 92040

Chairperson – 7010 1670 0001 5794 2198  
Campo Band of Mission Indians  
36190 Church Rd., Suite 1  
Campo, CA 91906

Chairperson - 7010 1670 0001 5794 2204  
Ewiiapaayp Band of Kumeyaay Indians  
4054 Willows Road  
Alpine, CA 91901

Chairperson – 7010 1670 0001 5794 2211  
Inaja-Cosmit Band of Mission Indians  
2005 S. Escondido Blvd.  
Escondido, CA 92025

Chairperson – 7010 1670 0001 5794 2228  
Jamul Indian Village  
P.O. Box 612  
Jamul, CA 91935

Chairperson – 7010 1670 0001 5794 2235  
La Jolla Band of Luiseno Indians  
22000 Highway 76  
Pauma Valley, CA 92061

Chairperson – 7010 1670 0001 5794 2310  
La Posta Band of Mission Indians  
P.O. Box 1120  
Boulevard, CA 91905

Chairperson – 7010 1670 0001 5794 2327  
Los Coyotes Band of Cahuilla & Cupeno Indians  
P.O. Box 189  
Warner Springs, CA 92086

Chairperson – 7010 1670 0001 5794 2242  
Manzanita Band of Mission Indians  
P.O. Box 1302  
Boulevard, CA 91905

Chairperson - 7010 1670 0001 5794 2259  
Mesa Grande Band of Mission Indians  
P.O. Box 270  
Santa Ysabel, CA 92070

Chairperson - 7010 1670 0001 5794 2266  
Pala Band of Mission Indians  
35008 Pala Temecula Road  
PMB - 50  
Pala, CA 92059

Chairperson - 7010 1670 0001 5794 2273  
Pauma Band of Mission Indians  
P. O. Box 369  
Pauma Valley, CA 92061

Chairperson - 7010 1670 0001 5794 2280  
San Pasqual Band of Mission Indians  
P.O. Box 365  
Valley Center, CA 92082

Chairperson - 7010 1670 0001 5795 2297  
IIPAY Nation of Santa Ysabel  
P.O. Box 130  
Santa Ysabel, CA 92070

Chairperson - 7010 1670 0001 5794 2303  
Sycuan Band  
5459 Sycuan Road  
El Cajon, CA 92021

Chairperson - 7010 1670 0001 5794 2334  
Viejas (Baron Long) Band of Mission Indians  
P.O. Box 908  
Alpine, CA 92001

Email:  
Sara Dutschke, Attorney at Law  
Alan Sweeney, Legal Affairs

Regular Mail:

Chairperson  
Rincon Band of Luiseno Indians  
P.O. Box 68  
Valley Center, CA 92082

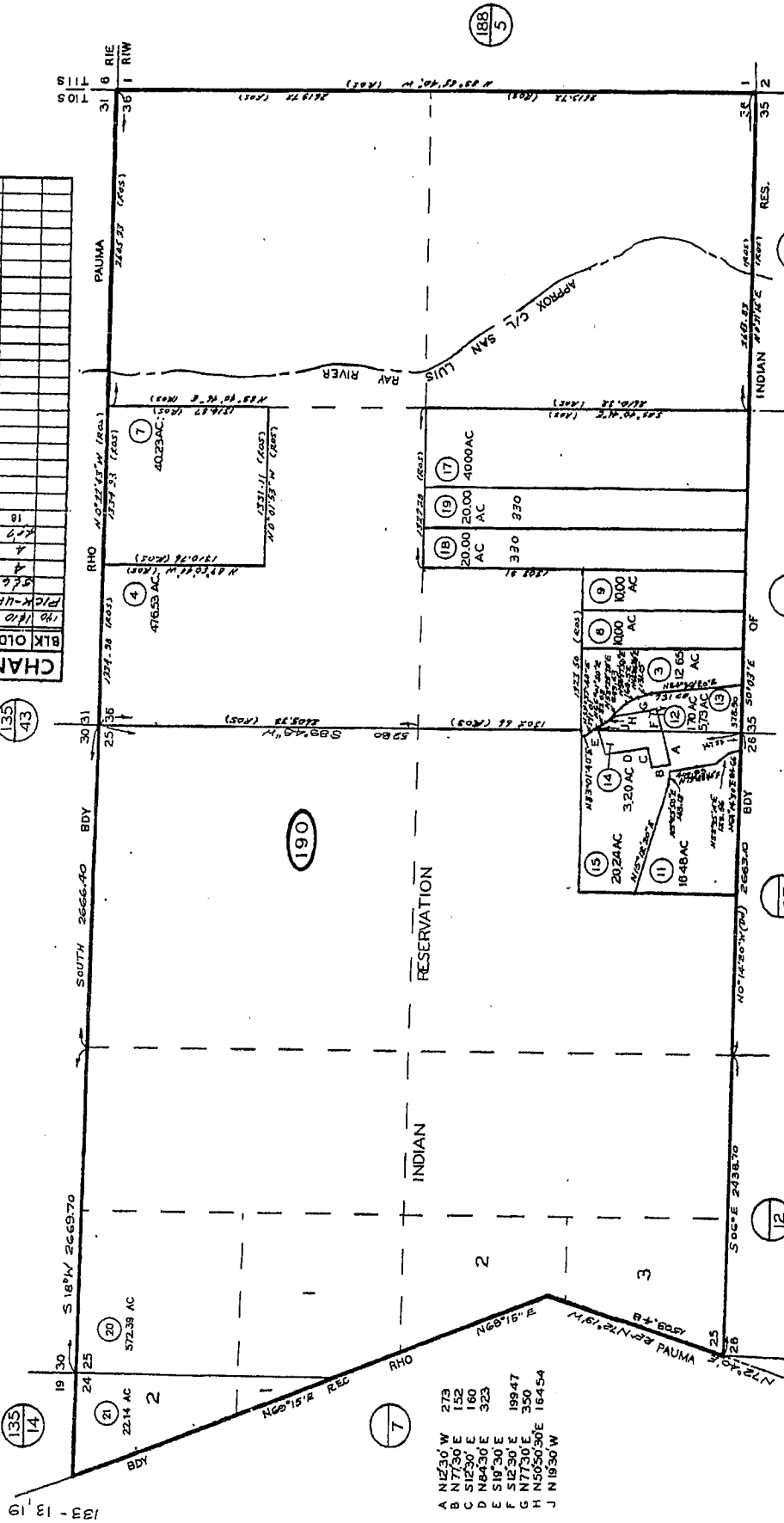
Regional Director  
Pacific Region Office  
Bureau of Indian Affairs  
2800 Cottage Way, Rm. W-2820  
Sacramento, CA 95825

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133-19

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.



Description: San Diego, CA Assessor Map 133.19 Page: 1 of 1  
 Order: mg Comment:

SEC 36 - T10S - R1W  
 SEC 25 - T10S - R1W  
 SEC 24 - T10S - R1W  
 ROS 8008,12273

SAN DIEGO COUNTY  
 ASSESSOR'S MAP  
 BOOK 133 PAGE 19

OCT 15 2001

## LEGAL DESCRIPTION

PARCEL 1: APN 133-190-04

THE SOUTH HALF, THE WEST HALF OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 10 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF.

PARCEL 2: APN 133-190-07

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 10 SOUTH, RANGE 1 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF.

END OF LEGAL DESCRIPTION



## SCHEDULE B – SECTION II

### EXCEPTIONS

Schedule B of the 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:

- A. Any facts, rights, interest or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- B. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
- C. 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 the public records.
- D. (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.
  1. "Terms and conditions of Treaties and Statutes affecting the land and the subject tribe."
  2. The fact that said property is located on the Rincon Indian Reservation and is subject to any tribal laws, codes, regulations and assessments as may be established by the Rincon Band of Luiseno Indians.
  3. Property taxes, including any assessments collected with taxes, for the fiscal year 2011 - 2012

1 <sup>st</sup> Installment:	\$6,657.19
Penalty:	\$665.71 (Due after December 10)
2 <sup>nd</sup> Installment:	\$6,657.19
Penalty and Cost:	\$675.71 (Due after April 10)
Code Area:	94056

Assessors Parcel Number: 133-190-04

Property taxes, including any assessments collected with taxes, for the fiscal year 2011 - 2012

1 <sup>st</sup> Installment:	\$4,536.73
Penalty:	\$453.67 (Due after December 10)
2 <sup>nd</sup> Installment:	\$4,536.73
Penalty and Cost:	\$463.67 (Due after April 10)
Code Area:	94056

Assessors Parcel Number: 133-190-07
  4. 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
  5. Water rights, claims or title to water, whether or not shown by the public records.
  6. The rights of the public in and to that portion of the herein described land lying within said land.

**SCHEDULE B – SECTION II**  
(continued)

7. The fact that the public record does not disclosed that the ownership of said land includes rights of access to or from any public street. Notwithstanding the insuring clauses of the policy, the Company does not insure against loss or damage by reason of a lack of a right of access to and from the land.
8. Any adverse claim based upon the assertion that:
- a) Said land or any part thereof is now or at any time have been below the ordinary high water mark of the San Luis Rey River or that some portion of said land is tide or submerged lands.
  - b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
9. An easement for ingress and egress and public recreation purposes and incidental uses including, but not limited to, parking, fishing, picnicking general viewing, public protection, policing and erosion control.
10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: May 25, 1956 in Book 6115, page 584 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 2
11. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: May 25, 1956 in Book 6116, page 47 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 1
12. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: May 25, 1956 in Book 6116, page 49 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 1

**SCHEDULE B – SECTION II**  
(continued)

13. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: Escondido Mutual Water Company  
Purpose: telephone poles and line and road purposes  
Recorded: October 26, 1971 as Instrument No. 247070 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 1
14. Riparian rights to the waters of the San Luis Rey River as contained in deed recorded March 21, 1978 as Instrument No. 78-109207 of Official Records.
15. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: January 3, 1979 as Instrument No. 79-002970 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 1
16. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: December 4, 1980 as Instrument No. 80-408609 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
- Affects Parcel 1
17. The effect, if any, of Record of Survey Map No. 12273, filed in the Office of the County Recorder of San Diego County, August 3, 1989.
18. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
- Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: December 21, 1995 as Instrument No. 1995-0582721 of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.
19. Intentionally omitted.

**SCHEDULE B – SECTION II**  
(continued)

20. Intentionally omitted.

21. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:	San Diego Gas and Electric Company
Purpose:	public utilities, ingress, egress
Recorded:	<u>January 16, 2008 as Instrument No. 2008-0022263</u> of Official Records
Affects:	The route thereof affects a portion of said land and is more fully described in said document.

22. Any rights of parties in possession of said land, based on any unrecorded lease, or leases.

This Company will require a full copy of any unrecorded lease, together with all supplements, assignments, and amendments for review.

23. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.

Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.

Note: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

END OF SCHEDULE B