



IN REPLY REFER TO
Fee to Trust

United States Department of the Interior

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

OCT 21 2019

CERTIFIED MAIL – RETURN RECEIPT REQUESTED – 7016 2140 0000 7173 9398

California State Clearinghouse
Office of Planning and Research
P.O. Box 3044
Sacramento, California 95812-3044

Gentlemen:

Enclosed for your appropriate distribution are ten copies of our notice of an application seeking acceptance of title to real property “in trust” for the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California. Said notice is issued pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10.

Sincerely,

Regional Director

Enclosure

Governor's Office of Planning & Research

NOV 08 2019

STATE CLEARINGHOUSE



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OCT 21 2019

Notice of (Non-Gaming) Land Acquisition Application

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, Part 151.10, notice is given of the application filed by the Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California (Tribe) to have real property accepted "into trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any government services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.

We are providing the following information regarding this application:

Applicant:

Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California

Governor's Office of Planning & Research

NOV 08 2019

STATE CLEARINGHOUSE

Legal Land Description/Site Location:

Lascari:

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

A parcel of land in the State of California, County of Tuolumne, lying in the Northwest $\frac{1}{4}$ of Section 5, Township 1 North, Range 16 East, Mount Diablo Meridian, being that 6.359 acre parcel land designated as the Foreman Trust in Book 41 of Record of Surveys at Pages 13 to 18, Tuolumne County Records, being more particularly described as follows:

BEGINNNING at a $\frac{5}{8}$ inch diameter rod tagged L.S. 3159 set at the most Northerly corner of the Foreman Trust parcel of land, also being Corner Number 3 of the Porto Fino Quartz Mine as shown on Mineral Survey Number 3182. Tuolumne County Records, and from which the North $\frac{1}{4}$ corner of Section 5 bears N $65^{\circ}57'02''$ E. 1552.46 feet.

Thence S 37°27'38" E. along the Northeasterly boundary line of the Porto Fino Quartz Mine, 613.97 feet to a Bureau of Land Management 2-1/2 inch brass cap set at Corner Number 4 of the Porto Fino Quartz Mine and also being the most Easterly comer of the Foreman Trust parcel of land.

Thence S 53°19'49" W. along the Southeasterly boundary line of the Porto Fino Quartz Mine, 25.11 feet to a 5/8 inch diameter steel rod tagged L.S. 3159 set at the intersection with the North 1/16 section line of Section 5.

Thence S 53°19'49" W. along the Southeasterly boundary line of the Porto Fino Quartz Mine, 37.17 feet to a 5/8 inch diameter steel rod tagged L.S. 3159.

Thence leaving said Southeasterly boundary line S 80°24'28" W. 233.33 feet to a 1 inch diameter drill steel tagged L.S. 2308.

Thence N 81°01'24" W. 459.76 feet to a P.K. nail with washer stamped L.S. 4792 set in the concrete base of an 8 inch square fence post.

Thence N 86° 50'28" W. 151.96 feet to a 1 inch diameter steel tagged L.S. 2308.

Thence N 86°11'05" W. 14.76 feet to a 1 inch drill steel tagged L.S. 2308.

Thence N 78°20'30" W. 83.02 feet to a 1 inch diameter iron pipe with plastic plug marked L.S. 4792 set on the Southeasterly boundary line of the Carlotta Quartz Mine as shown on Mineral Survey Number 3532, Tuolumne County Records, also being the most Westerly comer of the Foreman Trust parcel of land, and from which Corner Number 2 of the Carlotta Quartz Mine bears S 52°34'49" W. 21.03 feet.

Thence N 52°34'49" E. along the Southeasterly boundary line of the Carlotta Quartz Mine and the Northwesterly boundary line of the Porto Fino Quartz Mine, 766.17 feet to the Point of Beginning.

SUBJECT TO a 20-foot wide non-exclusive right-of-way recorded as Tuolumne County Official Record Instrument No. 332, Book 374, Page 499 and also SUBJECT TO and TOGETHER WITH a 40-foot wide road easement as shown on Tuolumne County Official Record of Survey Book 1, Page 12.

Brennan:

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

PARCEL 4 as shown and designated on that certain Parcel Map filed February 7, 2008 in Book 50 of Parcel Maps, at Pages 82 and 84, Tuolumne County Records.

Garman:

All that certain real property in the unincorporated area of the County of Tuolumne, State of California, described as follows:

Parcel 4, as shown and designated on that certain Parcel Map filed in the Office of the County Recorder of Tuolumne County, California, on April 4, 2008 in Book 51 of Parcel Maps at Page 13, Tuolumne County Records.

Project Description/Proposed Land Use:

The subject properties consist of above described parcels of land totaling 10.759 acres more or less, commonly referred to as the Lascari property (Assessor's Parcel Number 062-040-012-000), Brennan property (Assessor's Parcel Number 062-040-038-000), and Garman property (Assessor's Parcel Number 062-040-042-000). The subject properties are contiguous to lands held in trust for the Tuolumne Rancheria.

All three properties are currently vacant undeveloped land. The Lascari property previously contained three single family residences, which were demolished. The Tribe plans to construct three new single family residences on the Lascari property when funding is available. The Tribe plans to eventually construct a single family residence on both the Brennan and Garman properties as well when funding is available.

Current Use/Taxes and Zoning:

Assessed property taxes for 2018-2019:

062-040-012-000 - \$2,098.94

062-040-038-000 - \$0.00

062-040-042-000 - \$1,402.92

The Lascari property is currently zoned RE-2 (Residential Estate, Two Acre Minimum). The Brennan and Garman properties are currently zoned RE-2 (Residential Estate, Two Acre Minimum) and O (Open Space District).

Existing Easements/Encumbrances:

See attached Schedule B

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

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

Your written comments should be addressed to the Bureau of Indian Affairs at the address at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted an extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. An extension of ten to thirty days may be granted. Copies of all comments will additionally be provided to the applicant. You will be notified of the decision to approve or deny the application.

If any party receiving this notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy of this notice to said party or timely provide our office with the name and address of said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act, is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to Alexis St. John, Realty Specialist, at (916) 978-6059.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy H. Dutcher".

Regional Director

Enclosures

cc: Distribution List

DISTRIBUTION LIST

cc: BY CERTIFIED MAIL – RETURN RECEIPTS REQUESTED TO:

California State Clearinghouse (10 copies) – 7016 2140 0000 7173 9398
Office Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

Senior Advisor for Tribal Negotiations – 7016 2140 0000 7173 9404
Office of the Governor
State Capitol Building, Suite 1173
Sacramento, CA 95814

Sara J. Drake, Deputy Attorney General – 7016 2140 0000 7173 9411
State of California
Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

U.S. Senator Dianne Feinstein – 7016 2140 0000 7173 9428
331 Hart Senate Office Building
Washington, DC 20510

U.S. House of Representatives – 7016 2140 0000 7173 9435
4th District
2200A Douglas Blvd., Suite 240
Roseville, CA 95661

Tuolumne County Assessor's Office – 7016 2140 0000 7173 9442
2 S. Green St.
Sonora, CA 95370

Tuolumne County Board of Supervisors – 7016 2140 0000 7173 9459
2 S. Green St.
Sonora, CA 95370

Tuolumne County Treasurer and Tax Collector – 7016 2140 0000 7173 9466
2 S. Green St.
Sonora, CA 95370

Tuolumne County Administrative Officer – 7016 2140 0000 7173 9473
2 S. Green St.
Sonora, CA 95370

Tuolumne County Sheriff's Office – 7016 2140 0000 7173 9480
28 N. Lower Sunset Dr.
Sonora, CA 95370

Tuolumne County Planning Division – 7016 2140 0000 7173 9497
2 S. Green St.
Sonora, CA 95370

Honorable Kevin Day – 7016 2140 0000 7173 9503
Chairman, Tuolumne Rancheria
P.O. Box 699
Tuolumne, CA 95379

Chairperson, – 7016 2140 0000 7173 9510
Chicken Ranch Rancheria
P.O. Box 1159
Jamestown, CA 95327

Regular Mail:

Superintendent, Central California Agency, BIA
650 Capitol Mall, Ste. 8-500
Sacramento, CA 95814

SCHEDULE B

Order No.: 312698BW

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 2016 - 2017

1 st installment	:	\$2,106.48	DUE
2 nd installment	:	\$2,106.48	PAYABLE
Land	:	\$155,247.00	
Improvements	:	\$232,871.00	
Personal Property	:	\$0.00	
Exemptions	:	\$0.00	
A.P. No.	:	062-040-12	
Code Area	:	74/017	
Bill No.	:	22408	

2. THE LIEN OF SUPPLEMENTAL TAXES, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California, et seq.

3. EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument

Granted therein to	RUTH ALLMENDINGER AND WERNER ALLMENDINGER
Purpose	A Non-exclusive right-of-way on the existing approximately 20 foot wide road.
Affects	The exact location of said easement is not disclosed of record.
Recorded	January 11, 1973, in Volume 374 of Official Records, Page 499, Tuolumne County Records.
Instrument No.	: 332

4. EASEMENTS, NOTES, RECITALS, PROVISIONS AND DEDICATIONS as shown or delineated on the Official Map filed for record December 1, 1962 in Book 1 of Record of Surveys at Page 12 and recorded October 27, 2000 in Book 41 of Record of Surveys at Page 13, Tuolumne County Records, which provide for, among other things, as follows:

- (a) A 40 foot wide road from the Northwesterly through the Southerly boundary of said parcel.
- (b) A 20 foot wide non-exclusive right of way shown in the Northwesterly portion of said parcel.

SCHEDULE B

Order No : 312714BW

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

- 1 THE LIEN OF SUPPLEMENTAL TAXES, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California, et seq.
- 2 THE PROPERTY IS WITHIN THE JURISDICTION OF THE FOLLOWING DISTRICT and is subject to all taxes, assessments and obligations thereof.

District : TUOLUMNE UTILITIES DISTRICT - PONDEROSA WATER COMPANY
- 3 RESERVATIONS, EASEMENTS AND CONDITIONS as contained in the United States Land Patent

Issued : U.S.A
To : CARLOTTA GOLD MINING COMPANY
Recorded : August 15, 1901, Book 52, Page 37 of Patents, Tuolumne County Records.
- 4 An easement, as reserved in the United States Land Patent herein referred to, for the proprietor of any vein or lode to extract or remove the ore therefrom should the same be found to penetrate or intersect the herein described property.
- 5 EASEMENT for the purposes stated herein together with incidentals in connection therewith as created in that certain instrument.

Granted therein to : DWAIN JACK and CAROLYN M. JACK, Husband and Wife
Purpose : 20 foot wide road.
Affects : Northerly Portion
Recorded : January 11, 1973, in Book 374 of Official Records, Page 500, Tuolumne County Records.
Instrument No. : 333
- 6 EASEMENTS, NOTES, RECITALS, PROVISIONS AND DEDICATIONS as shown or delineated on the Official Map filed for record March 7, 2007 in Volume 49 of Parcel Maps, at Page 93, and recorded February 7, 2008 in Volume 50 of Parcel Maps, at Page 82 through 84, Tuolumne County Records, which provide for, among other things, as follows:
 - (a) 16 foot wide public utility easement along the southerly and southwesterly boundary and 8 foot wide public utility easement along the northeasterly and northwesterly boundary.
 - (b) 40 foot wide road and public utility easement in the northerly portion.

(c) 100 foot wide defensible space setback along the northwesterly, southeasterly and southwesterly boundary and a 50 foot wide defensible space setback along the northeasterly boundary.

(d) Open space of varying width along the southwesterly and northwesterly boundary

7 CONDITIONS ON THE DEVELOPMENT OR USE contained in the following instrument:

Type of entitlement . Tentative Parcel Map T06-030(3)
Date of issuance . June 21, 2007
Recorded . July 3, 2007, Tuolumne County Records
Instrument No. . 2007011320

Reference should be made to the actual document referred to herein which is on file at the Tuolumne County Planning Department.

NOTE: If an Indian tribe or tribal organization is party to this transaction, we will require the following information:

1. The full name of the tribe or organization.
2. A full copy of the charter of constitution, all amendments and current by-laws, and a resolution authorizing this transaction.
3. Buyer's written consent to be bound by local, state and federal laws and state and/or federal courts in connection with all matters contained in the herein contemplated policy of title insurance.

Policy No.: **Commitment**

Order No.: **317560BW**

**SCHEDULE B
EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

1. Rights or claims of parties other than Insured in actual possession of any or all of the property.
2. Unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area and encroachments which an accurate and complete survey would disclose.
3. Unfiled mechanics' or materialmen's liens.

1. **GENERAL AND SPECIAL COUNTY AND CITY TAXES for the fiscal year 2018 - 2019**

1 st installment	: \$701.46	DUE
Penalty	: \$70.14	
2 nd installment	: \$701.46	OPEN
Penalty	: \$80.14	
Land	: \$130,000.00	
Improvements	: \$0.00	
Personal Property	: \$0.00	
Exemptions	: \$0.00	
A.P. No.	: 062-040-042	
Code Area	: 74/017	

2. **THE LIEN OF SUPPLEMENTAL TAXES**, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California, et seq.

3. The property herein may lie within a jurisdiction or district in which case, there may be assessments and obligations that are collected with the taxes shown herein.

4. **RESERVATIONS, EASEMENTS AND CONDITIONS** as contained in the United States Land Patent

(a) Issued	: August 15, 1901
To	: CARLOTTA GOLD MINING COMPANY
Recorded	: February 7, 1903, in Book 52 of Deeds, Page 37, Tuolumne County Records.

(b) Issued : June 12, 1967
To : WERNER ALLMENDINGER
Recorded : December 27, 1967, in Book 244 of Official Records, Page
163, Tuolumne County Records.
Instrument No. : 8615

5. Easements, as reserved in the United States Land Patents herein referred to, for the proprietor of any vein or lode to extract or remove the ore therefrom should the same be found to penetrate or intersect the herein described property.
6. EASEMENTS, NOTES, RECITALS, PROVISIONS AND DEDICATIONS as shown or delineated on the Official Map filed for record April 4, 2008 in Book 51 of Parcel Maps, at Page 13, Tuolumne County Records, which provide for, among other things, as follows:
 - (a) 8 foot wide public utility easement along the Northeasterly and Southeasterly boundary of said land.
 - (b) 16 foot wide public utility easement along the Northwesterly and Southwesterly boundary of said land.
 - (c) Open Space per Ordinance No. 2880 along the Southeasterly boundary of said land.
 - (d) 100 foot wide Defensible Space setback along the Northwesterly Southwesterly, and Southeasterly boundary of said land and a 50 foot wide Defensible Space setback along the Northeasterly boundary of said land.
7. RIGHTS OF THE PUBLIC and the COUNTY OF TUOLUMNE over that portion of the premises lying within the lines of CLAVEY COURT and ROAD A as the same now exist(s).
8. (a) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

(b) 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 which may be asserted by persons in possession thereof.

(c) Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.

(d) Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any facts which a correct survey would disclose, and which are not shown by the public records.

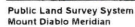
(e) (e1) Unpatented mining claims; (e2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (e3) water rights, claims or title to water, whether or not the matters excepted under (e1), (e2) or (e3) are shown by the public records.

NOTE: If an Indian tribe or tribal organization is party to this transaction, we will require the following information:

1. The full name of the tribe or organization.
2. A full copy of the charter of constitution, all amendments and current by-laws, and a resolution authorizing this transaction.
3. Buyer's written consent to be bound by local, state and federal laws and state and/or federal courts in connection with all matters contained in the herein contemplated policy of title insurance.

NOTE: This is a Commitment policy and does not show the present record condition of title to the land herein described. This Commitment policy only reflects the conditions of title as it would appear if documents heretofore delivered to this company had been filed for record as of the date of this Commitment policy; or as this company may be willing to insure such title subject to the performance of certain conditions of the part of the person or persons to whom or for whose benefit this Commitment policy has been issued.

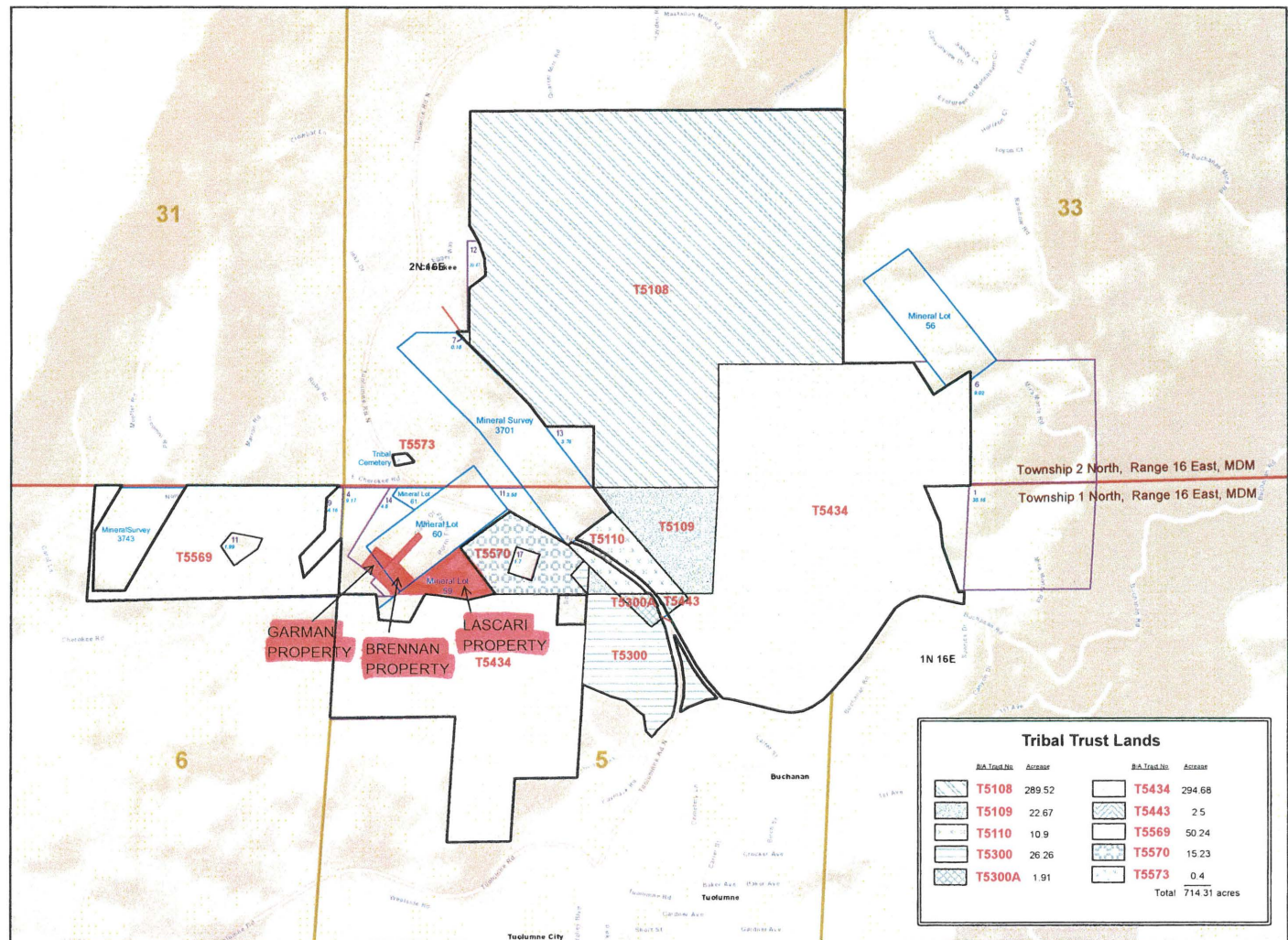
TUOLUMNE 634



Tract Status

- ### Land Survey Status

- Ownership status shown is subject to revision after audit of records

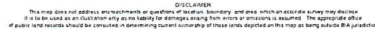


#/A	Trust No.	Amount	#/A	Trust No.	Amount
	T5108	289.52		T5434	294.66
	T5109	22.67		T5443	2.5
	T5110	10.9		T5569	50.24
	T5300	26.26		T5570	15.23
	T5300A	1.91		T5573	0.4
				Total	714.31

Total 714.31 acres



Projection: California State Plane Zone III
Datum: North American Datum 1983 Spheroid: GRS 1980



Tuolumne (634)

Ver. 1.1

Cartographer: John Mosley
BIA Pacific Regional Office

Map Date: 5/1/2019

Project Name/Location	X:\Graphics\LS_map\MXDATA\volume_ARCH_C.mxd
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TUOLUMNE 634

