



**ANDREW POTTER, CCB**  
EXECUTIVE OFFICER/CLERK

**CLERK OF THE BOARD OF SUPERVISORS**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2422  
(619) 531-5600

**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

November 25, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

#### **REFERRAL**

Attached for your information, is correspondence from an Alpine resident, who wishes to remain anonymous, regarding a request to review past decisions, funding allocations, and land-use recommendations made during the tenure of Chair Travis Lyon from the Alpine Community Planning Group.

Respectfully,

  
ANDREW POTTER

Attachment

cc: Ebony N. Shelton, Chief Administrative Officer  
Dahvia Lynch, Deputy Chief Administrative Officer, Land Use & Environment Group  
Board of Supervisors Communications Received

AJP:sh

1/16/2026 ORS

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COSD CLERK OF THE BOARD  
2025 NOV 21 PM1:18

Clerk of the Board of Supervisors  
County Administration Center  
1600 Pacific Highway, Room 402  
San Diego, CA 92101

**Subject:** Request for Oversight Review – Alpine Community Planning Group and Chairperson Conduct

To Whom It May Concern:

I am writing as a concerned resident of East County regarding **Mr. Travis Lyon**, who has long served as Chair of the Alpine Community Planning Group (ACPG).

Mr. Lyon was named as a defendant in the federal civil case *Borrego Community Health Foundation v. Lyon et al.*, filed in the **U.S. District Court for the Southern District of California (Case No. 3:22-cv-01056-RBM-SBC)**. The complaint alleges serious financial misconduct and misuse of funds involving several individuals connected to healthcare operations in San Diego County. While no findings have yet been made, the nature of the allegations raises understandable concerns regarding his continued leadership in local public matters.

Given his longstanding role within the ACPG, it may be appropriate for the County to **review past decisions, funding allocations, and land-use recommendations made during his tenure**. This could include evaluating the use and distribution of **Park Land Dedication Ordinance (PLDO) funds** and other community improvement monies to ensure expenditures were transparent and fully compliant with County policies.

A review could also help confirm that **no conflicts of interest or Brown Act violations occurred** during that period, notably since one former member publicly stated she resigned from the Planning Group after believing Brown Act violations were occurring. Even if those concerns were never formally examined, it may be wise to revisit them in light of the broader questions now surrounding Mr. Lyon's professional dealings.

This letter is submitted anonymously and in good faith, with the sole purpose of encouraging transparency, accountability, and public trust in local government.

Thank you for your attention to this matter.

Sincerely,  
A Concerned Resident of Alpine



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EXECUTIVE OFFICER/CLERK

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**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

December 16, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

**REFERRAL**

Attached, for your information, is correspondence from the CSUSM Academic Senate Office, regarding a Resolution Opposing the Discontinuance of Federal Minority Serving Institution (MSI) Programs.

Respectfully,

  
ANDREW POTTER

Attachments

cc: Ebony N. Shelton, Chief Administrative Officer  
Board of Supervisors Communications Received

AJP:tz

**From:** [Academic Senate Office](#)  
**To:** [Academic Senate Office](#)  
**Subject:** [External] CSUSM Academic Senate December 2025 Resolution - For Consideration and Action  
**Date:** Friday, December 12, 2025 9:51:03 AM  
**Attachments:** [CSUSM MSI Resolution \(AS 810-25\).pdf](#)

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Dear Colleagues,

Enclosed is a copy of the “*Resolution Opposing the Discontinuance of Federal Minority Serving Institution (MSI) Programs*,” which was endorsed by the California State University San Marcos Academic Senate on December 3<sup>rd</sup>, 2025. The resolution is sent to you for consideration and action as appropriate:

[Resolution Opposing the Discontinuance of Federal Minority Serving Institution \(MSI\) Programs](#) | [CSUSM Academic Senate Resolutions](#)

Should you have any questions, please don’t hesitate to contact us.

Kind regards,  
CSUSM Academic Senate Office



**RESOLUTION OPPOSING THE DISCONTINUANCE OF FEDERAL  
MINORITY SERVING INSTITUTION (MSI) PROGRAMS**

**WHEREAS**, California State University San Marcos (CSUSM) serves a richly diverse student body- 50.8% Latinx, 24.9% Caucasian, 9.1% Asian and Pacific Islander, 4.0% African American, 0.3% Native American, and 6.2% who identify with multiple ethnicities, with more than half of students being the first in their families to earn a bachelor's degree; and

**WHEREAS**, CSUSM is proudly designated as a Hispanic Serving Institution (HSI), reflecting our institutional commitment to equity, inclusion, student success, and serving the educational needs of historically underserved communities; and

**WHEREAS**, the United States Supreme Court's *Students for Fair Admissions v. Harvard* (2023) majority opinion noted that colleges may still consider such factors as socioeconomic diversity, first-generation status, and geographic origin to foster a diverse student body; and

**WHEREAS**, the U.S. Department of Education has announced plans to end funding for Minority-Serving Institution (MSI) programs, including HSI programs, under the false premise that such programs are unconstitutional, despite longstanding congressional authorization and demonstrated importance and positive impact; and

**WHEREAS**, the U.S. Civil Rights Act of 1964 creates a foundation for equitable access to federally funded education, requiring institutions to actively expand opportunity for minorities; and HSI funding represents a fulfillment, not an exception, of these civil rights guarantees; and

**WHEREAS**, HSIs across the nation educate more than two-thirds of all Hispanic undergraduates, strengthen America's workforce, and provide opportunities for millions of first-generation and low-income students; and

**WHEREAS**, CSUSM has proudly earned the Seal of Excelencia for its intentional alignment of leadership, data, and practice to accelerate Latinx and Hispanic student success, increasing all student success, and affirming our institutional commitment to meaningful access, retention, and completion for historically underserved students; and

**WHEREAS**, recent federal actions have redirected funding away from HSIs under a misinterpretation of the legal and moral foundations of these programs, threatening

institutions like CSUSM that rely on these funds to build pathways of opportunity and student success; and

**WHEREAS**, eliminating HSI funding would undermine CSUSM's ability to continue building pathways of opportunity, developing innovative student success programs, and advancing the university's longstanding commitment to equity for all learners; and

**WHEREAS**, the Faculty of the CSU Academic Senate affirm that HSIs and other MSIs contribute to a stronger and more just system of higher education and reject narratives that pit communities against one another; and

**WHEREAS**, the Faculty of the CSU Academic Senate emphasize the need to expand, rather than redistribute, support for institutions serving historically marginalized students, ensuring that all communities benefit from equitable investment and opportunity.

**THEREFORE, BE IT RESOLVED**, that the Academic Senate of California State University San Marcos (CSUSM):

1. Vehemently opposes and condemns the U.S. Department of Education's decision to end funding for MSI programs and urges immediate Congressional action to protect these essential initiatives; and
2. Absolutely affirms and steadfastly upholds CSUSM's identity and mission as an HSI and recognizes that such a designation represents not only a federal status but also a moral and institutional obligation to advance educational equity, opportunity, and access for all students; and
3. Staunchly supports and stands in full solidarity with the efforts of the Hispanic Association of Colleges and Universities (HACU) and Latino Justice (PRLDEF) to intervene in litigation and defend the constitutionality and necessity of HSI programs; and
4. Expressly urges the CSU Board of Trustees, the CSU Chancellor, and the State of California to vigorously defend the constitutionality and enduring necessity of HSI designation and funding; and
5. Directs that this resolution be distributed to the following:

Governor of the State of California  
California State Superintendent of Public Instruction  
Attorney General of California

California Latino Legislative Caucus  
CSU Board of Trustees  
CSU Chancellor  
CSU Campus Presidents  
CSU Campus Senate Chairs  
CSUSM President  
CSUSM Senate Executive Committee  
California Faculty Association  
California State Student Association  
Representative Scott H. Peters (San Marcos)  
Representative Darrell Issa (Temecula)  
Senator Alex Padilla (CA)  
Congressman Mike Levin (CA-49)  
  
San Diego County Board of Supervisors  
California State Assembly Committee on Higher Education  
California Senate Standing Committee on Education

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***RATIONALE:** California State University, San Marcos is proudly recognized as a Minority-Serving Institution (MSI), a designation that reflects our enduring mission to advance equity, inclusion, student success, and social mobility. MSIs educate over two-thirds of minority undergraduates and provide opportunities for millions of first-generation and low-income students. This funding supports ongoing economic growth, innovation, and strengthens America's workforce. The U.S. Department of Education's decision to terminate MSI funding has already resulted in the loss of a \$1.8 million HSI grant at CSUSM and places additional grants at risk, directly threatening programs that provide essential support. The abrupt disruption of these resources undermines the stability of student success initiatives, diminishes our capacity to serve Latinx and first-generation students, and compromises the long-term pathways of access and opportunity that define our mission. Protecting these programs is essential not only to CSUSM's mission, but to every leader who recognizes that equitable access to education is a foundational driver of social and economic justice.*



**ANDREW POTTER, CCB**  
EXECUTIVE OFFICER/CLERK

**CLERK OF THE BOARD OF SUPERVISORS**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2422  
(619) 531-5600

**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

December 3, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

#### **REFERRAL**

The attached reports/letters are from the County's external auditors Eide Bailly. They are responsible for auditing our financial statements according to generally accepted auditing standards (GAAS).

The first report (County of San Diego 2025 Final GAGAS Report.pdf) is the report on the Auditor's consideration of Internal Controls over financial reporting. The purpose of the report is to describe the scope of their testing of internal control over financial reporting and compliance and the results of their testing. This report contained no findings and is dated Nov. 14, 2025.

The second report (County of San Diego 2025 GANN Limit AUP Report.pdf) is the report detailing the procedures that were performed in relation to the County's Appropriations Limit Calculation in accordance with Article XIII-B of the California Constitution for the fiscal year ended June 30, 2025. This report indicated that there were no exceptions identified as a result of their procedures and is dated Nov. 14, 2025.

The third letter (County of San Diego 2025 Final Governance Letter.pdf) is the final communication for those charged with governance letter. This communication is separate and apart from the audit report. This letter is required for all audits and its purpose is to communicate to those in charge of governance (i.e. Board of Directors, Audit Committee, or Management, etc.) the following:

- The scope of the audit procedures to be performed
- Any significant risks
- Significant accounting estimates
- Other information, such as any disagreements with management, significant unusual transactions, or other difficulties encountered:

Of note is the section on Uncorrected and Corrected Misstatements in which the auditors detail adjustments that were identified during the audit and the disposition of such adjustments. Audit adjustments, both corrected and uncorrected, are not unusual during an audit depending on nature and dollar amount.

If you have any questions about the letter you may contact Tracy Drager directly at [tracy.drager@sdcounty.ca.gov](mailto:tracy.drager@sdcounty.ca.gov) or 858-694-2176.

Respectfully,



ANDREW POTTER

Attachments

cc: Ebony N. Shelton, Chief Administrative Officer  
Joan Bracci, Chief Financial Officer  
Tracy Drager, Auditor and Controller  
Board of Supervisors Communications Received

AJP:tz

# CONFIDENTIAL

ORIGINAL DOCUMENTS ON FILE WITH THE  
CLERK OF THE BOARD OF SUPERVISORS.





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December 16, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

**REFERRAL**

Attached, for your information, is correspondence from Felix Kitto, Acting Regional Director of the United States Department of the Interior, regarding a Notice of Non-Gaming Land Acquisition Application for the Pala Band of Mission Indians (Tribe).

Respectfully,

  
ANDREW POTTER

Attachment

cc: Ebony N. Shelton, Chief Administrative Officer  
Dahvia Lynch, Deputy Chief Administrative Officer, Land Use & Environment Group  
Board of Supervisors Communications Received

AJP:tz



## United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Pacific Regional Office  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

IN REPLY REFER TO  
Real Estate Services  
TR-4609-P5

COSED CLERK OF THE BOARD  
2025 DEC 16 AM 11:43

Case Number: 16420

### **NOTICE OF (NON-GAMING) LAND ACQUISITION APPLICATION**

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10 (04-01-2016 Edition), notice is given of the application filed by the Pala Band of Mission Indians (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 governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with the zoning.

We provide the following information regarding this application:

#### **Applicant:**

Pala Band of Mission Indians

#### **Legal Land Description/Site Location:**

REAL PROPERTY SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

PARCEL A: (APN: 110-072-27, 31)

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN

BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE CENTER LINE OF PALA ROAD (CALIFORNIA STATE HIGHWAY ROUTE NO. 18, DIVISION NO. 2), AS SAID ROAD EXISTS ON THE DATE OF EXECUTION OF THIS DEED; THE APPROXIMATE LOCATION OF SAID PALA ROAD IS SHOWN AND DELINEATED ON STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION DISTRICT 11 RIGHT OF WAY MAP NO. S-339, S340 SIGNED BY A. E. HETHCOCK, DISTRICT RIGHT OF WAY ENGINEER, DISTRICT 11, RCE 13042 ON FILE IN THE OFFICE OF THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, DISTRICT 11.

PARCEL B: (APN: 110-370-05 PORTION)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, LYING SOUTHEASTERLY OF THE CENTER LINE OF PALA ROAD (CALIFORNIA STATE HIGHWAY ROUTE NO. 18, DIVISION NO. 2), AS SAID ROAD EXISTS ON THE DATE OF EXECUTION OF THIS DEED; THE APPROXIMATE LOCATION OF SAID PALA ROAD IS SHOWN AND DELINEATED ON STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION DISTRICT 11 RIGHT OF WAY MAP NO. S-339, S340 SIGNED BY A. E. HETHCOCK, DISTRICT RIGHT OF WAY ENGINEER, DISTRICT 11, RCE 13042 ON FILE IN THE OFFICE OF THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, DISTRICT 11 AND LYING NORTH AND WEST OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTH 45° EAST, 20.24 CHAINS TO A POINT THAT IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTHEAST IN A STRAIGHT LINE TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 49°23'11" EAST - RECORD NORTH 45° EAST-ALONG A LINE WHICH INTERSECTS A POINT THAT IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 394.65 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 49°23'11" EAST ALONG SAID LINE, A DISTANCE OF 983.39 FEET TO SAID POINT WHICH IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF SAID NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EAST, 52.69 FEET;

THENCE NORTH 40°36'49" WEST, 291.51 FEET TO A POINT IN A 1000 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY; THE RADIAL LINE THROUGH SAID POINT BEARS NORTH 35°12'24" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 8°23', A DISTANCE OF 146.32 FEET; THENCE TANGENT TO SAID CURVE SOUTH 46°24'36" WEST, 420.97 FEET TO THE BEGINNING OF A TANGENT 500 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 34°17'45", A DISTANCE OF 299.29 FEET; THENCE TANGENT TO SAID CURVE SOUTH 12°06'51" WEST, 226.22 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL C: (APN: 110-072-29)

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9, SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 29, NORTH 88°37'20" WEST, (RECORD NORTH 89°06'28" WEST PER RECORD OF SURVEY MAP NO. 5821), 696.56 FEET; THENCE NORTH 00°38'45" EAST, 674.77 FEET TO THE TRUE POINT OF BEGINNING; THENCE FROM SAID TRUE POINT OF BEGINNING, NORTH 01°49'14" EAST, 675.27 FEET TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG SAID NORTHERLY LINE, SOUTH 89°09'36" WEST, 707.97 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE ALONG THE WESTERLY LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SOUTH 00°45'36" WEST, 661.32 FEET; THENCE SOUTH 89°43'46" EAST, 695.22 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE CENTER LINE OF PALA ROAD (CALIFORNIA STATE HIGHWAY ROUTE NO. 18, DIVISION NO. 2), AS SAID ROAD EXISTS ON THE DATE OF EXECUTION OF THIS DEED; THE APPROXIMATE LOCATION OF SAID PALA ROAD IS SHOWN AND DELINEATED ON STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION DISTRICT 11 RIGHT OF WAY MAP NO. S-339, S340 SIGNED BY A. E. HETHCOCK, DISTRICT RIGHT OF WAY ENGINEER, ON FILE IN THE OFFICE OF THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, DISTRICT 11.

THE BEARINGS USED IN THE ABOVE DESCRIPTION ARE ON THE CALIFORNIA STATE COORDINATE SYSTEM, ZONE 6, ALL DISTANCES ARE GROUND LEVEL DISTANCES.

PARCEL D: (APN: 110-370-05 PORTION)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN,

IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO  
OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE  
NORTHEAST QUARTER OF SECTION 32; THENCE SOUTHWEST 9.30 CHAINS MORE  
OR LESS, TO A POINT THAT IS 6.66 CHAINS SOUTH AND 6.66 CHAINS WEST OF THE  
POINT OF BEGINNING; THENCE EAST 6.66 CHAINS TO THE EAST LINE OF THE  
NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32;  
THENCE NORTH ON SAID EAST LINE, 6.66 CHAINS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT SAID POINT THAT IS 6.66 CHAINS SOUTH AND 6.66 CHAINS WEST  
OF THE POINT OF BEGINNING HEREINAFTER KNOWN AS POINT "A"; THENCE EAST  
52.69 FEET; THENCE NORTH 40°36'49" WEST TO AN INTERSECTION WITH A LINE  
DRAWN FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE  
NORTHEAST QUARTER TO SAID POINT "A"; THENCE SOUTHWEST ALONG SAID  
LINE TO POINT "A".

PARCEL E: (APN: 110-370-02)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF  
SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN,  
IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE  
OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF  
THE NORTHEAST QUARTER OF SAID SECTION 32; THENCE NORTH 49° 23' 11" EAST  
(RECORD - NORTH 45° 00' 00" EAST) ALONG A LINE WHICH INTERSECTS A POINT  
WHICH IS 6.66 CHAINS SOUTH AND 6.66 CHAINS WEST OF THE NORTHEAST  
CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A  
DISTANCE OF 394.65 FEET TO AN ANGLE POINT IN THE SOUTHEASTERLY  
BOUNDARY OF LAND DESCRIBED IN DEED TO JOHN L. SCHOOLEY, ET UX,  
RECORDED NOVEMBER 1, 1957 IN BOOK 6817, PAGE 411 OF OFFICIAL RECORDS  
AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG LAST  
DESCRIBED LINE, NORTH 49° 23' 11" EAST, 315.00 FEET TO THE MOST SOUTHERLY  
CORNER OF LAND DESCRIBED IN DEED TO ROSHEEN LAVENDER ERRECA,  
RECORDED AUGUST 31, 1960 AS INSTRUMENT NO. 176813 OF OFFICIAL RECORDS;  
THENCE ALONG THE SOUTHWESTERLY LINE OF SAID ERRECA'S LAND, NORTH 40°  
36' 49" WEST, 210.14 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF  
SAID LAND OF SCHOOLEY, BEING A POINT ON THE ARC OF A CURVE, CONCAVE  
SOUTHEASTERLY, HAVING A RADIUS OF 500.00 FEET; THENCE ALONG THE  
BOUNDARY OF SAID SCHOOLEY'S LAND SOUTHWESTERLY ALONG THE ARC OF  
SAID CURVE THROUGH A CENTRAL ANGLE OF 17° 40' 00" A DISTANCE OF 154.17  
FEET; AND TANGENT TO SAID CURVE, SOUTH 12° 06' 51" WEST, 226.22 FEET TO  
THE TRUE POINT OF BEGINNING.

PARCEL F: (APN: 110-370-03)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 49° 23' 11" EAST (RECORD - NORTH 45° 00' 00" EAST) ALONG A LINE WHICH INTERSECTS A POINT THAT IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 709.65 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 49° 23' 11" EAST ALONG SAID LINE, 668.39 FEET TO SAID POINT WHICH IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EAST 52.69 FEET; THENCE NORTH 40° 36' 49" WEST 291.51 FEET TO A POINT IN A 1000.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY THE RADIAL LINE THROUGH SAID POINT BEARS NORTH 35° 12' 24" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH AN ANGLE OF 08° 23' 00" A DISTANCE OF 146.32 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 46° 24' 36" WEST 420.97 FEET TO THE BEGINNING OF A TANGENT 500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 16° 37' 45" A DISTANCE OF 145.12 FEET TO A LINE WHICH BEARS NORTH 40° 36' 49" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 40° 36' 49" EAST ALONG SAID LINE, 210.14 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING NORTHEASTERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF PROPERTY HEREINABOVE DESCRIBED; THENCE ALONG THE SOUTHEASTERLY LINE THEREOF NORTH 49° 23' 11" EAST, 187.00 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE NORTH 39° 29' 10" WEST, 241.09 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID LAND.

PARCEL G: (APN: 110-370-04)

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 49° 23' 11" EAST (RECORD - NORTH 45° EAST) ALONG A LINE WHICH INTERSECTS A POINT THAT IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST



QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 709.65 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 49° 23' 11" EAST ALONG SAID LINE, 668.39 FEET TO SAID POINT WHICH IS 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EAST 52.69 FEET; THENCE NORTH 40° 36' 49" WEST 291.51 FEET TO A POINT IN A 1000.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY THE RADIAL LINE THROUGH SAID POINT BEARS NORTH 35° 12' 24" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH AN ANGLE OF 08° 23' A DISTANCE OF 146.32 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 46° 24' 36" WEST 420.97 FEET TO THE BEGINNING OF A TANGENT 500.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 16° 37' 45" A DISTANCE OF 145.12 FEET TO A LINE WHICH BEARS NORTH 40° 36' 49" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 40° 36' 49" EAST ALONG SAID LINE, 210.14 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF LYING SOUTHWESTERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF PROPERTY HEREINABOVE DESCRIBED; THENCE ALONG THE SOUTHEASTERLY LINE THEREOF NORTH 49° 23' 11" EAST, 187.00 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED LINE; THENCE NORTH 39° 29' 10" WEST, 241.09 FEET TO THE NORTHWESTERLY BOUNDARY OF SAID LAND.

PARCEL H: (APN: 110-370-06)

ALL THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32; THENCE NORTH 49° 24' 48" EAST ALONG A LINE DRAWN THROUGH A POINT IN THE SOUTH LINE OF THE LAND CONVEYED TO FELIPIA M. HAYES, BY DEED DATED FEBRUARY 23, 1897, AND RECORDED IN BOOK 269, PAGE 296 OF DEEDS, SAID POINT BEING 6.66 CHAINS WEST AND 6.66 CHAINS SOUTH OF THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 427.68 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 49° 24' 48" EAST ALONG SAID LINE 950.19 FEET TO SAID POINT IN THE SOUTH LINE OF SAID HAYES' LAND; THENCE ALONG SAID SOUTH LINE, SOUTH 89° 56' 06" EAST -RECORD EAST- 423.23 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG SAID EASTERLY LINE, NORTH 2° 16' 05" EAST -RECORD NORTH- 440.04 FEET TO SAID NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE ALONG THE NORTHERLY LINE

OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32, SOUTH 89° 06' 28" EAST 1392.47 FEET TO THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE EASTERLY LINE OF SAID SECTION, SOUTH 0° 33' 40" WEST 139.91 FEET; THENCE LEAVING SAID EASTERLY LINE, SOUTH 70° 57' 58" WEST 290.70 FEET; THENCE SOUTH 65° 11' 50" WEST 1901.36 FEET TO THE BEGINNING OF A TANGENT 1930.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13° 06' 46" A DISTANCE OF 441.70 FEET; THENCE RADIAL TO SAID CURVE, NORTH 37° 54' 56" WEST 286.31 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL I: (APN: 110-370-14)

ALL THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON A LINE WHICH IS DISTANT THEREON NORTH 49° 24' 48" EAST 361.63 FEET FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 32; THENCE ALONG SAID LINE NORTH 49° 24' 48" EAST 66.05 FEET; THENCE SOUTH 37° 54' 56" EAST 286.51 FEET TO A POINT ON THE ARC OF A 1930.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, SAID LAST MENTIONED COURSE BEING RADIAL TO SAID CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13° 06' 46" A DISTANCE OF 441.70 FEET; THENCE TANGENT TO SAID CURVE NORTH 65° 11' 50" EAST 978.06 FEET TO A POINT HEREINAFTER KNOWN AS POINT "B"; THENCE SOUTH 00° 11' 03" EAST 1532.54 FEET; THENCE SOUTH 89° 48' 57" WEST 1552.87 FEET TO A POINT HEREINAFTER KNOWN AS POINT "A"; THENCE NORTH 16° 59' 55" WEST 145.38 FEET; THENCE NORTH 03° 28' 36" EAST 665.93 FEET; THENCE NORTH 12° 08' 28" EAST 283.56 FEET TO THE POINT OF BEGINNING.

PARCEL J: (APN: 110-370-07)

ALL THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 32, DISTANT THEREON SOUTH 00° 33' 40" WEST 139.91 FEET FROM THE NORTHEAST CORNER OF SAID SECTION; THENCE CONTINUING ALONG SAID EAST LINE SOUTH 00° 33' 40" WEST 1809.86 FEET; THENCE SOUTH 89° 48' 57" WEST 1090.94 FEET; THENCE NORTH 00° 11' 03" WEST 1331.16 FEET; THENCE NORTH 65° 11' 50" EAST 923.30 FEET; THENCE NORTH 70° 57' 58" EAST 290.70 FEET TO THE POINT OF BEGINNING.

PARCEL K: (APN: 110-370-08)

ALL THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE NORTH 09° 11' 05" EAST 1875.51 FEET TO A POINT HEREINAFTER KNOWN AS POINT "C" THENCE NORTH 89° 48' 57" EAST 254.87 FEET; THENCE NORTH 00° 11' 03" WEST 201.38 FEET; THENCE NORTH 89° 48' 57" EAST 1090.94 FEET TO A POINT IN THE EAST LINE OF SAID SECTION 32; THENCE ALONG SAID EAST LINE SOUTH 00° 33' 40" WEST 709.69 FEET TO THE EAST ONE-QUARTER CORNER OF SAID SECTION 32; THENCE CONTINUING ALONG SAID EAST LINE OF SECTION 32, SOUTH 10° 04' 20" WEST 1365.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32; THENCE ALONG THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, SOUTH 89° 51' 54" WEST 1398.78 FEET TO THE POINT OF BEGINNING.

PARCEL L: (APN: 110-370-10)

THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED SEPTEMBER 21, 1875 AND JANUARY 15, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, BEING THE SOUTHEAST CORNER OF PARCEL 2 AS DESCRIBED IN DEED TO BRUCE FARLEY CORPORATION, RECORDED AUGUST 24, 1970 AS FILE NO. 152353; THENCE ALONG THE BOUNDARY OF SAID BRUCE FARLEY CORPORATION'S LAND AS FOLLOWS: SOUTH 86° 35' 20" WEST, 823.77 FEET; NORTH 28° 40' 06" EAST, 341.83 FEET; NORTH 06° 35' 24" WEST, 781.90 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND; NORTH 84° 53' 29" EAST, 931.33 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND, SAID POINT BEING SOUTH 09° 11' 05" WEST, 750.00 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL 1; SOUTH 09° 11' 05" WEST, 543.00 FEET TO A POINT HEREIN DESCRIBED AS POINT "A"; AND SOUTH 09° 11' 05" WEST, 582.01 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT POINT "A" HEREINABOVE DESCRIBED; THENCE SOUTH 84° 53' 29" WEST TO THE WESTERLY LINE OF PARCEL 2 OF SAID BRUCE FARLEY CORPORATION'S LAND.

PARCEL M: (APN: 110-370-11)

THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED SEPTEMBER 21, 1875, AND JANUARY 15, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, BEING THE SOUTHEAST CORNER OF PARCEL 2 AS DESCRIBED IN DEED TO BRUCE FARLEY CORPORATION, RECORDED AUGUST 24, 1970 AS FILE NO. 152353; THENCE ALONG THE BOUNDARY OF SAID BRUCE FARLEY CORPORATION'S LAND AS FOLLOWS: SOUTH  $86^{\circ} 35' 20''$  WEST, 823.77 FEET; NORTH  $28^{\circ} 40' 06''$  EAST, 341.83 FEET; NORTH  $06^{\circ} 35' 24''$  WEST, 781.90 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND; NORTH  $84^{\circ} 53' 29''$  EAST, 931.33 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND, SAID POINT BEING SOUTH  $09^{\circ} 11' 05''$  WEST, 750.00 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL 1; SOUTH  $09^{\circ} 11' 05''$  WEST, 543.00 FEET TO A POINT HEREIN DESCRIBED AS POINT "A"; AND SOUTH  $09^{\circ} 11' 05''$  WEST, 582.01 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT POINT "A" HEREINABOVE DESCRIBED; THENCE SOUTH  $84^{\circ} 53' 29''$  WEST TO THE WESTERLY LINE OF PARCEL 2 OF SAID BRUCE FARLEY CORPORATION'S LAND.

PARCEL N: (APN: 110-370-13)

THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED SEPTEMBER 21, 1875 AND JANUARY 15, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, BEING THE SOUTHEAST CORNER OF PARCEL 2 AS DESCRIBED IN DEED TO BRUCE FARLEY CORPORATION, RECORDED AUGUST 24, 1970 AS FILE NO. 152353; THENCE ALONG THE BOUNDARY OF SAID PARCEL 2 SOUTH  $86^{\circ} 35' 20''$  WEST, 823.77 FEET; NORTH  $28^{\circ} 40' 06''$  EAST, 341.83 FEET; NORTH  $06^{\circ} 35' 24''$  WEST, 781.90 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1 AS FOLLOWS: NORTH  $16^{\circ} 59' 55''$  WEST, 857.08 FEET TO THE MOST WESTERLY CORNER OF SAID PARCEL 1, SAID POINT BEING HEREIN DESIGNATED AS POINT "B"; NORTH  $89^{\circ} 48' 57''$  EAST, 1298.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1; SOUTH  $09^{\circ} 11' 05''$  WEST, 370.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "C"; CONTINUING SOUTH  $09^{\circ} 11' 05''$  WEST, 380.50 FEET TO THE SOUTHEAST

CORNER OF SAID PARCEL 1; AND ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, SOUTH 84° 53' 29" WEST, 931.33 FEET TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT POINT "C" HEREINABOVE DESCRIBED; THENCE SOUTH 89° 48' 57" WEST TO THE WESTERLY LINE OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND.

PARCEL O: 110-370-12

THAT PORTION OF THE EAST HALF OF SECTION 32, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED SEPTEMBER 21, 1875 AND JANUARY 15, 1892, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, BEING THE SOUTHEAST CORNER OF PARCEL 2 AS DESCRIBED IN DEED TO BRUCE FARLEY CORPORATION, RECORDED AUGUST 24, 1970 AS FILE NO. 152353; THENCE ALONG THE BOUNDARY OF SAID PARCEL 2 SOUTH 86° 35' 20" WEST, 823.77 FEET; NORTH 28° 40' 06" EAST, 341.83 FEET; NORTH 06° 35' 24" WEST, 781.90 FEET TO THE SOUTHWEST CORNER OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1 AS FOLLOWS: NORTH 16° 59' 55" WEST, 857.08 FEET TO THE MOST WESTERLY CORNER OF SAID PARCEL 1, SAID POINT BEING HEREIN DESIGNATED AS POINT "B"; NORTH 89° 48' 57" EAST, 1298.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1; SOUTH 09° 11' 05" WEST, 370.00 FEET TO A POINT HEREIN DESIGNATED AS POINT "C"; CONTINUING SOUTH 09° 11' 05" WEST, 380.50 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1; AND ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, SOUTH 84° 53' 29" WEST, 931.33 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT POINT "C" HEREINABOVE DESCRIBED; THENCE SOUTH 89° 48' 57" WEST TO THE WESTERLY LINE OF PARCEL 1 OF SAID BRUCE FARLEY CORPORATION'S LAND.

**Project Description/Proposed Land Use:**

The Hanson property contains 229.611 acres, more or less, and is commonly referred to as Assessor's Parcel Numbers: 110-072-27, 110-072-31, 110-370-05 (portion), 110-072-29, 110-370-02, 110-370-03, 110-370-04, 110-370-06, 110-370-07, 110-370-08, 110-370-10, 110-370-11, 110-370-12, 110-370-13 and 110-370-14. The subject property is contiguous to the Pala Indian Reservation. The subject property is rural and undeveloped containing ponds created by former gravel extraction activities surrounded by riparian vegetation. The subject property will

further the Tribe's interests by protecting sacred sites and promoting self-determination. The Tribe has no plans for development or changes in use of the subject property.

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 office listed 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 one thirty-day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. 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 to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), 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 the Pacific Regional Office attention: Langdon Bueschel, Realty Specialist, at (916) 978-6092.

Sincerely,

**FELIX KITTO**

Digitally signed by FELIX KITTO  
Date: 2025.12.10 09:00:25  
-08'00'

Acting Regional Director

Enclosures

cc: Distribution List



## **DISTRIBUTION LIST**

cc: By Certified Mail – return receipts requested to:

Senior Advisor for Tribal Negotiations, Deputy Legal Affairs  
Secretary, Office of the Governor  
State Capitol Building, Suite 1173  
Sacramento, CA 95814  
Certified Mail ID: 9589 0710 5270 0952 5406 13

T Michelle Laird C/O Paula Corral,  
Deputy Attorney General  
State of California Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244-2250  
Certified Mail ID: 9589 0710 5270 0952 5406 20

San Diego County Board of Supervisors  
1600 Pacific Highway, Room 310  
San Diego, CA 92101  
Certified Mail ID: 9589 0710 5270 0952 5406 37

San Diego County Treasurer & Tax Collector  
1600 Pacific Highway, Room 162  
San Diego, CA 92101  
Certified Mail ID: 9589 0710 5270 0952 5406 44

Pala Band of Mission Indians  
35008 Pala Temecula Road, PMB - 50  
Pala, CA 920  
Certified Mail ID: 9589 0710 5270 0952 5406 51

By First Class Mail:

Bureau of Indian Affairs  
Southern California Agency  
1451 Research Dr., Suite 100  
Riverside, CA 92507



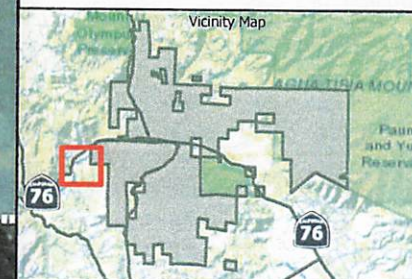
# Property Map

## Hanson Ponds Property

### Pala Band of Mission Indians



Total Hanson Property Acres: 228.88



### Legend

- Hanson Ponds Property Parcels
- Hanson Ponds Property Boundary
- Reservation Boundary

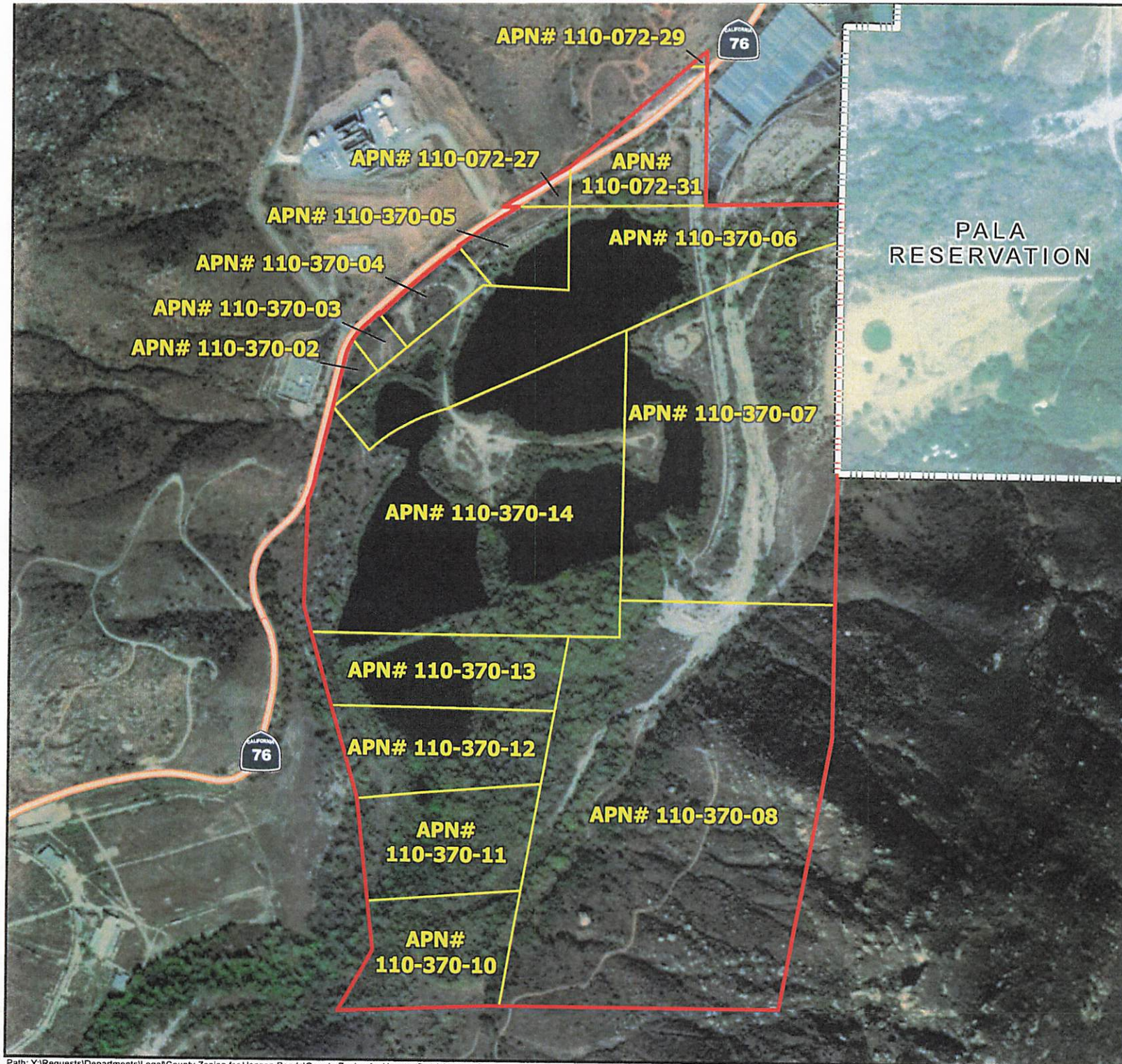


0 475 950 Feet

1 inch = feet - 1:8,069

Prepared By: Pala GIS Office

This map was created as a geographic representation of data. Neither the Pala Band of Mission Indians, nor the Pala GIS Office makes any guarantee or accepts any liability for its accuracy.





## SCHEDULE B

### PART II – EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

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

- A. Any facts, rights, interests 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.
  - E. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.
  - F. 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.
1. The right of the public to use that portion of the premises herein described; lying within County Highway Commission, Route No. 18, Division 2, Bonsall to Warner's Ranch, according to official plat thereof on file in the office of the county surveyor of said San Diego County.
  2. Riparian rights, as reserved in deed form Griffith Henshaw and Irene R. Henshaw, husband and wife and John Treanor and Catherine Elizabeth Treanor, husband and wife, to Frank F. Moreno and Mary Moreno, dated April 22, 1930 and recorded May 14, 1930 in Book 1777, page 187 of Deeds, which recites, among other things, as follows:

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*



**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Provided further, however, that nothing contained in the foregoing reservations and exceptions shall be construed as preventing the second parties from sinking wells upon the lands herein conveyed and pumping or otherwise developing water therefrom for the sole purpose of irrigation of said lands and for domestic uses thereon, except and provided, however, that such right to pump and/or use water from said lands is and shall always be subject to the right of the first parties, their heirs, successors and assigns, to impound and divert water from said river, its tributaries, effluents and watershed by means of one or more dams and reservoirs, reserved and excepted as aforesaid.

3. 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 25, 1937 in [Book 613, page 217](#), of Official Records  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

Affects Sections 29 & 32

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

Granted To: Carnation Company, a Delaware corporation  
Purpose: roadway and public utilities  
Recorded: November 9, 1960 as [Instrument No. 221454, of Official Records](#)  
Affects: Section 32: The route thereof affects a portion of said land and is more fully described in said document.

5. An ordinance adding a new Article CXIV to Ordinance No. 1402 (New Series), as amended, establishing land classifications, regulating the use of property, and providing for the adoption of Sectional District Map No. 80, Pala Section, San Diego County, recorded January 3, 1972, as [File No. 643, Official Records](#).

Portion of the Pala Agricultural Preserve No. 15 are disestablished as disclosed by document recorded July 15, 1976 as [File No. 76-223214, Official Records](#).

6. 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 6, 1998 as [Instrument No. 1998-0003908, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*



**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

7. A document entitled "Easement Agreement", dated, January 6, 1998, executed by H. G. Fenton Material Company, a corporation and San Diego Gas and Electric Company, subject to all the terms, provisions and conditions therein contained, recorded January 6, 1998 as [Instrument No. 1998-0003909, of Official Records](#).
8. A document entitled "Right-of-Way", dated, January 6, 1998, executed by San Diego Gas and Electric Company and H. G. Fenton Material Company, subject to all the terms, provisions and conditions therein contained, recorded January 6, 1998 as [Instrument No. 1998-0003910](#) and re-recorded March 22, 1998 as [Instrument No. 1998-169316](#), both of Official Records.
9. 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:..	August 12, 1963 as <a href="#">Instrument No. 141577, of Official Records</a>
Affects:..	The route thereof affects a portion of said land and is more fully described in said document.
10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:..	United States of America
Purpose:..	Conservation easement
Recorded:..	February 27, 2001 as <a href="#">Instrument No. 2001-0109619, of Official Records</a>
Affects:..	The route thereof affects a portion of said land and is more fully described in said document.
11. A document entitled "Easement and Maintenance Agreement", dated, September 13, 2005, executed by Hanson Aggregates Pacific Southwest Inc., a Delaware corporation, formerly known as Sim J. Harris Company, a Delaware corporation; Victor S. Zaleschuck, Trustee of the Victor Stephen Zaleschuck Trust dated October 29, 2002, subject to all the terms, provisions and conditions therein contained, recorded September 19, 2005 as [Instrument No. 2005-0808820, of Official Records](#).
12. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted To:	Victor S. Zaleschuck, Trustee of the Victor Stephen Zaleschuck Trust dated October 29, 2002
Purpose:	driveway purposes
Recorded:	September 19, 2005 as <a href="#">Instrument No. 2005-0808820, of Official Records</a>
Affects:	The route thereof affects a portion of said land and is more fully described in said document.

The Following Items Affect Parcels E to J

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

13. The rights of the public in and to that portion of the herein described property lying within route 18, division 2, Pala Road.

The rights of the public to use that portion of the premises herein described; lying within county highway commission, route no. 18, division 2, Bonsall to Warner's Ranch, according to the official plat thereof on file in the office of the county surveyor of said San Diego County.

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

Granted To: County of San Diego  
Purpose: public road (Road Survey No. 85)  
Recorded: February 3, 1896 in [Book 257, page 97](#) of Deeds  
Affects: Parcel I

The exact location and extent of said easement is not disclosed of record

15. An instrument executed by Frank A. Salmons to Ed Fletcher recorded October 11, 1921 in [Book 861, page 330](#) of Deeds, for right to construct a dam and reservoir on Warner's Ranch in San Diego County, State of California, and the right to perpetually collect and impound any and all waters of the San Luis Rey River at the point and divert said water so collected and impounded from the San Luis Rey Water shed into other water sheds and parts of San Diego County, and hereby waive to Ed Fletcher, his heirs or assigns, all right and claim of injury to my property, on account of such construction and diversion.

Affects: Parcels E, F and G

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: January 25, 1937 in [Book 608, page 372](#), of Official Records  
Affects: Parcel I

17. 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 25, 1937 in [Book 613, page 217](#), of Official Records  
Affects: Parcels E, F and G

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

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: July 31, 1951 in [Book 4186, page 251](#), of Official Records  
Affects: Parcel E

19. 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: August 12, 1963 as [Instrument No. 141577, of Official Records](#)  
Affects: Affects Parcel H

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

Purpose: Ingress and egress, as granted/reserved by various instruments of record, one of which was recorded September 3, 1963 as [Instrument No. 157047, of Official Records](#).

Affects: Strips of land of various routes and widths over Parcels H, I and J

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

Purpose: Water line purposes 10 feet in width, as granted/reserved by various instruments of record, one of which was recorded September 3, 1963 as [Instrument No. 157047, of Official Records](#)

Affects: Various routes over Parcels I and J

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

Purpose: water well maintenance purposes, as granted/reserved by various instruments of record, one of which was recorded September 3, 1963 as [Instrument No. 157047, of Official Records](#)

Affects: Various locations over Parcels I and J

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

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Granted To: The County of San Diego  
Purpose: County Highway  
Recorded: April 22, 1970 as [Instrument No. 69474, of Official Records](#)  
Affects: the Northwesterly 51 feet of Parcel 3, together with that portion of Parcel H lying within a strip of land 51 feet wide, the Westerly line of which is the center line of state highway 76 known as Pala Road

Said instrument additionally contains the privilege and right to extend drainage structures and excavation and embankment slopes beyond the limits where required for the construction and maintenance thereof

24. 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: July 31, 1970 as [Instrument No. 135117, of Official Records](#)  
Affects: a 300 foot strip over Parcel H

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#).

25. 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: March 19, 1971 as [Instrument No. 53503, of Official Records](#)  
Affects: Parcel G

26. An ordinance adding a new article CXIV to Ordinance No. 1402 (new series), as amended, establishing land classifications, regulating the use of property, and providing for the adoption of sectional district Map No. 80, Pala Section, San Diego County, recorded January 3, 1972, as [File No. 643, Official Records](#).

Portion of the Pala Agricultural Preserve No. 15 are disestablished as disclosed by document recorded July 15, 1976 as [File No. 76-223214, Official Records](#).

Reference is made to said document for full particulars.

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

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72C165 Commitment for Title Insurance (Adopted 6-17-06 Revised 08-01-2016)

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: April 28, 1972 as [Instrument No. 106877, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

Affects Parcels I and J

28. 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: August 1, 1972 as [Instrument No. 200709, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

Affects Parcels I and J

A right of way between San Diego Gas and Electric Company and H. G. Material Company, recorded January 6, 1998 as [Instrument No. 1998-0003910, of Official Records](#).

29. An Agreement, and the terms and conditions as contained therein

Dated: August 6, 1973  
By and Between: H. G. Fenton Material Company and the County of San Diego  
Recorded: September 24, 1973 as [Instrument No. 73-268233, of Official Records](#)  
Regarding: A grading permit to authorize excavation pursuant to a borrow pit operation on the subject property

Reference is hereby made to said document for full particulars.

Affects Parcels G and H

30. 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: October 16, 1973 as [Instrument No. 73-291166, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

31. An Agreement, and the terms and conditions as contained therein

Dated: March 8, 1976  
By and Between: H. G. Fenton Material Company and the County of San Diego  
Recorded: April 21, 1976 as [Instrument No. 76-118646, of Official Records](#)  
Regarding: A grading permit to authorize excavation pursuant to a borrow pit operation on the subject property

Reference is hereby made to said document for full particulars.

32. An irrevocable offer to Dedicate a portion of said land for the purposes stated herein.

In Favor Of: County of San Diego  
For: public highway  
Recorded: May 24, 1976 as [Instrument No. 76-156693, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

33. An irrevocable offer to Dedicate a portion of said land for the purposes stated herein.

In Favor Of: County of San Diego  
For: public highway  
Recorded: May 24, 1976 as [Instrument No. 76-156694, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

34. An irrevocable offer to Dedicate a portion of said land for the purposes stated herein.

In Favor Of: County of San Diego  
For: public highway  
Recorded: October 22, 1981 as [Instrument No. 81-334798, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

Said instrument additionally contains the privilege and right to extend drainage structures and excavation and embankment slopes beyond the limits where required for the construction and maintenance thereof

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

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Granted To: San Diego Gas and Electric Company  
Purpose: public utilities, ingress, egress  
Recorded: July 7, 1995 as [Instrument No. 1995-0288929, of Official Records](#)  
Affects: The exact location and extent of said easement is not disclosed of record

36. 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 6, 1998 as [Instrument No. 1998-0003908, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#).

37. A document entitled "Easement Agreement", dated January 6, 1998, executed by H. G. Fenton Material Company, a corporation and San Diego Gas And Electric Company, subject to all the terms, provisions and conditions therein contained, recorded January 6, 1998 as File No. [1998-0003909 of Official Records](#).

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#).

38. 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, a corporation  
Purpose: public utilities, ingress, egress  
Recorded: January 6, 1998 as [Instrument No. 1998-0003908, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

39. An Agreement, and the terms and conditions as contained therein

Dated: January 6, 1998  
By and Between: H. G. Fenton Material Company, a corporation and San Diego Gas and Electric Company, a corporation  
Recorded: January 6, 1998 as [Instrument No. 1998-0003909, of Official Records](#)  
Regarding: Easement Agreement

Reference is hereby made to said document for full particulars.

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

40. An Agreement, and the terms and conditions as contained therein

Dated: January 6, 1998  
By and Between: San Diego Gas and Electric Company, and H. G. Fenton Material Company  
Recorded: January 6, 1998 as [Instrument No. 1998-0003910, of Official Records](#)  
Regarding: Right of Way Use Agreement

Reference is hereby made to said document for full particulars.

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

Granted To: United States of America  
Purpose: Conservation easement  
Recorded: February 27, 2001 as [Instrument No. 2001-0109619, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

The Following Items Affect Parcels K to O

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

Purpose: ingress and egress, as granted/reserved by various instruments of record, one of which was recorded September 3, 1963 as [Instrument No. 157047, of Official Records](#)

Affects: Strips of land of various routes and widths over Parcel K

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

Purpose: water well maintenance purposes, as granted/reserved by various instruments of record, one of which was recorded September 3, 1963 as [Instrument No. 157047, of Official Records](#)

Affects: Various locations over Parcel N

44. An ordinance adding a new article CXIV to ordinance no. 1402 (new series), as amended, establishing land classifications, regulating the use of property, and providing for the adoption of sectional district Map No. 80, Pala Section, San Diego County, recorded January 3, 1972, as [File No. 643, Official Records](#).

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

Portion of the Pala Agricultural Preserve No. 15 are disestablished as disclosed by document recorded July 15, 1976 as [Instrument No. 76-223214, of Official Records](#).

45. 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: April 28, 1972 as [Instrument No. 72-106877, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

46. 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: August 1, 1972 as [Instrument No. 200709, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#)

47. An Agreement, and the terms and conditions as contained therein

Dated: March 8, 1976  
By and Between: H. G. Fenton Material Company and the County of San Diego  
Recorded: April 21, 1976 as [Instrument No. 76-118646, of Official Records](#)  
Regarding: A grading permit to authorize excavation pursuant to a borrow pit operation on the subject property

Reference is hereby made to said document for full particulars.

48. 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 6, 1998 as [Instrument No. 1998-0003908, of Official Records](#)  
Affects: The route thereof affects a portion of said land and is more fully described in said document.

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**SCHEDULE B**  
**PART II – EXCEPTIONS**  
(Continued)

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#)

49. A document entitled "Easement Agreement", dated January 6, 1998, executed by H. G. Fenton Material Company, a corporation and San Diego Gas And Electric Company, subject to all the terms, provisions and conditions therein contained, recorded January 6, 1998 as File No. [1998-0003909 of Official Records](#).

A right-of-way use agreement made and entered by and between San Diego Gas & Electric Company, and H. G. Fenton Material Company, recorded January 6, 1998 as File No. [1998-0003910 of Official Records](#).

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

Granted To:	United States of America
Purpose:	Conservation
Recorded:	February 27, 2001 as <a href="#">Instrument No. 2001-0109619, of Official Records</a>
Affects:	The route thereof affects a portion of said land and is more fully described in said document.

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END OF SCHEDULE B, PART II – EXCEPTIONS

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## § 150.11

Titles and Records Offices are designated as Certifying Officers for this purpose. When a copy or reproduction of a title document is authenticated by the official seal and certified by a Manager, Land Titles and Records Office, the copy or reproduction shall be admitted into evidence the same as the original from which it was made. The fees for furnishing such certified copies are established by a uniform fee schedule applicable to all constituent units of the Department of the Interior and published in 43 CFR part 2, appendix A.

### § 150.11 Disclosure of land records, title documents, and title reports.

(a) The usefulness of a Land Titles and Records Office depends in large measure on the ability of the public to consult the records contained therein. It is therefore, the policy of the Bureau of Indian Affairs to allow access to land records and title documents unless such access would violate the Privacy Act, 5 U.S.C. 552a or other law restricting access to such records, or there are strong policy grounds for denying access where such access is not required by the Freedom of Information Act, 5 U.S.C. 552. It shall be the policy of the Bureau of Indian Affairs that, unless specifically authorized, monetary considerations will not be disclosed insofar as leases of tribal land are concerned.

(b) Before disclosing information concerning any living individual, the Manager, Land Titles and Records Office, shall consult 5 U.S.C. 552a(b) and the notice of routine users then in effect to determine whether the information may be released without the written consent of the person to whom it pertains.

## PART 151—LAND ACQUISITIONS

Sec.

- 151.1 Purpose and scope.
- 151.2 Definitions.
- 151.3 Land acquisition policy.
- 151.4 Acquisitions in trust of lands owned in fee by an Indian.
- 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.
- 151.6 Exchanges.
- 151.7 Acquisition of fractional interests.
- 151.8 Tribal consent for nonmember acquisitions.

## 25 CFR Ch. I (4-1-20 Edition)

- 151.9 Requests for approval of acquisitions.
- 151.10 On-reservation acquisitions.
- 151.11 Off-reservation acquisitions.
- 151.12 Action on requests.
- 151.13 Title review.
- 151.14 Formalization of acceptance.
- 151.15 Information collection.

**AUTHORITY:** R.S. 161; 5 U.S.C. 301. Interpret or apply 46 Stat. 1106, as amended; 46 Stat. 1471, as amended; 48 Stat. 985, as amended; 49 Stat. 1967, as amended, 53 Stat. 1129; 63 Stat. 605; 69 Stat. 392, as amended; 70 Stat. 290, as amended; 70 Stat. 626; 75 Stat. 505; 77 Stat. 349; 78 Stat. 389; 78 Stat. 747; 82 Stat. 174, as amended, 82 Stat. 884; 84 Stat. 120; 84 Stat. 1874; 86 Stat. 216; 86 Stat. 530; 86 Stat. 744; 88 Stat. 78; 88 Stat. 81; 88 Stat. 1716; 88 Stat. 2203; 88 Stat. 2207; 25 U.S.C. 2, 9, 409a, 450h, 451, 464, 465, 487, 488, 489, 501, 502, 573, 574, 576, 608, 608a, 610, 610a, 622, 624, 640d-10, 1466, 1495, and other authorizing acts.

**CROSS REFERENCE:** For regulations pertaining to: The inheritance of interests in trust or restricted land, see parts 15, 16, and 17 of this title and 43 CFR part 4; the purchase of lands under the BIA Loan Guaranty, Insurance and Interest Subsidy program, see part 103 of this title; the exchange and partition of trust or restricted lands, see part 152 of this title; land acquisitions authorized by the Indian Self-Determination and Education Assistance Act, see parts 900 and 276 of this title; the acquisition of allotments on the public domain or in national forests, see 43 CFR part 2530; the acquisition of Native allotments and Native townsite lots in Alaska, see 43 CFR parts 2561 and 2564; the acquisition of lands by Indians with funds borrowed from the Farmers Home Administration, see 7 CFR part 1823, subpart N; the acquisition of land by purchase or exchange for members of the Osage Tribe not having certificates of competency, see §§ 117.8 and 158.54 of this title.

**SOURCE:** 45 FR 62036, Sept. 18, 1980, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

### § 151.1 Purpose and scope.

These regulations set forth the authorities, policy, and procedures governing the acquisition of land by the United States in trust status for individual Indians and tribes. Acquisition of land by individual Indians and tribes in fee simple status is not covered by these regulations even though such land may, by operation of law, be held in restricted status following acquisition. Acquisition of land in trust status by inheritance or escheat is not covered by these regulations.

[79 FR 76897, Dec. 23, 2014]

Bureau of Indian Affairs, Interior

§ 151.3

§ 151.2 Definitions.

(a) *Secretary* means the Secretary of the Interior or authorized representative.

(b) *Tribe* means any Indian tribe, band, nation, pueblo, community, rancheria, colony, or other group of Indians, including the Metlakatla Indian Community of the Annette Island Reserve, which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs. For purposes of acquisitions made under the authority of 25 U.S.C. 488 and 489, or other statutory authority which specifically authorizes trust acquisitions for such corporations, "Tribe" also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 477) or section 3 of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C. 503).

(c) *Individual Indian* means:

(1) Any person who is an enrolled member of a tribe;

(2) Any person who is a descendant of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation;

(3) Any other person possessing a total of one-half or more degree Indian blood of a tribe;

(4) For purposes of acquisitions outside of the State of Alaska, *Individual Indian* also means a person who meets the qualifications of paragraph (c)(1), (2), or (3) of this section where "Tribe" includes any Alaska Native Village or Alaska Native Group which is recognized by the Secretary as eligible for the special programs and services from the Bureau of Indian Affairs.

(d) *Trust land* or *land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a tribe.

(e) *Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a tribe and which can only be alienated or encumbered by the owner with the approval of the Secretary because of limitations contained in the conveyance instrument pursuant to Federal law or because of a Federal law directly imposing such limitations.

(f) Unless another definition is required by the act of Congress authorizing a particular trust acquisition, *Indian reservation* means that area of land over which the tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the tribe as defined by the Secretary.

(g) *Land* means real property or any interest therein.

(h) *Tribal consolidation area* means a specific area of land with respect to which the tribe has prepared, and the Secretary has approved, a plan for the acquisition of land in trust status for the tribe.

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

§ 151.3 Land acquisition policy.

Land not held in trust or restricted status may only be acquired for an individual Indian or a tribe in trust status when such acquisition is authorized by an act of Congress. No acquisition of land in trust status, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(a) Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status:

(1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or

(2) When the tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing.

(b) Subject to the provisions contained in the acts of Congress which authorize land acquisitions or holding land in trust or restricted status, land may be acquired for an individual Indian in trust status:

#### **§ 151.4**

(1) When the land is located within the exterior boundaries of an Indian reservation, or adjacent thereto; or

(2) When the land is already in trust or restricted status.

#### **§ 151.4 Acquisitions in trust of lands owned in fee by an Indian.**

Unrestricted land owned by an individual Indian or a tribe may be conveyed into trust status, including a conveyance to trust for the owner, subject to the provisions of this part.

#### **§ 151.5 Trust acquisitions in Oklahoma under section 5 of the I.R.A.**

In addition to acquisitions for tribes which did not reject the provisions of the Indian Reorganization Act and their members, land may be acquired in trust status for an individual Indian or a tribe in the State of Oklahoma under section 5 of the Act of June 18, 1934 (48 Stat. 985; 25 U.S.C. 465), if such acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

#### **§ 151.6 Exchanges.**

An individual Indian or tribe may acquire land in trust status by exchange if the acquisition comes within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

#### **§ 151.7 Acquisition of fractional interests.**

Acquisition of a fractional land interest by an individual Indian or a tribe in trust status can be approved by the Secretary only if:

(a) The buyer already owns a fractional interest in the same parcel of land; or

(b) The interest being acquired by the buyer is in fee status; or

(c) The buyer offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value; or

(d) There is a specific law which grants to the particular buyer the right to purchase an undivided interest or interests in trust or restricted land without offering to purchase all of such interests; or

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(e) The owner of a majority of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the buyer.

#### **§ 151.8 Tribal consent for nonmember acquisitions.**

An individual Indian or tribe may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

#### **§ 151.9 Requests for approval of acquisitions.**

An individual Indian or tribe desiring to acquire land in trust status shall file a written request for approval of such acquisition with the Secretary. The request need not be in any special form but shall set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition comes within the terms of this part.

#### **§ 151.10 On-reservation acquisitions.**

Upon receipt of a written request to have lands taken in trust, the Secretary will notify the state and local governments having regulatory jurisdiction over the land to be acquired, unless the acquisition is mandated by legislation. The notice will inform the state or local government that each will be given 30 days in which to provide written comments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments. If the state or local government responds within a 30-day period, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply and/or request that the Secretary issue a decision. The Secretary will consider the following criteria in evaluating requests for the acquisition of land in trust status when the land is located within or contiguous to an Indian reservation, and the acquisition is not mandated:

**Bureau of Indian Affairs, Interior**

**§ 151.12**

(a) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(b) The need of the individual Indian or the tribe for additional land;

(c) The purposes for which the land will be used;

(d) If the land is to be acquired for an individual Indian, the amount of trust or restricted land already owned by or for that individual and the degree to which he needs assistance in handling his affairs;

(e) If the land to be acquired is in unrestricted fee status, the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls;

(f) Jurisdictional problems and potential conflicts of land use which may arise; and

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(h) The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations. (For copies, write to the Department of the Interior, Bureau of Indian Affairs, Branch of Environmental Services, 1849 C Street NW., Room 4525 MIB, Washington, DC 20240.)

[45 FR 62036, Sept. 18, 1980, as amended at 60 FR 32879, June 23, 1995]

**§ 151.11 Off-reservation acquisitions.**

The Secretary shall consider the following requirements in evaluating tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation, and the acquisition is not mandated:

(a) The criteria listed in § 151.10 (a) through (c) and (e) through (h);

(b) The location of the land relative to state boundaries, and its distance from the boundaries of the tribe's reservation, shall be considered as follows: as the distance between the tribe's reservation and the land to be acquired in-

creases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition. The Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section.

(c) Where land is being acquired for business purposes, the tribe shall provide a plan which specifies the anticipated economic benefits associated with the proposed use.

(d) Contact with state and local governments pursuant to § 151.10 (e) and (f) shall be completed as follows: Upon receipt of a tribe's written request to have lands taken in trust, the Secretary shall notify the state and local governments having regulatory jurisdiction over the land to be acquired. The notice shall inform the state and local government that each will be given 30 days in which to provide written comment as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

[60 FR 32879, June 23, 1995, as amended at 60 FR 48894, Sept. 21, 1995]

**§ 151.12 Action on requests.**

(a) The Secretary shall review each request and may request any additional information or justification deemed necessary to reach a decision.

(b) The Secretary's decision to approve or deny a request shall be in writing and state the reasons for the decision.

(c) A decision made by the Secretary, or the Assistant Secretary—Indian Affairs pursuant to delegated authority, is a final agency action under 5 U.S.C. 704 upon issuance.

(1) If the Secretary or Assistant Secretary denies the request, the Assistant Secretary shall promptly provide the applicant with the decision.

(2) If the Secretary or Assistant Secretary approves the request, the Assistant Secretary shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly publish in the **FEDERAL REGISTER** a notice of the decision to acquire land in trust under this part; and

(iii) Immediately acquire the land in trust under § 151.14 on or after the date

## § 151.13

## 25 CFR Ch. I (4–1–20 Edition)

such decision is issued and upon fulfillment of the requirements of § 151.13 and any other Departmental requirements.

(d) A decision made by a Bureau of Indian Affairs official pursuant to delegated authority is not a final agency action of the Department under 5 U.S.C. 704 until administrative remedies are exhausted under part 2 of this chapter or until the time for filing a notice of appeal has expired and no administrative appeal has been filed.

(1) If the official denies the request, the official shall promptly provide the applicant with the decision and notification of any right to file an administrative appeal under part 2 of this chapter.

(2) If the official approves the request, the official shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly provide written notice of the decision and the right, if any, to file an administrative appeal of such decision pursuant to part 2 of this chapter, by mail or personal delivery to:

(A) Interested parties who have made themselves known, in writing, to the official prior to the decision being made; and

(B) The State and local governments having regulatory jurisdiction over the land to be acquired;

(iii) Promptly publish a notice in a newspaper of general circulation serving the affected area of the decision and the right, if any, of interested parties who did not make themselves known, in writing, to the official to file an administrative appeal of the decision under part 2 of this chapter; and

(iv) Immediately acquire the land in trust under § 151.14 upon expiration of the time for filing a notice of appeal or upon exhaustion of administrative remedies under part 2 of this title, and upon the fulfillment of the requirements of § 151.13 and any other Departmental requirements.

(3) The administrative appeal period under part 2 of this chapter begins on:

(i) The date of receipt of written notice by the applicant or interested parties entitled to notice under paragraphs (d)(1) and (d)(2)(ii) of this section;

(ii) The date of first publication of the notice for unknown interested parties under paragraph (d)(2)(iii) of this section.

(4) Any party who wishes to seek judicial review of an official's decision must first exhaust administrative remedies under 25 CFR part 2.

[78 FR 67937, Nov. 13, 2013]

### § 151.13 Title review.

(a) If the Secretary determines that she will approve a request for the acquisition of land from unrestricted fee status to trust status, she shall require the applicant to furnish title evidence as follows:

(1) The deed or other conveyance instrument providing evidence of the applicant's title or, if the applicant does not yet have title, the deed providing evidence of the transferor's title and a written agreement or affidavit from the transferor, that title will be transferred to the United States on behalf of the applicant to complete the acquisition in trust; and

(2) Either:

(i) A current title insurance commitment; or

(ii) The policy of title insurance issued to the applicant or current owner and an abstract of title dating from the time the policy of title insurance was issued to the applicant or current owner to the present.

(3) The applicant may choose to provide title evidence meeting the title standards issued by the U.S. Department of Justice, in lieu of the evidence required by paragraph (a)(2) of this section.

(b) After reviewing submitted title evidence, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities that the Secretary identified and may seek additional information from the applicant needed to address such issues. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to taking final approval action on the acquisition, and she shall require elimination prior to such approval if she determines that the liens, encumbrances or infirmities make title to the land unmarketable.

[81 FR 30177, May 16, 2016]

**§ 151.14 Formalization of acceptance.**

Formal acceptance of land in trust status shall be accomplished by the issuance or approval of an instrument of conveyance by the Secretary as is appropriate in the circumstances.

[45 FR 62036, Sept. 18, 1980. Redesignated at 60 FR 32879, June 23, 1995]

**§ 151.15 Information collection.**

(a) The information collection requirements contained in §§ 151.9; 151.10; 151.11(c), and 151.13 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1076-0100. This information is being collected to acquire land into trust on behalf of the Indian tribes and individuals, and will be used to assist the Secretary in making a determination. Response to this request is required to obtain a benefit.

(b) Public reporting for this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the information collection. Direct comments regarding the burden estimate or any other aspect of this information collection to the Bureau of Indian Affairs, Information Collection Clearance Officer, Room 337-SIB, 18th and C Streets, NW., Washington, DC 20240; and the Office of Information and Regulatory Affairs [Project 1076-0100], Office of Management and Budget, Washington, DC 20502.

[60 FR 32879, June 23, 1995; 64 FR 13895, Mar. 23, 1999]

## **PART 152—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS**

**Sec.****152.1 Definitions.****152.2 Withholding action on application.**

### **ISSUING PATENTS IN FEE, CERTIFICATES OF COMPETENCY OR ORDERS REMOVING RESTRICTIONS**

**152.3** Information regarding status of applications for removal of Federal supervision over Indian lands.

**152.4** Application for patent in fee.

**152.5** Issuance of patent in fee.

**152.6** Issuance of patents in fee to non-Indians and Indians with whom a special relationship does not exist.

**152.7** Application for certificate of competency.

**152.8** Issuance of certificate of competency.

**152.9** Certificates of competency to certain Osage adults.

**152.10** Application for orders removing restrictions, except Five Civilized Tribes.

**152.11** Issuance of orders removing restrictions, except Five Civilized Tribes.

**152.12** Removal of restrictions, Five Civilized Tribes, after application under authority other than section 2(a) of the Act of August 11, 1955.

**152.13** Removal of restrictions, Five Civilized Tribes, after application under section 2(a) of the Act of August 11, 1955.

**152.14** Removal of restrictions, Five Civilized Tribes, without application.

**152.15** Judicial review of removal of restrictions, Five Civilized Tribes, without application.

**152.16** Effect of order removing restrictions, Five Civilized Tribes.

### **SALES, EXCHANGES AND CONVEYANCES OF TRUST OR RESTRICTED LANDS**

**152.17** Sales, exchanges, and conveyances by, or with the consent of the individual Indian owner.

**152.18** Sale with the consent of natural guardian or person designated by the Secretary.

**152.19** Sale by fiduciaries.

**152.20** Sale by Secretary of certain land in multiple ownership.

**152.21** Sale or exchange of tribal land.

**152.22** Secretarial approval necessary to convey individual-owned trust or restricted lands or land owned by a tribe.

**152.23** Applications for sale, exchange or gift.

**152.24** Appraisal.

**152.25** Negotiated sales, gifts and exchanges of trust or restricted lands.

**152.26** Advertisement.

**152.27** Procedure of sale.

**152.28** Action at close of bidding.

**152.29** Rejection of bids; disapproval of sale.

**152.30** Bidding by employees.

**152.31** Cost of conveyance; payment.

**152.32** Irrigation fee; payment.

### **PARTITIONS IN KIND OF INHERITED ALLOTMENTS**

**152.33** Partition.

### **MORTGAGES AND DEEDS OF TRUST TO SECURE LOANS TO INDIANS**

**152.34** Approval of mortgages and deeds of trust.

**152.35** Deferred payment sales.



**ANDREW POTTER, CCB**  
EXECUTIVE OFFICER/CLERK

**CLERK OF THE BOARD OF SUPERVISORS**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2422  
(619) 531-5600

**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

December 16, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

**REFERRAL**

Attached, for your information, is correspondence from Felix Kitto, Acting Regional Director of the United States Department of the Interior, regarding a Notice of Non-Gaming Land Acquisition Application for the Pala Band of Mission Indians.

Respectfully,

  
ANDREW POTTER

Attachment

cc: Ebony N. Shelton, Chief Administrative Officer  
Dahvia Lynch, Deputy Chief Administrative Officer, Land Use & Environment Group  
Board of Supervisors Communications Received

AJP:tz





# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
Pacific Regional Office  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

IN REPLY REFER TO  
Real Estate Services  
TR-4609-P5

COSD CLERK OF THE BOARD  
2025 DEC 16 AM 11:44

Case Number: 60429

## **NOTICE OF (NON-GAMING) LAND ACQUISITION APPLICATION**

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151 – Land Acquisitions (04-01-2024 Edition), On-Reservation, notice is given of the application filed by the Pala Band of 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.

In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, we are hereby granting 30-days from the receipt of this letter to provide written comments to rebut the presumption of minimal adverse impact to regulatory jurisdiction, real property taxes, and special assessments. Any comments received within this time period will be forwarded to the applicant, who will then be given a reasonable time in which to reply, if they choose to do so.

We provide the following information regarding this application:

### **Applicant:**

Pala Band of Mission Indians

### **Legal Land Description/Site Location:**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA OF PALA, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 4, SECTION 27, TOGETHER WITH THE SOUTH 20 FEET OF LOTS 5 AND 7, SECTION 27, TOWNSHIP 9 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING A PORTION OF THE ALLOTMENTS OF JOSE ROMERO AND FRANCISCO MICHAC, DECEASED PALA ALLOTTEES NOS. 126 AND 69.

APN: 110-100-44-00



**Project Description/Proposed Land Use:**

The Lee Bar Ranch Property contains 6.41 acres, more or less, and is commonly referred to as Assessor's Parcel Number 110-100-44-00. The subject property is located within the Pala Indian Reservation on land that once supported several mobile homes. The Tribe may use the subject property for additional housing in the future since tribal homes surround the property.

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to allow state and local governments the opportunity to rebut the assumption of minimal impacts to regulatory jurisdiction, real property taxes, and special assessments, 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 office listed 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 one thirty-day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. 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 to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), 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 the Pacific Regional Office attention: Langdon Bueschel, Realty Specialist, at (916) 978-6092.

Sincerely,

**FELIX KITTO** Digitally signed by FELIX KITTO  
Date: 2025.12.10 07:29:39  
-08'00'  
Acting Regional Director

Enclosures

cc: Distribution List

## **DISTRIBUTION LIST**

cc: By Certified Mail – return receipts requested to:

Senior Advisor for Tribal Negotiations, Deputy Legal Affairs  
Secretary, Office of the Governor  
State Capitol Building, Suite 1173  
Sacramento, CA 95814  
Certified Mail ID: 7021 0950 0000 7170 5598

T Michelle Laird C/O Paula Corral,  
Deputy Attorney General  
State of California Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244-2250  
Certified Mail ID: 7021 0950 0000 7170 5604

San Diego County Board of Supervisors  
1600 Pacific Highway, Room 310  
San Diego, CA 92101  
Certified Mail ID: 7021 0950 0000 7170 5611

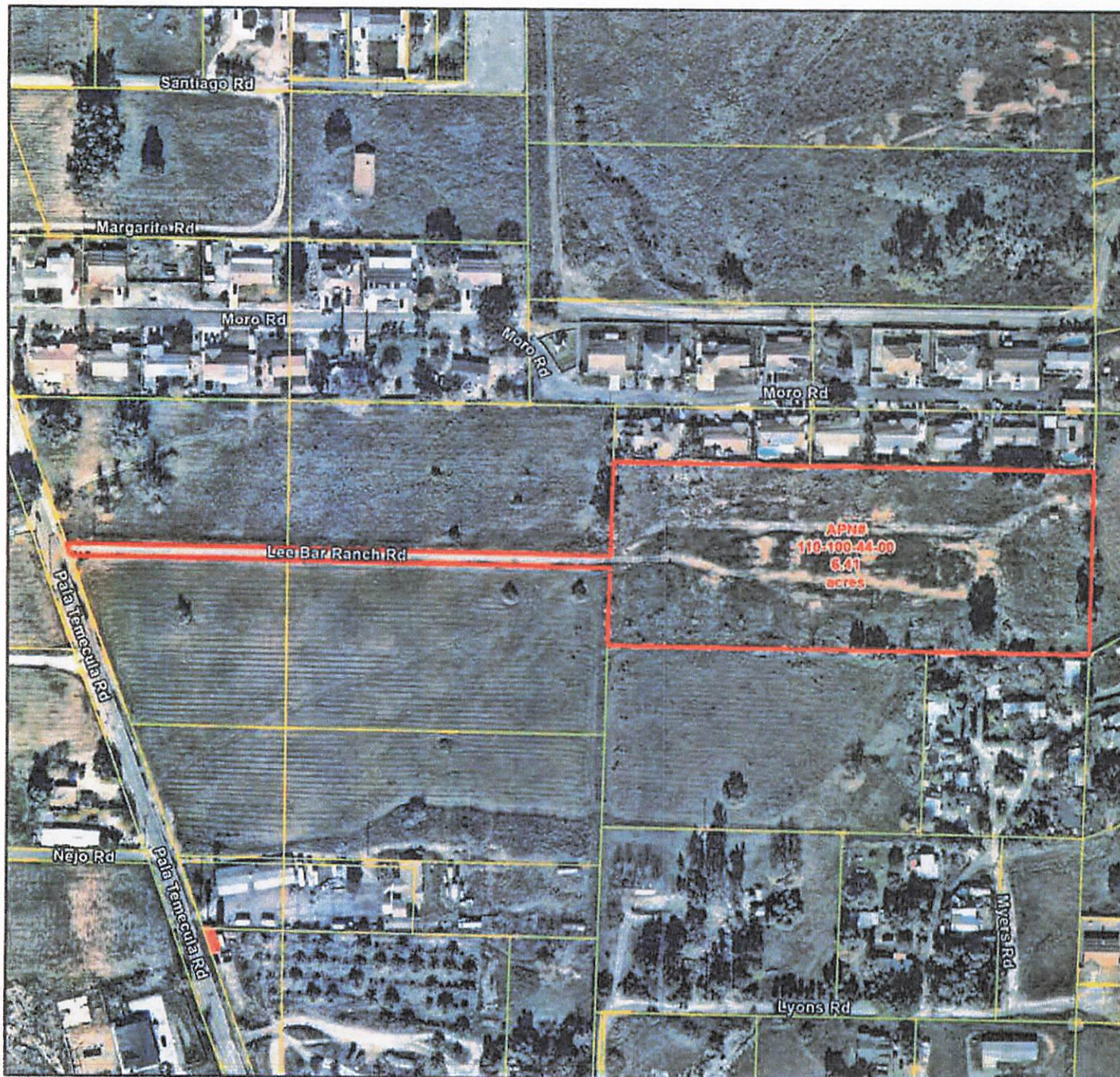
San Diego County Treasurer & Tax Collector  
1600 Pacific Highway, Room 162  
San Diego, CA 92101  
Certified Mail ID: 7021 0950 0000 7170 5628

Pala Band of Mission Indians  
35008 Pala Temecula Road, PMB - 50  
Pala, CA 920  
Certified Mail ID: 7021 0950 0000 7170 5635

By First Class Mail:

Bureau of Indian Affairs  
Southern California Agency  
1451 Research Dr., Suite 100  
Riverside, CA 92507



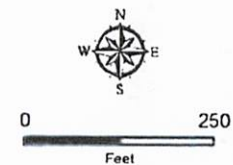


# Property Map

## Lee Bar Ranch

Boundary, Parcel Numbers and  
Acreage

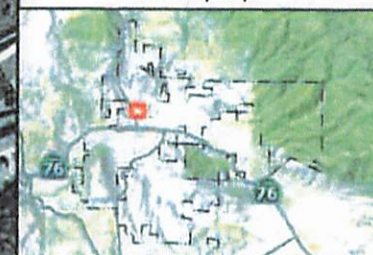
6.41 Total Acres



Legend

 Parcel of Interest

Vicinity Map



Pala Band of  
Mission Indians



This map was created as a geographic  
representation of data. Neither the Pala  
Band of Mission Indians, nor the Pala GIS  
Office makes any guarantee or accepts  
any liability for its accuracy.



## EXCEPTIONS

At the date hereof, items to be considered and exceptions to coverage in addition to the printed exceptions and exclusions in said policy form would be as follows:

A. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.

B. 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.

1. Water rights, claims or title to water, whether or not disclosed by the public records.
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Sunset Telephone and Telegraph Company  
Purpose: Wires and fixtures thereon and to maintain same  
Recording Date: March 31, 1898  
Recording No.: in [Book 269, Page 172](#) of Deeds

The exact location and extent of said easement is not disclosed of record.

3. The property in question is subject to the first lien created by the Acts of March 07, 1928 (45 Stat. 200-210, 25 USC 387) and July 01, 1932 (47 Stat. 564-565 USC 368Z.) in favor of the United States for unpaid construction, operation, and maintenance charges of the Pala Indian Irrigation Project, as disclosed by Deed recorded June 29, 1976 as [Instrument No. 76-203368](#), and June 26, 1997 as [Instrument No. 1997-0300095](#), both of Official Records.

Reference is hereby made to said document for full particulars.

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

Granted to: San Diego Gas and Electric Company  
Purpose: Public utilities  
Recording Date: November 24, 1976  
Recording No.: as [Instrument No. 76-394629](#) of Official Records  
Affects: A portion of said land as more particularly described in said document

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

Granted to: The Pacific Telephone and Telegraph Company  
Purpose: Public utilities  
Recording Date: May 18, 1977  
Recording No.: as [Instrument No. 77-190365](#) of Official Records  
Affects: A portion of said land as more particularly described in said document

## 6. Reservations contained in the Patent

From: The United States of America  
Recording Date: June 26, 1997  
Recording No.: as [Instrument No. 1997-0300091](#) of Official Records

Which among other things recites as follows:

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 the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

## 7. Reservations contained in the Patent

From: The United States of America  
Recording Date: June 26, 1997  
Recording No.: as [Instrument No. 1997-0300096](#) of Official Records

Which among other things recites as follows:

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 the courts, and the reservation from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

8. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
9. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
10. Any easements not disclosed by the public records as to matters affecting title to real property, whether or not said easements are visible and apparent.
11. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

**END OF EXCEPTIONS**

**PLEASE REFER TO THE "INFORMATIONAL NOTES" AND "REQUIREMENTS" SECTIONS WHICH FOLLOW FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION.**

## § 150.401

(b) The fee will be at the rate established by 43 CFR 2, Appendix A.

(c) The LTRO may waive all or part of these fees, at its discretion.

(d) Paid fees are non-refundable.

### Subpart E—Records

#### § 150.401 Who owns the records associated with this part?

(a) The records associated with this part are the property of the United States if they:

(1) Are made or received by the Secretary or a Tribe or Tribal organization in the conduct of a Federal trust function under 25 U.S.C. 5301 *et seq.*, including the operation of a trust program; and

(2) Evidence the organization, functions, policies, decisions, procedures, operations, or other activities undertaken in the performance of a Federal trust function under this part.

(b) Records not covered by paragraph (a) of this section that are made or received by a Tribe or Tribal organization in the conduct of business with the Department of the Interior under this part are the property of the Tribe.

#### § 150.402 How must records associated with this part be preserved?

(a) Tribes, Tribal organizations, and any other organization that make or receives records described in § 150.401(a) must preserve the records in accordance with approved Departmental records retention procedures under the Federal Records Act, 44 U.S.C. chapters 29, 31 and 33. These records and related records management practices and safeguards required under the Federal Records Act are subject to inspection by the Secretary and the Archivist of the United States.

(b) A Tribe or Tribal organization should preserve the records identified in § 150.401(b) for the period of time authorized by the Archivist of the United States for similar Department of the Interior records in accordance with 44 U.S.C. chapter 33.

#### § 150.403 How does the Paperwork Reduction Act affect this part?

The information collections contained in this part have been approved by the Office of Management and Budg-

## 25 CFR Ch. I (4-1-24 Edition)

et under 44 U.S.C. 3301 *et seq.* and assigned OMB Control Number 1076-0196. Response is required to obtain a benefit. A Federal agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless the form or regulation containing the collection of information has a currently valid OMB Control Number.

### PART 151—LAND ACQUISITIONS

Sec.

151.1 What is the purpose of this part?

151.2 How are key terms defined?

151.3 What is the Secretary's land acquisition policy?

151.4 How will the Secretary determine that statutory authority exists to acquire land in trust status?

151.5 May the Secretary acquire land in trust status by exchange?

151.6 May the Secretary approve acquisition of a fractional interest?

151.7 Is Tribal consent required for non-member acquisitions?

151.8 What documentation is included in a trust acquisition package?

151.9 How will the Secretary evaluate a request involving land within the boundaries of an Indian reservation?

151.10 How will the Secretary evaluate a request involving land contiguous to the boundaries of an Indian reservation?

151.11 How will the Secretary evaluate a request involving land outside of and non-contiguous to the boundaries of an Indian reservation?

151.12 How will the Secretary evaluate a request involving land for an initial Indian acquisition?

151.13 How will the Secretary act on requests?

151.14 How will the Secretary review title?

151.15 How will the Secretary conduct a review of environmental conditions?

151.16 How are formalization of acceptance and trust status attained?

151.17 What effect does this part have on pending requests and final agency decisions already issued?

151.18 Severability.

AUTHORITY: 5 U.S.C. 301; 25 U.S.C. 2, 9, 403a-2, 409a, 1466, 1495, 5107, 5108, 5136, 5138, 5201, 5202, 5322, 5341; Pub. L. 71-780, 46 Stat. 1471, amended by Pub. L. 72-231, 47 Stat. 474; Pub. L. 74-816, 49 Stat. 1967, amended by Sec. 10, Pub. L. 80-336, 61 Stat. 734; Secs. 3, 4, 6, Pub. L. 76-238, 53 Stat. 1129, 1130; Sec. 7, Pub. L. 79-706, 60 Stat. 969, amended by Pub. L. 91-627, 84 Stat. 1874; Pub. L. 81-226, 63 Stat. 605; Pub. L. 84-188, 69 Stat. 392, amended by Pub. L. 88-540, 78 Stat. 747, amended by Sec. 213,

Pub. L. 100-581, 102 Stat. 2941, amended by Sec. 1, Pub. L. 101-301, 104 Stat. 206; Pub. L. 84-592, 70 Stat. 290, amended by Pub. L. 91-274, 84 Stat. 301; Pub. L. 84-772, 70 Stat. 626; Sec. 10, Pub. L. 87-231, 75 Stat. 505; Pub. L. 88-196, 77 Stat. 349; Pub. L. 88-418, 78 Stat. 389; Pub. L. 90-335, 82 Stat. 174, amended by Pub. L. 93-286, 88 Stat. 142; Pub. L. 90-534, 82 Stat. 884; Pub. L. 92-312, 86 Stat. 216; Pub. L. 92-377, 86 Stat. 530; Pub. L. 92-443, 86 Stat. 744; Sec. 11, Pub. L. 93-531, 88 Stat. 1716, amended by Sec. 4, Pub. L. 96-305, 94 Stat. 930, amended by Sec. 106, 98-603, 98 Stat. 3157, amended by Secs. 4(b), 8, Pub. L. 100-666, 102 Stat. 3930, 3933.

SOURCE: 88 FR 86249, Dec. 12, 2023, unless otherwise noted.

#### § 151.1 What is the purpose of this part?

This part sets forth the authorities, policies, and procedures governing the acquisition of land by the United States in trust status for individual Indians and Tribes. This part does not cover acquisition of land by individual Indians and Tribes in fee simple status even though such land may, by operation of law, be held in restricted status following acquisition; acquisition of land mandated by Federal law; acquisition of land in trust status by inheritance or escheat; or transfers of land into restricted fee status unless required by Federal law.

#### § 151.2 How are key terms defined?

*Contiguous* means two parcels of land having a common boundary notwithstanding the existence of non-navigable waters or a public road or right-of-way and includes parcels that touch at a point.

*Fee interest* means an interest in land that is owned in unrestricted fee simple status and is, thus, freely alienable by the fee owner.

*Fractionated tract* means a tract of Indian land owned in common by Indian landowners and/or fee owners holding undivided interests therein.

*Indian land* means any tract in which any interest is held by a Tribe or individual Indian in trust or restricted status and includes both individually owned Indian land and Tribal land.

*Indian landowner* means a Tribe or individual Indian who owns an interest in Indian land.

*Indian reservation* or *Tribe's reservation* means, unless another definition is

required by Federal law authorizing a particular trust acquisition, that area of land over which the Tribe is recognized by the United States as having governmental jurisdiction, except that, in the State of Oklahoma wherever historic reservations have not yet been reaffirmed, or where there has been a final judicial determination that a reservation has been disestablished or diminished, *Indian reservation* means that area of land constituting the former reservation of the Tribe as defined by the Secretary.

*Individual Indian* means:

(1) Any person who is an enrolled member of a Tribe;

(2) Any person who is a descendent of such a member and said descendant was, on June 1, 1934, physically residing on a federally recognized Indian reservation; or

(3) Any other person possessing a total of one-half or more degree Indian blood of a Tribe.

*Initial Indian acquisition* means an acquisition of land in trust status for the benefit of a Tribe that currently has no land held in trust status.

*Interested party* means a person or other entity whose legally protected interests would be affected by a decision.

*Land* means real property or any interest therein.

*Marketable title* means title that a reasonable buyer would accept because it appears to lack substantial defect and that covers the entire property that the seller has purported to sell.

*Preliminary Title Opinion* means an opinion issued by the Office of the Solicitor that reviews the existing status of title, examining both record and non-record title evidence and any encumbrances or liens against the land, and sets forth requirements to be met before acquiring land in trust status.

*Preliminary title report* means a report prepared by a title company prior to issuing a policy of title insurance that shows the ownership of a specific parcel of land together with the liens and encumbrances thereon.

*Restricted land* or *land in restricted status* means land the title to which is held by an individual Indian or a Tribe



and which can only be alienated or encumbered by the owner with the approval of the Secretary due to limitations contained in the conveyance instrument pursuant to Federal law or because a Federal law directly imposes such limitations.

*Secretary* means the Secretary of the Interior or authorized representative.

*Tribe* means any Indian Tribe listed under section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130). For purposes of acquisitions made under the authority of 25 U.S.C. 5136 and 5138, or other statutory authority which specifically authorizes trust acquisitions for such corporations, *Tribe* also means a corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. 5124) or section 3 of the Act of June 26, 1936 (49 Stat. 1967; 25 U.S.C. 5203).

*Trust land or land in trust status* means land the title to which is held in trust by the United States for an individual Indian or a Tribe.

*Undivided interest* means a fractional share of ownership in an estate of Indian land where the estate is owned in common with other Indian landowners or fee owners.

#### § 151.3 What is the Secretary's land acquisition policy?

(a) It is the Secretary's policy to acquire land in trust status through direct acquisition or transfer for individual Indians and Tribes to strengthen self-determination and sovereignty, ensure that every Tribe has protected homelands where its citizens can maintain their Tribal existence and way of life, and consolidate land ownership to strengthen Tribal governance over reservation lands and reduce checkerboarding. The Secretary retains discretion whether to acquire land in trust status where discretion is granted under Federal law. Land not held in trust or restricted status may only be acquired for an individual Indian or a Tribe in trust status when the acquisition is authorized by Federal law. No acquisition of land in trust status under these regulations, including a transfer of land already held in trust or restricted status, shall be valid unless the acquisition is approved by the Secretary.

(b) Subject to the provisions of Federal law authorizing trust land acquisitions, the Secretary may acquire land for a Tribe in trust status:

(1) When the land is located within the exterior boundaries of the Tribe's reservation or contiguous thereto;

(2) When the Tribe already owns an interest in the land; or

(3) When the Secretary determines that the acquisition of the land will further Tribal interests by establishing a Tribal land base or protecting Tribal homelands, protecting sacred sites or cultural resources and practices, establishing or maintaining conservation or environmental mitigation areas, consolidating land ownership, reducing checkerboarding, acquiring land lost through allotment, protecting treaty or subsistence rights, or facilitating Tribal self-determination, economic development, Indian housing, or for other reasons the Secretary determines will support Tribal welfare.

(c) Subject to the provisions contained in Federal law which authorize land acquisitions or holding land in trust or restricted status, the Secretary may acquire land in trust status for an individual Indian:

(1) When the land is located within the exterior boundaries of an Indian reservation, or contiguous thereto; or

(2) When the land is already in trust or restricted status.

#### § 151.4 How will the Secretary determine that statutory authority exists to acquire land in trust status?

When a Tribe's application relies on the first definition of "Indian" in the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 5101 *et seq.*) (IRA) to establish statutory authority for the proposed acquisition, the Secretary will apply the following criteria to determine whether the Tribe was under Federal jurisdiction in 1934.

(a) In determining whether a Tribe was "under Federal jurisdiction" in 1934 within the meaning of section 19 of the IRA (48 Stat. 988; 25 U.S.C. 5129), the Secretary shall consider evidence of Federal jurisdiction in the manner provided in paragraphs (a)(1) through (5) of this section.

(1) Conclusive evidence establishes in and of itself both that a Tribe was



placed under Federal jurisdiction and that this jurisdiction remained intact in 1934. If such evidence exists, no further analysis under this section is needed. The following is conclusive evidence that a Tribe was under Federal jurisdiction in 1934:

(i) A vote under section 18 of the IRA (48 Stat. 988; 25 U.S.C. 5125) to accept or reject the IRA as recorded in *Ten Years of Tribal Government Under I.R.A.*, Theodore Haas, United States Indian Service (Jan. 1947) (Haas List) or other Federal government document;

(ii) Land held in trust by the United States for the Tribe in 1934.

(iii) Secretarial approval of a Tribal constitution under section 16 of the IRA as recorded in the Haas List or other Federal Government document;

(iv) Secretarial approval of a charter of incorporation issued to a Tribe under section 17 of the IRA as recorded in the Haas List or other Federal Government document;

(v) An Executive Order for a specific Tribe that was still in effect in 1934;

(vi) Treaties to which a Tribe is a party, ratified by the United States and still in effect as to that party in 1934;

(vii) Continuing existence in 1934 or later of treaty rights guaranteed by a treaty ratified by the United States; or

(viii) Other evidence that the Secretary determines is conclusive in a particular case.

(2) Presumptive evidence is indicative that a Tribe was placed under Federal jurisdiction in or before 1934 and may indicate that such jurisdiction remained intact in 1934. In the absence of evidence indicating that Federal jurisdiction did not exist or did not exist in 1934, presumptive evidence satisfies the analysis under this section. The following is presumptive evidence that a Tribe was under Federal jurisdiction in 1934:

(i) Evidence of treaty negotiations or evidence a Tribe signed a treaty with the United States whether or not such treaty was ratified by Congress;

(ii) Listing of a Tribe in the Department of the Interior's 1934 Indian Population Report;

(iii) Evidence that the United States took efforts to acquire lands on behalf

of a Tribe in the years leading up to the passage of the IRA;

(iv) Inclusion in Volume V of Charles J. Kappler's *Indian Affairs, Laws and Treaties*;

(v) Federal legislation for a specific Tribe, including land claim settlements and termination legislation enacted after 1934, which acknowledges the existence of a government-to-government relationship with a Tribe in or before 1934; or

(vi) Satisfaction of the criterion for Federal acknowledgment now located at 25 CFR 83.11(a) and previously located at 25 CFR 83.7(a), requiring that a Tribe "has been identified as an American Indian entity on a substantially continuous basis," through evidence that brought the Tribe under Federal jurisdiction in or before 1934; or

(vii) Other evidence that the Secretary determines is presumptive in a particular case.

(3) In the absence of evidence identified above as conclusive or presumptive evidence, the Secretary may find that a Tribe was under Federal jurisdiction in 1934 when the United States in 1934 or at some point in the Tribe's history prior to 1934, took an action or series of actions that, when viewed in concert through a course of dealings or other relevant acts on behalf of a Tribe, or in some instances Tribal members, establishes or generally reflects Federal obligations, or duties, responsibility for or authority over the Tribe, and that such jurisdictional status remained intact in 1934.

(i) Examples of Federal actions that exhibit probative evidence of Federal jurisdiction may include but are not limited to, the Department's acquisition of land for a Tribe in implementing the Indian Reorganization Act of 1934, efforts by the Federal Government to conduct a vote under section 18 of the IRA to accept or reject the IRA where no vote was held, the attendance of Tribal members at Bureau of Indian Affairs operated schools, Federal decisions regarding whether to remove or not remove a Tribe from its homelands, the inclusion of a Tribe in Federal reports and surveys, the inclusion of a Tribe or Tribal members in Federal census records prepared by the

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Office of Indian Affairs, the approval of contracts between a Tribe and non-Indians; enforcement of the Trade and Intercourse Acts (Indian trader, liquor laws, and land transactions), and the provision of health and social services to a Tribe or Tribal members.

(ii) [Reserved]

(4) When a Tribe is recognized under the 25 CFR part 83 process, the Secretary may rely on any evidence within the part 83 record that the Tribe was under Federal jurisdiction in or before 1934, consistent with § 151.4(a)(2) and (3).

(5) Evidence of executive officials disavowing Federal jurisdiction over a Tribe in certain instances is not conclusive evidence of a Tribe's Federal jurisdictional status. This is because such disavowals cannot themselves revoke Federal jurisdiction over a Tribe.

(b) For some Tribes, Congress enacted legislation after 1934 making the IRA applicable to the Tribe. The existence of such legislation making the IRA and its trust acquisition provisions applicable to a Tribe eliminates the need to determine whether a Tribe was under Federal jurisdiction in 1934.

(c) In order to be eligible for trust acquisitions under section 5 of the IRA, no additional "under Federal jurisdiction" analysis is required under this part for Tribes for which the Department has previously issued an analysis finding the Tribe was under Federal jurisdiction.

(d) Land may be acquired in trust status for an individual Indian or a Tribe in the State of Oklahoma under section 5 of the IRA if the acquisition comes within the terms of this part. This authority is in addition to all other statutory authority for such an acquisition.

(e) The Secretary may also acquire land in trust status for an individual Indian or a Tribe under this part when specifically authorized by Federal law other than section 5 of the IRA, subject to any limitations contained in that Federal law.

### § 151.5 May the Secretary acquire land in trust status by exchange?

The Secretary may acquire land in trust status on behalf of an individual Indian or Tribe by exchange under this

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part if authorized by Federal law and within the terms of this part. The disposal aspects of an exchange are governed by part 152 of this title.

### § 151.6 May the Secretary approve acquisition of a fractional interest?

Where the mandatory acquisition process provided under 25 U.S.C. 2216(c) is not applicable to a fractional interest acquisition, *e.g.*, where the acquisition proposed is off-reservation, the following section applies to discretionary acquisitions of fractional interests. The Secretary may approve the acquisition of a fractional interest in a fractionated tract in trust status by an individual Indian or a Tribe including when:

(a) The applicant already owns a fractional interest in the same parcel of land;

(b) The interest being acquired by the applicant is in fee status;

(c) The applicant offers to purchase the remaining undivided trust or restricted interests in the parcel at not less than their fair market value;

(d) There is a specific law which grants to the applicant the right to purchase an undivided interest or interests in trust or restricted land without offering to purchase all such interests; or

(e) The owner or owners of more than fifty percent of the remaining trust or restricted interests in the parcel consent in writing to the acquisition by the applicant.

### § 151.7 Is Tribal consent required for nonmember acquisitions?

An individual Indian or Tribe may acquire land in trust status on an Indian reservation other than its own only when the governing body of the Tribe having jurisdiction over such reservation consents in writing to the acquisition; provided, that such consent shall not be required if the individual Indian or the Tribe already owns an undivided trust or restricted interest in the parcel of land to be acquired.

### § 151.8 What documentation is included in a trust acquisition package?

An individual Indian or Tribe seeking to acquire land in trust status must

file a written request, *i.e.*, application, with the Secretary. The request need not be in any special form but must set out the identity of the parties, a description of the land to be acquired, and other information which would show that the acquisition fulfills the requirements of this part. The Secretary will prepare the acquisition package using information provided by the applicant and analysis developed by the Secretary, as described in paragraphs (a)(1) through (9) of this section:

(a) A complete acquisition package consists of the following:

(1) The applicant must submit a request that the land be acquired in trust, as follows:

(i) If the applicant is an Indian Tribe, the Tribe's written request must be a signed Tribal letter for trust acquisition supported by a Tribal resolution or other act of the governing body of the Tribe;

(ii) If the applicant is an individual Indian, the individual's written request must be a signed letter requesting trust status;

(2) The applicant must submit documentation providing the information evaluated by the Secretary under § 151.9(a)(2) and (3), § 151.10(a)(2) and (3), § 151.11(a)(2) and (3), or § 151.12(a)(2) and (3) depending on which section applies to the application;

(3) The applicant must submit a statement identifying the existence of statutory authority for the acquisition including, if applicable, any supporting evidence that the Tribe was under Federal jurisdiction in 1934 pursuant to § 151.4.

(4) The applicant must submit a description of the land as follows:

(i) An aliquot part, government lot, parcel identified on a Government Land Office or Bureau of Land Management official survey plat, or lot block subdivision (LBS) legal description of the land and a map from the applicant, including a statement of the estate to be acquired, *e.g.*, all surface and mineral rights, surface rights only, surface rights and a portion of the mineral rights, etc.; or

(ii) A metes and bounds land description and survey if the land cannot be described by the methods listed in paragraph (a)(4)(i) of this section, in-

cluding a statement of the estate to be acquired. The survey may be completed by a land surveyor registered in the jurisdiction in which the land is located when the land being acquired is fee simple land; and

(iii) An application package is not complete until the Secretary determines that the legal description or survey is sufficient.

(5) The applicant must submit information that allows the Secretary to comply with the National Environmental Policy Act (NEPA) and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations pursuant to § 151.15; and

(i) An acquisition package is not complete until the public review period of a final environmental impact statement or, where appropriate, the final environmental assessment has concluded, or the categorical exclusion documentation is complete.

(ii) An acquisition package is not complete until a pre-acquisition Phase I environmental site assessment, and if necessary, a Phase II environmental site assessment completed pursuant to 602 DM 2 is determined to be sufficient by the Secretary.

(6) The applicant must submit title evidence pursuant to § 151.14.

(i) An acquisition package is not complete until the Secretary completes a Preliminary Title Opinion based on such evidence;

(ii) [Reserved]

(7) The Secretary shall send notification letters pursuant to § 151.9, § 151.10, § 151.11, or § 151.12.

(8) The applicant must submit a statement that any existing covenants, easements, or restrictions of record will not interfere with the applicant's intended use of the land; and

(9) The applicant must submit any additional information or action requested by the Secretary, in writing, if warranted by the specific application.

(b) After the Bureau of Indian Affairs is in possession of a complete acquisition package, the Secretary shall:

(1) Notify the applicant within 30 calendar days in writing that the acquisition package is complete; and

(2) Issue a decision on a request within 120 calendar days after issuance of

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the notice of a complete acquisition package.

**§ 151.9 How will the Secretary evaluate a request involving land within the boundaries of an Indian reservation?**

(a) The Secretary shall consider the criteria in this section when evaluating requests for the acquisition of land in trust status when the land is located within the boundaries of an Indian reservation.

(1) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(2) If the applicant is an individual Indian, the need for additional land, the amount of trust or restricted land already owned by or for that individual, and the degree to which the individual needs assistance in handling their affairs;

(3) The purposes for which the land will be used; and

(4) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(b) The Secretary shall give great weight to acquiring land that serves any of the following purposes, in accordance with § 151.3:

(1) Furthers Tribal interests by establishing a Tribal land base or protects Tribal homelands;

(2) Protects sacred sites or cultural resources and practices;

(3) Establishes or maintains conservation or environmental mitigation areas;

(4) Consolidates land ownership;

(5) Reduces checkerboarding;

(6) Acquires land lost through allotment;

(7) Protects treaty or subsistence rights; or

(8) Facilitates Tribal self-determination, economic development, or Indian housing.

(c) When reviewing a Tribe's request for land within the boundaries of an Indian reservation, the Secretary presumes that the acquisition will further the Tribal interests described in paragraph (b) of this section, and adverse impacts to local governments' regulatory jurisdiction, real property taxes,

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and special assessments will be minimal, therefore the application should be approved.

(d) Upon receipt of a written request to have land acquired in trust within the boundaries of an Indian reservation the Secretary shall notify the State and local governments with regulatory jurisdiction over the land to be acquired of the applicant's request. The notice will inform the State or local government that each will be given 30 calendar days in which to provide written comments to rebut the presumption of minimal adverse impacts to regulatory jurisdiction, real property taxes, and special assessments. If the State or local government responds within 30 calendar days, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply, if they choose to do so in their discretion, or request that the Secretary issue a decision. In considering such comments, the Secretary presumes that the Tribal community will benefit from the acquisition.

**§ 151.10 How will the Secretary evaluate a request involving land contiguous to the boundaries of an Indian reservation?**

(a) The Secretary shall consider the criteria in this section when evaluating requests for the acquisition of land in trust status when the land is located contiguous to an Indian reservation:

(1) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(2) If the applicant is an individual Indian, the need for additional land, the amount of trust or restricted land already owned by or for that individual, and the degree to which the individual needs assistance in handling their affairs;

(3) The purposes for which the land will be used; and

(4) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(b) The Secretary shall give great weight to acquiring land that serves

any of the following purposes, in accordance with § 151.3:

- (1) Furthers Tribal interests by establishing a Tribal land base or protects Tribal homelands;
- (2) Protects sacred sites or cultural resources and practices;
- (3) Establishes or maintains conservation or environmental mitigation areas;
- (4) Consolidates land ownership;
- (5) Reduces checkerboarding;
- (6) Acquires land lost through allotment;
- (7) Protects treaty or subsistence rights; or
- (8) Facilitates Tribal self-determination, economic development, or Indian housing.

(c) When reviewing a Tribe's request for land contiguous to an Indian reservation, the Secretary presumes that the acquisition will further the Tribal interests described in paragraph (b) of this section, and adverse impacts to local governments' regulatory jurisdiction, real property taxes, and special assessments will be minimal, therefore the application should be approved.

(d) Upon receipt of a written request to have land contiguous to an Indian reservation acquired in trust status, the Secretary shall notify the State and local governments with regulatory jurisdiction over the land to be acquired. The notice will inform the State or local government that each will be given 30 calendar days in which to provide written comments to rebut the presumption of minimal adverse impacts to regulatory jurisdiction, real property taxes, and special assessments. If the State or local government responds within 30 calendar days, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply, if they choose to do so in their discretion, or request that the Secretary issue a decision. In considering such comments, the Secretary presumes that the Tribal community will benefit from the acquisition.

**§ 151.11 How will the Secretary evaluate a request involving land outside of and noncontiguous to the boundaries of an Indian reservation?**

(a) The Secretary shall consider the criteria in this section when evaluating

requests for the acquisition of land in trust status when the land is located outside of and noncontiguous to an Indian reservation:

- (1) The existence of statutory authority for the acquisition and any limitations contained in such authority;
- (2) If the applicant is an individual Indian and the land is already held in trust or restricted status, the need for additional land, the amount of trust or restricted land already owned by or for that individual, and the degree to which the individual needs assistance in handling their affairs;
- (3) The purposes for which the land will be used; and
- (4) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(b) The Secretary shall give great weight to acquiring land that serves any of the following purposes, in accordance with § 151.3:

- (1) Furthers Tribal interests by establishing a Tribal land base or protects Tribal homelands;
- (2) Protects sacred sites or cultural resources and practices;
- (3) Establishes or maintains conservation or environmental mitigation areas;
- (4) Consolidates land ownership;
- (5) Reduces checkerboarding;
- (6) Acquires land lost through allotment;
- (7) Protects treaty or subsistence rights; or
- (8) Facilitates Tribal self-determination, economic development, or Indian housing.

(c) Upon receipt of a written request to have land outside the boundaries of an Indian reservation acquired in trust status, the Secretary shall notify the State and local governments with regulatory jurisdiction over the land to be acquired. The notice will inform the State or local government that each will be given 30 calendar days in which to provide written comments on the acquisition's potential impact on regulatory jurisdiction, real property taxes, and special assessments. If the State or local government responds within 30 calendar days, a copy of the comments



will be provided to the applicant, who will be given a reasonable time in which to reply, if they choose to do so in their discretion, or request that the Secretary issue a decision. In reviewing such comments, the Secretary will consider the location of the land and potential conflicts of land use. The Secretary presumes that the Tribe will benefit from the acquisition.

**§ 151.12 How will the Secretary evaluate a request involving land for an initial Indian acquisition?**

(a) The Secretary shall consider the criteria in this section when evaluating requests for the acquisition of land in trust status when a Tribe does not have a reservation or land held in trust.

(1) The existence of statutory authority for the acquisition and any limitations contained in such authority;

(2) The purposes for which the land will be used; and

(3) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

(b) The Secretary shall give great weight to acquiring land that serves any of the following purposes, in accordance with § 151.3:

(1) Furthers Tribal interests by establishing a Tribal land base or protects Tribal homelands;

(2) Protects sacred sites or cultural resources and practices;

(3) Establishes or maintains conservation or environmental mitigation areas;

(4) Consolidates land ownership;

(5) Reduces checkerboarding;

(6) Acquires land lost through allotment;

(7) Protects treaty or subsistence rights; or

(8) Facilitates Tribal self-determination, economic development, or Indian housing.

(c) When reviewing a request for a Tribe that does not have a reservation or land held in trust, the Secretary presumes that the acquisition will further the Tribal interests described in paragraph (b) of this section, and adverse impacts to local governments' regulatory jurisdiction, real property

taxes, and special assessments will be minimal, therefore the application should be approved.

(d) Upon receipt of a written request for land to be acquired in trust when a Tribe does not have a reservation or land held in trust, the Secretary shall notify the State and local governments with regulatory jurisdiction over the land to be acquired. The notice will inform the State or local government that each will be given 30 calendar days in which to provide written comments to rebut the presumption of minimal adverse impacts to regulatory jurisdiction, real property taxes, and special assessments. If the State or local government responds within 30 calendar days, a copy of the comments will be provided to the applicant, who will be given a reasonable time in which to reply, if they choose to do so in their discretion, or request that the Secretary issue a decision. In reviewing such comments, the Secretary will consider the location of the land and potential conflicts of land use. The Secretary presumes that the Tribe will benefit from the acquisition.

**§ 151.13 How will the Secretary act on requests?**

(a) The Secretary shall review each request and may request any additional information or justification deemed necessary to reach a decision.

(b) The Secretary's decision to approve or deny a request shall be in writing and state the reasons for the decision.

(c) A decision made by the Office of the Secretary or the Assistant Secretary—Indian Affairs pursuant to delegated authority, is a final agency action under 5 U.S.C. 704 upon issuance.

(1) If the Office of the Secretary or Assistant Secretary denies the request, the Assistant Secretary shall promptly provide the applicant with the decision.

(2) If the Office of the Secretary or Assistant Secretary approves the request, the Assistant Secretary shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly publish notice in the FEDERAL REGISTER of the decision to acquire land in trust status under this part; and

(iii) Immediately acquire the land in trust status under § 151.16 after the date such decision is issued and upon fulfillment of the requirements of any other Department of the Interior requirements.

(d) A decision made by a Bureau of Indian Affairs official, rather than the Office of the Secretary or Assistant Secretary, pursuant to delegated authority, is not a final agency action of the Department of the Interior under 5 U.S.C. 704 until administrative remedies are exhausted under part 2 of this chapter and under 43 CFR part 4, subpart D, or until the time for filing a notice of appeal has expired and no administrative appeal has been filed. Administrative appeals are governed by part 2 of this chapter and by 43 CFR part 4, subpart D.

(1) If the official denies the request, the official shall promptly provide the applicant with the decision and notification of the right to file an administrative appeal under part 2 of this chapter.

(2) If the official approves the request, the official shall:

(i) Promptly provide the applicant with the decision;

(ii) Promptly provide written notice, by U.S. mail or personal delivery, of the decision and the right, if any, to file an administrative appeal of such decision under part 2 of this chapter and 43 CFR part 4, subpart D to:

(A) Interested parties who have made themselves known, in writing, to the official prior to the decision being made; and

(B) The State and local governments having regulatory jurisdiction over the land to be acquired;

(iii) Promptly publish a notice in a newspaper of general circulation serving the affected area of the decision and the right, if any, of interested parties who did not make themselves known, in writing, to the official to file an administrative appeal of the decision under part 2 of this chapter; and

(iv) Immediately acquire the land in trust status under § 151.16 upon expiration of the time for filing a notice of appeal or upon exhaustion of administrative remedies under part 2 of this chapter and under 43 CFR part 4, subpart D, and upon the fulfillment of any

other Department of the Interior requirements.

(3) The administrative appeal period begins on:

(i) The date of receipt of written notice by the applicant or interested parties entitled to notice under paragraphs (d)(1) and (d)(2)(ii) of this section; or

(ii) The date of first publication of the notice for unknown interested parties under paragraph (d)(2)(iii) of this section, which shall be deemed the date of receipt of the decision.

(4) Any party who wishes to seek judicial review of an official's decision must first exhaust administrative remedies under 25 CFR part 2 and under 43 CFR part 4, subpart D.

#### § 151.14 How will the Secretary review title?

(a) The applicant must submit title evidence as part of a complete acquisition package as described in § 151.8 as follows:

(1) The deed or other conveyance instrument providing evidence of the applicant's title or, if the applicant does not yet have title, the deed providing evidence of the transferor's title and a written agreement or affidavit from the transferor that title will be transferred to the United States on behalf of the applicant to complete the acquisition in trust status; and

(2) Either:

(i) A current title insurance commitment issued by a title company; or

(ii) The policy of title insurance issued by a title company to the applicant or current owner and an abstract of title issued by a title company dating from the time the policy of title insurance was issued to the applicant or current owner to the present. The Secretary may accept a preliminary title report or equivalent document prepared by a title company in place of an abstract of title for purposes of this paragraph (a)(2)(ii) if the applicant provides evidence that the title company will not issue an abstract of title based on practice in the local jurisdiction, subject to the requirements of paragraph (b) of this section.

(3) The applicant may choose to provide title evidence meeting the title

## § 151.15

standards issued by the U.S. Department of Justice, in lieu of the evidence required by paragraph (a)(2) of this section.

(b) After reviewing title evidence, the Secretary shall notify the applicant of any liens, encumbrances, or infirmities that the Secretary identified and may seek additional information or action from the applicant needed to address such issues. The Secretary may require the elimination of any such liens, encumbrances, or infirmities prior to acceptance of the land in trust status if the Secretary determines that the liens, encumbrances, or infirmities make title to the land unmarketable.

### **§ 151.15 How will the Secretary conduct a review of environmental conditions?**

(a) The Secretary shall comply with the requirements of the National Environmental Policy Act (NEPA) (43 U.S.C. 4321 *et seq.*), applicable Council on Environmental Quality regulations (40 CFR parts 1500–1508), and Department of the Interior regulations (43 CFR part 46) and guidance. The Secretary's compliance may require preparation of an environmental impact statement, an environmental assessment, a categorical exclusion, or other documentation that satisfies the requirements of NEPA.

(b) The Secretary shall comply with the terms of 602 DM 2, Land Acquisitions: Hazardous Substances Determinations, or its successor policy if replaced or renumbered, so long as such guidance remains in place and binding. If the Secretary approves a request for the acquisition of land in trust status, the Secretary may then require, before formalization of acceptance pursuant to § 151.16, that the applicant provide information updating a prior pre-acquisition environmental site assessment conducted under 602 DM 2.

(1) If no recognized environmental conditions or other environmental issues of concern are identified in the pre-acquisition environmental site assessment or before formalization of acceptance and all other requirements of this section and §§ 151.13 and 151.14 are met, the Secretary shall acquire the land in trust.

## 25 CFR Ch. I (4–1–24 Edition)

(2) If recognized environmental conditions or other environmental issues of concern are identified in the pre-acquisition environmental site assessment or before formalization of acceptance, the Secretary shall notify the applicant and may seek additional information or action from the applicant to address such issues of concern. The Secretary may require the elimination of any such issues of concern prior to the formalization of acceptance.

### **§ 151.16 How are formalization of acceptance and trust status attained?**

(a) The Secretary shall formalize acceptance of land in trust status by signing an instrument of conveyance. The Secretary shall sign the instrument of conveyance after the requirements of §§ 151.13, 151.14, and 151.15 have been met.

(b) The land will attain trust status when the Secretary signs the instrument of conveyance.

(c) The Secretary shall record the deed with LTRO pursuant to part 150 of this chapter.

### **§ 151.17 What effect does this part have on pending requests and final agency decisions already issued?**

(a) Requests pending on January 11, 2024 will continue to be processed under 25 CFR part 151 (revised as of April 1, 2023) unless the applicant requests in writing to proceed under this part.

(1) Upon receipt of such a request, the Secretary shall process the pending application under this part, except for § 151.8(b)(2).

(2) The Secretary shall consider the comments of State and local governments submitted under the notice provisions of 25 CFR part 151 (revised as of April 1, 2023).

(b) This part does not alter decisions of Bureau of Indian Affairs Officials under appeal on January 11, 2024 or final agency decisions made before January 11, 2024.

### **§ 151.18 Severability.**

If any provision of this part, or any application of a provision, is stayed or determined to be invalid by a court of competent jurisdiction, the remaining provisions or applications are severable and shall continue in effect.



**ANDREW POTTER, CCB**  
EXECUTIVE OFFICER/CLERK

**CLERK OF THE BOARD OF SUPERVISORS**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2422  
(619) 531-5600

**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

December 16, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

**REFERRAL**

Attached, for your information, is correspondence from Shaaf Patel, regarding a Demand for Compensation and Remediation for Civil Rights Violations and Related Harms Stemming from Wrongful Prosecution and Related Actions in SCN441.

Respectfully,

  
ANDREW POTTER

Attachments

cc: Ebony N. Shelton, Chief Administrative Officer  
David Smith, Acting County Counsel  
Board of Supervisors Communications Received

AJP:tz

1/13/2026 CR5



SHAAF PATEL



**Tami Douglas-Schatz**  
**HR Director**

**Shondi Miller**  
**Assistant HR Director**

**Ronak Patel**  
**Assistant HR Director**

**Julia Luna**  
**Assistant HR Director**





October 2, 2025

SHAAF PATEL  
[REDACTED]

**BACKGROUND CHECK  
PRELIMINARY NOTICE OF ADVERSE ACTION AND INDIVIDUALIZED ASSESSMENT  
FOR TEMPORARY ELECTIONS ASSISTANT - REQ #60071**

Dear Shaaf Patel,

The Human Resources Department is conducting your background check for **TEMPORARY ELECTIONS ASSISTANT** – (Requisition Number 60071) Conviction information was identified in your background that may, in whole or in part, disqualify you from employment with the County of Riverside. This means that your conditional offer of employment may be withdrawn, and you would no longer be considered for the position because of the following conviction(s)

- COURT:  
20230915 CASCVISTA  
001:SCN441900  
496(A) PC-RECEIVE/ETC KNOWN STOLEN PROPERTY TOC:F  
DISPO:CONVICTED-PROBATION  
CONV STATUS:FELONY TOS:1  
SEN: 002 YEARS PROBATION, FINE

DISPO:CONDITION OF PROB-FIREARM RESTRICTION  
DISPO:COND OF PROB-SEARCHABLE PROBATION

20240216 DISPO:PROBATION EXTENDED

20240216 DISPO:PROB SUPERVISION TRANSFERRED/1203.9 PC

CRT CASE#RIF2402055  
RECVD BY:CASC RIVERSIDE  
COM:JUD DIST 33100 COURT CASE RIF2402055  
\* \* \* \*

1 of 4

Tami Douglas-Schatz  
HR Director

Shondi Miller  
Assistant HR Director

Ronak Patel  
Assistant HR Director

Julia Luna  
Assistant HR Director

Erik Collier  
Assistant HR Director

- COURT:  
20240625 CASCRCRIVERSIDE  
001:RIM2405251  
11350(A) HS-POSSESS NARC CONTROL SUBSTANCE TOC:M  
DISPO:CONVICTED-JAIL  
CONV STATUS:MISDEMEANOR TOS:4  
SEN: 009 DAYS JAIL, FINE

An Individualized Assessment Worksheet is also attached to this letter. The worksheet lists the conviction(s) that may be disqualifying. Please review the conviction(s) to make sure the information is accurate and complete. The worksheet has a section for you to explain any errors and provide additional information about your conviction. In the last section of the worksheet, you may provide any information that you wish for the County of Riverside to consider in reviewing your background.

Before a decision is made, we would like for you to check your record for any errors. We also are inviting you to provide us any additional information that you believe would be helpful in evaluating the particular circumstances about your conviction. Submit the worksheet by emailing, faxing, or mailing it to the Human Resources Department at:

Email: [HR-BackgroundChecks@rivco.org](mailto:HR-BackgroundChecks@rivco.org) and [Kdavis@rivco.org](mailto:Kdavis@rivco.org)

Fax: 951-955-5707

Mail: Human Resources Background Checks, PO Box 1569, Riverside, CA 92502-1569

Your worksheet must be received by **October 16, 2025**. If you intend to dispute the accuracy of the conviction history record and need an additional five (5) days to submit evidence, include the specific steps you are taking to obtain the evidence on your worksheet.

As prohibited by California law, we have NOT considered any of the following:

- Arrest(s) not followed by conviction.
- Participation in a pretrial or posttrial diversion program; or
- Convictions that have been sealed, dismissed, expunged or pardoned.

The following documents are attached with this notice:

- Notice Regarding Procedure to Obtain a Copy of Your DOJ/FBI Criminal History Record and to Obtain a Correction to Your DOJ/FBI Criminal History Record
- Individualized Assessment Worksheet
- Copy of Your Criminal History Record

Should you have any questions, please contact Keonna Davis by phone at 951-955-0036 or email at [HR-BackgroundChecks@rivco.org](mailto:HR-BackgroundChecks@rivco.org). The individualized assessment process is coordinated by the Human Resources Department's background check staff. To protect the confidentiality of your criminal history record information, please do not discuss your record with the hiring manager, hiring department, or your



## Individualized Assessment Worksheet

**APPLICANT INSTRUCTIONS:** Please review your conviction information and respond in the areas provided below. Your response will help us understand the particular circumstances of your conviction and determine whether you will be disqualified based, in whole or in part, on your conviction information.

Submit this worksheet by email, fax, or mail. We must receive your worksheet no later than the deadline stated in your *Preliminary Notice of Adverse Action*. If we do not receive it by the deadline, the information may not be considered. If you have any questions, please see the contact information provided in your *Preliminary Notice of Adverse Action*.

- Email to [HR-BackgroundChecks@rivco.org](mailto:HR-BackgroundChecks@rivco.org)
- Fax to (951) 955-5707
- Mail to Human Resources Department Background Checks, PO Box 1569, Riverside, CA 92502-1569

### APPLICANT INFORMATION

<b>10/1/2025</b>	<b>39597548</b>	<b>60071</b>
<b>Date Prepared</b>	<b>Applicant ID</b>	<b>Job Opening ID</b>
<b>TEMPORARY ASSISTANT</b>	<b>REGISTRAR OF VOTERS</b>	
<b>Classification Applied For</b>	<b>Department Applied For</b>	

### POTENTIALLY DISQUALIFYING CONVICTION INFORMATION

**CONVICTION #:** 1 OF 2

#### CONVICTION INFORMATION:

20230915 CASCVISTA  
 001:SCN441900  
 496(A) PC-RECEIVE/ETC KNOWN STOLEN PROPERTY TOC:F  
 DISPO:CONVICTED-PROBATION  
 CONV STATUS:FELONY TOS:1  
 SEN: 002 YEARS PROBATION, FINE

DISPO:CONDITION OF PROB-FIREARM RESTRICTION  
 DISPO:COND OF PROB-SEARCHABLE PROBATION

20240216 DISPO:PROBATION EXTENDED

20240216 DISPO:PROB SUPERVISION TRANSFERRED/1203.9 PC

CRT CASE#RIF2402055  
 RECVD BY:CASCRIVERSIDE  
 COM:JUD DIST 33100 COURT CASE RIF2402055

**APPLICANT DISCLOSED  
 CONVICTION?** NO

↑ COUNTY COMPLETES SHADED SECTION ABOVE↑

↓ APPLICANT ANSWERS QUESTIONS BELOW ↓

#### APPLICANT EXPLANATION OF CONVICTION INFORMATION:

Is the conviction information above factually accurate and complete, and are you the person identified in the record? If No, please explain. You may be required later to provide us proof of any error, such as records certified by the clerk of the court where the case was decided.

What was the sentence and when did you complete the sentence?

Please explain the facts and circumstances surrounding the offense and your conduct:

CONVICTION #: 2 of 2

CONVICTION INFORMATION:

COURT:  
20240625 CASCRCRIVERSIDE  
001:RIM2405251  
11350(A) HS-POSSESS NARC CONTROL SUBSTANCE TOC:M  
DISPO:CONVICTED-JAIL  
CONV STATUS:MISDEMEANOR TOS:4  
SEN: 009 DAYS JAIL, FINE

APPLICANT DISCLOSED NO  
CONVICTION?

↑ COUNTY COMPLETES SHADED SECTION ABOVE↑

↓ APPLICANT ANSWERS QUESTIONS BELOW ↓

APPLICANT EXPLANATION OF CONVICTION INFORMATION:

Is the conviction information above factually accurate and complete, and are you the person identified in the record? If No, please explain. You may be required later to provide us proof of any error, such as records certified by the clerk of the court where the case was decided.

What was the sentence and when did you complete the sentence?

**Please explain the facts and circumstances surrounding the offense and your conduct:**

**↓ APPLICANT PROVIDES RESPONSE BELOW ↓**

**APPLICANT RESPONSE TO POTENTIAL DISQUALIFICATION:**

**We are provided you an opportunity to explain why you should not be disqualified based, in whole or in part, on your conviction information. In your response, you may include (but are not limited to) providing any of the following:**

- Misidentification or otherwise inaccurate information in the criminal record;
- The facts or circumstances surrounding the offense or conduct;
- The number of offenses for which the individual was convicted;
- Older age at the time of conviction, or release from prison;
- Evidence that the individual performed the same type of work, post conviction, with the same or a different employer, with no known incidents of criminal conduct;
- The length and consistency of employment history before and after the offense or conduct;
- Rehabilitation efforts, e.g., education/training;
- Employment or character references and any other information regarding fitness for the particular position; and
- Whether the individual is bonded under a federal, state, or local bonding program.



recruiter. All inquiries should be directed to background check staff.

You will be notified again by postal mail if the County of Riverside decides to withdraw your conditional offer of employment. Please be aware that the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) do not take part in the County's decision or evaluation of your record.

Sincerely,

Keonna Davis  
Human Resources Background Checks Unit  
[HR-BackgroundChecks@rivco.org](mailto:HR-BackgroundChecks@rivco.org)  
Direct Line: [REDACTED]

**Notice Regarding  
Procedure to Obtain a Copy of Your DOJ/FBI Criminal History Record  
and to Obtain a Correction to Your DOJ/FBI Criminal History Record**

California Department of Justice (DOJ) Records:

If the applicant wishes to obtain a copy of their criminal history record, he/she should contact the California Department of Justice Record Review Office at (916) 227-3835 or access the required forms at [www.ag.ca.gov/fingerprints/security.php](http://www.ag.ca.gov/fingerprints/security.php). The applicant may also contact the California Department of Justice Record Review Office to have their record corrected or updated.

Federal Bureau of Investigation (FBI) Records:

If the applicant wishes to obtain a copy of his/her FBI criminal history record, he/she should go to [www.fbi.gov/about-us/cjis/background-checks](http://www.fbi.gov/about-us/cjis/background-checks) or write to: FBI/CJIS DIVISION, Attn: SCU MOD2, 1000 Custer Hollow Rd, Clarksburg, WV 26306. The applicant may also contact the FBI/CJIS Division to have their record corrected or updated.

STATE OF CALIFORNIA  
DEPARTMENT OF JUSTICE  
Bureau of Criminal Information and Analysis  
P.O. Box 903417  
Sacramento, CA 94203-4170

DATE: 09/26/2025

CACBRIVERSIDE HUMAN RESRS  
PO BOX 1569  
RIVERSIDE CA 92502

RE: DOJ INFORMATION FURNISHED PURSUANT TO AN APPLICANT  
FINGERPRINT SUBMISSION

\* This information is for OFFICIAL USE ONLY \*  
Unauthorized use is a criminal offense.

Based upon a fingerprint search of records contained in the Bureau of Criminal Information and Analysis files, this response contains all information meeting dissemination criteria pursuant to California law.

Our records indicate you have requested, or are statutorily mandated to receive, subsequent arrest notification service from the Department of Justice. Therefore, you will be advised of subsequent arrests for this individual. Pursuant to Section 11105.2 of the California Penal Code, your agency is required to notify the Department of Justice when it no longer has a legitimate interest in this subject, (i.e., the applicant is no longer, or was never employed; his/her license or certification is denied or revoked; or he/she is no longer eligible to renew or re-instate the license or certificate).

APP ORI: A2752  
APP NAME: SHAAF AHMED PATEL  
APP TYPE: EMPLOYEE 11105(B)(11) PC  
APP TITLE: TEMPORARY ELECTIONS ASSISTANT  
APP SERVICE REQUESTED: CA/FBI/  
OCA: 13871170010000060071  
SID: A023775220

CDL: NA  
ATI: S268PAS007  
OATI:  
DATE SUBMITTED: 09/25/2025  
SCN #: R54S2680007

APP ADDRESS: [REDACTED]

\* \* \* \*

COURT:  
20101026 CASCERRIS  
001:SWM073319  
415(2) PC-DISTURBS BY LOUD/UNREASONABLE NOISE TOC:M  
DISPO:CONVICTED FINE  
CONV STATUS:MISDEMEANOR TOS:4  
SEN: FINE  
\* \* \* \*

COURT:  
20181029 CASCRCRIVERSIDE  
001:RIF1800946  
11550(A) HS USE/UNDER INFL CONTRLD SUBSTANCE TOC:M  
DISPO:CONVICTED-PROB/JAIL  
CONV STATUS:MISDEMEANOR TOS:4  
SEN: 036 MONTHS PROBATION, 008 DAYS JAIL, FINE, IMP SEN SS

20210317 DISPO:EARLY DISMISSAL FROM PROBATION

\* \* \* \*

COURT:  
20230915 CASCVISTA  
001:SCN441900  
496(A) PC RECEIVE/ETC KNOWN STOLEN PROPERTY TOC:F  
DISPO:CONVICTED PROBATION  
CONV STATUS:FELONY TOS:1  
SEN: 002 YEARS PROBATION, FINE

DISPO:CONDITION OF PROB FIREARM RESTRICTION  
DISPO:COND OF PROB-SEARCHABLE PROBATION

20240216 DISPO:PROBATION EXTENDED

20240216 DISPO:PROB SUPERVISION TRANSFERRED/1203.9 PC

CRT CASE#RIF2402055  
RECVD BY:CASCRIVERSID  
COM:JUD DIST 33100 COURT CASE RIF2402055  
\* \* \* \*

COURT:  
20240625 CASCRCRIVERSIDE  
001:RIM2405251  
11350(A) HS POSSESS NARC CONTROL SUBSTANCE TOC:M  
DISPO:CONVICTED-JAIL  
CONV STATUS:MISDEMEANOR TOS:4  
SEN: 009 DAYS JAIL, FINE

\* \* \* END OF MESSAGE \* \* \*

If the applicant wishes to obtain a copy of his/her criminal history record, he/she should either contact the Department of Justice Record Review Office at (916) 227 3835 or access the required forms at [https://oag.ca.gov/fingerprints/record review](https://oag.ca.gov/fingerprints/record%20review).

Electronic Response Code: 08880

If there are any questions pertaining to this response, please contact the program at [appagencyquestions@doj.ca.gov](mailto:appagencyquestions@doj.ca.gov).



Shaaf Ahmed Patel



December 14, 2025

Summer Stephan

District Attorney

San Diego County District Attorney's Office

Hall of Justice

330 W. Broadway

San Diego, CA 92101

San Diego County Board of Supervisors

c/o Clerk of the Board

County Administration Center

1600 Pacific Highway, Room 402

San Diego, CA 92101

Re: Demand for Compensation and Remediation for Civil Rights Violations and Related Harms Stemming from Wrongful Prosecution and Related Actions in SCN441

Dear District Attorney Stephan and Members of the San Diego County Board of Supervisors:

I write on my own behalf to formally demand full compensation and remedial measures for the profound, ongoing harms inflicted by wrongful prosecution, conviction, and associated

actions under the oversight or involvement of San Diego County entities. Despite repeated good-faith efforts to rectify the injustice—limited solely to overturning the conviction, which were denied multiple times—these events have caused catastrophic economic, emotional, familial, reputational, and civic damage. Multiple elected officials, law enforcement personnel, prosecutors, and sheriffs who knew me from my established strong community stature and America First advocacy, upon hearing the facts, unanimously characterized the matter as a "hack job" intended to discredit, defame, and oppress my reputation while suppressing my ideological voice and leadership for three pivotal years.

These actions violated core due process and equal protection rights under the U.S. and California Constitutions, involving apparent misconduct, targeting, and systemic failures. The resulting harms are detailed below.

#### **Economic Losses**

Loss of an executive position with \$300,000+ annual base salary, comprehensive benefits, and stock options—rescinded after arrest prevented attendance at a final interview. Unable to disclose employer, Yorba Linda, California.

Loss of a consulting role offering \$180,000 base salary plus commissions and benefits—blocked by probationary restrictions.

Withdrawal of offers for two positions at \$54.00/hour and \$38.00/hour respectively with mandatory overtime (Saturdays and some Sundays) with a local warehouse corporation.

Rescinded opportunities for additional local government roles due to the implications of the charges and record.

These losses directly trace to the charges, probation, and background implications, halting gainful employment despite my qualifications.

#### **Familial and Emotional Devastation**

Absence of income severely strained my relationship, resulting in loss of parental rights, a protracted court battle, and court-ordered DNA testing confirming non-paternity. This exacerbated profound depression, emotional distress, and lasting psychological harm.

#### **Political and Civic Harm**

My significant impact on the 2024 presidential election led to invitations to Mar-a-Lago and the inauguration—I cleared Secret Service background checks, yet probation denied permission to travel out-of-state. This inflicted immeasurable damage to my political career, forfeited critical connections, derailed my Nuevo/Lakeview incorporation project,

and caused potentially irreparable harm to my entire community by removing my leadership at a crucial time.

#### Reputational and Expressive Harm

The ensuing temperament issues, depression, rage, and anger manifested in social media posts with unfortunate tone—further amplifying professional and personal damage, all proximately caused by the initial wrongful conduct.

Having exhausted available remedies in pursuit of simple correction, no path remains but full accountability.

To resolve this without litigation, I demand:

Monetary compensation of no less than \$15,000,000 (reflecting annualized economic losses exceeding \$1 million, plus non-economic damages for emotional distress, reputational harm, lost civic opportunities, and deterrence).

Immediate expungement/sealing of all related records.

Public acknowledgment of the issues and implementation of policy reforms to prevent recurrence.

Coverage of attorney's fees and costs should litigation proceed.

Please provide a written substantive response within 30 days, including a proposal for resolution. Absent meaningful engagement, I will pursue a federal civil rights action under 42 U.S.C. § 1983 (against the County) and related state claims, seeking compensatory damages, injunctive relief, and fees where available.

This demand seeks fair, complete restoration—you deserve nothing less.

Sincerely,

Shaaf Ahmed Patel

Shaaf,

Thank you for committing to attend the 60th Presidential Inauguration, where Donald J. Trump will be officially sworn-in as the 47th President of the United States.

We look forward to seeing you and thousands of your fellow Trump-supporting Americans on January 20th, when we put on the celebration of the century!

The big day will be here before you know it, %recipient.first%, so please check your email for instructions and all the information you'll need to make this a once-in-a-lifetime experience.

You'll be telling your children and grandchildren about this day for years to come -- the day you witnessed President Trump raise his right hand high in the air and proudly take that sacred oath of office.

Thank you again for helping to make this day one of the greatest in American history, and we look forward to celebrating with you!

Thank you,

Trump Vance Inaugural Committee

Paid for by the Trump Vance Inaugural Committee,  
Inc., a 501(c)(4) organization.





t47inaugural.com



# RSVP to President Trump's Inauguration

You are hereby formally invited to attend  
President Trump's Inauguration on January  
20th, 2025 in Washington, DC!

Eight years to the day after being sworn in  
as the 45th President, Donald J. Trump  
makes his triumphant return to the very  
same steps to deliver his second Inaugural  
Address. Come stand shoulder to shoulder  
with thousands of your fellow Americans  
and witness history.

Fill out the form below to reserve your spot  
and receive critical inauguration updates:





**ANDREW POTTER, CCB**  
EXECUTIVE OFFICER/CLERK

**CLERK OF THE BOARD OF SUPERVISORS**  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2422  
(619) 531-5600

**RYAN SHARP**  
ASSISTANT CLERK

**ANN MOORE**  
ASSISTANT CLERK

November 24, 2025

TO: Supervisor Terra Lawson-Remer, Chair  
Supervisor Monica Montgomery Steppe, Vice-Chair  
Supervisor Paloma Aguirre, Chair Pro Tem  
Supervisor Joel Anderson  
Supervisor Jim Desmond

FROM: Andrew Potter  
Clerk of the Board of Supervisors

**REFERRAL**

Attached for your information, is correspondence from Shakil Pittal, regarding a request for policy changes to expedite Muslim burial procedures in San Diego County.

Respectfully,

  
ANDREW POTTER

Attachment

cc: Ebony N. Shelton, Chief Administrative Officer  
Elizabeth A. Hernandez, Deputy Chief Administrative Officer, Health & Human Services  
Agency  
Board of Supervisors Communications Received

AJP:sh

# **Request for Policy Change to Expedite Muslim Burial Procedures in San Diego County**

To:

- PublicComment@sdcounty.ca.gov — Clerk of the Board
- cao\_mail@sdcounty.ca.gov — Chief Administrative Office
- records.mx@sdcounty.ca.gov — Medical Examiner's Office
- Your District Supervisor (optional)

Subject: Request for Policy Change to Expedite Muslim Burial Procedures in San Diego County

Dear San Diego County Board of Supervisors, Chief Administrative Office, and Medical Examiner's Office,

I am writing on behalf of the San Diego Muslim community to respectfully request support in establishing a more efficient and compassionate policy for the timely release and burial of deceased Muslim individuals in San Diego County.

Islamic tradition places great importance on burying the deceased as soon as possible, ideally within 24 hours. Current county processes often result in delays of 2–4 days, due to death certificate processing, hospital release procedures, coroner involvement, and permit requirements. These delays cause emotional and spiritual hardship for families.

We respectfully request consideration of:

1. Fast-track death certificate processing for urgent religious burial requests.
2. Priority body release from the Medical Examiner when no investigation is required.
3. Formal protocols or an MOU with Muslim funeral homes for expedited coordination.
4. Creation of an interfaith or religious accommodation task force.
5. Training and public guidance for hospitals and county staff on expedited burial procedures.

We request:

- A formal meeting with representatives from relevant county offices.
- Designation of a point-of-contact for this initiative.
- Placement of this issue on an upcoming Board of Supervisors meeting agenda.

Thank you for your leadership and consideration. We look forward to working together to ensure compassionate and culturally respectful procedures for all San Diego residents.

Sincerely,

Shakil Pittal