

## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Pacific Regional Office

2800 Cottage Way

Sacramento, California 95825

MAR 27 2019

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

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, and Parts 151.10 and 151.11, notice is given of the application filed by the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California (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:

Cher-Ae Heights Indian Community of the Trinidad Rancheria, California

#### Legal Land Description/Site Location:

See attached Exhibit "A"

HL 2578

**Project Description/Proposed Land Use:**

The subject property consists of 9.30 acres more or less, commonly referred to as Assessor's Parcel Numbers 042-071-001, 042-071-002, 042-071-005, 042-071-008, 042-071-012, 042-071-013, 042-091-002, 042-091-008 and 042-091-010 "Harbor" property and is not contiguous to the existing tribal trust lands. The property is located in Trinidad, California. The Tribe will continue to use the subject property as a paved parking lot, a restaurant, a residence, a storage/public restroom building, a small wastewater treatment facility, storage sheds, and a pier extending into the ocean. There are two sand/rocky beaches on-site. The undeveloped area are vegetated with coastal scrub vegetation.

**Current Use/Taxes and Zoning:**

Assessed property taxes for 2018-2019:

042-071-001,	\$ 3,754.84
042-071-002,	\$ 788.76
042-071-005,	\$ 157.68
042-071-008,	\$20,367.26
042-071-012,	\$13,993.60
042-071-013,	\$ 1,088.70
042-091-002,	\$ 94.58
042-091-008,	\$ 315.48
042-091-010,	\$ 520.54

Total \$ 41,081.44

**Existing Easements/Encumbrances:**

*See attached 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.

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.

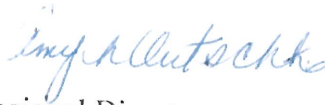
Your written comments should be addressed to the Bureau of Indian Affairs at the address at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided 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 Arvada Wolfen, Supervisory Realty Specialist, at (916) 978-6069.

Sincerely,



Regional Director

Enclosures

cc: Distribution List

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Sacramento, CA 95814

Senior Advisor for Tribal Negotiations-- 7018 0360 0000 8590 9615  
Office of the Governor  
State Capitol Building, Suite 1173  
Sacramento, CA 95814

Ms. Sara J. Drake, Deputy Attorney General -- 7018 0360 0000 8590 9622  
State of California  
Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244-2550

U.S. Senator Dianne Feinstein -- 7018 0360 0000 8590 9639  
331 Hart Senate Office Building  
Washington, DC 20510

City Administration-- 7018 0360 0000 8590 9677  
409 Trinity Street  
PO Box 390  
Trinidad, CA 95570

Police Department-- 7018 0360 0000 8590 9684  
409 Trinity Street  
PO Box 390  
Trinidad, CA 95570

Public Works Planning and Building Services-- 7018 0360 0000 8590 9691  
409 Trinity Street  
PO Box 390  
Trinidad, CA 95570

Volunteer Fire-- 7018 0360 0000 8590 9707  
409 Trinity Street  
PO Box 390  
Trinidad, CA 95570

Humboldt County Assessor – 7018 0360 0000 8590 9646  
825 5<sup>th</sup> Street, Room #300  
Eureka, CA 95501

Mr. Ryan Sundberg, 5<sup>th</sup> District Supervisor – 7018 0360 0000 8590 9653  
Humboldt County Board of Supervisors  
825 5<sup>th</sup> St.  
Eureka, CA 95501

Humboldt County Sheriff – 7018 0360 0000 8590 9660  
826 4<sup>th</sup> Street  
Eureka, CA 95501

Planning Director, Planning Dept. – 7018 0360 0000 8590 9721  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Director, Humboldt County Public Works – 7018 0360 0000 8590 9738  
1106 2<sup>nd</sup> Street  
Eureka, CA 95501

Humboldt County Tax Collector – 7018 0360 0000 8590 9745  
825 5<sup>th</sup> Street  
Eureka, CA 95501

Chairperson – 7018 0360 0000 8590 9752  
Karuk Tribe  
P.O. Box 1016  
Happy Camp, CA 96039

Chairperson – 7018 0360 0000 8590 9769  
Big Lagoon Rancheria, California  
P.O. Box 3060  
Trinidad, CA 95570

Chairperson – 7018 0360 0000 8590 9776  
Hoopa Valley Tribe, California  
P.O. Box 1348  
Hoopa, CA 95546

Chairperson – 7018 0360 0000 8590 9783  
Bear River Band of Rohnerville Rancheria  
27 Bear River Drive  
Loleta, CA 95551

Chairperson – 7018 0360 0000 8590 9790  
Blue Lake Rancheria, California  
P.O. Box 428  
Blue Lake, CA 95525

Chairperson – 7018 0360 0000 8590 9714  
Trinidad Rancheria  
P.O. Box 630  
Trinidad, CA 95570

Chairperson – 7018 1130 0001 5785 4339  
Table Bluff Rancheria  
1000 Wiyot Drive  
Loleta, CA 95551

Chairperson – 7018 1130 0001 5785 4346  
Yurok Tribe  
P.O. Box 1027  
Klamath, CA 95548

U.S. House of Representatives – 7018 1130 0001 5785 4353  
2<sup>nd</sup> District  
317 Third St., Suite 1  
Eureka, CA 95501

cc: Regular Mail:  
Superintendent, Northern California Agency  
364 Knollcrest Drive, Ste. 105  
Redding, CA 96002

**EXHIBIT "A"**  
Legal Description

For APN/Parcel ID(s): **042-071-001, 042-071-002, 042-071-005, 042-071-008, 042-071-012, 042-071-013, 042-091-002, 042-091-008 and 042-091-010**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF TRINIDAD, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE

Those parcels of land in the City of Trinidad, County of Humboldt, State of California, shown and numbered on the Official Map of Trinidad, filed in the County Recorder's Office of Klamath County, California, on October 2, 1871 and now on file in the Recorder's Office of the County of Humboldt, State of California, and further defined in the deeds by Town Trustees under Townsite Act, as follows:

Lots numbered 36, 37, 38, 40, 41, 42 and 44, also all that portion of Lot 9 lying Southerly of the prolongation of the South line of Lot 35, if the same were prolonged Westerly to the Pacific Ocean; also a strip of land of the uniform width of 20 feet off the entire Southerly boundary of Lot 45, and also that portion of Lot 43, described as follows:

COMMENCING at the Southeast corner of Van Wycke and Galindo Streets;  
thence South along Galindo Street, 170 feet to the true point of beginning;  
thence from said point of beginning in a Northeasterly direction parallel to the ocean shore and along the Southeasterly line of the parcel conveyed by Earl Hallmark and wife to Hazel E. Jones, dated September 23, 1949 and recorded October 10, 1949 in Book 109 of Official Records, Page 124, Recorder s File No, 9184, Humboldt County Records, to Easterly line of said Lot 43;  
thence South along East line of said Lot 43 to Southeast corner thereof;  
thence Southwesterly and Westerly along the Southeasterly and Southerly lines of said Lot 43 to the Southwest corner of said lot;  
thence North along the West line of said lot to the true point of beginning.

EXCEPTING FROM said portion of Lot 9 the strip for the extension Westerly of Van Wycke Street, and the 75-foot strip connecting Van Wycke Street with the Lighthouse Reservation, as conveyed to the United States of America by Deed from Hammond Lumber Company dated October 23, 1917 and recorded November 10, 1917 in Book 139 of Deeds, Page 315, Humboldt County Records.

ALSO EXCEPTING FROM said Lot 38 that portion conveyed by Earl Hallmark and wife to A.J. Bathurst and wife, dated February 1, 1950 and recorded April 17, 1950 in Book 127 of Official Records, page 404, Recorder's File No. 3853, Humboldt County Records.

PARCEL TWO

In the City of Trinidad, County of Humboldt, State of California, as shown on the Official Map of Trinidad, filed in the County Recorder's Office of Klamath County, California, on October 2, 1871 and now on file in the Recorder's Office of the County of Humboldt, State of California, and further described as:

Those strips of land formerly known as Bay Street and Bay Alley, as the same were laid out on the said Map of Trinidad, but since vacated, said strips being bounded on the East by the West line of Galindo

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Street extended, on the West end by the East line of Lot 9, and on the Northerly end by the South line of Van Wycke Street extended Westerly.

PARCEL THREE

BEGINNING at the Northeast corner of the U.S. Light House Reservation at Trinidad in Township 8 North, Range 1 West, Humboldt Meridian, and running thence along the U.S. Meander Line North 51 degrees East, 4 chains; South 53 1/2 degrees East, 3 chains; North 51 degrees East, 2.10 chains; North 65 1/2 degrees East, 3.06 chains; thence leaving said meandering line South 39 1/4 degrees West, 1.92 chains; South 43 1/2 degrees East, 3.53 chains; South 15 degrees East, 1.79 chains; South 6 1/4 degrees West, 1.24 chains; South 86 degrees 15 minutes West, .74 chains; North 73 1/2 degrees West, 2.35 chains; North 39 1/2 degrees West, 3.07 chains; North 80 degrees West, 1.86 chains; South 63 degrees West, 2.80 chains; North 53 1/2 degrees West, 2.75 chains to the place of beginning. This description is intended to include all land lying between the U.S. Meander Line on the North and high water mark of Trinidad Bay and including the rock butte known as Little Head.

Said property is sometimes described as follows:

All that certain lot, piece or parcel of land situate, lying and being in the Town of Trinidad, County of Humboldt, State of California, and bounded and particularly described as follows, to wit:

Lot No. 46 known as the Little Head commencing at the Southeast corner of Galindo Street running Southwest and South of Lots 37, 41 and 42, 200 feet; thence South 35 degrees East, 40 feet; thence South 4 degrees East, 196 feet; thence East 50 degrees South, 100 feet; thence East, 75 feet; thence East 25 degrees North, 95 feet; thence North 45 degrees West, 94 feet; thence North 63 degrees West, 62 feet; thence North 25 degrees West, 120 feet; thence North 13 degrees West, 90 feet to the point of beginning.

PARCEL FOUR

Beginning at the Northwest corner of Lot 45 of Trinidad; and running thence South 80 feet; thence in an Easterly direction 40 feet to a point 70 feet South of Van Wycke Street; thence North 70 feet to Van Wycke Street; and

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thence Westerly on Van Wycke Street 40 feet to the place of beginning.

Being a portion of Lot 45, according to the Map of Trinidad made by J.S. Murray, and filed in the Recorder's office of Klamath County, California, on October 2, 1871, and now in the records of Humboldt County.

**PARCEL FIVE**

That portion of Lot 9 as said lot is shown and numbered on the Official Map of Trinidad prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871; and as said lot was conveyed by the Board of Trustees of the Town of Trinidad to F.P. and J.A. Hooper by Deed dated June 7, 1872, and recorded April 30, 1883 in Book 8 of Deeds, at Page 478, Humboldt County Records; said portion being more particularly described as follows:

BEGINNING at the intersection of the Easterly line of said Lot 9 with the Westerly prolongation of the South line of Lot 35 of said Murray's Map;  
thence South 5 degrees 30 seconds East, along the Easterly line of said Lot 9, said line also becoming the Westerly line of Lot 36 of said Murray Map, 333.5 feet, more or less, to an angle point therein, said angle point also being a common angle point in the boundaries of Lots 36 and 37, of said Murray Map;  
thence continuing South 27 degrees East, along said Easterly line of Lot 9 being also the Westerly line of Lot 37 of said Murray Map, 320 feet, more or less, to the mean high water line of the Pacific Ocean;  
thence following the mean high water line Southwesterly, 50 feet, more or less, to the U.S. Meander Line, said line also being the Northerly line of the U.S. Government Light House Reservation as surveyed by J.S. Murray, October 14, 1867;  
thence North 53 degrees 30 seconds West, along said Reservation Northerly line, 482 feet, more or less, to an angle point in said Reservation Line; said angle point also being an angle point in the U.S. Meander Line;  
thence leaving said Reservation Line and running North 25 degrees 30 seconds East, along the Official U.S. Meander Line, 369 feet, more or less, to a point which lies due West from the point of beginning;  
thence East along said Westerly prolongation of the South line of Lot 35, 102 feet, more or less, to the true point of beginning.

EXCEPTING FROM said portion of Lot 9 hereinabove described, those lands contained within the extension Westerly of Van Wycke Street, and the 75 foot strip connecting said Westerly extension of Van Wycke Street with the Lighthouse Reservation, as conveyed to the United States of America by Deed from Hammond Lumber Company, dated October 23, 1917 and recorded November 10, 1917 in Book 139 of Deeds, Page 315, Humboldt County Records.

**PARCEL SIX**

Beginning at the Northeast corner of Lot 37, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 37, being that certain parcel of land covered by the Board of Trustees of the Town of Trinidad to Warren Watkins by Deed recorded in Book C of Deeds, Pages 291 and 292, Records of Klamath County, now on file with Humboldt County Recorder; said Northeast corner of Lot 37 being on the

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South line of Bay Alley, located North 47 degrees West, 132 feet from the intersection of the South line of Bay Alley and the Southerly projection of the West line of Galindo Street, as said alley and street are shown on said Murray Map;  
thence from said Northeast corner of Lot 37, North 47 degrees West, 41 feet;  
thence North 55 degrees West, 132 feet;  
thence North 70 degrees West, 148 feet to the Northeast corner of Lot 36;  
thence South 5 degrees West, 99 feet;  
thence South 73 degrees West, 72.61 feet;  
thence South 23 degrees 30 seconds West, 56 feet;  
thence South 9 degrees West, 56 feet;  
thence South 27 degrees East, 320 feet, more or less, to the mean high water line of the Pacific Ocean;  
thence following the mean high water line Easterly to a point that bears due South of said Northeast corner of Lot 37, said point also being the Southwest corner of Lot 41;  
thence North, 274 feet, more or less, to the point of beginning.

**PARCEL SEVEN**

Beginning at the Northeast corner of Lot 41, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 41 being that certain parcel of land conveyed by the Board of Trustees of the Town of Trinidad to Southmayd and Russ by Deed recorded in Book C of Deeds, Pages 312 and 313, Records of Klamath County, now on file with the Humboldt County Recorder; said Northeast corner of Lot 41 being located on the South line of Bay Alley at a point bearing North 47 degrees West, 11 feet from the intersection of the South line of Bay Alley and the Southerly extension of the West line of Galindo Street, as said alley and street are shown on said Murray Map;  
thence from said Northeast corner of Lot 41, North 47 degrees West, 121 feet along the South line of Bay Alley;  
thence South, 273 feet, more or less, to the mean high water line of the Pacific Ocean;  
thence Easterly along the mean high water line to its intersection with the U.S. Meander Line;  
thence Northeasterly along the U.S. Meander Line to a point bearing due South of said Northeast corner of said Lot 41, said point also being the Southwest corner of Lot 42;  
thence North, 166 feet, more or less, to the point of beginning.

**PARCEL EIGHT**

Beginning at the Northwest corner of Lot 42, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 42 being that certain parcel of land conveyed by the Board of Trustees of the Town of Trinidad to Smith and Dougherty by Deed recorded in Book C at Page 233, Records of Klamath County, now on file with the Humboldt County Recorder; said point being on the South line of Bay Alley, lying North 47 degrees West, 11 feet from the intersection of the South line of Bay Alley and the Southerly projection of the West line of Galindo Street, as said alley and street are shown on said Murray Map;  
thence South 47 degrees East, 11 feet on the South line of Bay Alley;  
thence East along the South line of Galindo Street and its Easterly extension, 140 feet, more or less, to

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the mean high water line of the Pacific Ocean;  
thence Southwesterly along the mean high water line to its intersection with the U.S. Meander Line;  
thence following the U.S. Meander Line Southwesterly to a point which bears due South of said Northwest corner of said Lot 42, said point also being the Southeast corner of Lot 41;  
thence North, 166 feet, more or less, to the point of beginning.

**PARCEL NINE**

COMMENCING at the Northwest corner of Lot 43, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 43 being that certain parcel of land conveyed by the Board of Trustees of the Town of Trinidad to W.W. Warren by deed dated July 17, 1872, and recorded January 20, 1881 in Book 2 of Deeds, Pages 386 to 389, Humboldt County Records; said Northwest corner of Lot 43 being located at the Southeast corner of Van Wycke and Galindo Streets;  
thence running South along East side of Galindo Street, 170 feet to the true point of beginning of the parcel hereinafter described:  
thence continuing South along Galindo Street, 70 feet;  
thence East, 36 feet along the South line of Lot 43 to an angle point shown on said Murray Map of the town;  
thence continuing East, 88 feet, more or less, to the mean high water mark of the Pacific Ocean;  
thence following the high water mark in a Northeasterly direction to the Southwest corner of Lot No. 44;  
thence North along the common property line of Lots 43 and 44, 125 feet, more or less, to the Southeast corner of that certain parcel conveyed by Earl Hallmark and his wife to Hazel E. Jones, dated September 23, 1949 and recorded October 10, 1949 in Book 109 of Official Records, Page 124, Humboldt County Records;  
thence Southwesterly along the Southerly line of said parcel conveyed to Hazel E. Jones, 135.67 feet, more or less, to the true point of beginning.

**PARCEL TEN**

Beginning at the Northeast corner of Lot 44, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 44 being that parcel of land conveyed by the Board of Trustees of the Town of Trinidad to Southmayd and Russ dated July 17, 1872, and recorded in Book C of Deeds, Page 310, Records of Klamath County, now on file with the Humboldt County Recorder; said Northeast corner of Lot 44 being located on the South line of Van Wycke Street, lying Easterly, 148.42 feet from the Southeast corner of Van Wycke and Galindo Street;  
thence from said Northeast corner of Lot 44, Westerly along the Southerly line of Van Wycke Street, 25 feet to the Northeast corner of Lot 43;  
thence South along the common property line between Lots 43 and 44, a distance of 237 feet, more or less, to the ordinary high water mark of the Pacific Ocean, said point also being the Southeast corner of Lot No. 43;  
thence Northeasterly along the ordinary high water mark, 34 feet, more or less, to the Southwest corner of Lot 45;

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**EXHIBIT "A"**  
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thence North along the common property line between Lots 44 and 45, a distance of 217 feet, more or less, to the point of beginning.

PARCEL ELEVEN

COMMENCING at the Northwest corner of Lot 45, as shown and numbered on the Official Map of Trinidad, as prepared by J.S. Murray, surveyor, and filed in the County Recorder's Office of Klamath County, California, on October 2, 1871, and now on file in the Recorder's Office of the County of Humboldt, State of California; said Lot 45 being that certain parcel of land conveyed by the Board of Trustees of the Town of Trinidad to A. Brizard by Deed dated June 7, 1872, and recorded July 22, 1872 in Book C of Deeds, Pages 225 and 226, Records of Klamath County, now on file with the Humboldt County Recorder, said Northwest corner of Lot 45 being located on the South line of Van Wycke Street, located Easterly, 148.42 feet from the Southeast corner of Van Wycke and Galindo Streets;

thence South along the common property line between Lots 44 and 45, 160.40 feet, more or less, to the true point of beginning of the parcel hereinafter described, said point being on a line 20 feet Northerly of the Southerly boundary of Lot 45, as shown on the Murray Map;

thence from said point of beginning and continuing Northeasterly and Southeasterly along a line which ties parallel with and 20 feet Northerly of the South boundary of Lot 45 as graphically portrayed on said Murray Map, the following courses:

North 66 degrees 14 seconds East, 282 feet, more or less;

continuing North 42 degrees 36 seconds East, 102 feet, more or less;

continuing South 60 degrees 46 seconds East, 127 feet, more or less;

continuing North 72 degrees 40 seconds East, 21 feet, more or less;

thence continuing South 52 degrees 57 seconds West, 11 feet, more or less, to the intersection with the East boundary line of Lot 45 as described in the Deed hereinbefore referred to, said line being also the Westerly line of Lot 21, said intersection being located at a point on the common boundary line of both lots located along the described course of South 31 degrees 30 seconds East, at a point located 131.80 feet Southerly along said course from its Northerly terminus;

thence following said common boundary line between Lots 45 and 21, South 31 degrees 30 seconds East, 125 feet to the U.S. Meander Line;

thence following the U.S. Meander Line Westerly to its intersection with the high water mark of the Pacific Ocean;

thence continuing Westerly along the high water mark to the Southeast corner of Lot 44;

thence North along the common boundary line of Lots 44 and 45, a distance of 50 feet, more or less, to the true point of beginning.

EXCEPTING from Parcels Five through Eleven those portions lying within Parcels One, Two and Three above.

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## 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:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2017-2018.
2. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
3. Any adverse claim based upon the assertion that some portion of said land is tide or submerged lands, or has been created by artificial means or has accreted to such portion so created.

Rights and easements for navigation and fishery which may exist over that portion of said land lying beneath the waters of the Pacific Ocean.

4. Any rights in favor of the public which may exist on said land if said land or portions thereof are or were at any time used by the public.
5. Any adverse claims or titles to any part of the rock headland known as "Little Head" or other land that lies Southerly of the U.S. Meander Line, or Southerly of the South boundary of Lots 37, 41 and 42 indicated on the Official Map of Trinidad filed October 2, 1871 and lying to the West and Southwest of the end of Galindo Street. Affects: Parcel Three.

NOTE: This arises by reason of the Map of Trinidad showing the Southerly lines of Lots 37, 41 and 42 of said Town of Trinidad to run by courses bearing generally Southwesterly without projection into Trinidad Bay waters of sufficient size to include the rock, headland, butte or dry land known as Little Head, nor does said map indicate that these Southerly lot lines are or are intended to be the Southerly lines of the Government Lots 1 and 2 of Section 26, Township 8 North, Range 1 West, patented to the City of Trinidad by Townsite Patent.

6. Outstanding interest of Mary Phillips who acquired title by deed dated June 13, 1883 and recorded August 8, 1883 in Book 9 of Deeds, page 469.

NOTE: the vestee's title stems from a deed from Harry Wakell and Nettie Wakell to Thomas Tighe, dated March 6, 1908 and recorded April 30, 1908 in Book 104 of Deeds, page 337. As of the date of said deed, neither Harry Wakell nor Nettie Wakell had any record interest in the herein described property, nor have they since acquired any.

7. Indefiniteness of lot boundaries in Trinidad due to the general indefiniteness of the Town Map, inconsistencies in its courses and distances, and differences in several of the deeds from the town for the different lots, some of which give distances different from the map, and some deeds for adjoining lots use different figures, what appears to be a common boundary on the map.

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ALTA Commitment (06/17/2006)



**SCHEDULE B - SECTION II  
EXCEPTIONS**

(continued)

8. A right of way across the parcel of land owned by the grantor on September 23, 1949, lying Westerly of and between the land conveyed and the line of ordinary high tide for the purpose of access to and from the waters of Trinidad Bay with the right to maintain and use a portion of the beach area for small boat landing purposes, subject to the provisions, conditions and restrictions recited therein, as contained in the Deed from Earl Hallmark and Neva Hallmark, his wife, to Hazel E. Jones, an unmarried woman, dated September 23, 1949 and recorded October 10, 1949 in Book 109 of Official Records, Page 124, Recorder's File No. 9184, Humboldt County Records.

It cannot be ascertained from the record where this boat landing and access rights are definitely located, and we cannot determine from available maps what portions of Trinidad Bay or its beaches lie Westerly from the parcel therein being conveyed to Jones. We cannot determine which of the parcels described herein are affected by this easement nor what beach or what portion of a beach is intended.

9. The effect of uncertainties and conflicts contained in the record descriptions for Parcel Three. We find of record in the Deed from Town of Trinidad to Tighe, recorded in Book 163 of Deeds, Page 154, (referred to in Item 10 above) recitals that it is Lot 46 known as "Little Head." No official map of the City of Trinidad shows any lot that is numbered "46" nor is any area designated as "Little Head." The bearings given in this description are unusual and strange for a land description, but it is the best available record description of Little Head, and in the absence of satisfactory maps or surveys, is used in this report as Parcel Three. A conflicting metes and bounds description occurs in 1912 in the Quitclaim Deed from Thomas T. Tighe to R.H. Keagy recorded in Book 120 of Deeds, Page 95 (referred to in Item 10 above). The major portions of these metes and bounds descriptions do not agree in size, shape or area, and the areas that should logically contain the rock or butte known as Little Head are completely different.

We note of record a survey filed in the Office of the County Recorder on January 5, 1962 in Book 19 of Surveys, Page 126, which shows an area marked "Little Head" but shows no courses and distances for the same, and the lines shown do not agree with the record description for Parcel three.

10. An easement to locate, relocate, construct, maintain, alter, enlarge, inspect, repair and replace underground pipelines and conduits for the transportation of water and electrical energy in, under and across that certain real property in the City of Trinidad, County of Humboldt, State of California, described as follows:

A strip of land, 10 feet in width, being a portion of Lots 37, 40, 41, Bay Street and Bay Alley, as shown on the Official Map of Trinidad, filed in the County Recorder's Office of Klamath County, California, on October 2, 1871 and now on file in the Recorder's Office of the County of Humboldt, State of California, and further defined in the deeds by Town Trustees under Townsite Act, the centerline of said 10-foot strip of land described as follows:

COMMENCING at the intersection of the centerline of the "Hallmark Dock", as now located, with the mean high tide line of the Pacific Ocean; and running thence in a Northerly and Easterly direction to its intersection with the centerlines of Galindo Street and Bay Street extended.

Said pipelines and conduits shall be installed below a minimum depth of 30 inches from the surface, and on completion of the installation, the surface shall be restored to its present state, as granted in Deed executed by Neva Hallmark, also known as Neva L. Hallmark, a widow, to the State of California, recorded April 13, 1965, in Book 832 of Official Records, Page 257, under Recorder's File No. 5588, Humboldt County Records.

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ALTA Commitment (06/17/2006)



**SCHEDULE B - SECTION II  
EXCEPTIONS**

(continued)

11. A right of way across said land for the purpose of access to and from the waters of Trinidad Bay, with the right to maintain and use a portion of the beach area for small boat landing purposes, provided, however, if said right of way and right to the use of the beach area is ever used for commercial or any purpose other than pleasure by or for the sole use of second parties or their successors in interest, then and in that event said right of way and the right to use said beach area shall cease and terminate without notice or demand by first party, as contained in the agreement dated November 21, 1965 by and between Neva Hallmark, first party and Albert L. Platz and Jewell E. Platz, his wife, second parties, and recorded January 14, 1966, under Recorder's File No. 624, in Book 867, page 562, Humboldt County Records.

Location not disclosed.

12. An easement to locate, relocate, construct, maintain, alter, enlarge, inspect, repair and replace an underground pipeline for the transportation of water in, under and across a strip of land, 10 feet in width, within a portion of Lots 40, 41, 42, Bay Street, Bay Alley and Galindo Street, as shown on said Official Map of Trinidad, together with a temporary construction easement over, under and across a strip of land, 20 feet in width, lying 10 feet on each side of the centerline of the above-mentioned easement.

Said pipeline shall be installed below a minimum depth of 30 inches from the surface except for that portion at the discharge end encased in concrete, as granted by Neva L. Hallmark, also known as Neva Hallmark, a widow, to the State of California, in Grant of Easement dated September 7, 1965, and recorded August 2, 1966 in Book 892 of Official Records, Page 46, under Recorder's File No. 17242.

13. Any claim of title adverse to that of the vestee herein, in and to any land which may lie between the U.S. Meander Line the mean high tide line of the Pacific Ocean, based upon any difference that may exist in the location of said lines.
14. The right to construct and maintain communication facilities, consisting of aerial wires and cables with associated poles, crossarms, anchors, guys, fixtures and appurtenances, together with a right of way therefore, and with the right of ingress thereto and egress therefrom, across and upon Lots 37, 40 and 41 of the Town of Trinidad, Humboldt County, California.

Said facilities shall be confined to Pacific Gas and Electric Company's existing poles or pole locations wherever possible and grantee shall not erect any additional and separate line of poles.

It is hereby understood and agreed that if grantee's said facilities should interfere with any future buildings upon said property, grantee shall, at its sole expense, rearrange its facilities as may be necessary to eliminate said interference, provided that grantor shall furnish grantee without cost, such replacing right of way along any relocated alignment of said facilities as may be necessary to effect said adjustment; all as contained and granted in Deed dated February 11, 1971, executed by Neva Hallmark, a widow, to The Pacific Telephone and Telegraph Company and recorded March 3, 1971 in Book 1078 of Official Records, Page 430, under Recorder's File No. 3131, Humboldt County Records.

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ALTA Commitment (06/17/2006)



**SCHEDULE B - SECTION II  
EXCEPTIONS**

(continued)

15. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: City of Trinidad  
Purpose: Water, Sewer, drainage and other public utilities  
Recorded: July 20, 1972, Book 1146, Page 600, of Official Records  
Affects: A strip of land 25 feet in width located Southerly of the Southerly terminus of Galindo Street.

16. Easement(s) for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company, a California Corporation  
Purpose: Public utilities  
Recorded: September 1, 1989, Instrument No. 1989-17680, of Official Records  
Affects: Reference is made to said document for full particulars.

17. Any facts, rights, interests, or claims which may exist or arise by reason of the following surveys on file in the Office of the County Recorder of said County, which purports to show the herein described and other property. Said surveys by book and page are as follows:

Book 12 of Surveys, page 24;  
Book 33 of Surveys, page 46; and  
Book 60 of Surveys, pages 46, 47 and 48.

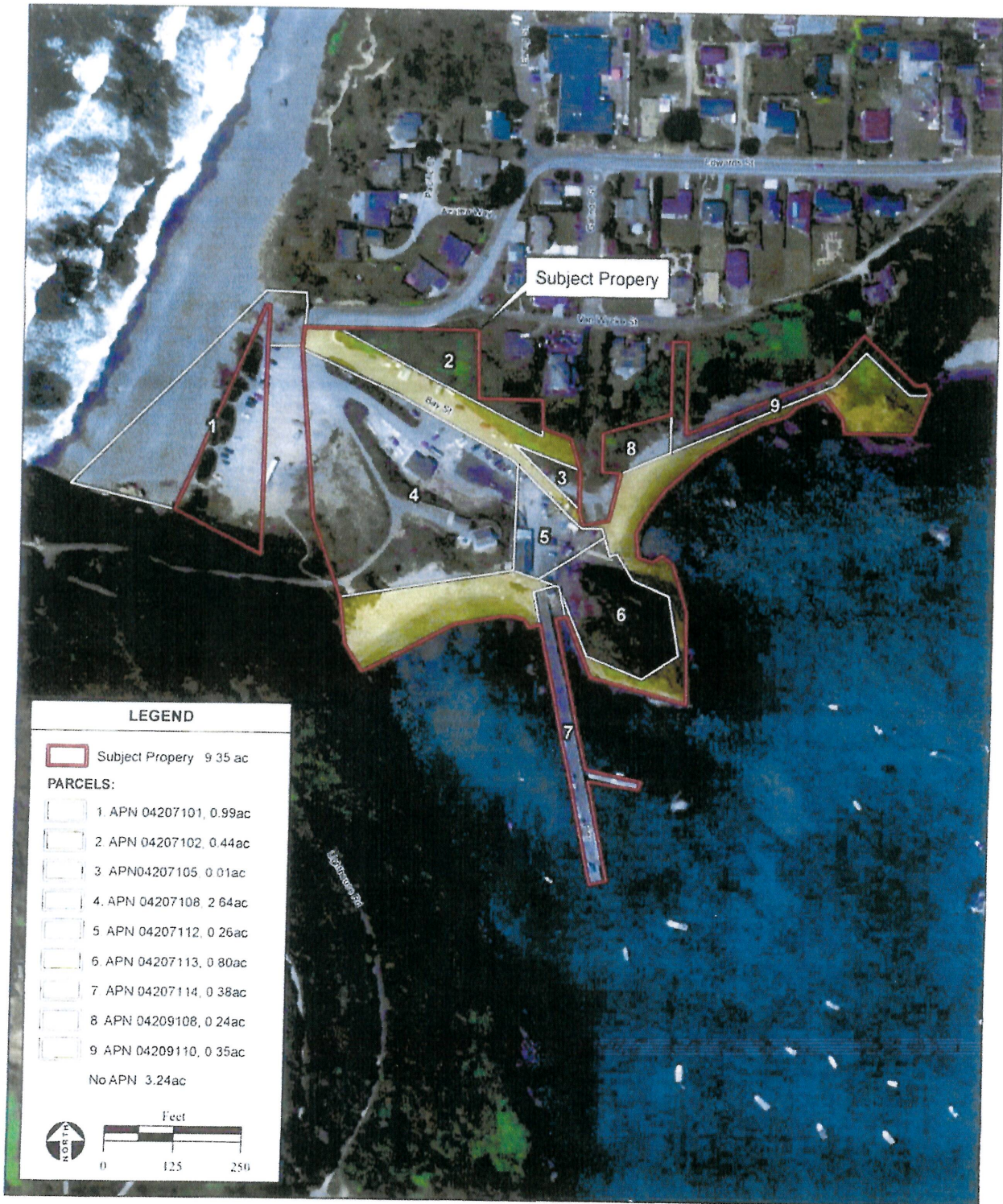
18. Matters contained in that certain document entitled "Deed Restriction and Hold Harmless Agreement" dated May 14, 2002, executed by Trinidad Rancheria recorded May 15, 2002, Instrument No. 2002-14623-7, of Official Records, which document, among other things, contains or provides for: matters relating to coastal development and slope stability..

Reference is hereby made to said document for full particulars.

**END OF SCHEDULE B - SECTION II**







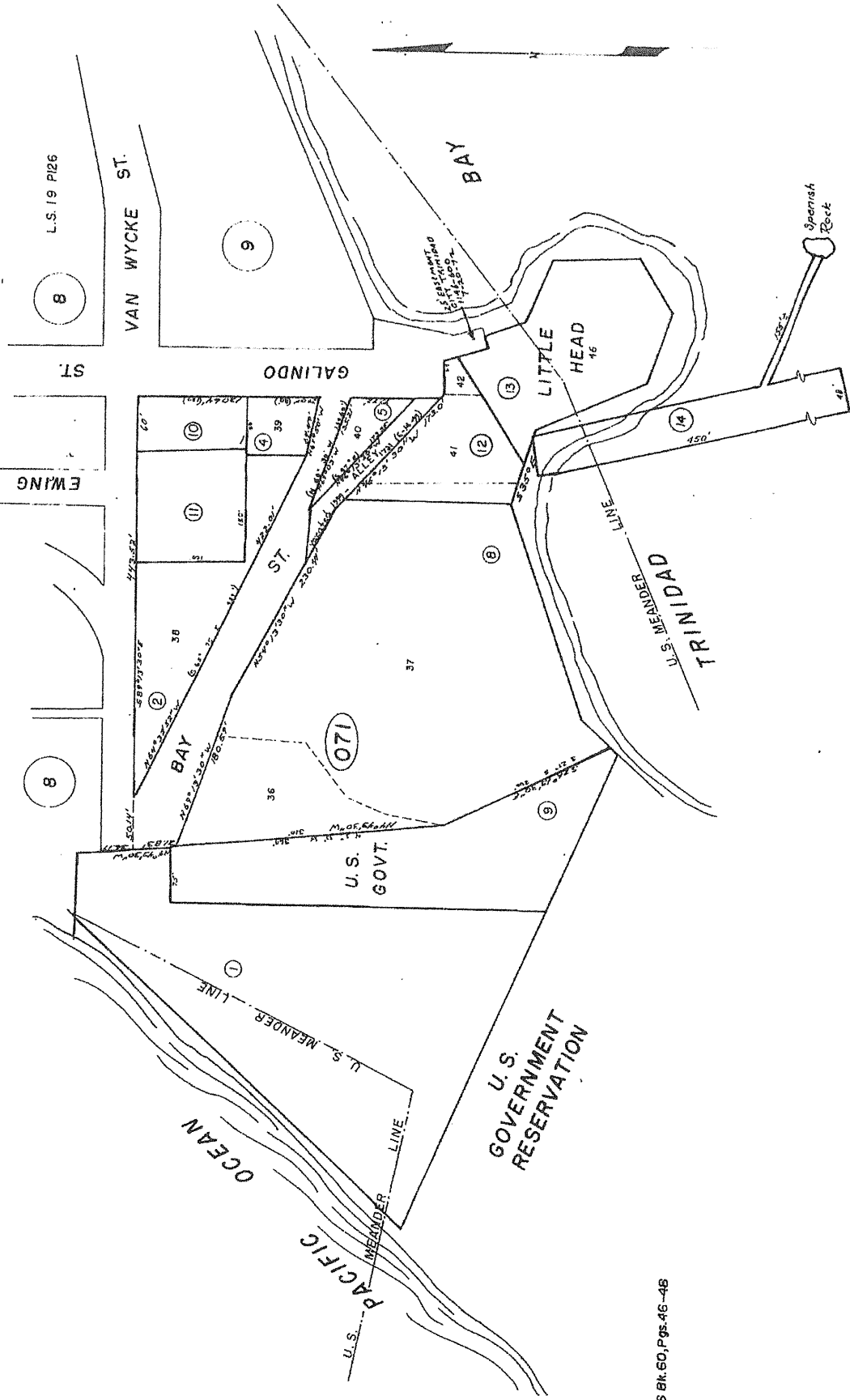
SOURCE Humboldt County Parcel GIS Data, 2013  
DigitalGlobe aerial photograph, 6/6/2013, AES, 12/2015

*Trinidad Rancheria Fee-to-Trust and Interpretive Visitor Center Phase I ESA 215569* ■

**Figure 3**  
Aerial Photograph

42-07  
1"=100'

# TOWN OF TRINIDAD

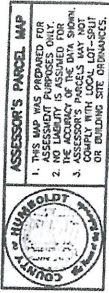




Assessor's Map Bk. 42, Pg. 9  
 County of Humboldt, CA.

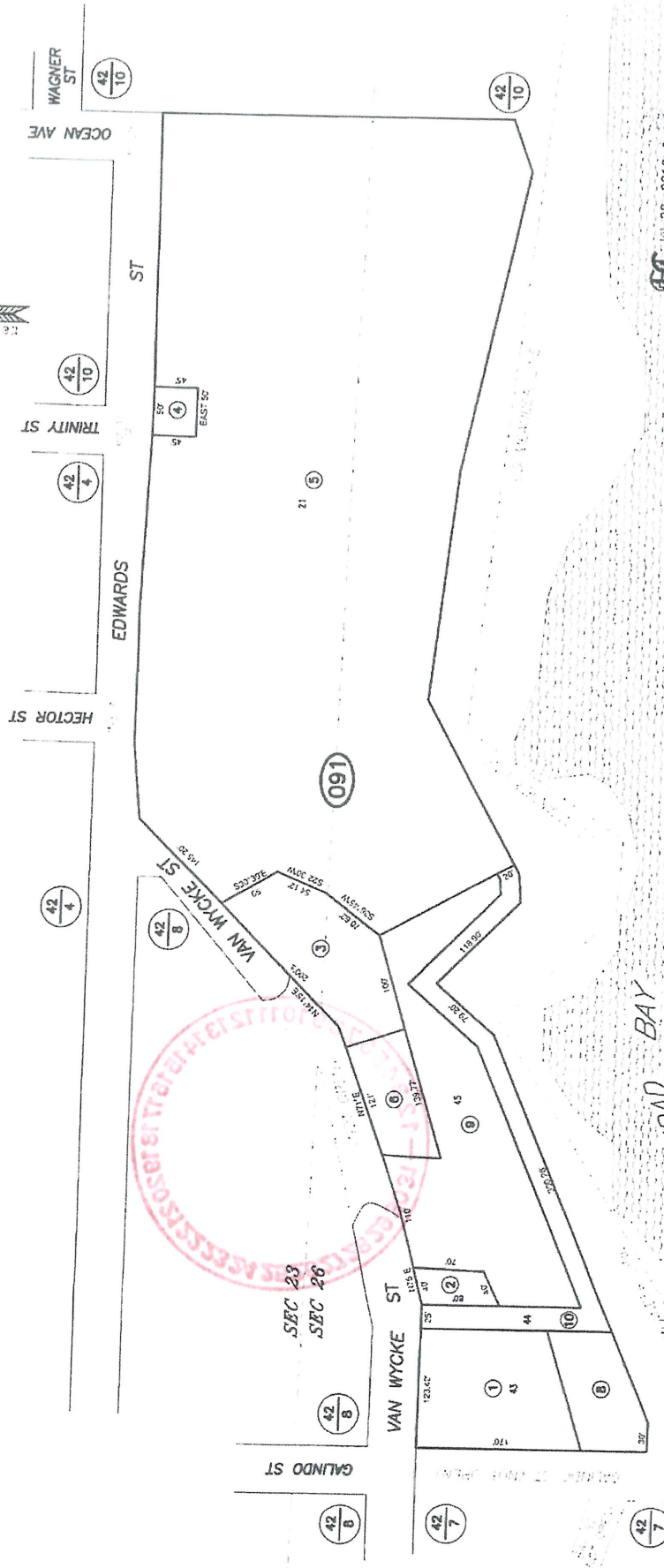
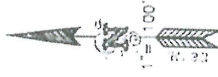
TOWN OF TRINIDAD

42-09



NOTE - Assessor's Block Numbers Shown in Ellipses  
 Assessor's Parcel Numbers Shown in Small Circles

RS, Bk 19 of Surveys, Pg 125 & 126  
 RS, Bk 51 of Surveys, Pg 63  
 RS, Bk 58 of Surveys, Pg 48



42-09 Jul 28, 2015



## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Pacific Regional Office

2800 Cottage Way

Sacramento, California 95825

MAR 27 2019

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Distribution List:

Enclosed is a copy of our notice of an application seeking acceptance of title to real property "in trust" by the United States of America for the Cher-Ae Heights Indian Community of the Trinidad Rancheria, California.

Said notice is issued pursuant to the Code of Federal Regulations, Title 25, INDIANS, and Parts 151.10 and 151.11. We are seeking your comments regarding the proposed trust land acquisition in order to obtain sufficient data that would enable an analysis of the potential impacts on local government, which may result from the removal of the subject property from the tax roll and local jurisdiction. Pertinent information regarding the proposal is included in the enclosure.

Sincerely,

Regional Director

Enclosure