



United States Department of the Interior

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

MAR 05 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 Twenty-Nine Palms Band of Mission Indians, 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:

Twenty-Nine Palms Band of Mission Indians, California

Legal Land Description/Site Location:

Real property in the City of Twentynine Palms, County of San Bernardino, State of California, described as follows:

LOT 17 THROUGH 22, INCLUSIVE; AND LOT 32 AND 36, TRACT NO.3085, OASIS TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 43 OF MAPS, PAGES 48 TO 51, INCLUSIVE, RECORDS OF SAID COUNTY.

Project Description/Proposed Land Use:

The subject property consists of 2.40 acres more or less, commonly referred to as Assessor's Parcel Numbers 0617-201-03-0-000 (Lot 17), 0617-201-04-0-000 (Lot 18), 0617-201-05-0-000 (Lot 19), 0617-201-06-0-000 (Lot 20), 0617-201-07-0-000 (Lot 21), 0617-201-08-0-000 (Lot 22), 0617-201-13-0-000 (Lot 32), and 0617-201-09-0-000 (Lot 36). The property is located in the City of Twentynine Palms, California. The Tribe proposes to develop five of the seven trust parcels (Assessor's Parcel Number (APN) 0617-201-05 through 0617-201-09) with a gas station and convenience store. The project site is located in the northeast quarter of Section 33, Township 1 North, Range 9 East, San Bernardino Baseline and Meridian.

Current Use/Taxes and Zoning:

Assessed property taxes for 2016-2017:

0617-201-03-0-000 (Lot 17), \$233.19
0617-201-04-0-000 (Lot 18), \$233.19
0617-201-05-0-000 (Lot 19), \$233.19
0617-201-06-0-000 (Lot 20), \$233.19
0617-201-07-0-000 (Lot 21), \$374.09
0617-201-08-0-000 (Lot 22), \$442.37
0617-201-13-0-000 (Lot 32), \$233.19
0617-201-09-0-000 (Lot 36), \$374.09
Total \$2,356.50

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 Arvada Wolfin, Supervisory Realty Specialist, at (916) 978-6069.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy H. Luttrell".

Regional Director

Enclosures

cc: Distribution List

DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (10 copies) – 7018 0360 0000 8590 9424
Office Planning and Research
P.O. Box 3044
Sacramento, CA 95814

Senior Advisor for Tribal Negotiations– 7018 0360 0000 8590 9431
Office of the Governor
State Capitol Building, Suite 1173
Sacramento, CA 95814

Ms. Sara J. Drake, Deputy Attorney General – – 7018 0360 0000 8590 9448
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

U.S. Senator Dianne Feinstein – – 7018 0360 0000 8590 9455
331 Hart Senate Office Building
Washington, DC 20510

San Bernardino Board of Supervisors Third District – 7018 0360 0000 8590 9462
385 North Arrowhead Avenue, 5th Floor
San Bernardino, California 92415

San Bernardino Land Use Services Department – 7018 0360 0000 8590 9479
385 North Arrowhead Avenue, 1st Floor
San Bernardino, California 92415

San Bernardino County Treasurer/Tax Collector– 7018 0360 0000 8590 9486
172 W. 3rd Street
San Bernardino, California 92415

San Bernardino County Fire Dept. – 7018 0360 0000 8590 9493
157 W. 5th St. 2nd Floor
San Bernardino, California 92415

Cal Fire, San Bernardino Unit – 7018 0360 0000 8590 9509
3800 North Sierra Way
San Bernardino, CA 92405

San Bernardino County Sheriff's Department – 7018 0360 0000 8590 9516
655 East Third Street
San Bernardino, CA 92415

County of San Bernardino – 7018 0360 0000 8590 9523
Department of Public Works, Land Development Division
825 E. Third Street
San Bernardino, CA 92415-0835

San Manuel Band of Mission Indians – 7018 0360 0000 8590 9530
26569 Community Center Drive
Highland, CA 92346

John Cole, Mayor – 7018 0360 0000 8590 9547
City of Twenty-Nine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

Planning Commission – 7018 0360 0000 8590 9554
City of Twenty-Nine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

Regular Mail:

Eddie and Janet Tucker
4524 Avenida La Flora Desierta
Joshua Tree, CA 92252

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

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 2016-2017, a lien not yet due or payable.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
3. Covenants, conditions, restrictions and easements in the document recorded in Book 2205, Page 106 of Official Records, which provide that a violation thereof shall not defeat or render invalid the lien of any first mortgage or deed of trust made in good faith and for value, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, national origin, sexual orientation, marital status, ancestry, source of income or disability, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes or Section 12955 of the California Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.
4. The fact that the land lies within the boundaries of the 4 Corners Redevelopment Project Area of the Redevelopment Agency of the City of Twentynine Palms, as disclosed by the document recorded January 25, 1994 as Instrument No. 94-29804 of Official Records.
5. Water rights, claims or title to water, whether or not shown by the public records.
6. Rights of parties in possession.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable 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. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

1. General and special taxes and assessments for the fiscal year 2015-2016.
 - First Installment: \$116.60, PAID W/ PEN
 - Penalty: \$11.68
 - Second Installment: \$116.59, PAID
 - Penalty: \$0.00
 - Tax Rate Area: 019015
 - A. P. No.: 0617-201-03-0-000

(Affects Lot 17)

2. General and special taxes and assessments for the fiscal year 2015-2016.
 - First Installment: \$116.60, PAID W/ PEN
 - Penalty: \$11.68
 - Second Installment: \$116.59, PAID
 - Penalty: \$0.00
 - Tax Rate Area: 019015
 - A. P. No.: 0617-201-04-0-000

(Affects Lot 18)

3. General and special taxes and assessments for the fiscal year 2015-2016.
 - First Installment: \$116.60, PAID W/ PEN
 - Penalty: \$11.68
 - Second Installment: \$116.59, PAID
 - Penalty: \$0.00
 - Tax Rate Area: 019015
 - A. P. No.: 0617-201-05-0-000

(Affects Lot 19)

4. General and special taxes and assessments for the fiscal year 2015-2016.
 - First Installment: \$116.60, PAID W/ PEN
 - Penalty: \$11.68
 - Second Installment: \$116.59, PAID

Penalty: \$0.00
Tax Rate Area: 019015
A. P. No.: 0617-201-06-0-000

(Affects Lot 20)

5. General and special taxes and assessments for the fiscal year 2015-2016.

First Installment: \$187.05, PAID W/ PEN
Penalty: \$18.72
Second Installment: \$187.04, PAID
Penalty: \$0.00
Tax Rate Area: 019015
A. P. No.: 0617-201-07-0-000

(Affects Lot 21)

6. General and special taxes and assessments for the fiscal year 2015-2016.

First Installment: \$221.19, PAID W/ PEN
Penalty: \$22.13
Second Installment: \$221.18, PAID
Penalty: \$0.00
Tax Rate Area: 019015
A. P. No.: 0617-201-08-0-000

(Affects Lot 22)

7. General and special taxes and assessments for the fiscal year 2015-2016.

First Installment: \$116.60, PAID W/ PEN
Penalty: \$11.68
Second Installment: \$116.59, PAID
Penalty: \$0.00
Tax Rate Area: 019015
A. P. No.: 0617-201-13-0-000

(Affects Lot 32)

8. General and special taxes and assessments for the fiscal year 2015-2016.

First Installment: \$187.05, PAID W/ PEN
Penalty: \$18.72
Second Installment: \$187.04, PAID
Penalty: \$0.00
Tax Rate Area: 019015
A. P. No.: 0617-201-09-0-000

(Affects Lot 36)

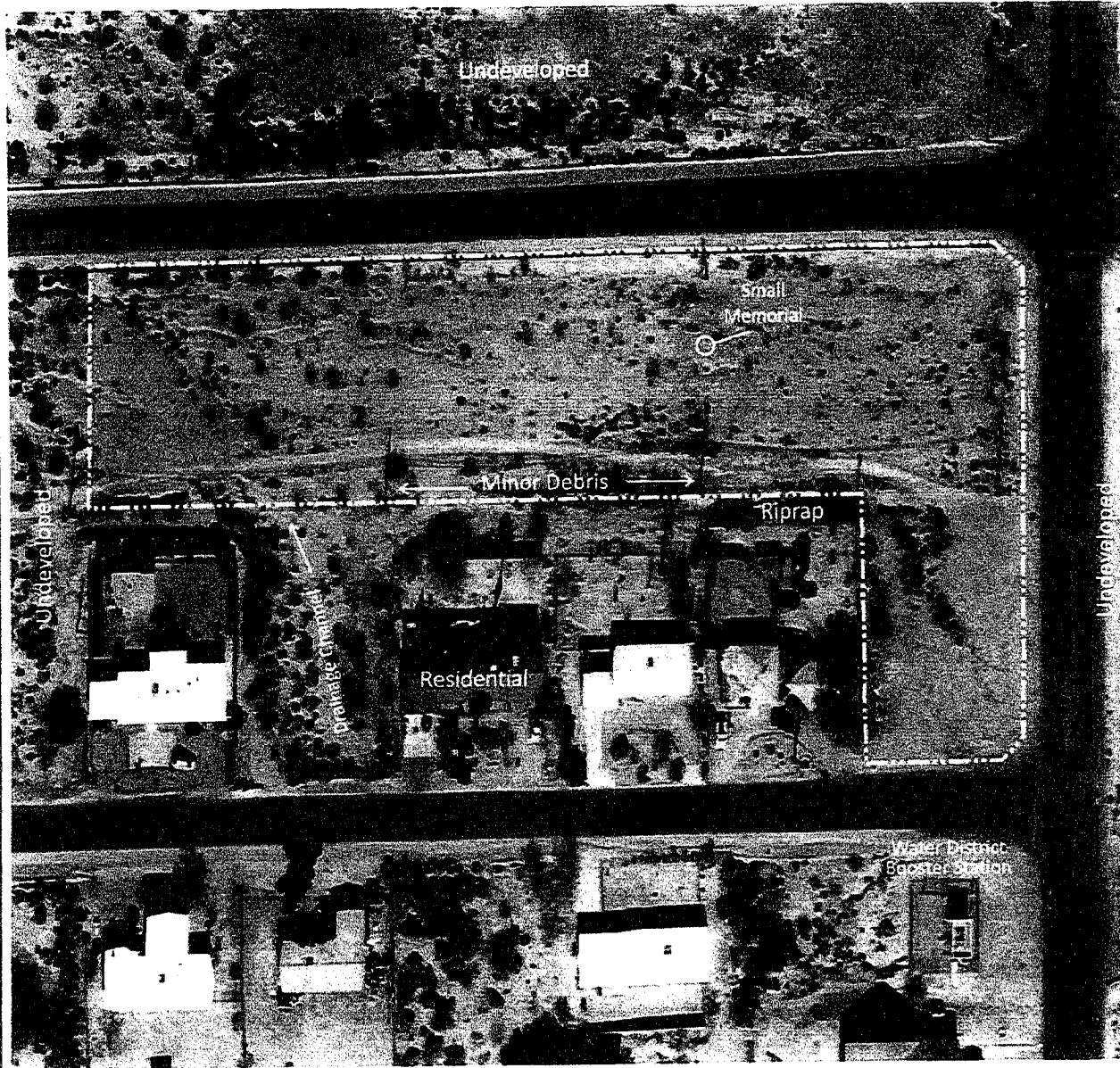
9. The property covered by this report is vacant land.

10. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None


11. We find no open deeds of trust. Escrow please confirm before closing.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.



Reference: Google earth, January 2, 2015

LEGEND

 Site Boundary

Approximate Scale: 1" = 90'

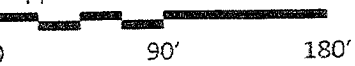



Figure 2
Site Layout

7 Parcels - SWC Twentynine Palms Hwy & Utah Trail
Twentynine Palms, San Bernardino County, California



Earth Systems
Southwest

07/18/16

Project No.: 12397-01

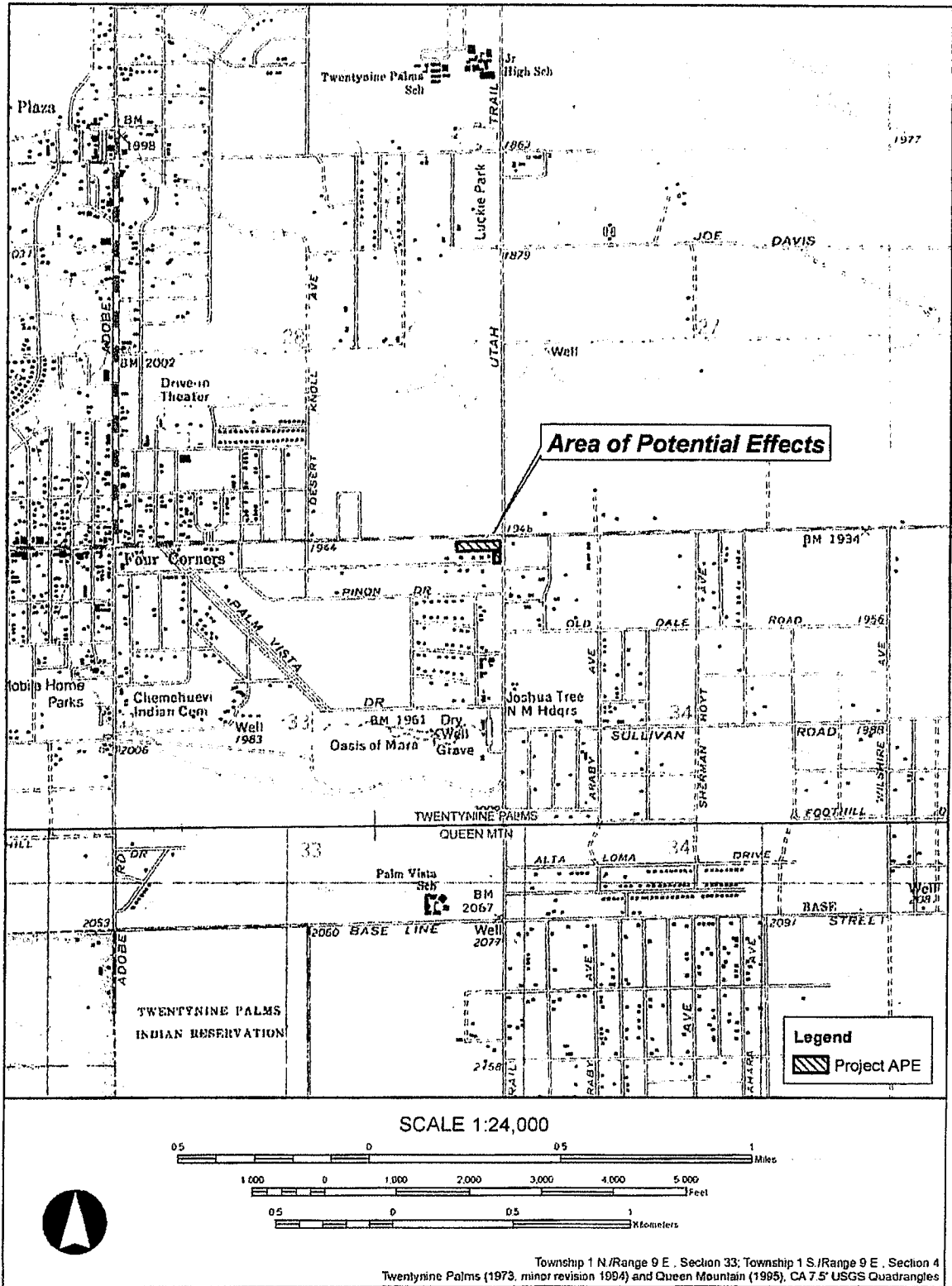
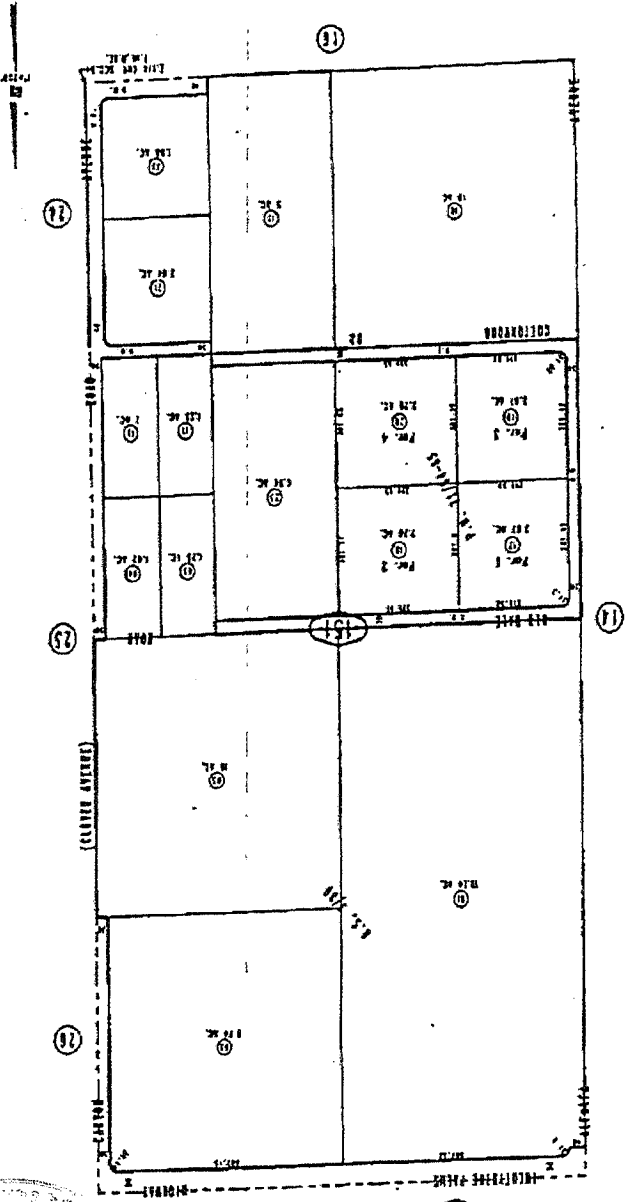


Figure 2 Project location showing Area of Potential Effects (APE).

City of Twentynine Palms 0614-15
Tax Rate Area
19001

E-1/2, N.E.1/4, Fractional Sec.34, T.1N.,R.8E., S.B.B.&M.
R.S. 3/86

THE SAN JOSE COUNTY OFFICIAL RECORDS
OF SAN JOSE COUNTY, CALIFORNIA.



Assessor's Map
Book 0614 Page 15
San Bernardino County

Plat Map No. 6177, P. M. 7/26-85

February 2005