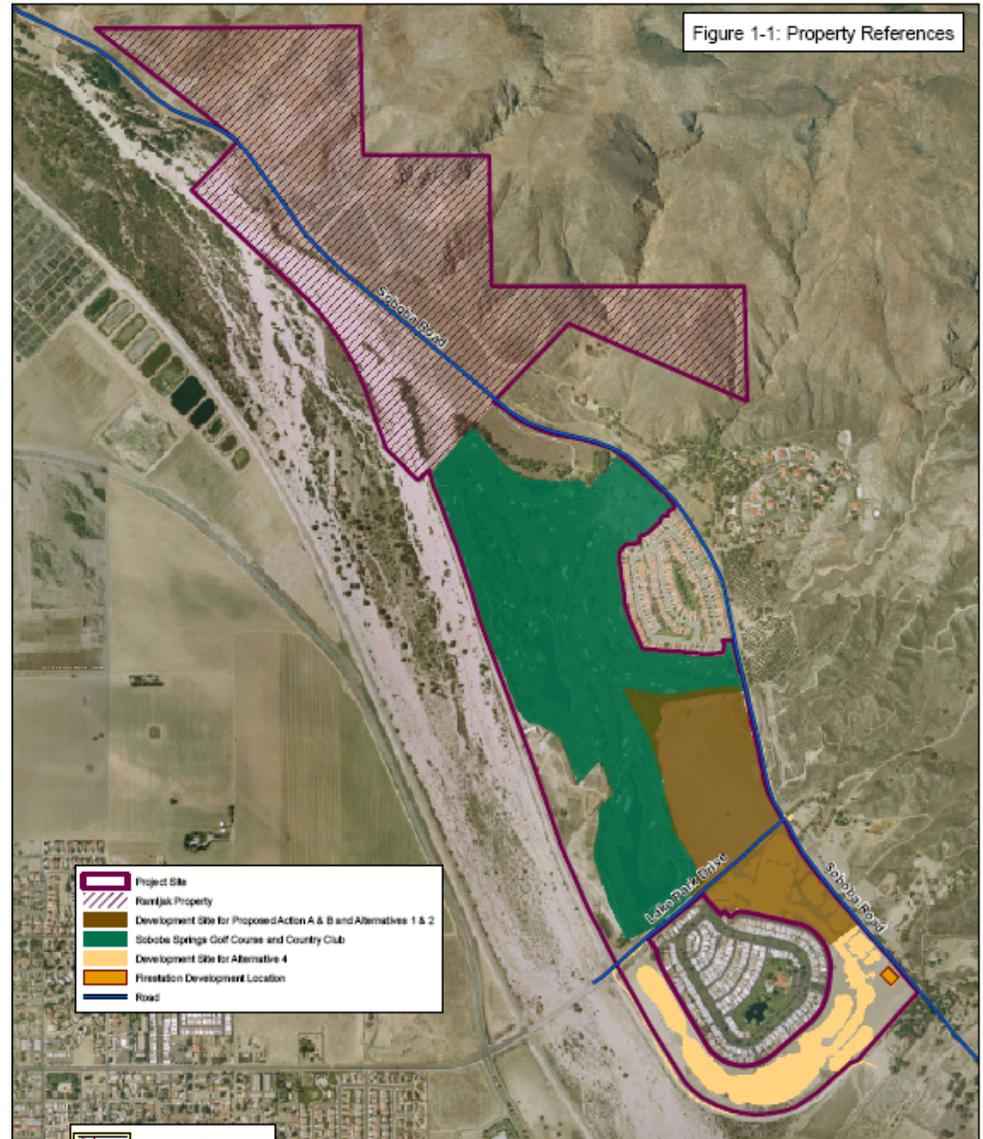


Appendix E Part 2

Public Comment Report (Master Bracketed Comments Part 1)



COMMENTS ON HORSESHOE GRANDE DRAFT ENVIRONMENTAL IMPACT STATEMENT





BACKGROUND

- *City became aware of the Project in December 2007, when informed by the City's consultant (Not Told By Tribal Leadership)*
- *City initially took a "Wait and See" approach*
- *Tribe's response to shooting incidents raised concerns*
 - *Sealed off borders*
- *City asked the Tribe to postpone the Project until Public Safety issues could be addressed*
 - *No response from Tribe*
- *City asked BIA to postpone the Project until Public Safety issues could be addressed*
 - *No response from BIA*

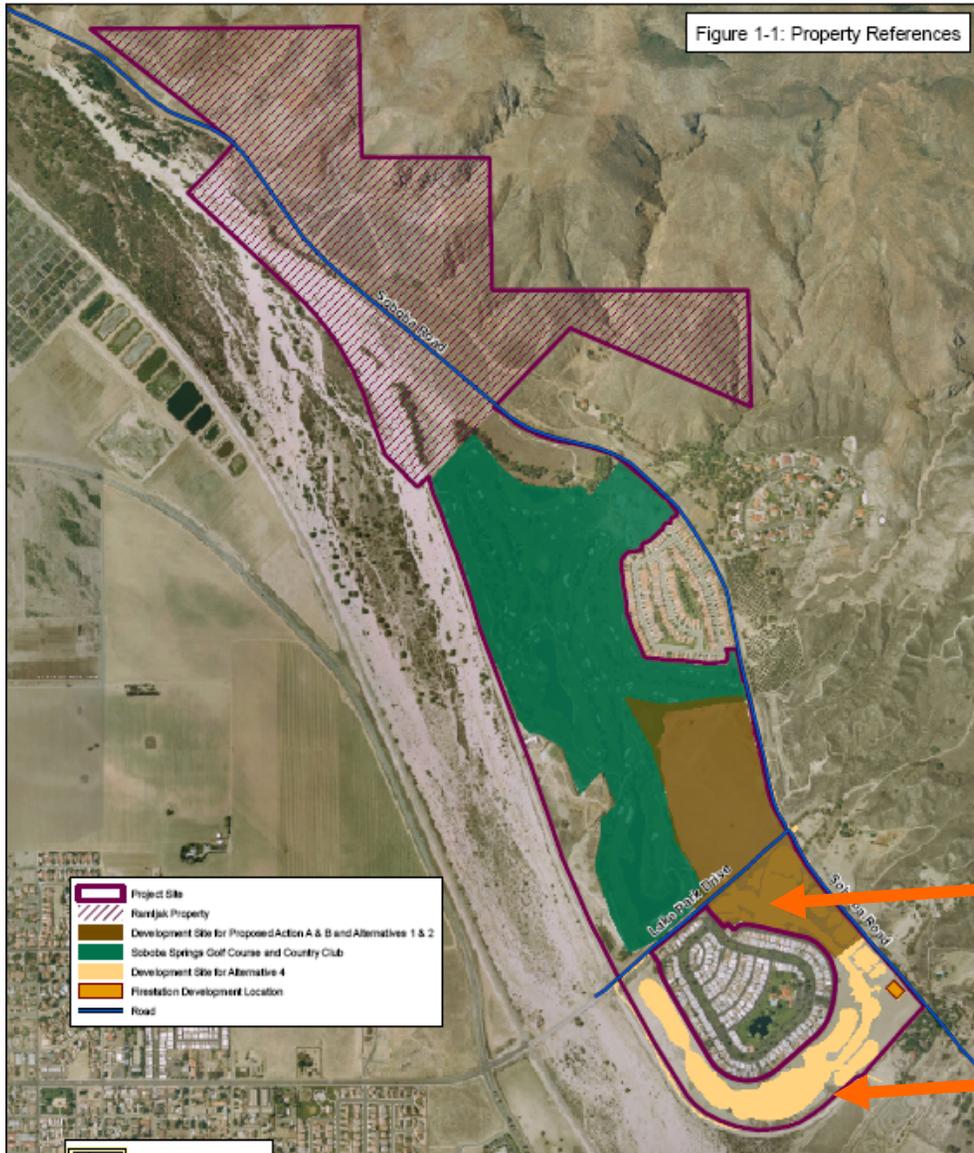


MORE BACKGROUND

- City has been designated a “Cooperating Agency” for the Project
 - Means City has an important Perspective and Expertise to provide
- In September 2008, City provided comments on the Administrative Draft EIS for the Project
 - Concerns raised in the City’s comment letter have Not been addressed
 - Two Major Concerns involve **Land Use Compatibility** and **Public Safety**



SAN JACINTO IS NOT OPPOSED TO A CASINO, BUT THE CURRENT SCOPE AND LOCATION RAISE SERIOUS CONCERNS



- Why is This Location Necessary?
- What is the Purpose of the Additional Fee-to-Trust Acquisition Land?
- Why couldn't the Project be built on Existing Reservation Land?

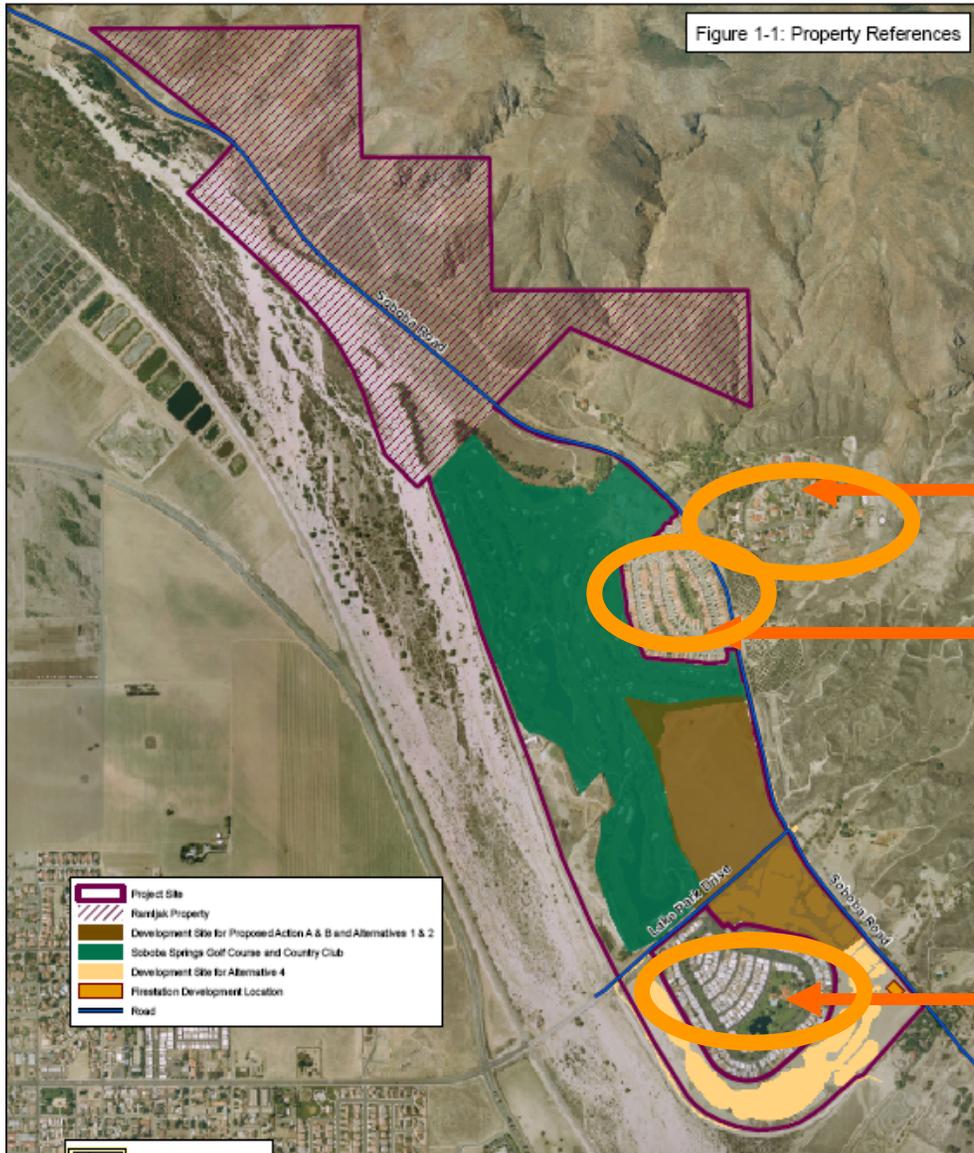
A01-3

Proposed Development

Annexation Boundary



SAN JACINTO IS NOT OPPOSED TO A CASINO, BUT THE CURRENT SCOPE AND LOCATION RAISE SERIOUS CONCERNS



- Annexation Creates Unprecedented Jurisdictional Islands.

A01-4

Jurisdictional Island

Jurisdictional Island

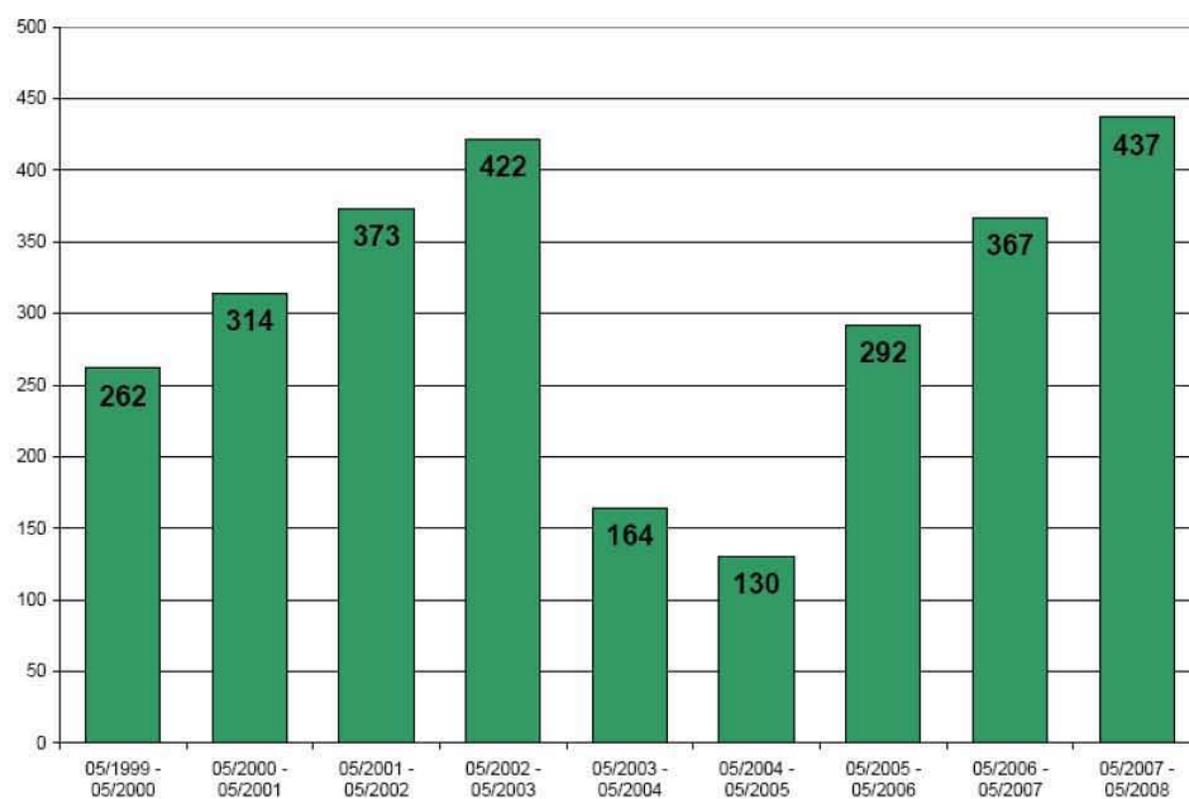
Jurisdictional Island





PUBLIC SAFETY CONCERNS

Soboba Indian Reservation calls for service has had a steady increase over the last three years. The calls for service include non criminal calls for service and assisting other departments.



A01-5





PUBLIC SAFETY CONCERNS

- Last year, 61 percent of calls for service and 57.8 percent of all Crimes on the Soboba Reservation were related to the Casino.
 - Individual crime statistics show that the Casino equates to increases in Crime.
 - In '07/'08 there were 16 DUI calls at the Casino and 2 in the Non-casino areas.
 - On the Reservation as a whole, calls for service have been steadily Rising over the past 3 years
 - 130 in 04/05
 - 292 in 05/06
 - 367 in 06/07
 - 437 in 07/08



PUBLIC SAFETY CONCERNS

- A Comparison of other Casinos reveals that the majority of Crimes are related to Casino activity:

<u>CASINO</u>	<u>% OF CRIMES RELATED TO CASINO</u>
Fantasy	89.5 %
Pechanga	72.8 %
Soboba	57.8 %
Morongo	12.7 %*

- Morongo, the only Tribe to contract with the County Sheriff, has seen decreases in Crime statistics since beginning that relationship
- Post Casino-expansion Crime statistics show that crime increases dramatically
 - Fantasy (97% increase)
 - Morongo (31% increase)
 - Pechanga (60% increase)

PUBLIC SAFETY CONCERNS

Over the Past Seven Years Local Law Enforcement has Seized a Cache of over Seventy (70) Weapons on the Soboba Reservation, including banned, military-style assault weapons:

A01-5 cont.

AK-47s



SKS Rifles



MAC 90s





PUBLIC SAFETY CONCERNS

- In the Last 8 Years, There have been 12 Calls For Service for Homicides on the Existing Reservation. That is nearly 2 per year.
- August of 2007, the Casino was the scene of an Armed Robbery to the tune of \$1.5 Million Dollars.



OTHER IMPACTS TO THE CITY AND ITS RESIDENTS



NOISE IMPACTS

- The DEIS now includes an approximately 4,000 seat “Events Arena”.
- The proposed Events Arena raises a major concern, given its potential to hold Large events and its proximity to existing Residential uses.

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OTHER IMPACTS TO THE CITY AND ITS RESIDENTS

- Impacts to Traffic, especially along Lake Park Drive and Soboba Road.
- Loss of Property Tax, and the ability to Bond against that Tax income stream. None of the sales tax, hotel tax or property tax from this property will go to the City.
- Air Quality Impacts, including Greenhouse Emissions that would result from the construction and operation of the Project
- Impacts to Water Quality, especially from the proposed Wastewater Treatment Plant and the Underground Storage Tanks proposed as part of the Gas Station

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↑ A01-8 ↓
↑ A01-9 ↓
↑ A01-10 ↓





MITIGATION MEASURES

- Under NEPA, The B.I.A. is Required to consider Mitigation Measures for Projects that it approves.
- The Draft EIS talks about “Draft” agreements with the County Sheriff and the County Fire Department.
 - No assurance that the Tribe will actually enter into those Agreements, much less fund them and keep them in place after the annexation.
 - Tribe Cancelled the Contract with the Sheriff’s Department.
 - BIA has not incorporated any of the City’s recommended Mitigation Measures into the Draft EIS.
 - As the City is a recognized Cooperating Agency, this is simply Unacceptable.

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← A01-12 →

← A01-13 →





CONCLUSION

- Meet with us
- Hear our concerns
- Relocate this Project back onto the existing Reservation
- Negotiate appropriate mitigation for the Project on the existing Reservation





January 13, 2012

SENT VIA U.S. MAIL AND EMAIL TO CHAD.BROUSSARD@BIA.GOV

Chad Broussard
Pacific Regional Office
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Re: City of San Jacinto Comments on the Preliminary Final Environmental Impact Statement ("FEIS") for the Soboba Band of Luiseño Indians' ("Tribe") Horseshoe Grande Fee-to-Trust Application

Dear Mr. Broussard:

Thank you for the opportunity to review and comment on the Preliminary FEIS for the Soboba Horseshoe Grande Fee-to-Trust Application ("Project"). The City of San Jacinto ("City") fully respects, supports, and encourages tribal sovereignty and self-reliance, and recognizes there are potential positive effects on the Tribe and the City from a well designed casino/destination resort project. However, the City has a number of concerns about the current design and environmental review of the Project and, as cooperating agency, provides the following comments.

I. Summary of Comments

First, the City appreciates that several of the comments the City submitted during previous rounds of commentary have been acknowledged and addressed. However, some of these responses unfortunately fail to alleviate the City's essential concerns, some of the changes have raised new problems, and several of the issues previously raised remain unaddressed. As reflected in its earlier letters on previous rounds of environmental review, the City continues to be concerned that serious, substantive problems with the EIS remain and that its citizens will bear the brunt of many of the Project's impacts.

NEPA requires an EIS to disclose the impacts of a proposed action and to provide a sufficient degree of analysis and technical information to allow full assessment of a project's impacts by reviewing agencies and the public. *See, e.g., Silva v. Lynn*, 482 F.2d 1282, 1287 (1st Cir. 1973); *Sierra Club v. Morton*, 510 F.2d 813, 817 (5th Cir. 1975). Unfortunately, the FEIS continues to fall short of this legal standard by failing to characterize the Project's impacts

A01-A-1

accurately or to identify properly that several of the Project's impacts that are characterized as less than significant are really significant. These omissions are particularly evident for aesthetics, greenhouse gases, and traffic. In other places, the FEIS ensures that impacts to others, including the County of Riverside, are fully mitigated, but ignores remaining impacts that affect the City and its citizens. The City is particularly concerned about impacts to law enforcement, fire protection services, schools, land use, and noise, and also has continuing concerns about the Project's socioeconomic impacts on the City's residents. All of the aforementioned impacts will be significant, whether the EIS acknowledges this or not, and the proposed mitigation is inadequate. In addition, there are a number of other remaining problematic areas including agriculture, water, the Project's purpose and need, alternatives, and cumulative impacts, among others.

Finally, one of the most glaring, but presumably easily fixed, problems with the Preliminary FEIS is the fact that portions of it have been updated to include current information, but other portions remain unchanged and continue to, for example, refer to events in 2008 or 2010 in the future tense. *E.g.*, FEIS at 1-12¹ (second full paragraph internally contradictory); 3-136 (special assessment district balance will be paid in full in September 2008), 4-418 (inconsistent within the same page), 4-578 to 581 (out-of-date discussion of unemployment and housing); 4-401 & 402 (information on the two pages conflicts). This is confusing and misleading, and leads to many contradictory statements and discrepancies. Efforts must be made to correct this deficiency in order to create a legally adequate document.

II. Failure to Properly Identify Remaining Significant Impacts

The Preliminary FEIS comes to the conclusion that certain impacts will be less than significant, including aesthetics, greenhouse gases, and traffic. However, the conclusions that these specified impacts will be less than significant are simply untenable and unsupported by the FEIS or its appendices.

A. Aesthetics/Visual Resources

The City appreciates that the FEIS has required more mitigation measures to address the Project's significant light and glare impacts. However, the Project is still turning what the FEIS itself recognizes is a currently vacant, rural site surrounded by farming, grazing, and sporadic low-density residential uses, into an urban development. FEIS at 3-181, 4-112. It is residents of the City who will be primarily impacted by the substantial visual degradation resulting from the Project. FEIS at 3-181. The FEIS recognizes that City residents can see the Project site from a number of locations, although its selection of sites to review seriously underestimates the number of locations that will be impacted by the visual changes that would result from the Project. FEIS at 3-184. Despite this, it is unclear if the FEIS comes to any conclusion of significance as to the visual impacts of the Project, page 5-39 suggests that the FEIS comes to a conclusion of less than significant, while page 4-447 suggests otherwise. The FEIS needs to be amended to come to a clear conclusion. In addition, many residents of the City, especially those of Soboba Springs Mobile Estates, will be highly and negatively impacted by the change from peaceful rural

¹ While the citations to the FEIS may sometimes be only to one alternative, to the extent the analysis is the same for the other alternatives, the same comments apply.

scenery to brightly lit, multi-story parking garage, casino, arena, and other urbanized development. Therefore, it is imperative that this significant negative environmental impact be recognized and that substantial additional mitigation measures be added in order to ameliorate this impact as much as possible, and not merely leave the people of San Jacinto to suffer.

B. Greenhouse Gases (“GHGs”)

The City appreciates that the FEIS has attempted to comply with NEPA by adding information regarding the Project’s GHG emissions. The FEIS now recognizes that the Project will result in the emission of enormous amount of GHGs—*more than 72,000 tons* of CO₂ equivalents per year. The FEIS comes to the conclusion that, presumably only at a Project-specific level (although this is not entirely clear), this is not significant with identified mitigation. FEIS at 4-51. The FEIS’s “analysis” in this section merely calculates the percentage that the Project’s GHGs are of the State of California’s entire GHG emissions. This is legally insufficient analysis. It is hard to conceive of any project, including a large coal-burning power plant, that would not be able to come to such a conclusion, making the entire analysis a farce. Other types of air quality or other types of impacts cannot simply be trivialized in this manner, and GHGs should be treated no differently.

Even if a bare disclosure of the Project’s percentage of the entire state’s emissions supported a conclusion that Project-specific GHGs are less than significant, the cumulative GHG section is woefully inadequate, particularly in that it fails to even come to a significance conclusion. GHGs are, by their very nature, cumulative and properly analyzed as part of the cumulative impacts analysis. However, instead of evaluating the significance of the Project’s cumulative impacts, the FEIS merely states that “it is not possible to draw conclusions about the overall magnitude of significance of [the Project] on global climate change in the absence of established quantitative greenhouse gas thresholds.” FEIS at 4-412; *see also* FEIS 4-455 & related pages re: other alternatives. The FEIS also incorrectly states that there are no guidance mechanisms for evaluating GHGs. Both assertions are false. While there admittedly are no thresholds of significance for GHGs that must legally be applied to this Project, there are a number of guidance documents, and various thresholds of significance have been adopted by assorted agencies. All of them recognize a significant impact from GHGs at far, far lower levels than the enormous amounts that will be emitted by the Project. *See, e.g.*, SCAQMD interim threshold of 10,000 metric tons CO₂ equivalent for industrial projects and California Air Resources Board’s interim thresholds of 7,000 metric tons CO₂ equivalent <http://www.aqmd.gov/hb/2008/December/081231a.htm>; BAAQMD thresholds of 1,100 metric tons CO₂ equivalent for Projects other than stationary sources or 10,000 for stationary sources http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_May%202011_5_3_11.ashx etc. The FEIS uses SCAQMD thresholds for other air quality impacts; there is no reason why it does not address its guidance and interim threshold for CO₂ equivalents. Indeed, in determining whether an environmental effect is significant, 40 C.F.R. § 1508.27 requires the analysis of “[w]hether the action threatens a violation of . . . State, or local law or requirements imposed for the protection of the environment.” Therefore, the above, relevant local laws should be acknowledged and addressed. Further, the FEIS must qualitatively analyze its cumulative GHG impacts. It does not, in violation of NEPA.

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A01.A-3

The FEIS's discussion of mitigation for its GHG emissions is also insufficient. While the FEIS claims that the mitigation identified to increase energy efficiency will adequately "ensure the proposed developments will be consistent with efforts to reduce the emissions of greenhouse gases" (FEIS at 4-413), the referenced Appendix discloses that CO₂ will barely be affected by the supposed energy efficiency measures, affirmatively proving that these measures are inadequate. *See* FEIS Appx. Y. The identified mitigation measures are illusory in any case, since they merely say the measures "should be incorporated"; they are not required to be. FEIS at 5-6. Other identified mitigation measures are equally insufficient, including "[f]acilitate public transit system use," which is useless, since how it will be facilitated is not discussed, either is what public transit exists that will serve the area or how many people will use it. *Id.* The inclusion of the "requirement" for solar panels is so vague it appears disingenuous. FEIS at 5-6. If the EIS is claiming these measures are required and will be enforceable, please disclose how many solar panels will be included, where they will be, and how much they will reduce impacts. In addition to making the existing mitigation measures enforceable and analyzing their impacts and efficacy, the Project should incorporate the mitigation measures proposed by the State Attorney General. *See* http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf. The enormous amount of GHGs that will be emitted by this Project are cumulatively significant, and the FEIS must be revised accordingly, with substantial additional mitigation measures adopted.

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C. Traffic

The City was pleased to learn that the Project expressly does not include Lake Park Dr. in the fee-to-trust transfer. FEIS at 2-21. However, the Soboba Springs Mobile Home Estates residents will still have to share their single access road with a large number of additional cars due to the Project, especially during arena events. The FEIS discloses that arena events are expected to attract thousands of additional cars. FEIS at 4-105. However, it is not possible to determine in the FEIS how often arena events will be held, whether they will be held near evening rush hour and therefore contribute to the existing traffic problems at that time, what the level of service of affected intersections will be during such events, how this will affect emergency and other access to the Soboba Springs Mobile Homes Estates or other nearby residences, or such similar considerations. For these reasons, the FEIS's bald conclusion that there will be no traffic impacts appears to be mere wishful thinking. In addition, the mitigation measures in the transportation management plan (Appx. AB) are insufficient, consisting only of such actions as putting out cones, sometimes using officers to direct traffic, and alerting nearby residents when the events will occur. Unless the residents every time stay trapped in their homes and do not leave or return during any of the arena events, they will be caught in the traffic snarl of thousands of cars, particularly the Soboba Springs Mobile Homes Estates residents, who will be sharing a single, small road with every car utilizing the parking garage near the arena. The identified mitigation measures are woefully insufficient to reduce the traffic impacts at all, much less to a level of less than significant.

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General traffic impacts are also substantial. The FEIS acknowledges that Project will add 20,000 vehicle trips per day, FEIS at 4-419, in a town of only 35,000 people. Thus, the Project will enormously increase the number of cars on City roads, particularly those roads in the

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immediate vicinity of the Project. Despite this, there is no mitigation proposed to reduce the substantially increased maintenance costs for the additional wear-and-tear on these roads due to the Project. This is just one of many types of impacts that the City will suffer disproportionately, with no recompense. Because, contrary to the FEIS's incorrect conclusions, there will be significant impacts to traffic, NEPA demands that more mitigation measures be proposed, analyzed, and required in order to reduce the significant impacts being suffered by the City. In addition, the 2006 baseline for traffic is now years out of date, with no discussion of whether it in any way reflects current conditions. FEIS at 3-132.

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The City also requests that the identified mitigation measures for transportation impacts be clarified, preferably with diagrams; it is difficult or impossible to understand exactly how far certain proposed improvements will extend, or exactly where they will be located.

III. Remaining Impacts That Will Disproportionately Impact the City

A. Law Enforcement and Fire Protection

While the FEIS states that an MOU is currently under negotiation (FEIS at 3-155), the City has learned that the Tribe and RCSD have already signed an MOU providing funding for RCSD's provision of law enforcement services for the Project. The signing of this agreement suggests that the Project has a predetermined outcome as to what will be approved, which is forbidden under NEPA. *Wyoming v. USDA*, 661 F.3d 1209, 1263-66 (10th Cir. 2011). In addition, it is not clear how such an agreement would provide for the Project's needs or actually reduce Project impacts to law enforcement, since the last time the two groups signed such an agreement, the Tribe found the service unacceptable and unilaterally cancelled the agreement. FEIS at 3-153. Notably, the current MOU can also be unilaterally terminated by the Tribe. This renders the MOU inadequate to mitigate the impacts that it was intended to address.

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In addition to impacts to RCSD, City law enforcement will also be impacted by the Project and the additional service calls and traffic problems that will be created. Despite this, only RCSD is receiving recompense for the impacts to it, the City receives nothing. FEIS at 5-32. There are simple calculations that allow for the evaluation of how much the City's law enforcement will be impacted and what fair mitigation is, and the City would be happy to provide this information. Mitigation according to these calculations will allow for adequate and reasonable mitigation of the impacts that the City will experience due to the Project.

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The same is true for fire protection, especially since the City fire department has a contractual relationship with CDF/Riverside County Fire and is part of an existing mutual aid agreement. See FEIS at 3-155 to 3-156. However, fire protection apparently warrants no mitigation for (post-construction) Project operations at all (FEIS at 5-32). This must be remedied and adequate mitigation added to alleviate the additional strains that would result from the Project.

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B. Schools

Like many of the other mitigation measures, there is no assurance that the mitigation measures for schools will fully mitigate the Project's impacts, leaving the City unfairly paying many of the impact costs of the Project, while the Tribe receives the benefits. As the FEIS

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recognizes, the majority of the schools within the District are already at capacity, necessitating the construction of new schools. The Project includes jobs that will attract new residents to the area, including people with children, and therefore will impact the already-overtaxed school system. Not only will the Project increase the burden on schools, it is doing so while decreasing property tax and education funding by hundreds of thousands of dollars per year, in a recession where property taxes and education funding have already taken a big hit. FEIS at 4-86, 443. As mitigation, the Project includes adoption of an undisclosed amount of in-lieu development fees. FEIS at 5-33. It is impossible to know if undisclosed mitigation can be adequate. In addition, it should be noted that the amount of in-lieu fees that would be required under the California Environmental Quality Act to mitigate for impacts to schools would be insufficient for the Project, since those amounts were calculated for properties that would continue to produce property taxes, and use of the same formulas would result in this Project significantly undermitigating for its impacts to schools. A substantially increased amount of in-lieu fees above what would normally be required would be necessary to adequately mitigate for permanently ending the land's production of property taxes and education funding.

A01-A-11 Cont.

While the sales taxes that will supposedly be generated by the Project will allegedly be greater than the property tax losses, sales taxes go to the state government, not the local governments, leaving the City once again holding the bag for a benefit to the Tribe. The City is not generally opposed to the Tribe benefiting through the creation of new business opportunities in a destination resort-type project, but the City objects to being left to suffer the drawbacks and many of the costs of the new development, while receiving little if any benefits.

C. Land Use

The FEIS recognizes that there will be significant land use impacts from the Project (FEIS at 4-431), which will significantly impact City residents. These negative impacts will be felt most harshly by the residents of Soboba Springs Mobile Homes Estates and other nearby residents, who will be thrust from a peaceful, bucolic setting to an urban environment, with bright lighting, noise, traffic, and incompatible uses. While the FEIS purports to analyze land use impacts in these individual sections, it does very little, and by relegating what discussion there is to separate sections, significantly discounts the overall impacts that will be felt. A separate section honestly and completely disclosing and analyzing the land use impacts that nearby residents will experience is necessary for a full and legally adequate EIS. In addition, the mitigation measures for land use impacts pertain only to lighting. FEIS at 5-27 to 5-29. Substantial additional mitigation measures must be added to reduce other land use impacts to the extent feasible. Again, the City would be happy to discuss measures that might help address these impacts, once they have been fully disclosed and analyzed.

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D. Noise

Noise is another area of concern because the impacts will once again be felt almost solely by City residents. However, the noise section of the FEIS is deficient under NEPA. First, the section utilizes an eight-year-old baseline (FEIS at 3-170), without ever addressing whether existing noise levels have increased in the interim. This is concerning because so many of the disclosed noise levels are so close to the levels of significance. *See, e.g.*, FEIS at 4-269.

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The information in the FEIS indicates that there will be a significant impact due to noise during the construction phase of the Project, but improperly comes to a conclusion of less than significant. FEIS at 4-264. The reason given for the conclusion is that, while construction noise impacts would exceed levels of significance, it is unlikely that all of the equipment would be operated simultaneously, and construction is “temporary.” *Id.* This is insufficient to support a conclusion of no significant impact because there are no mitigation measures or other requirements preventing most or all of the identified equipment from running at once, and no disclosure or analysis of how many machines can be operating simultaneously before the noise thresholds are exceeded, and the EIS elsewhere talks about two years of construction, which is definitely long enough to result in impacts to nearby residents. In addition, certain recently added portions of the noise analysis state that if added noise is a lower dBA than existing noise, a less-than-significant impact will automatically result. *See, e.g.*, FEIS at 4-300, 327, 351. This is not true; noise is additive, as is recognized elsewhere in the EIS, including Appendix X. Adequate analysis of how the additional noise will impact existing noise levels needs to be performed.

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Also, please amend the Noise mitigation measures to clarify that construction will not be performed on holidays. FEIS at 5-35.

IV. Other Concerns

Agriculture: The Agriculture section is self-contradictory, at once saying the Project site does not contain locally important farmland, but that the City has pointed out that two parcels on the Project site are farmland of local importance. FEIS at 3-145. There is no difference between “locally important farmland” and “farmland of local importance,” and any such attempt at a distinction is false. The FEIS must be amended to discuss the existing farmland of local importance and analyze what impact the permanent elimination of that farmland of local importance will have on agriculture.

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Water: While the Tribe may have sufficient water rights to cover the water needed to serve the Project (FEIS at 4-406, 434), that assertion alone does not analyze whether exercising a larger portion of those water rights for the first time will have a significant environmental impact. Others are apparently currently using the water that the Tribe plans to use, and the potential resulting overpumping of groundwater under the admitted “current overdraft” (*id.* at 4-406) could likely result in foreseeable significant environmental impacts. Simply because the Tribe has the legal right to do something does not mean that doing so will lack any environmental impacts. Alternatively, eliminating the uses currently utilizing the water could also potentially have a significant environmental impact, depending on what those uses are. This needs to be disclosed and discussed.

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Drainage: The FEIS recognizes that the Project may have drainage impacts on downstream properties (FEIS at 4-11). While the FEIS later recognizes that proposed facilities will “prevent flooding of the Development Site and result in a less than significant effect” (*id.* at 4-15, emphasis added), it needs to ensure there will also be no resulting impacts offsite as well.

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Cumulative Impacts: The typical way for cumulative impacts to be analyzed is for other potential or proposed projects in the vicinity to be listed and their impacts quantified and

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described qualitatively. The impacts of the Project are then added to the other projects' anticipated impacts to evaluate whether cumulative impacts will result. Here, however, it is difficult to know exactly what other projects are being considered, and there is little or no disclosure of the other projects' impacts, and no disclosure of those impacts plus project impacts. For this reason, much of the cumulative impacts analysis is insufficient under NEPA.

Mitigation Measures: A number of legal deficiencies in the mitigation measures are identified above. In addition to these, there are many other problems as well. For example, many of the mitigation measures are illusory, such as “[t]he Tribe should voluntarily comply with applicable South Coast Air Quality Management District rule and regulations,” and that the specified measures “should be incorporated.” FEIS at 5-6. Because of the use of the word “should” instead of “will” or “must,” these mitigation measures are meaningless, since they can, on their face, be completely ignored if the Tribe decides it would rather not do what it “should.” See also FEIS at 5-12 (“Traffic signals shall be installed *when warranted*,” emphasis added, no discussion of how to know when, if ever, they would be warranted), 5-27 (new lighting will have motion-sensor activation “where feasible,” no discussion of what is required to be considered “feasible”); 5-28 and 5-37 (vegetative screening will minimize offsite light and glare and to screen aesthetic impacts, but it will take years to grow, no discussion of what the changes in the level of impacts will be before it is mature).

In past objections to the adequacy of mitigation measures, the City has been told that the Tribal Alliance of Sovereign Indian Nations (“TASIN”) grant process will adequately mitigate any impacts to the City. This is simply not true. Mitigation must be certain, enforceable, and tied to the impacts it is seeking to reduce. Grants received from TASIN are not tied to specific impacts and are not certain of being received in any amount, much less an amount commensurate with the impacts requiring mitigation.

Alternatives and Purpose and Need: NEPA emphasizes the importance of evaluating alternative sites. See, e.g., *Methow Valley Citizens Council v. Regional Forester*, 833 F.2d 810, 815-16 (9th Cir. 1987). While the City understands that the BIA and the Tribe prefer the proposed location for the Project, almost any relocation would lessen or eliminate the majority of the impacts to the City and its citizens. For this reason, full consideration of an alternative location is imperative. While the EIS briefly acknowledges the possibility of having the casino located on existing tribal property, it rejects this without analysis, merely stating that it would not meet the Project’s purpose and need of being located by the golf course. However, this reason for rejecting it is improper, especially since having the casino located next to the golf course is not identified as a purpose or need of the Project in the EIS. See FEIS 1-5 to 1-6.

While the EIS has a number of changes to the purpose and need, presumably in response to the City’s previous letter pointing out the deficiencies in this section of the Draft EIS, the changes do not solve any of the problems the City had identified. Moreover, additional problems have arisen because of these changes. For example, one of the reasons given for the fee-to-trust property acquisition is to provide a homeland that “is subject to Tribal management, protection and conservation of the land base, and cultural and natural resources through the Tribe’s exercise of governmental powers” and to “increas[e] the conservation of natural and cultural resources under tribal jurisdiction and sovereignty.” FEIS at 1-5. However, all of that is possible by the Tribe’s owning the land in fee, as it does now, and no reasons are identified as to how

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A01-A-19

transferring it into trust meet these goals. This is especially relevant regarding the goal to help conserve cultural resources, since the FEIS concludes there are none on the property, or natural resources, which will be destroyed by the conversion of rural land to an urbanized casino/hotel, not conserved. The only other goals identified that may result from transferring the property from fee to trust are: “allow[ing] the Tribe to avail itself of the benefits of Federal laws that apply in trust status” (but no such laws are identified) or “restrict[ing the land] against future alienation and [making it] immune from state and local taxation and regulation.” However, merely freeing the land from the environmental protection of California laws and harming the City by removing a property tax source are negative environmental and economic impacts, not worthy or permissible goals, especially for a Project that, in its current form with the inadequate mitigation discussed above, is so environmentally damaging.

A01.A-19 Cont.

V. Conclusion

The City, as cooperating agency, believes that the FEIS continues to be legally inadequate in a number of respects. For this reason, the City urges BIA and the Tribe to address these inadequacies fully before taking any action on the fee-to-trust application.

The City’s residents and others have also expressed many of the above concerns about the previous environmental review that was prepared on the Project. Please see and consider the attached letter from Save Our Communities, a group of concerned citizens from the five residential communities in the immediate vicinity of the Project, who will suffer the brunt of the Project’s significant environmental impacts.

Despite the above criticisms on the referenced document, it is the City’s desire to continue to have cooperative relations with the Tribe. If the Tribe similarly wishes to maintain cooperative relations with neighboring governmental entities, then the City would appreciate it if its concerns on the Project could be addressed, as the City continues to believe that it is possible to address all of its concerns in a manner that is satisfactory to all parties. The City would be happy to discuss any of the above, and ways to ameliorate the identified problems in more detail, or other issues that may arise, and hopes to have the opportunity to do so.

A01.A-20

Very truly yours,

Tim Hults
City Manager
City of San Jacinto

cc: The Honorable Mayor and San Jacinto City Council
Jeff Ballinger, City Attorney
Karl Johnson, Legal Counsel, Soboba Band of Lusieño Indians

Attachment

24438.10048\7213020.3

Handwritten notes: "T. and ✓", "DEIRMS", "N/b", and a stamp: "RECEIVED: DAA", "2009 AUG -5 PM 3:04".

SOC

Save Our Communities

August 1, 2009

PACIFIC REGIONAL OFFICE

Dear Regional Director Morris,

Below is a summary of our issues and requests.

BACKGROUND: The Soboba Band of Luiseño Indians, in coordination with the Bureau of Indian Affairs, is preparing an Environmental Impact Statement for a proposed fee-to-trust land transfer. On July 2, 2009, the Draft Environmental Impact Statement (DEIS) was released for public comment. The comment period will end on September 15, 2009.

- SOC (Save Our Communities) consists of and represents a majority of the concerned citizens from the three residential communities and several major land owners in the immediate vicinity of the proposed fee-to-trust land annexation by the Soboba Band of Luiseño Indians. We are approximately 1200 residents on over 850 acres. ▲ A02-15 ▼
- The subject property, known as the **Horseshoe Grande Fee to Trust Transfer**, consists of 34 parcels, totaling 534.91 +/- acres of land, (almost 1 sq mile) located in the City of San Jacinto and Riverside County. ▲ A02-16 ▼
- The six communities would become **islands of U.S. territory within reservation (Sovereign nation) borders** and U.S. citizens as well as local, County and State agencies would have no valid input in what happens on sovereign Indian land around these residents with regard to type of construction, noise and visual pollution, traffic flow, crime issues, air quality, hazardous conditions, water and other environmental issues. ▲ A02-17 ▼
- Proposed development on the subject property would include a casino/hotel, massive parking structure, Tribal fire station, waste water treatment facility, and gas station/convenience store. The **location is significantly hampered by seismic, flood, fire and limited accessibility factors.** ▲ A02-18 ▼
- If this plan were put forth by a private individual; the myriad of negative factors in the location and the significant impact to local resources would render it **completely unfeasible** and beyond consideration. ▲ A02-19 ▼
- This Proposed Project would **violate over 20 of the City of San Jacinto's General Plan requirements** for the Horseshoe Grande area. The General Plan was developed to enhance and maintain the tone of various areas of the city for the betterment of the entire City of San Jacinto and its citizens. ▲ A02-20 ▼
- The proposed mitigation plans described in the DEIS have not been presented to corresponding agencies for validation; they are merely ideas of what may happen. The mitigation plans are drafted in order to **provide documentation to support the approval** of the fee-to-trust application; they are not assurances, guarantees or commitments of specific actions developed by the Tribe. ▲ A02-21 ▼
- **The Tribe's 1999 Compact does not require mitigation actions.** The DEIS repeatedly states that once the fee-to-trust application is completed, the land is no longer subject to ordinances, building codes, land use designations, etc. and would be under Sovereign Rule. The drafted mitigation plans, or the whole proposed project could then be disregarded in favor of other purposes. ▲ A02-22 ▼
- The California State Association of Counties letter of September 8, 2008 reports that: **"for every dollar** the community collects from gambling-related taxes, **it must spend three** dollars to cover new expenses, including police, infrastructure, social welfare, and counseling services."

- The transfer would **eliminate all tax revenues** for the City and County from property taxes, TUMF, sales tax, etc., for perpetuity. Currently significant tax revenues are generated by the subject property and future development would generate significant additional revenues. A02-23
- Many of the economic benefit projections rely on data from as far back as 2002; greatly **misstating the positive results** in light of the current economic downturn. A02-24
- The Secretary of the Interior must determine whether the establishment of a gaming facility for the Tribe on these lands (A) *will be in the best interest of the Tribe and its members* and (B) **will not be detrimental to the surrounding communities**. A02-25
- SOC supports Tribal self-sufficiency, to have jobs and career opportunities, however, this proposed project, a Las Vegas-style high-rise hotel/casino resort situated on light residential zoned land in the middle of a predominately senior citizen residential area is **not appropriate and not the answer** to those goals. A02-26
- It is not appropriate, nor the intent of the law to harm U.S. citizens who may be caught in a Tribe's sovereign pursuit of economic gain. We cite the spirit and the intent of Environmental Justice as defined by the U.S. Environmental Protection Agency's (EPA) Office of Environmental Justice: A02-27

*"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that **no group of people**, including racial, ethnic, or socioeconomic group **should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of Federal, state, local, and tribal programs and policies.**"*

REQUESTED ACTION BY YOUR OFFICE:

1. **BECOME INFORMED** of the substance and consequences of the fee-to-trust application by becoming familiar with the DEIS. It is available on line at: <http://team.entrix.com/clientsite/soboba.nsf> A02-27
2. **BE PREPARED** the BIA will ask whether this fee to trust acquisition and gaming facility will be detrimental to the surrounding communities; this will occur via inquiry of State, County, and local governments of the immediate cities and surrounding communities.
3. **ENSURE** the County of Riverside is on record with the Bureau of Indian Affairs as a "Cooperating Agency" scheduled to receive any and all notices regarding this Transfer and responds to all actions by the BIA.
4. **SUPPORT OPPOSITION** to the Horseshoe Grande Fee to Trust Transfer by the Soboba Band of Luiseno Indians.

Thank you for giving us your time.

Respectfully,

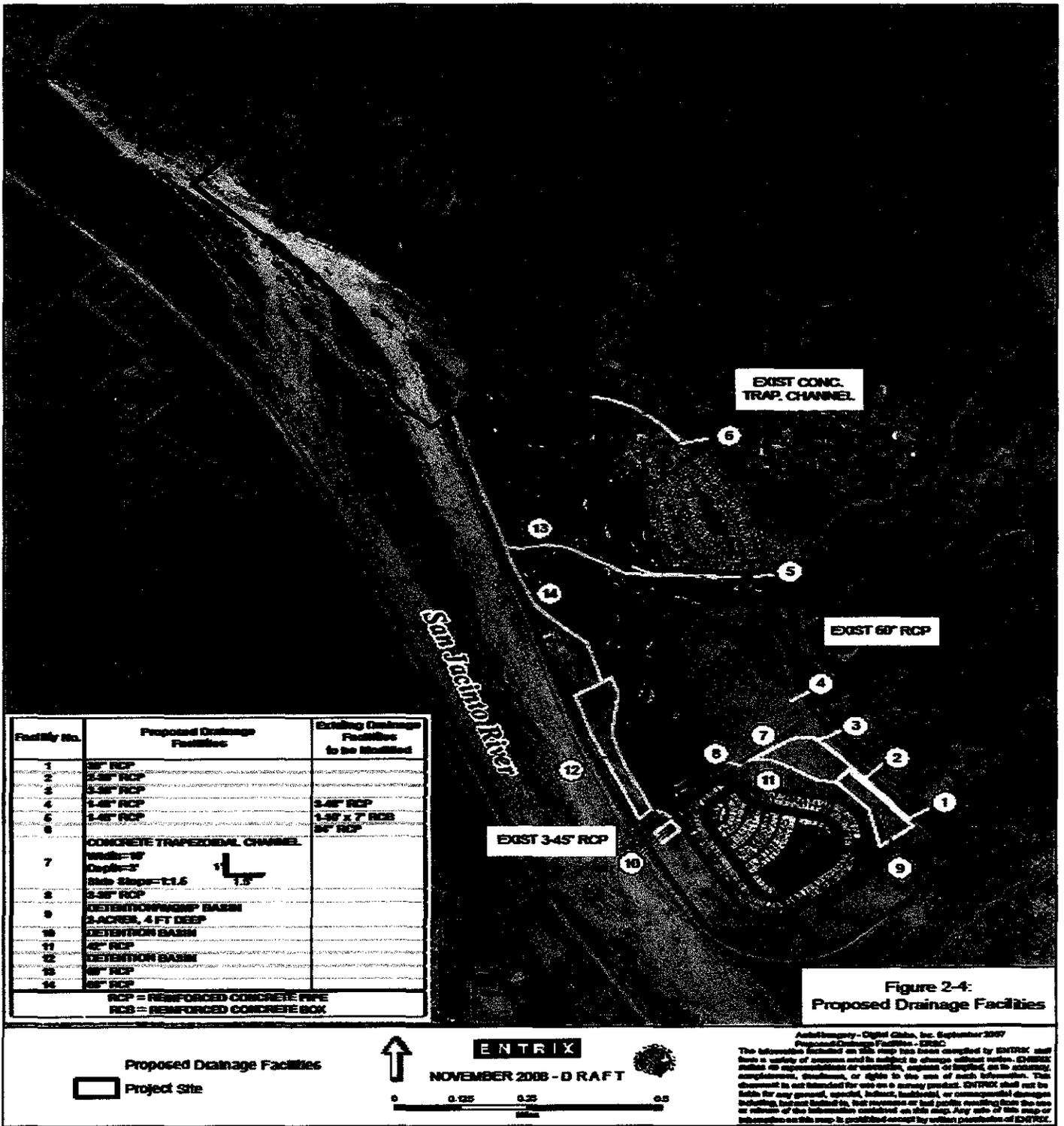
SOC

Mission Statement

Save Our Communities is opposed to the conversion of Horseshoe Grande land from fee-to-trust; and subsequent annexation to the Soboba Band of Luiseno Indian Reservation.

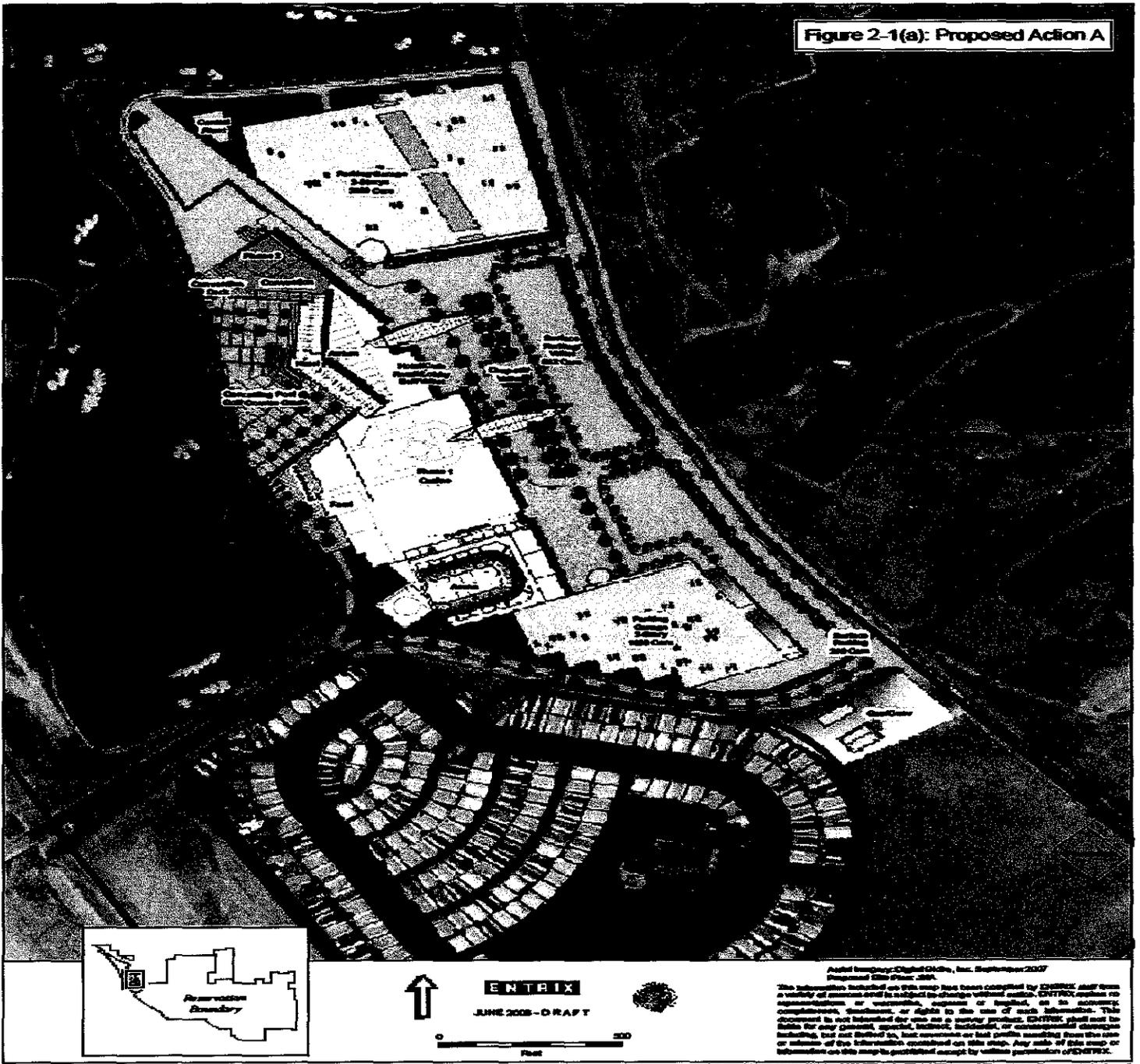
We desire this land to remain with its current boundaries, jurisdictions and zoning.

P.O. Box 682, San Jacinto, CA 92581 SOC92583@gmail.com



From the DEIS: Figure 2-4 is intended to show the drainage facilities, it is also the best representation of the complete scope of the land subject to the fee-to-trust ownership transfer. You can see how the residential communities will be engulfed by reservation lands. The land straddles Soboba Road, the only access to the communities located (where the numbers are placed) at #5, #6, and above and to the left of the #6; as well as the ranches at #1, #3. Likewise, the land straddles the only road access to the mobile home community located at #11.

Figure 2-1(a): Proposed Action A



Aerial Imagery: DigitalGlobe, Inc. September 2007
 Proposed Site Plan: 2008
 The information included on this map has been compiled by ENTRIX and from a variety of sources and is not to be used without notice. ENTRIX makes no representation or warranty, express or implied, as to accuracy, completeness, timeliness, or fitness for the use of such information. This document is not intended for use as a survey product. ENTRIX shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of ENTRIX.

From the DEIS: Figure 2-1(a) shows the project with the realignment of Lake Park Ave, the only access to the mobile home community. At the top, center is the closest point the development will come to the golf course homes (not shown); approximately 340 feet. The new view from those homes will be the back side of the 4 story parking structure. The depicted structure, approximately in the middle-center of the figure, will be only 170 feet from the closest senior home. The light and glare from the project is described as being visible from the mountain communities and having a "cumulatively considerable effect on visual resources" despite mitigation.

A02-29

SCOPING ISSUES OF THE **SOBOBA HORSESHOE GRANDE PROJECT**

Report prepared by SOC Committee

April 2009

Mission Statement

Save Our Communities is opposed to the conversion of Horseshoe Grande land from fee-to-trust; and subsequent annexation to the Soboba Band of Luiseño Indian Reservation.

We desire this land to remain with its current boundaries, jurisdictions and zoning.

P.O. Box 682, San Jacinto, CA 92581

SOC92583@gmail.com

SCOPING ISSUES OF THE SOBOBA HORSESHOE GRANDE PROJECT

Report prepared by SOC Committee

FEE-TO-TRUST PROPOSAL BY THE SOBOBA BAND OF LUISENO INDIANS:

The Bureau of Indian Affairs, in coordination with the Soboba Band of Luiseno Indians, is preparing an Environmental Impact Statement for a proposed fee-to-trust land transfer. The subject property, known as the Horseshoe Grande Property, consists of 34 parcels, totaling 534.91 +/- acres of land, located in the City of San Jacinto, Riverside County, California. In addition to the land transfer, the Proposed Action also includes the relocation of the Tribe's existing casino, which presently resides on trust lands, to the subject property. Furthermore, the Proposed Action includes the development of a 300 room hotel complex that would be connected to the proposed casino. Within the proposed casino-hotel complex, various food and beverage services, conference center, spa and fitness center, and four retail establishments are also proposed. The other proposed developments on the subject property would include a Tribal fire station and gas station/convenience store.

The Secretary of the Interior must determine whether the establishment of a gaming facility for the Tribe **on these lands (A) will be in the best interest of the Tribe and its members and (B) will not be detrimental to the surrounding communities.**

Scoping Report for the Draft Environmental Impact Statement (DEIS) Of the Soboba Horseshoe Grande Project

EXECUTIVE SUMMARY:

We believe it is not appropriate, nor the intent of the law, to harm U.S. citizens who may be caught in a Tribe's sovereign pursuit of economic gain. We believe the adverse effects of this Project, on this proposed site, significantly outweigh any possible positive effects. The accumulation of short and long-term negative effects will prove disastrous to the city, its citizens, the environment and the Tribe. We hope the Soboba Tribal government will seek other more appropriately placed projects to help their members while taking into consideration their neighbors and work together with the community to become a socially, economically and environmentally strong sovereign nation.

SOC (Save Our Communities) consists of concerned citizens from the three residential communities in the immediate vicinity of the proposed fee-to-trust land annexation by the Soboba Band of Luiseno Indians.

Mission Statement: We are opposed to the annexation of the Horseshoe Grande property consisting of 534.91 +/- acres into a fee-to-trust for the Soboba Tribe and desire the land remain within the boundaries and jurisdiction of the City of San Jacinto, County of Riverside, with its current light residential, recreational zoning intact.

It is with that goal that SOC has prepared a report outlining our response to each of the Scoping Issues mentioned in the Scoping Report for the Draft Environmental Impact Statement (DEIS) of the Soboba Horseshoe Grande Project.

These issues, found on pages 13 through 28 of the Scoping Report, and others, will be considered by the Secretary of Interior to conform to the Indian Reorganization Act (IRA), or Code of Federal Regulations (CFR) 25, 151.10 and 151.11 in which the Tribe must prove that the proposed project is *(A) In the best interest of the Tribe and its Members and (B) The proposed project will not be detrimental to the Surrounding Communities*. Within each of these sections, there are Environmental, Social, and Economic issues, which will be addressed in this report.

Attachments follow the report in an Appendix and are numbered for reference.

SCOPING ISSUES:

SOC will address the following three issues in each of the two-part determinations (A) Best Interest of the Tribe and (B) Will Not Be Detrimental to the Surrounding Communities: (1) Environment, (2) Social and Cultural impacts and (3) Economic impacts on the local and regional community.

SOC will document each issue with researched facts and present thoughtful and well-reasoned implications and conclusions. Due to the historical, geographical, cultural and other issues pertinent to the Soboba Tribe's request, SOC intends to continue to conduct further investigation and fact-finding. As a result, SOC anticipates submitting supplemental comments in opposition to the Tribe's request.

(A) Best Interest of the Tribe

vs.

(B) Will Not Be Detrimental to Surrounding Communities

<u>Environmental</u>	<u>Social</u>	<u>Economic</u>	<u>Environmental</u>	<u>Social</u>	<u>Economic</u>
Preserve Culture	Sovereignty	Growth	Air Quality	EMT	Revenue
Added Land	Aboriginal	Diversity	Water	Police	Property
Better air	Membership		Visual	Utilities	Business
Better access			Noise	Crime	Cumulative
Safety			Traffic	low \$\$	
			Biology	Cultural	
			Land Use	Legal	
			Hazards		
			Geology		

A02-35

In accordance with the Indian Reorganization Act (IRA) section 5, clarified in CFR 25, 151.10 and 151.11, the Tribe must prove that this Fee-To-Trust acquisition will be

A02-36

(A) IN THE BEST INTEREST OF THE TRIBE AND ITS MEMBERS

(1) ENVIRONMENTAL

(1.1).The Tribe contends that this project will **PRESERVE CULTURAL RESOURCES** (pages 5 and 27 of the Scoping Report).

The BIA requires evidence from the tribes for what they contend and what they want to accomplish. According to Larry E. Scrivner, Acting Director, Office of Trust Responsibilities, Bureau of Indian Affairs in 2003, "Indian tribes sometimes think that they are entitled to the land because it is a trust responsibility of the government. We do not argue or debate that contention. Rather, we look only at the merits of the application."

A02-37

We assume the Tribe wants to preserve its cultural resources on these lands. The City of San Jacinto, in its January 17, 2008 letter (comment #28 in Scoping Report), states, "...potential cultural resources, including archeological and paleontological resources, may occur throughout the City's planning area, including the Project area. Thus, the EIS for the Project should include an analysis of potential resources and should also identify potential mitigation measures to address both known resources and the discovery of resources during Project construction."

A02-38

The Mission Indians Relief Act of 1892 established the Mission Indian reservations in California. Prior to that, Congress conducted a detailed and comprehensive Survey in 1888. The Soboba are identified as the San Jacinto Indians on page 28 of a copy of that Survey (1). In this survey, lands are described where the Tribe settled and lived in commonality exercising governance over their own members and the land. These lands are located on the present reservation and not on the proposed Project land. This information is on pages 4, 5, 6, & 7. Chairman Salgado, in a Hemet News article, 1/2/05, stated, "It was our property at one time, taken away in some kind of way or another and we're just paying fair-market price and then some." The land may well be within ancestral territory, however, the Chairman has offered no proof of "Indian Title" or evidence of significant historical connection to the land.

A02-39

Soboba Attorney Karl Johnson, in a Hemet News article dated 3/24/08, stated "the fee-to-trust transfer would bring abutting, ancestral land back into the reservation and restore the cultural heritage of the people who originally owned it." He also offered no proof of ancestral ownership or how their cultural heritage was destroyed on this Horseshoe Grande land. If the Tribe wants to maintain existing cultural resources, archeological, paleontological and native vegetation of cultural significance to tribal life, then paving over the majority of the acreage is not going to do that.

A02-40

At a Tribal/Community Working Group Meeting on March 19, 2008, the tribe was asked if it would be necessary to do an archeological study of the Horseshoe Grande property and Rose Salgado, one of the Tribal Council Members said, "It will not be necessary, all that was found on the site are a few tin cans."

Reports by SOC members refute the Tribe's contention that this Project will preserve its cultural resources on the 534.91 acres it purchased. (2 & 3)

(*)Scrivner, Larry. Acquiring Land Into Trust for Indian Tribes. 4/24/03
(*)Congressional Survey, 1888, from the Alfred Smiley Report, Smiley Library, Heritage Room Archives, 125 W. Vine, Redlands, California 92373

(1.2) The Tribe contends it needs **ADDITIONAL LAND FOR OPERATIONS** (pages 5 and 27 of Scoping Report). The Tribe states that it needs this Horseshoe Grande land, located one mile north of the existing casino, to build its hotel/casino complex and additional structures. It claims there is no land available on its several thousand acre reservation, to which it recently annexed The Oaks property (September 2007) consisting of 477 acres. This is adjacent to the northern portion of the reservation. The Tribe owned this land since 2004 and has recently added a football stadium, a baseball field, a four-field softball complex, a 1000-person capacity baseball park, locker rooms, parking lot, water supply and waste water infrastructure, restrooms and concessions.

According to the Scoping Report, page 27, "the Tribe has utilized most of its usable acreage for community services..." That implies there is usable land still available.

The hotel/casino is planned for only 35 to 40 acres of proposed land and the existing casino sits on approximately 60 acres. Although much of the reservation is mountainous, there are large parcels of land adjacent to the existing casino that could be purchased by the Tribe for the resort as well as using part of The Oaks 477 acres. Google maps show the extensive amount of land around the present casino that could possibly be donated for the hotel and parking structure. (4)

The need for additional land is not to support tribal housing, government infrastructure, or to resolve local land management conflicts. Rather, it is to create a heavily commercialized resort and Class 111 Gaming Facility (which Soboba already have) on land zoned light residential. The Tribe contends that the reason it needs additional land for the hotel/casino beyond its current reservation land is that its current casino and reservation land is in a flood zone. According to the FEMA Flood Insurance Rate Map, both sites are within the same Flood Zone X.

Our SOC member's reports (5 and 6) discuss the flood zone and additional land issues.

A02-40 cont.

A02-41

It is feasible that the Tribe will operate two casinos. During a City Council meeting of June 17, 2004, "Chairman Salgado commented they are comfortable with the compact with the state, presently that means two casinos with a total of 2,000 slots. Their economists will evaluate whether it is better to do one or two (casinos)". Impacts on the surrounding areas would be magnified if both locations are used.

A02-42

(1.3) The Tribe contends that the new casino would bring **IMPROVED AIR QUALITY** (pages 14 and 27 of Scoping Report). Quite the contrary, SOC believes the Project would bring more pollution with regards to grading dust, truck and car exhaust, and general construction pollution associated with such a large project. The City of San Jacinto's letter to the BIA also stated "the Project site is located within the South Coast Air Basin, which is in nonattainment for ozone and particulate matter". According to the United States Environmental Protection Agency, in a letter to Robert Salgado dated August 21, 2008, it states "Your reservation is located in an area that EPA is proposing to designate as nonattainment for the 2006 PM2.5 air quality standard" (21). According to the EPA, any proposed development would require a *New Source Review Permit* requiring more rigid air quality control standards and off-setting emissions controls for this already polluted area.

A02-43

In the largest and longest study of its kind (7), USC researchers have found that living near a busy road and in a high-pollution area, there is a doubling of damage to your lungs, especially those of children and life expectancy is reduced with this pollution. The greatest damage appears to be in the small airways of the lung and is normally associated with the fine particulate matter emitted by automobiles. According to the lead author, W. James Gauderman, an epidemiologist at the Keck School of Medicine of USC, "Even if you are in a relatively low regional pollution area, living near a road produces lung problems". All the researchers conceded that *there is little that can be done to mitigate the effects of the traffic pollution.*

A02-44

(1.4) The Tribe believes there will be **EASIER ACCESS** (page 27 of Scoping Report) to the new casino site, rather than the existing site less than a mile away. Since there are presently only two small two-lane country roads to the casino and

A02-44

these same two-lane roads will go to the new casino, this premise is hard to understand.

Severe congestion occurs during special events on those two roads and it would continue to occur at the new casino site especially since the Project will include a hotel resort as well as the casino, and especially if the current casino site remains open in some capacity.

Community members have requested a traffic light at the intersection of Lake Park and Soboba Road and the City has not complied. The communities have asked for a speed monitor from TASIN money distributed by the Tribe and it has not been granted nor purchased. Access to the casino is across one two-lane bridge and that access would be the same if the casino was relocated to the Horseshoe Grande property. Easier access would be achieved to the existing casino and reservation if the Tribe followed through on its statement that it was considering a road and bridge to extend Esplanade directly to its existing casino (Press Enterprise, Dec. 31, 2006). Esplanade is a four-lane road and plans have been approved for Ramona Expressway to be widened and reconfigured with easy access to any extension of Esplanade (8). This would lessen the 24 hour traffic on Soboba Road and Lake Park Drive that is so troublesome for the three directly affected communities.

(1.5) The Tribe contends that moving the casino to the Horseshoe Grande property and incorporating it into the reservation as fee-to-trust land will create **BETTER CUSTOMER SAFETY** (page 27 of Scoping Report). However the Tribe is taking the lead in attempting to eliminate Public Law 280 which currently provides local public safety agencies access to the reservation. The three communities represented by SOC would become islands within the reservation boundaries which would create a checkerboard pattern of public safety services and confusion as to jurisdictional issues regarding police and emergency services.

In 2007 and 2008, State Legislation was introduced and debated to provide tribal governments the authority to issue fines to trespassers (SB 331). This legislation did not pass, as the appropriations committee found that it was not only detrimental to non-Indian citizens living in and around Indian lands, but the new statute could potentially be used as a tool by tribal governments to exclude and

A02-44 cont.

A02-45

A02-46

A02-47

harass des-enrolled tribal members or non-Indian citizens from their private allotments. While this legislation did not pass, it does not mean this bill will not be affected by the proposed Soboba land acquisition. The concern over non-tribal access to private property is real. Access to non-tribal private property is threatened by this land acquisition.

A02-47 cont.

No evacuation plan for the reservation or the new proposed developments has been presented or discussed. There is great concern for the casino, Indian and non-Indian patrons, and neighboring communities in the case of disaster. Stand Up For California recently submitted a letter of concern, dated August 15, 2008, addressing the Soboba Breach of Compact – Unreasonable Risk of Harm to the Public (9). A multi-story hotel/casino (the EA must state how high the hotel will be) and a multi-story parking structure becomes a hazard in an earthquake, flood, fire or criminal act. Will there be sufficient high rise ladder fire trucks, emergency helicopters and supporting landing pad at the reservation? Fire Agencies and Firefighters require special firefighting equipment and breathing apparatus in buildings over 5 stories high. Will the Tribe provide funding to cover the cost of this as well as the necessary training? Moreover, with the Tribe's request to eliminate PL 280, there is no obligation by the State or its political sub divisions to provide emergency services to the Tribe, and that includes response to 911 calls for any purpose. What is the Tribe's plan to address public safety at the casino?

A02-48

A02-49

* The two (2) small two-lane roads would be clogged in the event of a panic evacuation with no plan.

A letter from Jim Ayres, Mayor of the City of San Jacinto, dated June 23, 2008, states that the city is concerned about the safety of the public. (10) "The public safety issues affect the ability of the City's laws enforcement and firefighters to venture onto the Reservation in order to perform their essential public safety duties." If the three communities become surrounded by Reservation land, that issue becomes even more serious. The letter continues, "Unless and until the City Council can be assured of the personal safety of the residents of San Jacinto, the public who would be visiting the Reservation, and the Tribe's own residents, any expansion of the Reservation would be inappropriate".

A02-50

(2). The contention that the Fee-To-Trust Acquisition is in the **BEST INTEREST OF THE TRIBE** in the **Social** area involves three sections.

(2.1) The Tribe contends that it needs to exercise *complete* **SOVEREIGN POWER** over land that is owned by the tribal government (page 27 of Scoping Report). Complete sovereign power over the land would include what it does with the land, how it does it, policing, labor laws, criminal law, civil rights, noise regulations, traffic oversight and many other rules and regulations now presided over by the local and state authorities. Our three communities are concerned about being surrounded by a Sovereign Nation where we have no rights or guarantee to unrestricted ingress or egress through Reservation land, or any input into what happens on sovereign land directly adjacent to our homes.

There will be issues of noise and light pollution, crime, and traffic to mention a few. Neighbors who live adjacent to the Golf Course Clubhouse, which is owned by the Tribe, but on city land, have problems with noise from employees at 5 am, parties and bands on the patios past 10 pm, special events and cars leaving the parking lot until 1am. Management and the Tribe told them that they bought near the golf course so they should expect that level of activity and asked them if they had double paned windows to keep the noise out. It is not appropriate, nor the intent of the laws, to harm U.S. Citizens for the good of Tribal members.

The Indian Gaming Regulatory Act, 25 U.S.C. @ 2701 sets the criteria under which gaming activities can occur on Indian lands. One requirement is that if gaming is to occur on off-reservation lands, those lands must be trust lands over which an Indian tribe exercised governmental power. The very nature of tribal sovereignty presents varying levels of jurisdiction complicating law enforcement protocols.

According to a letter from Assistant Secretary Carl Artman to the Regional Directors, BIA, dated January 3, 2008,(11) Mr. Artman states on page 5, under the section Greater Weight, that jurisdictional issues should be given greater weight. "The more the transfer of Indian jurisdiction to that parcel of land is likely to disrupt established governmental patterns. The Department [of Interior] has considerable experience with the problems posed by checkerboard patterns of jurisdiction. With respect to jurisdictional issues, the application should include copies of any intergovernmental agreements negotiated between the tribe and

the state and local governments. Failure to achieve such agreements should weigh heavily against the approval of the application.”

The Tribe and the City of San Jacinto and the County Sheriff’s Department have failed to achieve any agreements regarding the Tribe’s contention that its sovereign power guarantees the right to govern without any outside influence or regulation.

In *Nevada v. Hicks* ,(12) the State of Nevada dealt with the issue of tribal sovereignty misconstrued to be akin to that of foreign nations. Tribal sovereignty proponents embrace isolationism and insularity. Chairman Salgado appears to be of this thought as proven in his comments in the Los Angeles Times news article, dated June 10, 2008, in which he states, “We are a sovereign nation. No one has the right to tell Indians how to run their sovereign nations”.

Rather, according to *Nevada v. Hicks*, states are constitutionally established sovereigns and tribal sovereignty is developed in federal courts to shield tribes and tribal members from nonmembers, not to invest them with power over others. According to the Framers of the Constitution, Tribes have a place in the constitutional order. The federal government’s duty towards the tribes is almost universally described as protective. There is the notion that the federal government shields the tribes from harm and interference by outsiders, insulating and protecting them from non-Indian aggression. The Framers did not assume that tribes would be impervious super-sovereigns.

Chairman Salgado wishes to expand the Tribe’s jurisdiction and authority, however, such expansion is not a natural development of tribal sovereignty. Rather the Tribe must find its limits and accept others’ concurrent jurisdiction. This would require a high level of cooperation with state, local and federal entities, which has not been evident between the Tribe, the City of San Jacinto nor Riverside County. Relations are contentious, especially with regards to police services (61).

SOC members’ reports on Sovereignty (13) and Self-Reliance (14) are in the Attachments.

A02-54 cont.

A02-55

A02-56

(2.2) The next issue is that the Tribe desires to “**RE-ACQUIRE FORMER RESERVATION LANDS**” (pages 5 and 27 of Scoping Report) claiming that the Horseshoe Grande property is Tribal **Aboriginal** land. The Tribe’s primary goal is the complete preservation and reacquisition of all aboriginal land and it recognizes the Horseshoe Grande property as aboriginal territory. It contends that Trust status will allow the Tribe to fully accomplish its goal of controlling its cultural resources through the exercise of jurisdiction over the lands. This is a flawed attempt at asserting the lands must be considered “restored lands”, thus meeting an exception in IGRA Section 2719(b) (1) (iii).

↑
A02-57
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The Tribe appears to contend that the proposed site meets the requirements of the exception set forth at 25 U.S.C. section 2719 (b)(1B)(iii) – “restoration of lands for an Indian tribe that is restored to Federal recognition” – and therefore is outside the proscriptions on after-acquired land. The United States never terminated the Soboba Band of Mission Indians, indeed, the Tribe was recognized and a Reservation identified in the Mission Indians Relief Act of 1892. The NIGC has previously completed lands determinations on California Reservation Tribes and denied gaming on after-acquired lands. (See – Lands Opinions on Tule River Indian Tribe dated June 4, 1996, and Karuk Tribe of California dated October 12, 2004.)

↑
A02-58
↓

The Tribe cites the General Land Office surveyor as proof that Tribal ancestors once inhabited this area and that this property was an Indian settlement as early as the 1890’s. The Tribe considers the protection of the land and resources as vital to the Tribal community.

↑
A02-59
↓

According to the Soboba Tribe’s website, on June 19, 1883, the Soboba Indian Reservation was established by Executive Order that set aside 3,172.03 acres of land for the Soboba Band of Luiseno Indians for their permanent occupation and use (15). The current reservation is close to double that acreage. None of that acreage has been lost or taken away from the Tribe; therefore, there are no reservation lands to *re-acquire*.

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A02-60
↓

The Horseshoe Grande property is not supported as a dwelling site by natives as supported by available archaeological, anthropological and recorded history. The Alfred Smiley Report from the Smiley Library states that the San Jacinto Reservation in an 1888 Executive Order had its chief settlement in a canyon along

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A02-61
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Indian Creek with a legal description of reservation land far to the east of the Horseshoe Grande Project (1). There was no Tribal ownership of the Horseshoe Grande parcels.

In 1815 the land was San Luis Rey, Rancho Tract 8 of the Cahuilla. The Luiseno Indians were brought in as laborers and the two groups intermingled. The Tribe settled in the canyons where artifacts were found.

Extensive research completed by SOC Members refute the Tribe's contention that the Horseshoe Grande property was ever a Soboba Tribal aboriginal dwelling site, or that those parcels of land were ever in the Tribe's reservation, taken away or lost, and therefore must be reacquired. (16) Extensive research of historical records and Land Patent and recorded documents from the County Recorder's Office also show that these parcels of land in the Horseshoe Grande project area were not reservation land that needs to be reacquired. (17)

(2.3) The Tribe contends that it needs additional land for **MORE MEMBERS**, "given both increases in adult membership and the growing needs of emerging young families in the foreseeable future" (page 27 of Scoping Report).

Soboba's website claims there are 900 members in the Tribe. The BIA directory shows 700 and the enrolled members, those individuals that are "registered" Indians and eligible to vote, total only 683. New lands can be made available to Indians if they can demonstrate "immediate need" (1934 Indian Reorganization Act). The Soboba Tribe has a very successful casino, 8.5 acres of land per individual, and more than ample water due to the new water settlement with the State of California.

Nowhere in the Project's plan is there a plan for additional housing for Tribal members, or playgrounds or activity centers for younger family members. The allotment from the current casino amounting to five digit payments per month to each member, results in a situation where tribal members do not have to work in their commercial facilities. The newly renovated clubhouse and golf course has *one* tribal member working in the food services area, based on observation and information from other employees.

A02-61 cont.

A02-62

A02-63

Additional trust land is not necessary for economic growth. If the Tribe desires to erect a resort hotel without a casino on that property, it could do so if the City approved a zoning change. The Tribe could also build light residential homes on that property and stay within the zoning requirements and make money for the tribal families. The money from the existing casino, clubhouse and golf course are substantial for the "growing needs of emerging young families".

A02-64

(3). Along with the Environmental and Social contentions that this Project would be **IN THE BEST INTEREST OF THE TRIBE**, they also have two sections in an **ECONOMIC** component in which the Tribe wants to promote economic **GROWTH** (pages 5 and 26 of Scoping Report) and **DIVERSIFY** its economic enterprises.

According to a January 4, 2008 letter sent to the Chairman of the Chemehuevi Tribe by Carl Artman, Assistant Secretary Indian Affairs, the IRA was primarily intended to redress the effects of the discredited policy of allotment, which had sought to divide up the tribal land base among individual Indians and non-Indians, and to destroy tribal governments and tribal identity. To assist in restoring the tribal land base, the IRA gives the Secretary the authority to: 1) return "to tribal ownership the remaining surplus lands of any Indian reservation" that had been opened to sale or disposal under the public land laws; 2) consolidate Indian ownership of land holdings within reservations by acquiring and exchanging interests of both Indians and non-Indians; and 3) acquire, in his discretion, interests in lands "within or without existing reservations." (18)

A02-65

(3.1) Compliance with IRA 25 C.F.R. Part 151.3 requires that the land is necessary to facilitate tribal self-determination, economic development, or Indian housing. The Tribe contends that the destination resort will bring economic benefits to the Tribe through cash flow from the casino/hotel operations. However, if that cash flow is lessened due to a bad economy, this development would not create self-sufficiency within the Tribe. It would only create a single industry, dependent upon the economy. It is SOC's perspective as well as a time proven fact, that education and a career path is the way to develop self-sufficiency in the Tribe's population.

A02-66

The regulations require the Department, in 25 C.F.R. 151.10(b) to evaluate the need of the Tribe for additional land. The Tribe has 6,000 +/- acres of usable land

A02-67

and the Horseshoe Grande land is not required to support tribal housing, government infrastructure, or to resolve local land management conflicts, but rather to move and expand the casino approximately a mile to the east. SOC contends that a new hotel/casino requiring 30 acres as mentioned by the Tribe can be built on the existing site.

A02-67 cont.

The regulations, in 25 C.F.R. 151.10 (c), require the Department to consider the purposes of the land, which in this case is to build a larger casino facility. There is already a large casino with the maximum number of slots and several restaurants at the present site. There is also room for a high rise hotel and a high rise parking structure on the present site within the reservation.

A02-68

In order for the Tribal members to be self-sufficient, there should be job training and employment of tribal members on the reservation. An informal survey of Tribal members now working at the Golf Course and Clubhouse resulted in identifying only one Tribal member, and those working at the Casino, approximately 10% or less of the total employees. The Noli School emphasizes the Indian culture, but little has been mentioned about career paths and career education to assimilate students into the job world outside the reservation. According to Mr. Artman, "employment of tribal members is an important benefit of tribal economic enterprises."

A02-69

(3.2) It is our contention that the Tribe can and has **diversified** on its reservation land and off reservation land and has reaped economic benefit. There is also potential for continued diversification and economic growth without moving the casino and annexing the Horseshoe Grande Property onto its reservation.

A02-70

1. **The Oaks** property is rented out to organizations and sports teams including football, baseball and softball.

2. **The Soboba Movie Ranch** was announced and opened by the Tribe in 2006. Tribal administrator Tobin White stated, "We are hoping to attract independent filmmakers, movie studios, corporate films, and music video. We can pull together the locations, shots, and services; cut through the red tape and accommodate your needs on time."(19)

3. The Tribe owns the **Soboba Golf Course and Clubhouse**, tennis courts and swimming facility and consistently rents out these facilities to groups for a

A02-70

fee, as well as membership fees for the golf course and a public restaurant, bar and banquet facilities.

4. The Tribe purchased a defunct **casino in Nevada** and plans to renovate it for use or resale.

5. The tribe consistently rents its **outdoor facilities** adjacent to the casino for rodeos, pow wows, concerts, drag racing, motocross and other special events.

6. The Tribe operates **restaurants** at the current casino.

7. The Tribe was given 128 acres of highly valued property at Dominogoni Parkway and Winchester Road, worth an estimated value of \$55 million to use for **commercial development**.

8. EMWD together with LHMWD is providing \$30 million in a combination of monetary and in-kind contributions to the **water settlement** for the Tribe.

9. The water agreement includes Federal funding in the amount of \$11 million for the Soboba Tribe for rehabilitating and maintaining water and sewage infrastructure and other **water-related development projects**.

A SOC member's report on Economic Growth is included in the attachments. (20)

(B) WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITIES

This is the next section in the Indian Reorganization Act (IRA) requirement. We in SOC are the *three surrounding communities directly affected* by this Project.

(4) The first issue under this heading is **ENVIRONMENTAL** with nine issues to be considered. The Scoping Report states that pollution is the fifth and sixth most distressing concern for the citizens.

(4.1) Surrounding communities are concerned with **AIR QUALITY** (page 14 of Scoping Report). It was the sixth most important concern among community members (p. 11). The Tribe contends that Air Quality from the Project will not negatively affect our communities. We contend that there will be increased pollutants, ozone, particulate matter, vehicle emissions of carbon monoxide, and nuisance odors connected with construction and resort/casino traffic.

A02-70 cont.

A02-71

A02-72

The Draft EIS is incomplete as it does not include updated analysis methodologies regarding the changes in the project size and scope. Similarly, the Operational Ozone Effects of each alternative has used outdated traffic studies and operational emission estimates, does not adequately reflect the environmental setting as it exists upon certification of the Final EIS. The same deficiency exists with regard to Localized Carbon Monoxide Effects. Global green house gas emissions are rapidly rising, and the State of California has enacted laws that acknowledge these circumstances and require cost effective efforts to reduce greenhouse gas emissions (see AB 32, the California Global Warming Solutions Act of 2006). As a result the Project's effects on air quality and climate change are flawed.

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The City's letter regarding the EIS states that "the Project is located within the South Coast Air Basin, which is nonattainment for ozone and particulate matter. The EIS for the Project must include an analysis of the Project's impact on air quality, consistency with the recently adopted 2007 Air Quality Management Plan, and consideration of applicable mitigation measures."

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The Environmental Protection Agency (EPA) requires that any tribe wishing to build a large facility like this proposed destination hotel/casino Project, should inform the EPA so that proper permitting and mitigation issues will be resolved *prior* to the project. Given the fact that more diesel trucks and 4,000 plus more cars per day are projected for the Project, there may be mitigating solutions such as shuttle buses or electric trams to offset the increased pollution. According to the EPA, the BIA must address these Air Quality Standards before any project is approved and get the proper permitting in place.

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A letter sent to Chairman Salgado from the U.S. Environmental Protection Agency, dated August 21, 2008, as well as evidentiary facts supporting the air pollution problem (21) state that the Reservation is in an area the EPA is proposing to designate as nonattainment for the 2006 PM 2.5 air quality standards. This pollution contributes to serious health problems including painful breathing, chronic bronchitis, decreased lung function, and even premature death in people with heart and lung disease. Fine particulate matter associated with diesel exhaust is also thought to cause lung cancer and is therefore listed as a mobile source air toxic. In the report, *California Area Designation for the 24 Hour Fine Particle National Ambient Air Quality Standards*, Table 1 indicates that there is a

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significant emission of nitrogen oxides and volatile organic compounds in the (Riverside) county. These pollutants are precursors to the formation of PM2.5. Mobile sources constitute a major portion of the PM 2.5 emissions total. Riverside County along with others in California has the worst air quality for PM2.5 in the country. The main source of carbon monoxide in our air is vehicle emissions and 95 % comes from mobile sources.

A02-76 cont.

The Tribe sponsors off-road vehicle races on its reservation land adjacent to the Soboba Springs Mobile Home Park. A newspaper article (22) states that “motorized off-road vehicles, including dirt bikes, and all-terrain vehicles, release as much greenhouse gas as 1.5 million car trips from San Francisco to Los Angeles, according to a report from the Center for Biological Diversity and Clean Air Initiative”.

A02-77

Diesel-powered vehicles and engines contribute more than half the mobile source particulate emissions, according to an EPA report on National Emissions by Source (23). “Fine particulate matter associated with diesel exhaust is also thought to cause lung cancer and is therefore listed as a mobile source air toxic. Both on-road and non-road mobile sources are major nitrogen oxide polluters which cause a variety of health and environmental problems. Cars create exhaust and evaporative hydrocarbon emissions that are considered toxic, can cause cancer and other health problems. The main source of carbon monoxide in our air (95%) is vehicle emissions. Carbon monoxide is harmful because it reduces oxygen delivery to the body’s organs and tissues. It is most harmful to those who suffer from heart and respiratory disease.” Recent studies confirm that air pollution shortens life expectancy. Our three communities are composed mainly of older retired citizens, especially the Mobile Home Park which is designated 55 or older and has many residents in their 80’s.

A02-78

The California Air Resources Board recently adopted a blueprint to slash the state’s emission of greenhouse gases to 1990 levels by 2020, cutting 174 metric tons of pollutants. A Los Angeles Times article of December 12, 2008 (24) states that automobile emissions will be cut by 31.7 million metric tons.

In the section on **Traffic** we will further discuss the increased traffic that this resort destination project will bring. The Tribe admits it will bring over 4,000 *more* cars per day to this new casino/hotel complex.

A02-79

There will also be nuisance odors including exhaust from the several restaurant operations, gas fumes from a gas station, and potential fumes from the wastewater treatment plant.

It is SOC's contention that the air pollutants generated by this Project cannot be mitigated successfully (refer to **IMPROVED AIR QUALITY** section on page 14 of Scoping Report). A Project of this magnitude will bring more cars, more trucks, more construction, therefore more air pollution, and it will negatively affect our communities' air quality and cause irreversible damage to our citizen's health.

(4.2) The next issue is **WATER RESOURCES** (page 15 of Scoping Report). Comments on HR 4841 by Majel M. Russell, Principal Deputy Assistant Secretary for Indian Affairs, U.S. Department of the Interior, (25) states that the Tribe has been granted abundant water (7,500 acre-feet per year for 30 years will recharge the San Jacinto basin, an over-drafted basin). The settlement awards the Tribe \$18 million from local water districts and \$11 million from the federal government and the right to 2 billion gallons of water a year from the aquifer. The Tribe agrees to "forbear in its use of a portion of its water rights for the next fifty years", using no more than half the water allotment for those fifty years.

It is SOC's contention that the proposed Project with its golf course, clubhouse, swimming pool, restaurant, locker facilities, hotel, casino, restaurants, spa facilities, banquet facilities, retail shops, irrigation of the golf course and planned resort, as well as the reservation itself, its orchards, the Oaks facilities, the sports complex and its grass maintenance, the fire station, Noli School, administration buildings, and recreational fields and pools will use a great amount of water now and forever, past the fifty years' forbearance.

We are concerned, per SOC member's report (26), about oversight of the Tribe's water use, what will happen to the already over-drafted basin in the future and beyond the fifty years, as well as the interests of the tax-paying public for their water resources.

According to Mr. Russell, "Water resource development would further the U.S. goal of Tribal self-sufficiency and sovereignty. This means that the sovereign nation of the Soboba Tribe would use this water and monitor it within its

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A02-83

sovereign government. These documents are typically not public knowledge. The possibility exists that the surrounding communities could be negatively affected by shared water resources and a lack of cooperation in their use.

A02-83 cont.

Increased vehicle and truck traffic will bring oil and contaminants onto vast expanses of cement in the parking structure and around the hotel/casino. During heavy rains, these contaminants will run off the downhill slope towards the San Jacinto riverbed and into the ground adjacent to the riverbed. Mitigation of this contamination would be difficult or impossible.

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We are also concerned about water quality contaminated by construction runoff, underground gas tanks at the proposed gas station (according to an EPA official a previously planned gas station on the reservation was not installed because of this issue), as well as the waste-water treatment plant and its ramifications to safe water in the ground table. If this water is governed by the sovereign Indian nation, will the Tribe comply with the Clean Water Act (40 CFR 230)? That water will be shared with the City's residents and should be guaranteed as pre-project clean.

A02-85

(4.3) The next issue is **VISUAL RESOURCES** (page 16 of Scoping Report). Three mountain ranges surround our three communities and we have clear, unobstructed views of all three ranges for miles. Our three communities have underground utilities to preserve these views. The legal name of the community adjacent to the golf course is Mountain View Homes. The unobstructed view from the hillside community is spectacular in all directions.

A02-86

This Project will forever alter the surrounding vistas both from the three communities' views and from the rest of the city and valley. The planned 300 room hotel will be four to five stories high, according to Tobin White in a May 8, 2007 Soboba Springs Community Meeting. The 1,470,000 foot, 2200 car parking structure will be at least five stories high. An example of a five story, 2,000 vehicle parking structure built on Sycuan land is included in the appendix (27). Since the Tribe states that these structures will be built on 35 to 40 acres, they must go up in height to accommodate the projected number of rooms and number of cars.

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The entire Project will obstruct views of the San Jacinto Mountains as well as the two other mountain ranges surrounding our communities, turning them from a natural beauty into a brightly lit, cement, multistoried visual blight.

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As stated in the City of San Jacinto letter to Ms. Dutschke, the City's General Plan Environmental Impact Report identified views of the San Jacinto Mountain Range from the City as a major scenic resource. To ensure protection of that resource, the City's General Plan designated the Project area as low density residential and open space uses.

Mitigation measures to reduce or avoid potential negative effects are impossible in this situation. Once the view is obstructed, it will be changed forever.

Every promotional picture of the San Jacinto area includes our mountain ranges. The back page of the December 2007, City of San Jacinto Newsletter (28), shows a view of the San Jacinto Mountains from one of the three SOC communities that would be adversely affected by the Project.

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SOC members have taken photographs of the views that would be affected by the project. Those photos and a SOC member's report are in the appendix (29).

Light Pollution was the fifth most distressing issue according to the citizen response in the Scoping Report (p. 11). Presently, SOC's three communities are very dark at night as there are no glaring street lights or commercial enterprises in this area. This Project cannot help but alter the night sky line forever. Light residential zoning does not bring light pollution to the neighborhood. A multi-leveled hotel and parking structure with accompanying security and promotional lights will bring glaring light pollution.

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The existing casino complex and parking lot is lit up so brightly that you can see the white glow for miles. The Tribe heard the complaints from citizens regarding the casino's booming night streamers hundreds of feet into the sky and shut them down temporarily but has now increased their use to attract more clients in a slowing economy. Obviously these moving light streamers alter the night sky and obliterate the stars in our area. There is no guarantee that if the new Project is approved, they will not resume permanently, this time even close enough to

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illuminate our living rooms and bedrooms with spotlight intensity. This would definitely be detrimental to the surrounding communities.

(4.4)The next issue is **NOISE** (page 16 of scoping report). This was the second most commented upon issue in the scoping report (p.11). The Scoping Report asks if the noise levels from the Project will result in a permanent increase over pre-project levels. We believe it should state, over pre-casino levels. There are several noise issues to be considered including construction noise, operational noise, traffic noise including cars and tour buses, casino event noise including concerts, automatic weapon fire, and emergency service sirens, all of which have dramatically increased our noise level prior to the opening of the present casino. We went from relative silence, especially at night, to noise 24 hours a day 7 days a week.

Pre- casino noise consisted of occasional resident cars on Soboba Road and Lake Park Drive. The entire area was light residential, with the exception of the golf course, and consisted mainly of retired and elderly residents. Reservation residents used the roads. There was no reason for non-residents to come to the area unless they were visiting friends or relatives or were coming to the golf course. The golf course traffic was also minimal and ended after dark.

When the casino was built in 1995, traffic increased dramatically and with that, noise levels. Gravel trucks from the Tribe's commercial gravel pit, tour buses, delivery trucks, event traffic, all casino traffic going 24 hours a day, seven days a week, converging on our two-lane country roads.

Our light-residential, recreational zoned area had changed to support and lead to a heavily commercialized enterprise. Now with the proposed Project, the noise levels will at least double and if the two casinos remain with supporting buildings, the noise level will at least triple in frequency and intensity.

According to the article, Quiet, Please! In the July/August 08 issue of Ode Magazine (30), Les Bloomberg, executive director of the Noise Pollution Clearinghouse, defines noise as any sound that impacts or harms the health of people. This definition is more consistent with definitions of other forms of pollution, including air pollution. The World Health Organization reports that transportation – road, rail and air traffic - is the major source of noise pollution.

A02-90 cont.

A02-91

A02-92

A02-93

Cars and trucks produce noise in two ways. The engines make noise, and the contact between the vehicle and the road creates noise. At speeds greater than 40 mph, road noise is louder than engine noise. *The City of San Jacinto recently increased the speed limit on Soboba Road to 45 and Lake Park to 40 thus creating more noise from our increased traffic as most cars along these roads go faster than the speed limit.*

According to the article, the sounds of construction, pneumatic hammers, air compressors, bulldozers, loaders, and dump trucks are another major contributor to noise pollution. Chronic exposure to loud noise is bad for the cardiovascular system. Also, long-term exposure to environmental noise, especially at night, causes chronic disturbance of the natural sleep pattern as well as increase in blood pressure and heart rate. According to the Environmental Protection Agency people who find noise annoying in their neighborhood, have considered moving because of it. Some call noise "a form of trespassing".

In a May 8, 2007, Soboba Springs Community Meeting, Tribal Administrator, Tobin White was asked about noise levels and times during special events that go sometimes until one a.m. Tobin stated, "The Tribe wants it to stop by midnight", however, the City ordinance states noise must be abated by 9 p.m. Concerts at the casino usually *start* around 9 p.m. Traffic coming and going from the casino never stops. It is feasible that if this annexation Project goes through, that the City will be allowing its own ordinance to be broken for our three communities surrounding this destination resort project and lawsuits will ensue.

Residents adjacent to the new Golf Course Clubhouse have voiced their concerns about Clubhouse noise to management and the Tribal chairman. The residents have received little empathy, concern or action. Their concerns range from:

- *employees' excessively loud vehicle stereos at 5:30 am and 10:30 pm
- *screaming vehicles through parking lot at 2am and 3am
- *car alarms going for 30 minutes, others starting at 5:22 am to 6:15 am
- *gardening blower on parking lot starting at 5:45 am
- * parties with loud amplified music until 1:45 am
- * excessive, loud and profane language from the upper patio at 10:45 pm
- * trash thrown loudly in dumpsters at 10:45 pm
- * delivery semi-truck idling from 9:30 pm to 5 am

A02-93 cont.

A02-94

A02-95

According to the City, a new noise ordinance will now fine violators. Under the Code 8.40 (31), noise must be lower than normal conversation in some instances. It also states that the City has the right to protect public safety and preserve peace and quiet by setting reasonable regulations for the time, place and manner for using amplifying equipment. It also contains exemptions for permitted events; however the police chief has broad discretion in deciding whether to issue a permit for such events.

The specifics of the San Jacinto Municipal Code, Section 8.40 Noise Control are as follows:

- * At certain levels, noises are detrimental to the health and welfare of the citizenry
 - * "Permitted" noise is exempt from the code
 - * No construction noise between 7pm and 7am, none on Sunday
 - * No unlawful residential noise between 9pm and 7am
 - * No unlawful recreational noise between 9pm and 7am; not within 300 feet of residences
 - * No unnatural, unusual noise
 - * No cannon simulators from midnight to 6 am unless "permitted" (lowest charge setting; no more than one cannon every 20 acres)
 - * Sound-amplifying equipment may be used between 8am and 10pm (exceptions must be "permitted"), shall not be audible in excess of 350 feet from source
 - * Normal conversation is 50 decibels (U.S. Dept. of Energy), rock concerts expose people to 100 decibel levels; noise in the city must be restricted to 65 decibels in the day and 45 decibels at night.
- * Any person violating or failing to comply with this noise ordinance shall be guilty of an infraction and upon conviction a fine of \$50.00 for first violation, \$100 for second violation and \$250 for any additional violations.
- * Any violation which causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed a public nuisance and may be subject to abatement by an injunction issued by a court.

How would the City enforce this ordinance for the three SOC Communities if noise pollution were to flow through the air from the nearby reservation and Horseshoe Grande Project? Noise does not stop at the borders of the reservation, in fact the noise complaints from the existing reservation and casino activities range from automatic gunfire, loud music from outdoor concerts going past 1pm, moto-cross and drag racing from early morning to late night.

The Tribe may put up a landscape barrier or a wall to mitigate both sound and light effects, as stated on page 16 of the Scoping Report however, noise travels up and over such barriers and would do nothing to help the Hill community far above the proposed Project.

(4.5) The next issue is **TRAFFIC** (pages 17 and 18 of Scoping Report) which includes **Safety, Pedestrian Traffic and Roadway Infrastructure**. According to the Scoping Report, page 11, Traffic due to Congestion was the #1 concern of surrounding residents.

The existing casino has "12,000 people visiting daily and if new facilities open it would mean 100 times more traffic," according to Tobin White, Tribal Administrator in his speech to the Soboba Springs Community on May 8, 2007. Based on the traffic flow before the casino, this is an astounding increase. In the thirteen years since the original casino was built, the Tribe has not initiated road improvements to Lake Park and Soboba Road such as signalization or widening to mitigate the increased traffic of the present casino. Right and left turn lanes to handle this increased traffic flow were just recently installed by the City. A pedestrian crosswalk from the age 55 plus Soboba Springs Mobile Home Park across Lake Park was repainted, however, there are no Pedestrian signs or lights at night to alert motorists and the speeds at that point of the road are excessive for elderly to walk across safely. The Tribe has repeatedly denied requests for TASIN money to buy speed monitors on these two roads. Tobin White states that money is given to the City. The process requires the City to request money for improvements, the Tribe then approves what it wants to. The money, according to the City, is not a blank check. Speed monitors have been denied several times.

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A02-98

A Traffic Survey done by RK Engineering Group in June of 2008 (32) for the City of San Jacinto, states that the number of vehicles on Lake Park Drive between Soboba Road and the Ramona Expressway was calculated to be 15,019 on Thursday, May 8, 2008. For the same day, the vehicle count on Soboba Road from Lake Park to Chabela was 6036. That is a total of 21,055 vehicles for one day, a staggering amount of traffic for our small two lane country roads. This 24 hour traffic is definitely detrimental to the surrounding communities.

A02-99

According to Lt. Vest, in an email dated Nov. 28, 2007, he stated, "Last year, we (SJPD Traffic) wrote one large request that consisted of two radar trailers and six pole displays. That came to about \$70,000 and we got nothing". He was writing another request (two have been rejected) and said, "I have no idea if this will work or not, because we never get any feedback as to why things are approved or rejected by the tribe" (33). An article entitled "Indian Gaming Impact Mitigation", written by Lt. Vest in 2008 for our Soboba Springs Community Newsletter (34), also states the traffic difficulties generated by the current casino and the lack of Tribal support to mitigate this problem.

A02-100

Recently, the City has chosen to increase the speed limits on these roads based on the engineering traffic survey that states that the traffic was going faster than the posted speed limits and that was causing a hazard. The solution was to *increase* the speed limit to reduce the hazards caused by speeding vehicles! There are no permanent pole-mounted speed awareness displays, nor radar trailers on these two roads. Speeding remains a safety hazard for the residents of our three communities, as well as reservation residents and casino patrons. Elderly residents have difficulty getting out of the Soboba Springs Mobile Home Park on Lake Park Drive to turn left across two lanes of heavy, fast moving traffic. Residents of the Hill Community and the Golf Course Community have to deal with pulling out onto Soboba Road with two blind curves in both directions and excessive speeds of the vehicles rounding those curves.

A02-101

A SOC Member noted a vehicle counter in April 2008 that he believed may have been contracted by the City. It counted vehicles Monday through Friday from Ramona Expressway East to Soboba Road on Lake Park Drive. The counter was placed in the northbound lane of Lake Park Drive. 15,019 vehicles were counted. It is assumed these same vehicles exited the area southbound on Lake Park. A counter was also placed on eastbound Soboba Road before Lake Park Drive.

A02-102

6,036 vehicles were counted and it is assumed these same vehicles exited the area westbound on Soboba Road. These two numbers totaled 21,055. This comes to 4211 vehicles per 24 hour day. This would equal 175 vehicles per hour one way through the intersection of Soboba Road and Lake Park and since there is only one entrance/exit to the casino, these cars would return bringing the total to 350 vehicles per hour passing through the intersection, almost 6 per minute. There would be 6007 per day, 250 per hour and 4 vehicles per minute, day and night, passing the Soboba Springs Mobile Home Park where elderly drivers are attempting to exit with no street light or stop signs, with cars approaching at 45 plus miles per hour. This situation is detrimental to our communities.

A02-102 cont.

The new golf course clubhouse, which would be part of the annexation, is 40,000 square feet. The new casino/hotel project with all accompanying establishments would be 384,000 square feet. The parking structure would be 2200 spaces according to the Federal Register notification, December 14, 2007. It is estimated this establishment square footage could generate 27,000 cars per day based on the other five mega casinos that recently were allowed to expand. This would be the equivalent of having PETCO Park (42,445 fans) or ARCO Arena (17,317 fans) in our midst, the daily equivalent of attendance at a major league baseball game *every day and night, 24/7.*

A02-103

Another issue is **access** to communities within City limits, but made islands through this proposed annexation. Both Soboba Road and Lake Park Drive would be the two access roads to the reservation, therefore considered Indian Reservation Roads (IRRs). Section 25 CFR 170.120 states that IRRs must be open and available for public use. However, the Tribe has recently erected a guard shack on Soboba Road where the public is generally prohibited from passing through.

A02-104

In the 2008 State Legislative Session, Senate Bill 331 supported by tribes seeking control of access to their reservations, died in Appropriations. This bill reflects the concerns of the three affected communities over the Soboba proposed acquisition, as the legislature clearly stated in its analysis that "California has many non-Indian homeowners and businesses whose only access to their private properties is across IRRs and easements and who thus may be negatively impacted by this legislation."

A Traffic Impact Analysis Preparation Guide developed by The Riverside County Transportation Department (35) requires that the traffic and circulation impacts of a proposed development project, General Plan Amendments, and Specific Plans be analyzed. A thorough analysis of traffic patterns must be completed by the Tribe *prior* to the Project. A project scoping form must be submitted for approval prior to preparation of the traffic study. A Traffic Impact Analysis (TIA) is developed which takes into consideration all of the traffic concerns the citizens of the three communities have already communicated such as zoning, city sphere of influence, intersections, traffic volumes, special event traffic and traffic speed.

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(4.6) The next issue is **BIOLOGICAL RESOURCES** (page 19 of Scoping Report). The City states in their letter their concern for multiple species in the Habitat Conservation Plan, as well as vegetation, riparian habitat and wildlife corridors.

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Figure RM – 3, Vegetation Communities of the San Jacinto General Plan, January 2006 (36) shows the Horseshoe Grande area to contain Riversidean alluvial fan sage scrub and xeric chaparral from the San Jacinto River to the National Forest to the Soboba Indian Reservation. Two sensitive annual species are endemic to alluvial scrub vegetation in the Plan Area: slender-horned spine lower and Santa Ana River woollystar.

According to Multiple Species Habitat Conservation Plan, Volume 1 – Section 2.0 page 14 (37) “regional diversity in conserved areas translates directly into biological and genetic diversity. By ensuring regional representation of species and redundancy of resources, there is some buffer against the effects of natural and anthropogenic catastrophic events, such as wildfires, floods, and disease, on conserved areas.” The Horseshoe Grande area is prone to excessive winds, dust storms, and floods. Surrounding areas are prone to wildfires. Excessive building and concrete exacerbate these issues. Winds have caused building destruction and large paved concrete areas prevent rain from soaking into the ground.

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The Mammal Species Survey Areas map along with the Final Critical Habitat Report (38) shows the Horseshoe Grande area to be habitat for the San Bernardino Kangaroo Rat and the L.A. pocket mouse. The *Final Critical Habitat Report* from the Department of Fish and Wildlife, dated October 17, 2008, states

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that Unit 3, encompassing the Soboba Reservation area and the lands adjacent to the proposed fee-to-trust transfer "contains one of only three large extant core populations of the San Bernardino kangaroo rat and is the only core population in Riverside County. The physical and biological features within this unit may require special management considerations or protection to minimize impacts associated with ...urban development. Large- scale development projects may permanently eliminate and fragment habitat containing the PCEs (primary constituent elements) for the subspecies. Because this subspecies is active at night, lights from adjacent developed areas should be minimized and directed away from San Bernardino kangaroo habitat." The lights from the current casino complex extend over a large portion of this sensitive habitat and light up acres of land and the night sky with a white glow.

The Burrowing Owl Survey Areas map shows the existence of Burrowing Owls in the Project area (39).

These and many more possible species of wildlife in the Project area are designated in the Multiple Species Habitat Conservation Plan (MSHCP) (40).

Other wildlife spotted in our area include coyote, hawks, bald and golden eagles, large owls, toads and frogs, skunks, raccoons, rabbits, mountain lion, bob-cat, snakes, herons, sandhill cranes, geese, butterflies and a variety of birds.

All of this vegetation and wildlife would be adversely affected by a heavily commercialized building area with its traffic and pollution and would negatively affect the biological diversity and resources of the area that are intact at this time. Increased traffic and casino activity may be the cause of the decline of the coyote population which ran in packs and is now almost non-existent.

In a report, "Native Communities and Climate Change: Protecting Tribal Resources as Part of National Climate Policy" (41), page 6 and 7, it states "because fossil fuel emissions are such a major contributor to climate change, development of alternative energy technologies will be an important component to any future strategy. Tribes are the most vulnerable to the impact from climate change caused in large part by conventional fossil fuels. The change fundamentally harms tribal culture and the close relationship tribes have with the land, water, wildlife and other natural resources." Yet, this Project will increase emissions and

further depredate this area instead of preserving the land, wildlife and natural resources.

The City of San Jacinto is in the San Jacinto Watershed. According to *The Guidebook for Living in the San Jacinto Watershed, 2006*, (42) the San Jacinto Watershed Council lists various environmental challenges facing this area:

Storm water Pollution (page 6) – Trash, bacteria, pesticides, fertilizers and oil wash into streets and storm drains and contaminate our streams, groundwater, and lakes.

Trees and Urban Forestry (page 14) - The urban heat island effect is due to the replacement of plants with asphalt, concrete, and building surfaces that absorb and store heat. Trees improve air quality by collecting and filtering dust and other pollution particles, absorbing carbon dioxide, and releasing oxygen. They improve water quality and reduce flooding by intercepting rainfall and increasing its absorption into the ground.

Fire Safety and Fuel Modification (page 16) – Fires are always a serious concern. If you live in a canyon or on a slope, the risk is even higher, especially if your property is adjacent to natural space.

Air Quality, Automobiles, and Energy (page 17) – Electricity generation and the use of fossil fuels for transportation are the major sources of air pollutions in the United States, contributing to smog, acid rain and global warming. One of the single most effective ways to improve air quality and help the environment is to reduce dependence on cars and gasoline.

The Multi-Species Habitat Conservation Plan (page 29) – Certain areas are considered important to keep as open space. This conserves habitats for some of our most beautiful and threatened species of wild life and provide linkages among the conserved areas. The San Jacinto River is a vital corridor in this Habitat Conservation Plan. As development continues in our watershed, we must ensure that enough of the “criteria areas” of the MSHCP are conserved, to ensure that our river continues to meander in winter across the valley, nourishing rare plants that are found nowhere else, providing a haven for large and small wildlife, and replenishing our underground water.

The Tribe’s proposal will be detrimental to the surrounding communities because of increased storm water pollution from this large commercial project; buildings cement parking structures, and asphalt will replace nature and cause more urban heat; fire hazards make the project even more dangerous and especially with no

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evacuation plan for the communities; the Project will bring more cars, more pollution to the area; the Project and accompanying traffic will make it even more difficult for habitat to use the wildlife corridor from the San Jacinto river to the mountains. Mountain lions, coyotes, rabbits, owls, to name a few still make this area home.

A02-115 cont

According to the document on the Assessment District 94-1 (43), the piece of property for the proposed Project had a master plan, called the Soboba Springs Project, incorporating approximately 400 acres adjacent to the intersection of Lake Park Drive and Soboba Road. "The master plan also provides a 3.6 acre open space/park, 7.8 – acre open space/park and hiking trail and 46.2 – acres open space/park and hiking trail. Residents, who bought into our three communities affected by this Project, used this plan as a guide for the lifestyle we wanted to invest in. Maintaining the City zoning of "light residential and recreational" would ensure a safe investment for residents of pre-existing residential communities.

A02-116

(4.7) The next issue is **LAND USE PLANNING** (page 19 of Scoping Report). The City, in its letter, is concerned about the City's General Plan zoning for the area as low density residential and open space. It is concerned about land use conflicts of increased negative impacts and regulation of those impacts in the future.

It is clearly evident that the Horseshoe Grande property is not zoned for commercial activity based on the City of San Jacinto Zoning Map and Land Use Policy Map from the San Jacinto General Plan (44). The first page of the Zoning Map shows plans for a park on the land southwest of the Soboba Springs Mobile Home Park. The second page shows LDR, Low Density Residential (2.1 to 5.0 Dwelling Units per acre) for the Horseshoe Grande area, including the land where the proposed hotel/casino would be constructed.

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When the Tribe purchased this property, it knew the zoning was not conducive to a huge destination resort, strip malls and restaurants. The Tribe wants to develop the land as commercial and once it is in trust, there will be no city or county oversight. The residential character of the entire area will be destroyed and changed forever. Scenic views will be forever altered and wildlife will be displaced and disappear which is already happening with the coyote. This will be

detrimental to the surrounding communities, to the natural environment so important and vital to this area, and to the City of San Jacinto's General Plan.

According to the Scoping Report page 11, residents stated that this issue was the 3rd and 7th most important concern, "altering the peaceful and quiet rural community that is essential to retirement". When buying property and moving to an area, residents consider zoning in their neighborhood. To change zoning after citizens have bought their homes or moved into an area zoned light residential is unjust and unethical. Changing from light residential to dense commercial cannot be mitigated if the citizens' bought into a quiet, rural residential area. Negative impacts and a decline in property values associated with living next to a heavily commercialized area cannot be mitigated.

(4.8) The next issue is **HAZARDS AND HAZARDOUS MATERIALS** (pages 23 and 24 of Scoping Report). The Tribe contends that there will not be a detrimental effect to the surrounding communities from hazards or hazardous materials. **Flooding and Fires** are the two hazards that have recently impacted our area.

Several fires in the foothills affected our area by burning away the chaparral, creating bare land and causing erosion. The steep mountainsides allow rain water during storms to run like rivers across Soboba Road causing landslides, mudslides and closure of the road. That leaves only one road out of our area to use in case of evacuation, Lake Park Drive. Adding a resort hotel to this area would make this even more dangerous during a natural disaster. The City of San Jacinto erected a Mud Interceptor (45) to mitigate this flood problem. An area consisting of primarily cement would increase the flooding issues.

Pictures are included (46) that show the cleanup of mud prior to this Interceptor in our Soboba Springs neighborhood off of Soboba Road. This area is adjacent to the Project area that does not have a Mud Interceptor. The first picture shows a catch basin surrounded by a chain link fence that is filled to capacity. The last picture shows the dust and pollutants generated during this cleanup, a monumental, dirty task.

Another hazard is the underground gas tanks at the proposed service station as well as disposal of hazardous waste such as oil or chemicals. Jeff Scott, the EPA's Waste Management Director for the Pacific Southwest Region, states, "Proper operation, maintenance and leak prevention is critical because unseen leaks caused by corrosion, overfills or other spills can pollute precious ground water supplies". To prevent releases, federal law requires that all regulated underground storage tanks have spill and overfill equipment and corrosion protection in place by December 22, 1998. Releases that are detected quickly can be cleaned up at far less expense than releases that go undetected for long periods of time. Will the Tribe comply with these federal mandates on the proposed fee-to-trust reservation land? Have they complied on their present reservation land? Both are dangerously close to the San Jacinto River basin and precious underground water tables.

A02-118 cont.

(4.9) Negative effects must be considered related to **SOILS and GEOLOGY** (page 24 of the Scoping Report), topography, seismicity, and mineral resources. The City's letter states that mudslides, non-uniform subsidence, emergency evacuation, and the emergency services issue must be considered.

The Project site is located within a known, active **fault** zone. According to a SOC member report (47), the epicenter concentration is highest along the San Jacinto Fault – the area of the proposed high-rise casino/hotel complex. A possible 6.7 earthquake predicted for the next 30 years would cause many deaths and injuries, especially in high-rise buildings, even those built to rigid safety standards. It would be extremely dangerous to put a high rise hotel on such a fault zone and it would be detrimental to our communities since emergency services would be spread thin in an earthquake catastrophe.

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The **soil rating** for the Project area, according to a SOC Member's report (48), is subject to liquefaction in the event of a major earthquake. Building standards would be under tribal sovereignty and control which raises troubling questions about safety of the community and hotel/casino patrons.

Regarding the **flood zone** issue, both the proposed site and the present site of the casino are in Flood Zone X, according to a SOC member's report (49). Therefore,

the contention by the Tribe that it must move the casino to the new project site because of flood issues with the present site, are not substantiated.

(5) The next section of the Indian Regulatory Act showing the Project **WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITIES** deals with the **SOCIAL ISSUES** of which there are seven components.

(5.1) The first issue is **EMERGENCY RESPONSE** (page 20 of the Scoping Report). The City is concerned about response times related to fire, emergency and health issues. If the three communities in SOC are surrounded by reservation land, there will be issues of access as there are now with the present reservation boundaries. Time will cost lives. PL 280 must be clarified and agreed to by the state, local and federal agencies as well as the Tribe in order for clear standards of control and response to be adhered to. All of these issues must be mitigated for the Soboba Reservation's policy *before* any fee-to-trust approval is even considered.

The California Gambling Control Commission Regulation CGCC-7 (50) approved by the Tribal-State Association, states that there must be a clear Emergency Evacuation and Preparedness Plan for each gaming facility. During several recent gun battles and fugitive investigations on the reservation, no evacuation plan went into effect at the casino to protect and/or evacuate the public. During the massive sheriff SWAT presence on 11/19/08 (58), the casino was open and fully operational with no mention of criminal activity that could invade the facility and harm its patrons. A dangerous delay and a massive traffic pileup for the entire length of Soboba Road resulted after the sheriff's department closed a section of Lake Park which was used as a command post. Any emergency in the three surrounding communities during this time could be disastrous as there was no access to or from the communities from Ramona Expressway for several hours.

A letter from Wally J. Leimgruber, Imperial County Supervisor, March 27, 2008, (61) shows the property tax losses for a proposed casino by the Manzanita Band of Mission Indians. He states the importance of county public services and the fact that "these mandated services have been significantly impacted by the expansion of Indian gaming" related to fee-to-trust acquisitions and the loss of property taxes to pay for these services. He goes on to say "The California experience particularly has made clear that large casino facilities have impacts

beyond the immediate jurisdiction in which they operate. Attracting many thousands of car trips per day, larger facilities cause traffic impacts throughout a local or even regional transportation system.” He believes the BIA should address the issues of citizen safety by establishing a “coherent and consistent policy for acquired lands consistent with Section 20 of the Indian Gaming Regulatory Act”.

(5.2) The next issue is **POLICE SERVICES** (page 20 and 21 of Scoping Report). The Tribe recently discontinued its extra patrol services from the Riverside County Sheriff’s Department and subsequently has had a multitude of crimes and criminal activity on the reservation as well as confrontations with the Riverside County Police Chief.

The Soboba Tribe is also leading the way in trying to dismantle PL280 which mandates protection for the reservation and engage in *retrocession*, a process to remove themselves from PL 280 services and attempt to build their own justice departments with their own police departments and court system.

Further information comes from Stand Up For California (52) in which it states that without PL 280 no emergency services can be provided to the Reservation, no protection from law enforcement for criminal acts on the reservation and no emergency services can be provided for the patrons of the casino, a requirement of the 1999 Tribal State Compact. The report also cites a brief list of incidents that are independent of one another, but which when pieced together show an alarming trend of increased organized criminal and gang activity. The outcome of these incidents has been determined by whether or not there was cooperation, mutually agreed upon local protocol, or an enforceable agreement between the Tribe and law enforcement. The report goes on to say that this list does not begin to address the ripple-effect of increased crime that flows off reservation related to gaming further exacerbated by increased traffic, DUI’s, meth use and sales. On the Soboba Reservation deputies have seized assault weapons and recovered \$500,000 in stolen vehicles, in addition to being engaged in three shootouts, three tribal member deaths and a former felon being held without bail.

The report states that the Soboba Band of Mission Indians does not appear to be ready to engage in cooperative agreements that are judicially enforceable by the State of California. Thus, why expand the jurisdiction and authority of a government unwilling to provide adequate safety for not only its members but for

the thousands of non tribal citizens it invites onto the reservation in order to enjoy economic development. What responsibility will the Secretary of Interior and the National Indian Gaming Commission take to protect the life safety of the casino patrons? Soboba has offered NO alternative plan for public health and safety other than to state elimination of PL 280.

This uncertainty in the area of who provides services and how, is unsettling to the SOC communities who would be directly affected by this fee-to-trust acquisition.

According to Lt. Vest, San Jacinto Police Chief in 2008, "if the area is approved and dropped from the city, the responsibility for police and fire protection would revert to Riverside County (Fire and Sheriff). For our SOC communities, this may mean longer wait times for service. This would definitely be detrimental to our communities.

(5.3) The next issue is **UTILITIES** (page 21 of Scoping Report). The water settlement will give the Tribe enough water for the Project, but monitoring its use in the future was discussed in the Water Resources section above.

The City is concerned with the waste water treatment facility and the City's groundwater supplies. A picture of a water treatment facility also shows the possible visual impact of such as structure (53).

A report by a SOC member relates information she received from Lyle Treend, Southern California Edison and Mrs. Flores, The Gas Company (54). Both stated that they would need specific plans from the Tribe before they could calculate the cost and requirements of electric and gas service to the Project. Mr. Treend stated, "Current facilities may need to be upgraded to support outlying communities". The three SOC communities may be affected by increased demand on power lines in the area and possible loss of service during construction and upgrading. The Tribe should give the utility companies a detailed plan of the Project *prior* to any fee-to-trust acquisition approval so that the terms and conditions can be discussed and mitigated. Tribes are exempt from local regulation of building and other types of codes.

(5.4) The next issue is **CRIME** (pages 22 and 23 of Scoping Report), the 4th most important citizen concern (page 11).

According to the document, Gambling In the Golden State, May 06, "six years after casino openings, property crimes were 8% higher and violent crimes were 10% higher in casino counties."

In the Hesperia Star article, dated 6/6/06, information is given that proves that "casinos raise the level of serious crime in a community over time, despite casino revenues spent on additional police, according to a new study." (55) The study, "Casino, Crime and Community Costs" by David Mustard of Terry College of Business at the University of Georgia and Baylor University Professor, Earl Grinois, looked at all 3,165 counties in the United States from 1977 to 1996 (reference <<http://www.terry.uga.edu/%7Edmustard/casinos.pdf>>). "Five years after a casino opens, robbery in the community goes up 136%, aggravated assault is up 91%, auto theft is up 78%, burglary is up 50%, larceny is up 38%, rape is up 21% and murder is up 12%, compared to neighboring communities."

A document entitled, "Gambling and Crime Among Arrestees" by the National Institute of Justice (56) found that "both men and women arrestees who are compulsive or pathological gamblers tend to be from lower social and economic classes...and those arrestees were pathological gamblers in Las Vegas and Des Moines three to five times the percentage of the general population." This group committed double the robberies of low-risk gamblers; one in four assaults reported by pathological gamblers was related to gambling; one-third of the gamblers sold drugs to finance their gambling; sixty percent of the arrestees used illegal drugs; two-thirds reported they drank alcohol to the point of dependence; forty percent had committed more than one theft in the past year. There are social ills engendered by problem gambling and gambling in general that must be dealt with for the safety of the surrounding communities.

The document developed by the San Jacinto Police Department entitled, "Calls for Service and Arrest Analysis" (57) shows a dramatic increase in crime, especially citations, from 6/04 to 12/07 in the area around the Soboba reservation, east of Ramona Expressway. Crimes committed only at the Soboba Casino are outlined in a document printed from an Excel Spreadsheet from Lt. Vest, San Jacinto Police

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Chief, (58) that shows dramatic increases in all crimes from 1999 to 2007 at the casino.

A recent crime, currently being investigated, shows the vulnerability of the senior citizens at the Soboba Springs Mobile Home Park on Lake Park Drive which is passed by patrons going to the Soboba casino. In December, 2008, a car entered the unlocked gates during the daylight hours, stopped at the first mobile home, a lady knocked on the door, an ill elderly homeowner answered, let the lady in because she asked to use her phone. When the lady asked for a glass of water, the resident went to the kitchen and the lady stole her wallet out of her purse. Nothing else was targeted except cash, possibly to use at the casino a mile from the Mobile Home Park. A resident in the Soboba Springs community, while working in her yard, has had people stop and ask for gambling money! Many patrons of the casino, coming into our area, are not the law-abiding citizens we would hope to see. As a result, crime and fear has infiltrated our formerly quiet, rural communities.

Another document, "Gambling With Our Future" (59) also confirms the increase in crime at the Casino San Pablo with the introduction of slot machines. Emergency calls to the casino increased 341%, Ambulance calls increased 233% and Trespassing calls near the casino increased 343%. Vehicle Theft increased 279%, Disturbance 219%, Burglary 243%, Drunk in Public 100%, Drug Possession, 200%.

It is evident that "a casino fundamentally alters the environment in which it is located. It provides a myriad of opportunities for criminal activity and has the potential to attract a larger segment of the criminal population, increasing the possibility of economic, property and violent crimes to occur".

The Soboba Tribal Administrator, Tobin White, during a tour of the Reservation in 2007, stated to a SOC member and her husband, that the man guarding The Oakes property no longer sits in the guard shack erected there because he was shot at. He also stated that a guard shack erected on Soboba Road was to keep the criminal element out of the reservation. Problems have risen with this premise, as crime and gun battles generating on the reservation have spilled over into the city and our communities. Police and emergency services must now stop at the guard shack to sign in to investigate these crimes. The reservation has

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been an escape route and safe haven for criminals. Some of these incidents are documented in newspaper articles (61).

A letter by Riverside County Sheriff Sniff, dated July 28, 2008, (62) outlines the concerns about access to the reservation by law enforcement authorities to enforce California criminal statutes required by PL 280. He states that Tribal Council actions have created safety issues for tribal members, their employees and the general public. The latest confrontation required the police to close Lake Park Drive and use it as a staging area and helicopter pad in order to search the reservation to apprehend a fugitive (63). Our formerly quiet residential neighborhood has become a battle zone.

Appendix C of the Indian Country Drug Threat Assessment 2008, deals with the policing and law enforcement in Indian Country under Public Law 280 (64). Table 15 shows the confusing jurisdictional issues relating to crimes where the offender or victim is either Indian or Non-Indian. There are also crimes where the jurisdiction is not conferred under PL 280. Participating agencies involved in combating criminal activity and drugs are the FBI, DEA, BIA, ATF, tribal police departments and state and local law enforcement agencies. Presently, the Soboba Tribe and these agencies are at odds regarding law enforcement on the Reservation.

According to Cheryl Schmit, Director of Stand Up For California, PL 280 states that local governments are required to provide law enforcement, fire and ambulance services to Indian lands. This requirement is generally not a significant increase in emergency services costs when local governments are dealing with residential tribal lands; however, there is a significant increase in costs when a commercial facility such as a casino is involved. In addition to significantly impacting the fiscal aspects of local government, Public Law 280 dramatically restricts local government by its lack of any regulatory provisions. This distinction in jurisdiction between law enforcement/emergency services and regulatory authority creates issues of inadequate and insufficient public protection for all citizens on and around Indian lands.

If the fee-to-trust acquisition is approved, these issues will only magnify with the inclusion of more land, the golf course, clubhouse, hotel and new casino, all surrounding our three SOC communities.

(5.5) The next issue is **MINORITY/LOW INCOME** (page 23 of Scoping Report under Environmental Justice). The Tribe states that low income and minority populations would benefit from this Project. As shown above in the article "Gambling and Crime Among Arrestees", most pathological gamblers come from a low socio-economic group. Losing money through gambling contributes to crimes, arrests, drug and alcohol use and breakup of the family unit. Casinos do not make money by giving it to minority and low income patrons. Rather, these patrons fund the casino profits at the patrons' social expense.

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(5.6) The next issue is **CULTURAL RESOURCES** (page 23 of Scoping Report). Social values of Indian Tribes are closely tied to their cultural resources including paleontological, historical and archeological resources in their area.

The National History Preservation Act, Section 106 is applicable in preserving any cultural resources of the area. The purpose of Section 106 is to evaluate the effects of any *federal* undertaking on cultural resources as early in the NEPA process as possible. An archeological evaluation and/or study must be completed for the proposed project and submitted to the State Historical Preservation Office for review and concurrence.

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SOC contends that destruction of these possible cultural resources would not only be detrimental to the Tribe, but also to the surrounding communities. Covering over these sites with a destination hotel/casino resort and parking structure would not help mitigate this destruction.

A SOC member's report, however, states that there is no evidence of a claim that the proposed fee-to-trust land was a historic site or contained artifacts or cultural resources and contends that the Project will not preserve Tribal culture (65).

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(5.7) The next issue is **PROCEDURAL AND OTHER LEGAL ISSUES** (page 25 of Scoping Report). This fee-to-trust acquisition and proposed casino Project must follow strict federal and state legal guidelines. SOC contends that many of these guidelines have not been followed and this has jeopardized the process and made it difficult for the surrounding communities to respond. We do not believe the Tribe has been honest and forthcoming with its plans and has not involved the communities or desired to work together in the planning of this Project.

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On July 24, 2007, the Soboba Band of Luiseno Indians created a Resolution (66) stating that they wanted to submit to the BIA an application for the Horseshoe Grande Fee-To-Trust comprised of total acreage of approximately 534.91 +- acres.

On December 14, 2007, the Federal Register notice, issued by the Department of Interior and the Bureau of Indian Affairs, stated the Tribe wanted 289 acres put into trust (67).

A SOC member contacted the Tribal lawyer, Karl Johnson, asking for information about the possible fee-to-trust application on August 15, 2007, October 5, 2007, and November 21, 2007(68). Even though the Resolution was public information, Mr. Johnson stated that he was unable to talk about it publicly until the Federal Register notification (email of December 18, 2007). At that time he said the Federal Register was incorrect stating 289 + acres when it should have been 534+ acres. The Federal Register information is given to the BIA by the Tribe and dated by Carl Artman on November 9, 2007 and the tribal lawyer should have known it was incorrect and attempted to correct it before publication. The person to contact with any questions, John Rydzik, BIA Environmental Scientist, (916) 978-6042 was on vacation from December 16 to December 26, 2007.

The first announcement to the public came out on December 21, 2007 as an article in the Press Enterprise tucked away in the "PAGE" section which could easily have been overlooked. Not everyone in our three communities gets the Press Enterprise. Some subscribe to the L.A. Times, Riverside County edition.

In an article on December 14, 2007, a journalist who was called and told about the proposed fee-to-trust application, interviewed Rose Salgado who stated the Tribe "wanted to annex the site not necessarily to allow a casino there". This was in direct conflict with the Tribe's resolution which Ms. Salgado signed on July 24, 2007 and with the Federal Register posting which states a hotel/casino was planned. A project of this magnitude would not be forgotten or misinterpreted.

A Public Scoping Meeting was scheduled for January 8, 2008 (less than 30 days notice) and comments were to be heard regarding this incorrect Federal Register information. Further written comments were allowed until January 22, 2008. The time from the local notifications of the actual acreage involved, December 21,

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2007 at the earliest and January 4, 2008 at the latest gave little time to prepare for a public scoping meeting where comments would be heard by BIA and Tribal officials. Combine this with the fact that the contact person, John Rydzik, was on vacation and this was scheduled in the middle of the holiday season shows either a lack of consideration for the citizens of the city, or a total disregard for the legal procedures.

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A SOC member emailed Mike Hiles, the Tribe's public relations person, at <mhiles@mphpr.com> on January 2, 2008, (69) to tell him about the three surrounding communities and to ask why notices weren't placed at the entrances to each of these three communities (now SOC). They should have been on the list of possible notification procedures, since the Indian Reorganization Act states that the Tribe must show the annexation and Project "will not be detrimental to the surrounding communities". These three communities are the closest and most directly impacted by this proposal and should have been notified directly. When asked why notice wasn't placed in the Riverside edition of the L.A. Times Mike stated that no one reads that in this area and he didn't have enough time to get it in anyway.

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Mike Hiles responded saying he was getting out notices on January 3, 2008. The notice (70) enlarged to 24" X 36" was put on a 4x4 wood post and stuck behind a yellow utility object where no one could get to it or see it, especially passing motorists. This gave residents five days to gather information and respond at the community meeting, January 8, 2008. Some Hill Community members received this notice when it was placed in their mail boxes with no postage paid. The Mobile Home Park and the Soboba Springs Homes had to rely on this 24" X 36" posting. This was the local notification for the community citizens who may not get the Press Enterprise, read the City of San Jacinto website daily, or go to the Hemet, Valle Vista or Riverside Library and look at the message board daily.

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Adding to the confusion, the postings at the three communities differed in content and information from the original Federal Register.

Federal Register
35-40 acres proposed for development
300 room hotel
No gas station mentioned

Public Notice Sign
45-55 acres proposed
250-300 room hotel
12 pump gas station

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2200 space parking garage

doesn't mention size of garage

The Federal Register also does not coincide with the Scoping Report information on pages 3 and 4.

Federal Register
90,000 sq ft casino
224,000 sq ft hotel

Scoping Report
112,000 sq ft casino
210,000 sq ft hotel

The Federal Register states, "The new gaming facility would *replace* the existing one located on the reservation." However, according to the Tribe's 1999 Gaming Compact, Sec. 4.2 Authorized Gaming Facilities, "the Tribe may establish and operate not more than **two** Gaming Facilities, and only on those Indian lands on which gaming may lawfully be conducted under the Indian Gaming Regulatory Act. The Tribe may combine and operate in each Gaming Facility any forms and kinds of gaming permitted under law, except to the extent limited under IGRA, this Compact, or the Tribe's Gaming Ordinance".

Under the IGRA, there is a general prohibition of the development of casinos on lands acquired after the cut-off date of October 17, 1988. However, in the IGRA, there are exceptions (25 US Sec. 2719 (a) (1) if such lands are within or contiguous to the boundaries of the reservation. While the Tribe may state they are *replacing the existing casino*, there is nothing to prevent them from having two casinos as is permitted through the Tribal State Compact. They can always change their mind once the land is put into trust and say that two casinos are in their best interests. Theoretically, that casino or some form of gaming could also be located in the Golf Clubhouse once the land is in trust. By not stating the correct acreage involved, which ultimately includes the golf course and clubhouse, crucial decision making issues will be hard to determine.

Another negative effect on the surrounding communities comes from the fact that we may become "islands" of city land surrounded by reservation land with only two roads for ingress and egress. These roads have been clogged for various reasons, floods, mud slides, fires, special events at the casino, accidents and police activity. A report by a SOC member (71) states that 385 homes will be at risk of being isolated from city and county boundaries.

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An article entitled "Victims on reservation frustrated by Inaction" relates a similar problem of being land-locked within a reservation. This relates to a business on a Montana Indian reservation near East Glacier (72).

Brian Kelly owns several businesses on the Blackfeet Indian Reservation. He describes his problem as "sovereign anarchy". The Tribe bans deputies from enforcing state laws, a fact he did not know when he invested in the businesses. When his business was vandalized by his tribal employees, he received no help in investigating the crimes.

According to Montana Board of Crime Control, crime on the Blackfeet Reservation was seven times that of the national average in 2005. America's crime index, the article states, a combination of the seven most serious crimes – homicide, rape, robbery, aggravated assault, burglary, motor vehicle theft and grand larceny – was 2,575 index crimes per 100,000 people. On the Blackfeet Reservation, it was 16,465 crimes for every 100,000 residents.

The disconnect between the tribe and law enforcement leaves reservation residents feeling unprotected. The same would be true of our three communities as islands within the Federal Trust reservation.

In summary of Legal and Procedural Issues, the first procedural non-compliance error was the Notice of Intent published in the Federal Register on December 14, 2007, by the DOI and BIA stating incorrect acreage.

The second non-compliance error was the lack of timely notice given to the public and the confusing misinformation in the notices. If Mike Hiles had not been queried about this notification, subsequent notices probably would not have been posted.

According to the Department of Interior Regulations for Land into Trust, the off-reservation comment period should be 60 days. We were not given that time frame. A letter from Amy Dutschke, Acting Regional Director of BIA stated that even though the notification was incorrect on December 14, 2007, we had until January 22, 2008 to respond, over the minimum 30 days, even though it contained incorrect information on which to base our comments (73).

Another non-compliance error is the Scoping Report's publication of the Written Comment Cards that citizens wrote, but which cannot be read by citizens who received the report. Many of these cards are just dark pages. On page 13 of the Scoping Report, it states that this report is a "consolidation/representation" and lists potential effects of the Project. This does not give those people whose cards cannot be read, the voice they deserve when the Scoping Report is given to people who need to comment and make decisions.

A02-135 cont.

During the verbal public comment period, there were statements made that were not incorporated into the document. The officials stated that the proceedings were not recorded. When asked why the casino could not be placed at the far northern end of the golf course, Chairman Salgado made the comment that that area contained kangaroo rat habitat. That information was not included in the Scoping Report, but was heard by participants. Since this proposed Project land is located in an endangered species habitat area, that comment was significant to the Environmental Impact Statement document.

A02-136

The totality of these misleading statements, conflicting information, non-compliance errors and omissions have the effect of confusing and misinforming the public about the scope and legal issues connected to this Project. This non-compliance, confusion, misinformation makes it extremely difficult for the public to comment and discuss the impact of this Project on the surrounding and regional communities. It has been a year since this process started, so to give such little time for research and original response for the Scoping Report is unacceptable.

(6) The next section under the larger title, **WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITIES** is **ECONOMIC** of which there are four issues.

(6.1) The first is **REVENUE** under the **SOCIOECONOMIC** title (pages 21 and 22 of Scoping Report). The City is concerned about its Bonds in relation to the Lake Park bridge construction. Tax increments from our area are used to repay these Bonds and they are currently outstanding. If the Horseshoe Grande Property is annexed, there will be a significant loss in tax revenue including the golf course and clubhouse, as well as the new destination resort Project and

A02-137

additional businesses. This would be a violation of the covenants of the Bond documents.

According to a SOC member's research of the 2008 Property Tax figures of the Tribe's land holdings (74), the current annual property taxes are \$399,788.00 which includes 978.83 acres.

According to "The Economics of Gambling", written by Professor Earl Grinois, Department of Economics, University of Illinois (75), social costs from gambling are approximately \$214 per adult annually (of which crime = \$63). Social benefits are less than \$42 per adult. In a typical county of 100,000 adults the introduction of casinos would create additional costs of \$12.7 million annually and direct social benefits of \$4.2 million.

He determined that more people working next door to you may have nothing to do with the well being of the citizens in your area. Well being may actually decline. The value of an additional job has been estimated to be worth as little as zero to the community, or between \$0 - \$1,500. Gambling promoters argue gambling creates regional jobs. In general, however, gambling loses area jobs when local gambler dollars are removed from the area (when they otherwise would not have been) in the form of taxes or are spent by the casino owners or employees outside the area.

He also researched tax revenues and states that "taxes on gambling revenues cost \$2.53 per dollar of tax collected if the tax rate is 50 %, a number that rises above \$4.82 per dollar if the gambling tax rate is 20%". His research implies that gambling costs the nation \$30 to \$53 billion dollars.

A study called "Casino Impacts and Schools" (76) states that 40-50% of property taxes goes to education funding. Using Agua Caliente Casino as an example, if it were to pay its fair share equivalent of property tax (\$6-8 million) and corporate tax (\$7.5 million) it would bring a minimum of \$6-8 million into education funding. Currently Agua Caliente Band makes voluntary contributions to public schools in the range of \$30-50,000 a year, 1% of a fair share contribution.

The study found that "children of casino workers are likely to be poor or low-income. Based on wages earned at the casino, up to 70% of the children of Aqua

Caliente Casino workers, or 300 children, could qualify for subsidized school meals”.

If this Project is approved, the City will be the big loser. It will lose commercial and property tax revenue, property values will go down, other business in town that pay these taxes will suffer from the competition, crime rates will go up causing added expense to the city and county, jobs in the resort may have no oversight and may not include benefits or good wages. People will lose money so that the casino can make money. The SOC communities engulfed in this problem will suffer socially and economically.

(6.2) The next issue is **PROPERTY VALUES** of the surrounding communities (page 22 of Scoping Report). An article in the Valley Chronicle, July 25, 2008, stated that according to RealtyTrac, a national real estate company, San Jacinto had foreclosures on 265 homes (only those that had action on them in June, 2008). This is a 112% increase over June 2007 with action on 125 homes.

Riverside County is second only to Los Angeles County in defaults with 24,968 in the second quarter of 2008. In Riverside County 9.54 % of households entered foreclosure. The national average is 2% so it is obvious that our county and city are in dire conditions regarding home losses.

A SOC member and real estate professional took an informal poll of her colleagues and found that 100% believed that a casino on the Horseshoe Grande land would reduce home values in the immediate area.

In real estate terms, an *incurable defect* is the concept of external or economic obsolescence. Sellers must disclose all material facts that could adversely affect a buyer's use and enjoyment of the property. Those of us who live in the surrounding communities to this proposed Project would have to disclose all the potential negative effects of this project including noise, increased traffic, construction chaos, visual obstructions, increased crime threat and proximity, air pollution, and public services/safety concerns regarding jurisdictional issues and response time to mention a few of the potential negative effects. As a seller, we should not employ the idea of “caveat emptor” (let the buyer beware), rather “disclose, disclose” and possibly suffer the consequences of lower home values and sales.

A02-138 cont.

A02-139

(6.3) The next issue is **BUSINESS** (page 21 of Scoping Report). The City Chamber of Commerce should be concerned that existing businesses that offer the amenities in the Proposed Project will be and currently are being negatively affected.

The Clubhouse at the Golf Course currently pays commercial and property taxes on its facilities. Its restaurant and banquet facilities offer an excellent place for weddings, business meetings and social clubs. If these facilities were to be incorporated into the fee-to-trust land, their income would not be taxed and other banquet facilities would lose their business to them because the Tribe could lower costs.

The proposed hotel/casino complex would siphon money from other hotels, gas stations, spas, restaurants, without paying taxes. Special events would bring revenue to the Tribe without sharing that revenue with the city.

A SOC member report cites two studies, "Gambling in the Golden State 1998" and "Tribal Casinos and their impact on a California Community"(77). It outlines the devastating cost of casinos on a community in every economic category. The report states that "tribal businesses do not transfer funds to State and local governments like other businesses. Yet local government and local taxpayers must attend to the impacts of the business for the overall future health and safety of the community."

The motivation for Governor Arnold Schwarzenegger to renegotiate Tribal State Compacts has been both the financial and social justice issues of the failure of the 1999 Tribal State Compact. Soboba has a 1999 Tribal State Compact.

(6.4) The last section is the issue of the **CUMULATIVE EFFECTS** of the Proposed Action (page 24 of Scoping Report). The negative effects of this destination resort proposal will be felt initially through the construction process, increased traffic and noise and degradation of the surrounding communities' quality of life. These cumulative negative effects will continue on in the future and may or may not have been mitigated or mitigated successfully.

A02-140

A02-141

Since the original casino opened, there are negative effects which have not been mitigated at all including the speed, intensity or control of the traffic, the noise generated by it 24 hours a day, 7 days a week, noise from concerts and special events that go well beyond the city's noise ordinances, a constant glow of light pollution in the night sky, clogged evacuation routes with only one road to enter and exit, and serious gun battles and crime surrounding the reservation and our communities.

In a Press Enterprise article, August 26, 2008 (78), Alfonso Zavala, an organizer for the National Sand Drag Association, said they pulled out of Soboba for their event citing safety issues. He said his parents were forced to remain on the reservation after authorities closed off the only road leading to and from the area. He described it as "an emotionally difficult experience for them".

Extra costs for utilities and public services, water use and crime are effects that may not be known initially and which may get progressively more devastating in the future. The track record of cooperation between the Tribe and the City is not a good one. The City has extended its hand and the Tribe has not responded. Chances are it will get worse once the Tribe exerts its sovereignty on its annexed reservation land.

The precedent has been set in words spoken by the Tribal chairman, Bobby Salgado. In a Valley Chronicle article of August 1, 2008 (79), Salgado demonstrates his disdain for the County Sheriff's Department by saying, "Same old story of treaties being broken...The white man speaks with a forked tongue – you know the saying. This is 2008, not the 1800s where the cavalry came in and took our women and our kids and massacred them". Rose Salgado, a tribal council member stated, "...deputies have no right to enter the reservation. It seems equally clear that the sheriff cannot enter the tribal reservation, which is closed off to the public." In a Los Angeles Times article, June 10, 2008, (80) Chairman Salgado said that "No one has the right to tell Indians how to run their sovereign nations". When referring to the residents of the mobile home park complaining about gunfire from the reservation and bullets falling onto their roofs, Chairman Salgado stated, "If those in the trailer park aren't happy, they should get back on Plymouth Rock and sail back to Europe".

Some questions arise:

Would a Memorandum of Understanding (MOU) be legally binding when the city finds it is running out of funds to support the Project and the Tribe says it doesn't have the funds?

If the hotel/casino were erected on unstable soil filled with earthquake faults and there were no building permits or safeguards in place as there would be on city land, would there be lawsuits for injuries sustained when the building becomes unsafe? Would these lawsuits be binding on the Tribal nation, or ignored in their courts?

Would the citizens who patronize these establishments know that their civil rights are not guaranteed on Indian land?

Is it mandatory that the Tribe work with the local and state governments to mitigate problematic issues?

A SOC member's report on economic self-sufficiency (81) comes from a person who has worked in the Tribal community for many years and who has first-hand knowledge of their attitude and situation. She contends that the casino has started a downward slide for the Tribe and its members. It is especially devastating to the young children who only need to wait for a handout to feel self-sufficient. Drug abuse and domestic violence have increased since the casino opened and a new casino will only exacerbate the problems.

SUMMARY:

The Tribe's application for a fee-to-trust land transfer into their reservation and the Proposed Horseshoe Grande Project of a hotel/casino destination resort is not in the best interest of the Tribe and it will be detrimental to the surrounding communities.

SOC has gathered information and facts to prove that this annexation and Project is too massive and overbearing, environmentally, socially and economically, for the area in which it is being proposed. The tone of the entire area will forever be altered and it will not be a positive development for the surrounding communities if it is placed on the Horseshoe Grande land.

A02-142

A02-143

Evidence has been gathered to show that this land is not being reacquired as former reservation land, that cultural resources will not be preserved, and that the Tribe's desire to exercise complete sovereign powers over land that is in fee to trust by the Tribal government and do it with the combative attitude presently displayed by the council, is not positive for the local, state and federal government nor its citizens. Citizens of the surrounding communities would be islands within reservation borders and would have little input in what happens on sovereign Indian land around them with regard to gun fire, noise and visual pollution, traffic, crime, air quality, hazardous conditions and water and environmental issues.

The Scoping Report shows an overwhelming concern about this Project being placed in the middle of a rural residential area. Letters and comments from residents show disapproval of the fee-to-trust transfer and developing a hotel/casino complex on the Horseshoe Grande property. SOC members have compiled information to prove that this would be detrimental to the surrounding communities environmentally, socially and economically.

The City has grave concerns and stated that, due to issues with citizen safety, it wants the application rescinded and if the Tribe does not withdraw, then the City will not support the Project (82).

The Executive Director of The League of California Cities, in a letter dated February 22, 2008, (83) asks The Secretary of the Interior for more local government consultation when fee-to-trust applications are submitted by tribes.

The Association of California County Supervisors is also concerned about this issue (84).



CONCLUSION:

The Secretary of the Interior must value the City's disapproval of this Project within its city limits and its stand that it will be detrimental to the surrounding communities, taking into consideration the citizen's safety and well-being.

SOC agrees with Colleen Ferrini, Colusa County Citizen for Safe Water, when she states, "There are very few people who would deny economic development for the tribe. It would be nice if the neighbors were considered as well."

SOC wants the Tribal Members to be self-sufficient, to have jobs and career opportunities, however, this Proposed Project, a hotel/casino high-rise resort situated on light residential zoned land in the middle of a predominately senior citizen residential area is not appropriate and not the answer to those goals.

Their casino and any other projects planned for the reservation may be their answer to their self-sufficiency. We believe, however, that it is not productive to increase allotment checks to Tribal members in the hopes that the money will go for education and job security. Many Casino allotment checks have been used to fund drug habits, buy guns, increase crime and in fact stifle self-improvement. It is a well documented problem on the Soboba Reservation that plagues other casino reservation communities as well.

"Federal law is supposed to enable and help empower Native Americans to create or recreate a homeland, but was it intended to destroy other people's homelands to accomplish this?" Peter Hedgion, Mayor of Oneida, New York

Scoping Issues of the Soboba Horseshoe Grande Project

Appendix #1

Patricia June Mayne

ises when they recommend, as they do, that the special attorney for the Mission Indians be instructed to take immediate steps to perfect the arrangement proposed by the Company, fearing a change in its control might jeopardize the liberal offer now made.

SAN JACINTO RESERVATION ✖ ✓

Near to and adjoining the Town of San Jacinto, is a tract of land containing seven hundred and forty-five (745) acres within the boundaries of a confirmed grant on which is the Indian village of Saboba. A suit was brought against these Indians a few years since, for the purpose of ejecting them from this grant.

The case of the Indians was ably represented by Shirley C. Ward, at that time United States special counsel for the Mission Indians, and on an appeal from the Superior Court of the County, the Supreme Court of California, reversed the decision and affirmed the possessory right of these Indians to this land.

Immediately adjoining this tract lies the San Jacinto Reservation, as set apart by an executive order, dated June 19th, 1883. A portion of this was, by executive order, restored to the public domain, for the purpose of allowing certain Indians to homestead it, which has been done.

After a careful survey of the land for the purpose of locating the holdings of the Indians living on the Reservation, and a like careful consideration of the facts, real and probable, the Commission has decided to recommend that the following described lands be set apart as a permanent reservation for these Indians:

The North-west quarter (1/4); the West half (1/2) of the South-west quarter (1/4), and the South half (1/2) of the South-east quarter (1/4) of Section twenty-eight (28); Section twenty-nine (29); the South half (1/2) of the South-east quarter (1/4) of Section twenty (20); the North half (1/2) of Section thirty-three (33); and all of Section thirty-two (32), except such lots in the South-west quarter (1/4) as belong to that portion of the grant now in possession of the Indians; all in Township four (4) South, Range one (1) East. + Also Section two (2); the South half (1/2) of Section three (3); also, fractional part of the North-east quarter (1/4) of Section five (5); all in Township five (5) South, Range one (1) East, S. B. M. +

It will be observed that the proposed Reservation contains Sections already granted to the Southern Pacific Railroad Company.

In accord with the provisions of the act creating this Commission, and in harmony with an agreement made with the Director:

of that Company, we recommend that the Company be allowed, subject to the approval of the Honorable Secretary of the Interior, to select an equal amount of land elsewhere in lieu of this.

We have retained Section twenty-nine (29), Township four (4) South, Range one (1) East, because some Indians have settled in a Canon, where there is a spring, on the western part of it. We include the South-east quarter of Section twenty (20) in the same Township, for the same reason, the Indians there having water and an old vineyard and orchard.

The chief settlement on this Reservation is on Section two (2), and the part of Section three (3), in Township five (5) South, Range one (1) East, S. B. M.; along Indian Creek.

The water of this Creek has been partly filed upon, but the Indians have a prescriptive right to a part of it. The surplus above the amount thus appropriated could be conducted on to Section thirty-two (32), Township four (4), Range one (1), which, with water, could be made most valuable.

There is also a stream flowing down across the western part of Section twenty-eight (28), and the western part of Section thirty-three (33), and the southern border of thirty-two (32),

in township four (4) South, Range one (1) East, S. B. M.

This water fails during the latter part of the summer, but it is believed that a permanent flow could be secured by development, and easily conducted into Section thirty-two (32), on which, chiefly, in the future, these Indians must depend.

The San Jacinto River, during the past spring, washed away some fifty to seventy-five acres of the land on the grant, and the prospect is that a very large share of the seven hundred and forty-five (745) acres on this grant will disappear.

These Indians, of whom there are nearly two hundred, are quite advanced, and if the government will aid them in the development of their water, as this Commission respectfully recommends it shall ^{do} be, it is believed that will utilize for pasturage and cultivation the valuable part of their Reservation.

AGUA CALIENTE.

As now established, this Reservation embraces nearly sixty-one thousand (61,000) acres of land, upon which are settled about seventy Indians. It is such disproportions between Indians and acres that has given rise to much of the adverse criticism of California newspapers against the Reservation system.

Environment – Preserve Cultural Resources/EIS Concerns

- No evidence of claim that adjacent land was tribal land, other than possibly used for encampments or hunting/food gathering area.
- Previously, believed that tribal representatives have said no historic sites or artifacts in annexation area.
- Tribe has obtained land in vicinity equaling close to 10,000 acres according to public record.
- Tribe has built significant facilities on existing reservation for cultural preservation including Cham-Mix Poki' and Noli School plus preserving the Catholic chapel.
- The proposed transfer will NOT provide any additional cultural resources or preserve historic sites. The entire area of the transfer is proposed to be used as a construction site for commercial development (buildings and pavement).
- Language in the State's 1999 compacts with gaming tribes intended to mitigate the environmental impact of large casino construction projects has proven to be vague and largely unenforceable. (emphasis added) (1)
- Concerns have been raised around the State about the sufficiency of some tribal environmental impact reports and mitigation efforts, particularly relating to wastewater, groundwater depletion, endangered species, water contamination, grading of land and dangerous road conditions. (All concerns in this project.) Casinos' large scale developments have changed the character of some rural areas. San Diego County concluded that, In general the Environmental Assessments prepared for individual proposed gaming facilities have not provided the level of detail the County requires of projects under its jurisdiction, and have not included factual analysis to support the conclusions that the tribal projects did not have significant impacts on the community character of the surrounding areas. (1)

Source: California Research Bureau; *Gambling in the Golden State 1998 Forward*. By Charlene Wear Simmons, Ph.D. (Requested by Attorney General Bill Lockyer. May 2006

(1) Page 77

SOBOBA TRIBE'S FEE-TO-TRUST RESEARCH PROJECT

TOPIC: Cultural Resources

FACTS:

- The Scoping report for the Draft Environmental Impact Statement (DEIS) states “the federal action...for the purposes...preserve cultural resources”...(1) Also stated is...” analysis that identifies and mitigates any effects to paleontological, historical and archeological resources located within the project area”. (2)
- At a meeting held at the Tribal chambers, called “The Working Group” on March 19th. 2008 the following question and answer occurred: (The Soboba Tribal participants had a note-taker present and community members who attended will testify to the following):
 - Question: “ Will there be mitigation of archeological artifacts found on the project site?”
 - Answer: (Tribal Council Member, Rose Salgado) “ It will not be Necessary, all that was found on the site are a few tin cans”.
- The “ answer” implies the tribe does not consider the site an important former ancestral site. (3) This answer is inconsistent to what is stated in the tribes’ application and deserving of consideration by the B.I.A and T.E.I.S. response.
- Paleontological:
 - Scientific studies (4) and recent and past excavations support the fact that paleontological resources of exceptional importance may be at the site of the proposed “Horse shoe Grande” project. (5)

(1) Reference ... DEIS page 5

(2) Reference ... DEIS page 23

(3) Reference ... S.O.C. report entitled “ Aboriginal rights to the land”

(4) “ A Pliocene Flora from Mount Eden Beds, Southern California” by Daniel Axelrod, University California, issued May 28th. 1937 (Reference sites near Lamb Canyon).

(5) The Diamond Valley Lake and Inland Feeder excavations revealed the extraordinary Pleistocene fossils underlying multiple locations in the San Jacinto Valley. Collection of hundreds of thousands of such fossils from those excavations are at The Western Center of Archeology and Paleontology.

4



Address



*Old Clubhouse + one tree
missing at entrance*



Address



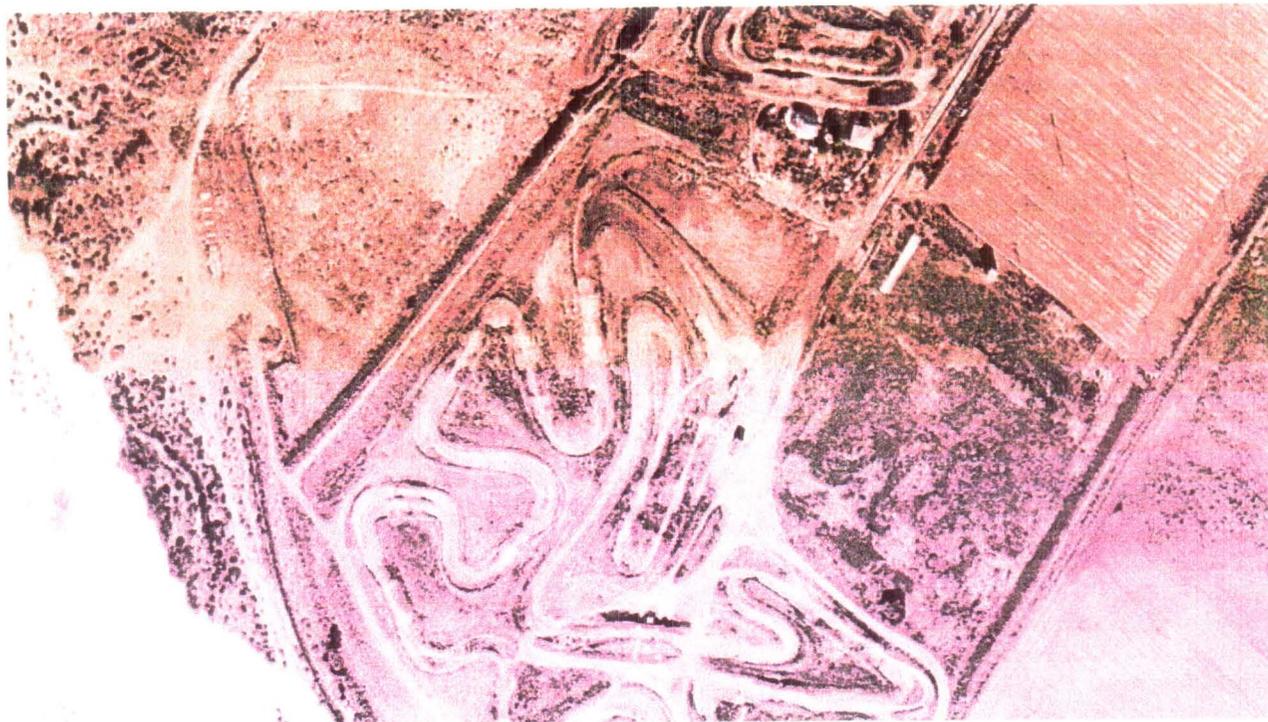


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SOBOBA TRIBE’S FEE-TO-TRUST RESEARCH PROJECT

TOPIC: Tribe’s stated need to provide additional land for tribal operations(1)

FACTS: No need for additional land.

*Existing casino complex is approximately 60 acres (2)

*Proposed site for Horseshoe Grande project is approximately 30 acres—
considerably less than the tribe’s existing casino site(2)

*Tribal spokesperson, Robert Salgado, stated at the Public Scoping meeting that
the existing casino site could not be used for the project because it is subject to
flooding(3)

FACTS:

Both the existing site and the proposed site are Flood Zone X (4)

Tribe is planning to add an additional levee structure to further
Protect the reservation (including the existing casino site).

CONCLUSION: Tribe’s contention they need additional land is false. The tribe and the
Community would benefit from the project being located at the existing site.

Footnotes:

(1) Page 5 DEIS “scoping report”

(2) Riverside County Assessor’s Maps.

(3) Not in “minutes” of meeting but in BIA transcript.

(4) Federal Emergency Management Agency (FEMA) Flood Insurance Maps.

(5) Reliable source seeking anonymity.

(4) Federal

6

SOBOBA TRIBE'S FEE-TO-TRUST RESEARCH PROJECT

TOPIC: Tribe's stated need to provide a new location for Horseshoe Grande casino is that the present casino site is in a flood zone and therefore cannot be used.

FACTS:

*At the January 8, 2008 public scoping meeting the tribal representative-Robert Salgado-stated in answer to the question "...why can't the project be built at the existing site?": Salgado: "It would be in a flood zone." (1)

*Both the proposed site for the casino-hotel project and the "temporary" present site are Flood Zone X. (2)

*Since the two sites are the same flood zone, the tribe would be incurring significant unnecessary costs and delays without justification of the stated flooding risk; therefore the proposed project is detrimental to the tribe.

*The proposed project would have many associated negatives to the surrounding communities(3)

(1)Scoping Report for the ..."project"... has many errors and omissions throughout-especially relevant to this report-- in the minutes (this has been pointed out to BIA and there will be affidavits to Salgado's unsubstantiated claims regarding flooding risk.

(2)See FEMA (FIRM) Flood Insurance Rate Map attached.

(3)See Scoping report "concerns" page 11-13

FREEWAY AIR DAMAGES YOUNG LUNGS

Children living nearby show signs of lifelong harm, USC study finds.

By THOMAS H. MAUGH II
Times Staff Writer

In the largest and longest study of its kind, USC researchers have found that children living near busy highways have significant impairments in the development of their lungs that can lead to respiratory problems for the rest of their lives.

The 13-year study of more than 3,600 children in 12 Central and Southern California communities found that the damage from living within 500 yards of a freeway is about the same as that from living in communities with the highest pollution levels, the team reported Thursday in the online version of the medical journal *Lancet*.

"If you live in a high-pollution area and live near a busy road, you get a doubling" of the damage, said lead author W. James Gauderman, an epidemiologist at the Keck School of Medicine of USC.

"Someone suffering a pollution-related deficit in lung function as a child will probably have less than healthy lungs all of his or her life," he said.

The greatest damage appears [See *Pollution*, Page A12]

Tainted freeway air harms

[Pollution, from Page A1]

to be in the small airways of the lung and is normally associated with the fine particulate matter emitted by automobiles.

"This tells me that I wouldn't want to be raising my children near a significant source of fine-particle air pollution," said economist C. Arden Pope III of Brigham Young University, an expert on air pollution and health who was not involved in the study. "I, myself, would want to be living in areas where the exposure is lower."

The research is part of an ongoing study of the effects of air pollution on children's respiratory health. Previous findings have detailed how smog can stunt lung growth and how living close to freeways can increase the risk of children being diagnosed with asthma.

This latest study of freeway proximity and lung capacity was funded by the California Air Resources Board; the National Institute of Environmental Health Sciences; the Environmental Protection Agency; the National Heart, Lung and Blood Institute; and the Hastings Foundation.

Gauderman and his colleagues recruited groups of fourth-grade students, average age 10, in 1993 and 1996. Their schools were scattered from Atascadero in San Luis Obispo County to Alpine in San Diego County.

The team collected extensive information about each child's home, socioeconomic status and other facts that might impinge on health.

Once each year, the team visited the schools and measured the children's lungs, as-

sessing how much air could be expelled in one breath and how quickly it could be expelled.

These cohorts of children "are truly an important resource because the study has been going on so long," said epidemiologist Jonathan Samet of Johns Hopkins University's Bloomberg School of Public Health, who also did not take part in the study. The size and scope of the study make it very difficult to replicate, he said.

Results from the study reported in 2004 indicated that children in the communities with the highest average levels of pollution suffered the greatest long-term impairment of lung function.

In the new study, Gauderman and his colleagues found that by their 18th birthday, children who lived within 500 yards of a free-

children's lungs, study says

way had a 3% deficit in the amount of air they could exhale and a 7% deficit in the rate at which it could be exhaled compared with children who lived at least 1,500 yards, or nearly a mile, from a freeway. The effect was independent of the overall pollution in their community.

Gauderman had no estimate for the percentage of people in Southern California living within 500 yards of a freeway, but he noted that in a typical city such as Long Beach, it is about 17%.

The most severe impairment was observed in children living near freeways in the communities with the highest average pollution — Upland, Mira Loma, Riverside and Long Beach. Those children had an average 9% deficit in the amount of air they could expel from the lungs.

"Even if you are in a relatively

low regional pollution area, living near a road produces [lung problems]," Gauderman said.

About one-third of the children moved during the course of the study but stayed in the same community. Lung impairment was smaller among those who moved farther from the freeways.

The finding is important "because it shows that within communities, some children are at higher risk than others," Dr. Thomas Sandstrom and Dr. Bert Brunekreef wrote in an editorial accompanying the paper. "Thus, environmental equity is an issue of local rather than regional dimensions."

The results were also independent of the children's initial health and whether they were smokers. "This suggests that all children, not just susceptible subgroups, are potentially af-

ected by traffic exposure," Gauderman said.

Although the deficit in lung growth seems small, it could have long-term effects, Samet said.

"The concern is that the exposure leaves young adults with smaller lungs than they might have had otherwise," he said. That could leave them more vulnerable to lung diseases and more susceptible to the effects of pneumonia and other infections.

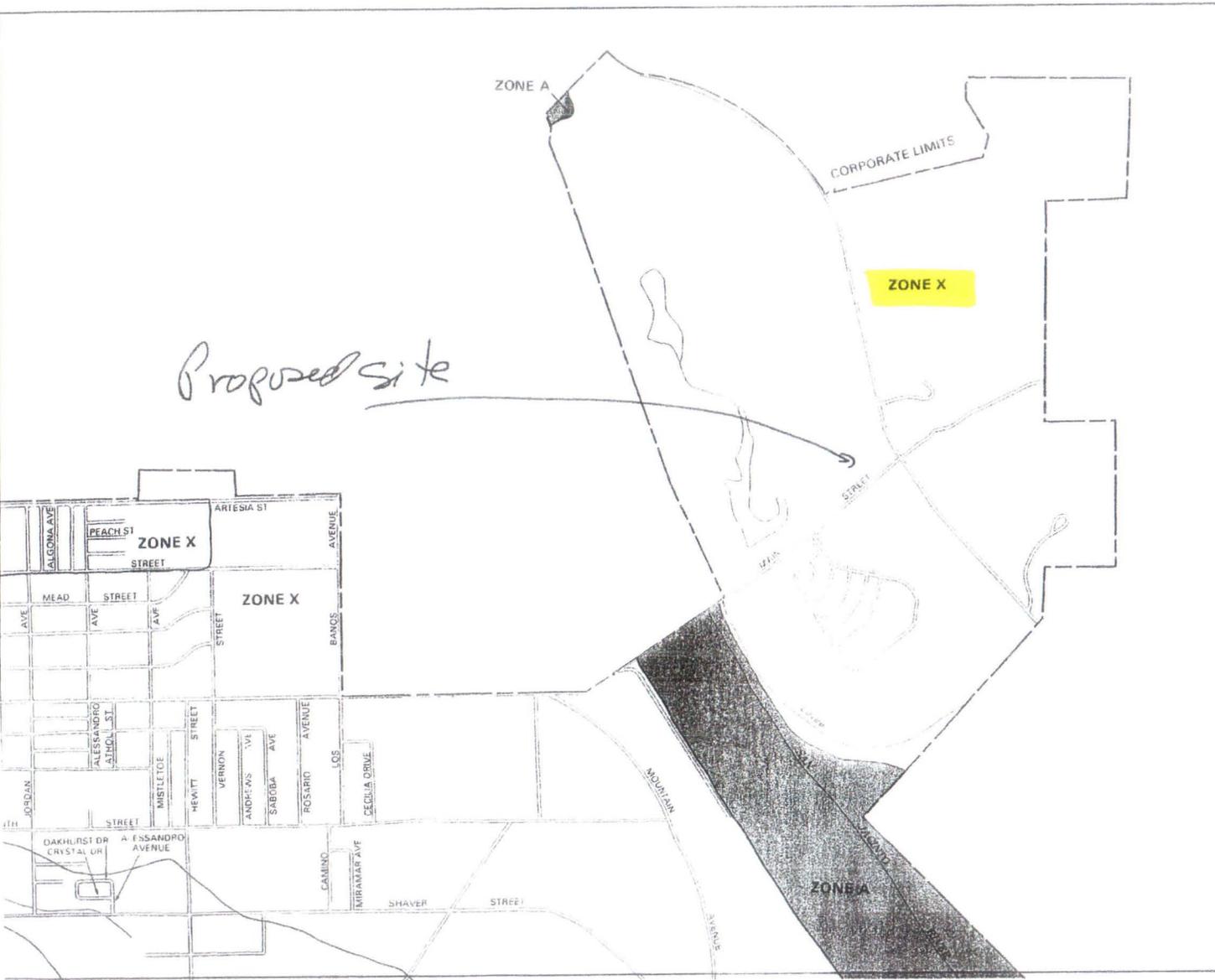
All the researchers conceded that there is little that can be done to mitigate the effects of the traffic pollution now.

But when local governments are planning new schools and new housing developments, Gauderman said, "this should be taken into account."

thomas.maugh@latimes.com



APPROXIMATE SCALE IN FEET
1000 0



Proposed site

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
SAN JACINTO,
CALIFORNIA
RIVERSIDE COUNTY

ONLY PANEL PRINTED

COMMUNITY-PANEL NUMBER
065056 0005 D

MAP REVISED:
MAY 17, 1990



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.fema.gov.

*Zone x - Same as present site -
see available data on FEMA.*



CITY OF SAN JACINTO

Capital Improvement Program Project Details

8

Project Title: RAMONA EXPRESSWAY GAP CLOSURE

Project Description:
 Realign Ramona Expressway between 7th Street and Cedar Ave. in Hemet
 (LOCATION MAP ON REVERSE SIDE)

Project Number:
05-124

Managing Department(s)
ENGINEERING



Project Status:

New
 Pending
 In Design
 Out to Bid
 Under Construction

Project Statistics:

Project related to: _____ Origination Yr. _____

Safety & Health
 Masterplan
 Council Goal

Financial Requirements:

<u>Initial Cost Estimate by Category</u>	<u>Estimate</u>	<u>Funding Summary</u>
Land Acquisition / Right of Way	\$1,000,000	Total Project Cost \$ 168581{4,500,000}
Construction/Engineering/Environmental	\$3,500,000	Total Funded \$ 168,581
Other - Specify	N/A	Total Unfunded \$ _____
		Restricted Funding <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

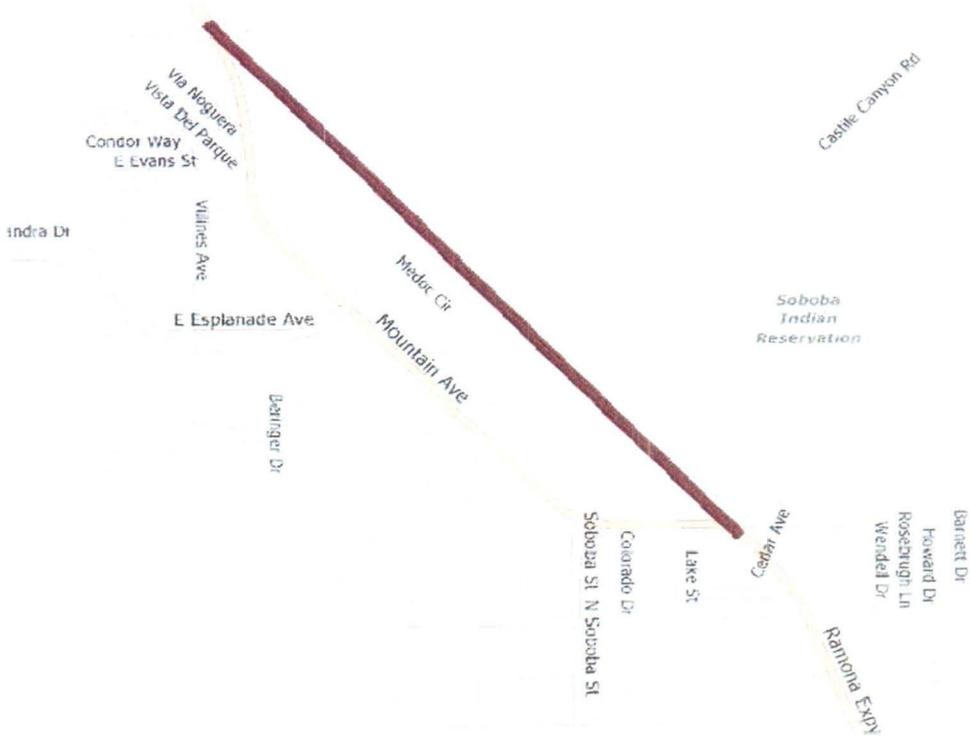
<u>Phases</u>	<u>Status</u>
CEQA	Underway
ROW	Underway
Engineering	Underway
Construction	

Funding Allocation				
Funding Source(s)	Budget 2007/08	Plan 2008/09	Plan 2009/10	Plan 2010 +
TUMF - Fund 083	168,581	1,000,000	3,000,000	
Total	168,581	1,000,000	3,000,000	

Budget Amendment Notes				
Date	Description / Action	Adopted Budget	Amendment	Amended Budget

Additional Notes:
 TUMF Funds from RCTC. Current authorization of \$1,300,000 for CEQA, Engineering, and ROW. Additional allocation for construction will be necessary. Construction anticipated on 2009-10 fiscal year.
 City is in process of receiving proposals for Engineering.
 Draft CEQA document has been prepared, with additional special studies required.

City of San Jacinto
2007/2008/2009 Capital Improvement Program
"STREETS"



Project: Ramona Expressway Gap Closure

Stand Up For California!

"Citizens making a difference"

www.standupca.org

P.O. Box 355
Penryn, CA 95663

August 15, 2008

Honorable Arnold Schwarzenegger
Governor of California
Attn: Andrea Hoch
Legal Affairs Secretary
Office of the Governor
Sacramento, CA. 95814
Fax: (916) 323-0935

**RE: Soboba Breach of Compact –
Unreasonable Risk of Harm to the Public**

Dear Ms. Hoch:

Stand Up For California! and on behalf of *Save our Communities ("SOC")* writes today to bring to your attention the questionable "good faith actions" and a potential breach of compact by the Soboba Band of Luiseno Mission Indians ("Tribe") of San Jacinto, Riverside County.

"SOC" is composed of approximately 900 citizens living in three separate homeowner developments around and nearby the Soboba Reservation. As you may know the Tribe is seeking to expand its land base and develop a second casino with supporting amenities. The proposed development is 1.2 miles from a middle school, within 1 mile of St. Joseph Catholic Church and private school, 8/10th of a mile to a local health clinic and 1 mile from major residential neighborhoods of San Jacinto. The SOC is composed of civic minded citizens that have united to address serious and immediate life-safety concerns as well as potential future environmental and fiscal impacts to their communities.

Request

We request your timely consideration to initiate an investigation of the potential material breach of sections 8.2 and 10.1 of the Tribe's 1999 compact. If shown to be warranted, we ask that you seek the appropriate cure through section 9.2 and if not possible terminate the compact under section 11.2.1(c). Additionally, from the last major incident at Soboba it would appear that the Tribe is not in compliance with California Gambling Control Commission (CGCC) regulation on Emergency Evacuation and Preparedness Plans CGCC-7. We request that representatives of the CGCC visit the Soboba Reservation to evaluate the Emergency Evacuation and Preparedness Plan for effectiveness thus ensuring the safety of the public.

Discussion

Breach of Compact:

Section 10.1 of the Tribe's Compact sets forth the basic requirement that the Tribe will not conduct class III gaming in a manner that endangers public health, safety or welfare. Compact section 8.2 specifically recognizes State criminal law jurisdiction under PL 280. Clearly the Tribe's actions and inactions have exposed the gambling public, members of law enforcement and the regional community to an unreasonable risk of harm due to criminal activity on the reservation. We believe that the Tribe has violated Compact section 8.2.

The Tribe has already broken promises made in a mediation agreement with the Riverside County Sheriff to act in good faith and has intentionally delayed and impeded access to the Reservation. This is an apparent violation of Compact section 8.2. Allowing a criminal presence and unlawful firearms on the reservation, whether or not these actions take place in the casino itself, poses an illogical risk and danger to gambling patrons. As predicted in the May 2006 report on gaming commissioned by Attorney General Lockyer, violent crime on Indian Reservations with casinos is increasing and intensifying.

On the Governor's letterhead dated July 2, 2008, commenting on the Ione DEIS, Ms. Hoch, Legal Affairs Secretary, recognizes the regional impact of casino crime, the expense to the public and the necessity to appropriately and adequately address it.

"The 2006 CRB report, however, confirms that in California higher crime rates, including aggravated assault and violent crimes, are correlated with a greater casino presence and result in increased public expenditures (\$15.33 per capita) for law enforcement. (CRB, Gambling in the Golden State: 1998 Forward, supra, at p.72.) The Draft EIS, however, includes no information regarding the type and scope of criminal activity directly and indirectly attributable to the region the existing gaming facility in the county, or any similarly situated hotels, and RV Parks."

If the Governor recognizes the correlation of increased violent crimes to casino presence and is requesting the Ione Band in the DEIS letter of comment to make a greater effort to adequately address the regional impacts of crime, then without much ado, the Governor must certainly recognize the need to immediately address this increased intensity in violent crime at the Soboba Reservation in order to ensure the life safety of citizens and members of law enforcement and emergency service personnel in the field performing their obligatory duty.

Violence is not new to the Soboba Reservation enrolled members.

The following is a very brief review of recent press stories

- 1 In October 2002, Peter Morillo, 27, was shot and killed by police off the reservation at a Valle Vista house after barricading himself inside.
- 2 In May of 2006, Deputies served warrants and found a stolen Cadillac sport utility vehicle, a stolen motorcycle, a stolen backhoe, several small bags of methamphetamine,

several guns and hundreds of rounds of ammunition. Norbert Arres III, 22, and Larry Arres, 21 and Norbert Arres Jr. 55 were all arrested.

- 3 May 8, 2008, Eli Morillo, 26, was shot and killed in a long gun fight with deputies and SWAT members in armored vehicles on the Reservation. He was a brother to Peter Morill killed in 2002.
- 4 May 16, 2008, Sheriff Deputies responded to 911 calls and were fired upon by 36 year old Joseph Arres. Joseph Arres had pleaded guilty twice to being a felon or narcotics addict in possession of a firearm. There was a warrant out for his arrest and he had failed to make a recent court appearance. He was scheduled to serve two two-year terms concurrently. In the ensuing gun battle with deputies, Arres and his girlfriend Tamara Angela Hurtado were fatally wounded.
- 5 Tensions were so great in May/June/July 2008 that firefighters and emergency services provided by California Department of Forestry and Fire Protection had to have Sheriff Department escort. The escort requirement has recently been lifted; nevertheless, with the continued increase in tensions the potential to re-establish the escort may be a necessity.
- 6 May 31, 2008, Riverside County sheriff's union sends out an alert urging gaming patrons to go to other casinos until Soboba is stabilized as it is not a safe environment.
- 7 July 28, 2008, Riverside County Sheriff requests the NIGC to close the Soboba Casino. Sheriff Sniff states ... "In addition there are already articulated safety concerns among communities bordering tribal lands. Our view of the history of crime incidents on the reservation, and a seeming trend for tribal members engaging law enforcement officers from a variety of agencies with high-power firearms, underscores our safety concerns on behalf of the public and officers from all agencies."
- 8 City of San Jacinto has sent two letters, one to the Soboba Tribe asking that they withdraw their proposed land acquisition application and the second to the BIA stating they cannot support an acquisition due to the failure of the Tribe to ensure the safety of the public.
- 9 August 6, 2008, the state parole office announced Wednesday it has ordered all parolees living on the Soboba Indian Reservation to leave for their own safety and because of concerns of escalating violence that could affect the safety of parole agents.

At a recent meeting of Tribal leaders sponsored by the San Manuel Band of Mission Indians, crime, gangs and drugs on the reservation was the topic of discussion. One tribal leader sadly summed up the current social cultural phenomena. Manuel Hamilton, vice chairman of the Ramona Band of Cahuilla Indians stated:

"...drugs, poor parenting skills and wealth in idol hands have fueled crime on reservations. People have lost the ability to have any work ethic." "We're imploding upon ourselves."

Emergency Evacuation and Preparedness Plans regulation CGCC-7:

Allowing a criminal presence, unlawful assault weapons, an unexplained fire potentially arson, hundreds of thousands of dollars in stolen vehicles and construction equipment and untold baggies of methamphetamines on the reservation is a State issue. Whether or not the recent gun battles have taken place in the casino itself does not dismiss the responsibility of the State to act to protect the public. Requesting a “meet and confer” under section 9.2 is a rational action.

The Soboba Casino poses an unreasonable danger to gambling patrons, employees and the surrounding tribal and non-tribal public. In the last major incident there appeared to be **no plan of action** to evacuate patrons, employees or tribal members to safety. The Soboba plan needs review to ensure effectiveness.

It is in the best interests of the long-term success of the Tribe to protect not only the patrons and employees but ensure the safety of the surrounding community. The failure of Soboba to address this regulation adequately places the Indian Gaming industry at risk and raises serious, critical and legitimate questions about the role of the State, State regulators and casino oversight.

Conclusion

Have the reservations, as foretold in the *Inyo County v. Bishop Paiute Shoshone* United States Supreme Court case become, “...enclaves of a safe haven for the secretion of evidence and perpetrators...?”

While California Sheriffs have the authority and the obligation to protect Indian and non-Indians from criminals on California’s Reservation and Rancherias, the Soboba Band is disputing that authority and intentionally blocking the Sheriffs ability to perform their duty. Therefore *Stand Up For California!* and *SOC* believe the Tribe is acting in bad faith and is in material breach of 1999 Tribal State Compact sections 8.2 and 10.1. Moreover, it is believed that the Tribe may not be in adequate compliance with the Emergency Evacuation and Preparedness Plans regulation CGCC-7.

The State of California police powers are protected by the United States Constitution. The Soboba Chairman cannot go unchallenged at the expense of state police powers or more importantly the safety of the public. Respectfully, due to the heightened tensions and threat to life-safety in-and-around the Soboba Reservation we request a timely response.

Sincerely,

Cheryl Schmit -director
916-663-3207
schmit@hughes.net
www.standupca.org

Jerry Uecker
SOC – Committee
Soboba Springs Mobile
Home Park
PH: (951) 654-3105

Patty Mayne
SOC-Committee
PH: 951-654-4234
PH: 406-682-7154

Michael Adams
SOC - Committee

CC: Riverside County Sheriff Sniff
California State Association of Sheriffs
City Counsel of San Jacinto
Riverside County Board of Supervisors
California State Associations of Counties
California League of Cities
Olin Jones, Tribal Liaison, California Department of Justice
Honorable Jerry Brown, California State Attorney General
Honorable Bill Lockyer, State Treasurer



June 23, 2008

Dale Morris
Regional Director
Bureau of Indian Affairs
West Wing 2820
2800 Cottage Way
Sacramento, CA 95825

Re: Soboba Band of Luiseno Indians Horseshoe Grande Fee to Trust Application

I am writing on behalf of the City Council of the City of San Jacinto regarding the above-referenced Application. Until recently, the City Council has taken a "no-position" or "wait and see" position in order to allow the fee-to-trust application and its related environmental process take its course. However, the recent shootings at or around the existing Reservation have called into question the appropriateness of a fee-to-trust application at this time.

Specifically, the City is concerned that public safety issues need to be addressed at the present time before the fee-to-trust application is processed. As you know, under the applicable federal regulations, the Secretary of the Interior must contact the "local government" on matters involving its "regulatory jurisdiction" when a fee-to-trust application is made. (25 C.F.R., § 151.10.) The Secretary must consider the "impact" of the fee-to-trust application on the state and its political subdivisions, as well as "jurisdictional problems." Clearly, the public safety issues arising from the existing Reservation have a direct impact on the City and its law enforcement and fire department agencies, as well as on the City's "regulatory jurisdiction." The public safety issues affect the ability of the City's law enforcement and firefighters to venture onto the Reservation in order to perform their essential public safety duties. Indeed, public safety was one of the issues raised by the City during the NEPA scoping process earlier this year before the shootings. Even more recently, Phil Hogen, Chairman of the National Indian Gaming Commission, also recently raised these public safety concerns as a result of these same shootings.

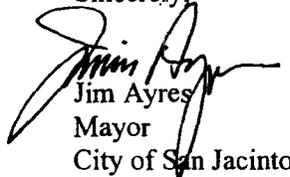
By way of background, the City Council sent a letter to the Tribe, dated May 20, 2008, requesting the Tribe to voluntarily withdraw its fee-to-trust application until the public safety issues have been resolved. The Tribe subsequently notified the City that the Tribe did not intend to honor the City Council's request. Therefore, the City Council has directed me to send this letter informing you that, unless and until the City Council can be assured of the personal safety of the residents of San Jacinto, the public who would be visiting the Reservation, and the Tribe's own residents, any expansion of the Reservation would be inappropriate. Certainly, under existing Bureau of Indian Affairs regulations, it would appear difficult for the BIA to make the required findings authorizing the expansion of the Reservation. (25 C.F.R., § 151.10.) As discussed above, proceeding at this time with the Application would raise serious questions as to the ability of the affected jurisdictions to protect members of the public.

From the Office of the Mayor

Therefore, the City Council believes that the issue of public safety on the existing Reservation must first be resolved before the Application can be approved. As such, the City Council respectfully requests that the BIA suspend processing the fee-to-trust application unless and until the public safety issues are adequately resolved to the satisfaction of the local law enforcement agencies as well as the City Council. This would also enable the BIA to investigate the impact of the shootings on the Application and information relevant to the Tribe's Application. In that regard, the City Council would also request that the BIA request additional information from the Tribe, pursuant to 25 C.F.R. Part 151.12(a), in order to resolve the public safety issue. We believe that, working cooperatively with local law enforcement, the City, and the BIA, this can be accomplished. However, to date, that has not occurred.

I look forward to hearing your response. In the meantime, if you have any questions, please call me at (951) 487-7342.

Sincerely,



Jim Ayres
Mayor
City of San Jacinto

cc: Soboba Band of Luiseno Indians, Chairperson
Hon. Barbara Boxer, U.S. Senator
Hon. Diane Feinstein, U.S. Senator
Hon. Jerry Lewis, U.S. Representative, 41st District
Paul Cook, California Senate, 65th District
Phil Hogen, Chairman, National Indian Gaming Commission
Larry Grable, Governor's Office
Jeff Stone, Riverside County Supervisor
Stan Sniff, Riverside County Sheriff
John R. Hawkins, Riverside County Fire Chief
City Council, City of San Jacinto
Jeffrey S. Ballinger, City Attorney



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



Memorandum

To: Regional Directors, Bureau of Indian Affairs
George Skibine, Office of Indian Gaming

From: Assistant Secretary Carl Arman

Date: January 3, 2008

Subject: Guidance on taking off-reservation land into trust for gaming purposes

The Department currently has pending 30 applications from Indian tribes to take off-reservation land into trust for gaming purposes as part of the 25 U.S.C. § 2719(b)(1)(A) two-part determination. Many of the applications involve land that is a considerable distance from the reservation of the applicant tribe; for example, one involves land that is 1400 miles from the tribe's reservation. Processing these applications is time-consuming and resource-intensive in an area that is constrained by a large backlog and limited human resources.

The decision whether to take land into trust, either on-reservation or off-reservation, is discretionary with the Secretary. Section 151.11 of 25 C.F.R. Part 151 sets forth the factors the Department will consider when exercising this discretionary authority with respect to "tribal requests for the acquisition of lands in trust status, when the land is located outside of and noncontiguous to the tribe's reservation." Section 151.11(b) contains two provisions of particular relevance to applications that involve land that is a considerable distance from the reservation. It states that, as the distance between the tribe's reservation and the land to be acquired increases, the Secretary shall give:

- 1) greater scrutiny to the tribe's justification of anticipated benefits from the acquisition; and
- 2) greater weight to concerns raised by state and local governments as to the acquisition's potential impacts on regulatory jurisdiction, real property taxes and special assessments.

Part 151, however, does not further elaborate on how or why the Department is to give "greater scrutiny" and "greater weight" to these factors as the distance increases. The purpose of this guidance is to clarify how those terms are to be interpreted and applied,

particularly when considering the taking of off-reservation land into trust status for gaming purposes.

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Core Principles

As background to the specific guidance that follows, it is important to restate the core principles that underlie the Part 151 regulations and that should inform the Department's interpretation of, and decisions under, those regulations. The Part 151 regulations implement the trust land acquisition authority given to the Secretary by the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 465. The IRA was primarily intended to redress the effects of the discredited policy of allotment, which had sought to divide up the tribal land base among individual Indians and non-Indians, and to destroy tribal governments and tribal identity. To assist in restoring the tribal land base, the IRA gives the Secretary the authority to: 1) return "to tribal ownership the remaining surplus lands of any Indian reservation" that had been opened to sale or disposal under the public land laws; 2) consolidate Indian ownership of land holdings within reservations by acquiring and exchanging interests of both Indians and non-Indians; and 3) acquire, in his discretion, interests in lands "within or without existing reservations". The IRA contains also provisions strengthening tribal governments and facilitating their operation. The policy of the IRA, which was just the opposite of allotment, is to provide a tribal land base on which tribal communities, governed by tribal governments, could exist and flourish. Consistent with the policy, the Secretary has typically exercised discretion regarding trust land acquisition authority to take lands into trust that are within, or in close proximity to, existing reservations.

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not casinos

The IRA has nothing directly to do with Indian gaming. The Indian Gaming Regulatory Act of 1988 (IGRA), 25 U.S.C. § 2701 et seq., adopted more than 50 years after the IRA, sets the parameters of Indian gaming. One requirement is that if gaming is to occur on off-reservation lands those lands must be trust lands "over which an Indian tribe exercises governmental power." The authority to acquire trust lands, however, is derived from the IRA; no trust land acquisition authority is granted to the Secretary by IGRA. The Department has taken the position that although IGRA was intended to promote the economic development of tribes by facilitating Indian gaming operations, it was not intended to encourage the establishment of Indian gaming facilities far from existing reservations. Whether land should be taken into trust far from existing reservations for gaming purposes is a decision that must be made pursuant to the Secretary's IRA authority.

Implementation of Guidance

This guidance should be implemented as follows:

1. All pending applications or those received in the future should be initially reviewed in accordance with this guidance. The initial review should precede any effort (if it is not already underway) to comply with the NEPA requirements of section 151.10(h).

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2. If the initial review reveals that the application fails to address, or does not adequately address, the issues identified in this guidance, the application should be denied and the tribe promptly informed. This denial does not preclude the tribe from applying for future off-reservation acquisitions for gaming or other purposes. However, those future applications will be subject to these same guidelines.
3. A greater scrutiny of the justification of the anticipated benefits and the giving greater weight to the local concerns must still be given to all off-reservation land into trust applications, as required in 25 C.F.R. § 151.11(b). This memorandum does not diminish that responsibility, but only provides guidance for those applications that exceed a daily commutable distance from the reservation.

Use in our letter

Reserve this the Worcester Union of the Mong Indian 151.11(b) Cherokee.

Greater Scrutiny of Anticipated Benefits

The guidance in this section applies to all applications, pending or yet to be received, that involve requests to take land into trust that is off-reservation. Reviewers must, in accordance with the regulations at 25 C.F.R. 151.11(b), "give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition" as the distance between the acquisition and the tribe's reservation increases. The reviewer should apply this greater scrutiny as long as the requested acquisition is off-reservation regardless of the mileage between the tribe's reservation and proposed acquisition. If the proposed acquisition exceeds a commutable distance from the reservation the reviewer, at a minimum, should answer the questions listed below to help determine the benefits to the tribe. A commutable distance is considered to be the distance a reservation resident could reasonably commute on a regular basis to work at a tribal gaming facility located off-reservation

Our letter

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As noted above, section 151.11(b) requires the Secretary to "give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition" of trust land "as the distance between the tribe's reservation and the land to be acquired increases." The reason for this requirement is that, as a general principle, the farther the economic enterprise - in this case, a gaming facility - is from the reservation, the greater the potential for significant negative consequences on reservation life.

the numbers don't work because of # they receive

not only distance but the types of economic enterprises

Tribes typically view off-reservation gaming facilities as providing two economic benefits to the tribe. The first is the income stream from the gaming facility, which can be used to fund tribal services, develop tribal infrastructure, and provide per capita payments to tribal members, and thus can have a positive effect on reservation life. Obviously, the income stream from a gaming facility is not likely to decrease as the distance from the reservation increases. In fact, off-reservation sites are often selected for gaming facilities because they provide better markets for gaming and potentially greater income streams than sites on or close to the reservation.

only 1 mile away with same road access.

The second benefit of off-reservation gaming facilities is the opportunity for job training and employment of tribal members. With respect to this benefit, the location of the

gaming facility can have significant negative effects on reservation life that potentially worsen as the distance increases. If the gaming facility is not within a commutable distance of the reservation, tribal members who are residents of the reservation will either: a) not be able to take advantage of the job opportunities if they desire to remain on the reservation; or b) be forced to move away from the reservation to take advantage of the job opportunity.

In either case, the negative impacts on reservation life could be considerable. In the first case, the operation of the gaming facility would not directly improve the employment rate of tribal members living on the reservation. High on-reservation unemployment rates, with their attendant social ills, are already a serious problem on many reservations. A gaming operation on or close to the reservation allows the tribe to alleviate this situation by using their gaming facility as a conduit for job training and employment programs for tribal members. Provision of employment opportunities to reservation residents promotes a strong tribal government and tribal community. Employment of tribal members is an important benefit of tribal economic enterprises.

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job training
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research other casinos with the % of
tribal members working

In the second case, the existence of the off-reservation facility would require or encourage reservation residents to leave the reservation for an extended period to take advantage of the job opportunities created by the tribal gaming facility. The departure of a significant number of reservation residents and their families could have serious and far-reaching implications for the remaining tribal community and its continuity as a community. While the financial benefits of the proposed gaming facility might create revenues for the applicant tribe and may mitigate some potential negative impacts, no application to take land into trust beyond a commutable distance from the reservation should be granted unless it carefully and comprehensively analyzes the potential negative impacts on reservation life and clearly demonstrates why these are outweighed by the financial benefits of tribal ownership in a distant gaming facility.

most Indians
live off-res.

As stated above, some of the issues that need to be addressed in the application if the land is to be taken into trust is off-reservation and for economic development are:

Research
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in letter

What is the unemployment rate on the reservation? How will it be affected by the operation of the gaming facility?

How many tribal members (with their dependents) are likely to leave the reservation to seek employment at the gaming facility? How will their departure affect the quality of reservation life?

How will the relocation of reservation residents affect their long-term identification with the tribe and the eligibility of their children and descendants for tribal membership?

What are the specifically identified on-reservation benefits from the proposed gaming facility? Will any of the revenue be used to create on-reservation job opportunities?

As long as it remains the policy of the Federal government to support and encourage growth of reservations governed by tribal governments, these are important questions that must be addressed before decisions about off-reservation trust land acquisitions are made. The Department should not use its IRA authority to acquire land in trust in such a way as to defeat or hinder the purpose of the IRA. It should be noted that tribes are free to pursue a wide variety of off-reservation business enterprises and initiatives without the approval or supervision of the Department. It is only when the enterprises involve the taking of land into trust, as is required for off-reservation Indian gaming facilities, that the Department must exercise its IRA authority.

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Greater Weight

Section 151.11(b) also requires the Secretary to give "greater weight" than he might otherwise to the concerns of state and local governments. Under the regulations, state and local governments are to be immediately notified of a tribe's application to take land into trust, and are to file their comments in writing no later than 30 days after receiving notice. The reviewer must give a greater weight to the concerns of the state and local governments no matter what the distance is between the tribe's reservation and the proposed off-reservation acquisition. This is the second part of the two part review required by section 151.11(b).

Did they?

The regulations identify two sets of state and local concerns that need to be given "greater weight." 1) jurisdictional problems and potential conflicts of land use; and 2) the removal of the land from the tax rolls. The reason for this requirement of giving "greater weight" is two-fold. First, the farther from the reservation the proposed trust acquisition is, the more the transfer of Indian jurisdiction to that parcel of land is likely to disrupt established governmental patterns. The Department has considerable experience with the problems posed by checkerboard patterns of jurisdiction. Distant local governments are less likely to have experience dealing with and accommodating tribal governments with their unique governmental and regulatory authorities. Second, the farther from the reservation the land acquisition is, the more difficult it will be for the tribal government to efficiently project and exercise its governmental and regulatory powers.

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With respect to jurisdictional issues, the application should include copies of any intergovernmental agreements negotiated between the tribe and the state and local governments, or an explanation as to why no such agreements exist. Failure to achieve such agreements should weigh heavily against the approval of the application.

islands

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With respect to land use issues, the application should include a comprehensive analysis as to whether the proposed gaming facility is compatible with the current zoning and land use requirements of the state and local governments, and with the uses being made of adjacent or contiguous land, and whether such uses would be negatively impacted by the traffic, noise, and development associated with or generated by the proposed gaming facility. Incompatible uses might consist of adjacent or contiguous land zoned or used for: National Parks, National Monuments, Federally designated conservation areas,

National Fish and Wildlife Refuges, day care centers, schools, churches, or residential developments. If the application does not contain such an analysis, it should be denied.

Conclusion

The Office of Indian Gaming will review the current applications. If an application is denied subsequent to this review, the applicant tribe will be notified immediately. Tribes receiving a denial subsequent to this review may resubmit the application with information that will satisfy the regulations. Regional directors shall use this clarification to guide their recommendations or determinations on future applications to take off-reservation land into trust.

Distilling the Essence of Nevada v. Hicks:
The State's Perspective
March 5, 2002

By Frankie Sue Del Papa, Attorney General, State of Nevada, and C. Wayne Howle, Senior Deputy Attorney General

Revising

In *Nevada v. Hicks*,¹ the State of Nevada established that a tribal court lacks civil adjudicatory jurisdiction over state officials who enter an Indian reservation to investigate a crime over which the State has jurisdiction. This result was contrary to expectations and aspirations of emerging tribal courts, but confirmed fundamental principles underpinning state sovereignty. This paper addresses the disparity between these two perspectives, and offers a state counterpoint to recent commentaries criticizing the Rehnquist Court's Indian law jurisprudence.

I. BACKGROUND

Nevada v. Hicks arose from a routine wildlife law enforcement investigation. Though the subject of the investigation, Floyd Hicks, was a member of the Fallon Paiute-Shoshone Tribe (the Tribe) who lived on the Tribe's reservation, the investigation concerned a possible crime committed off the reservation.² Armed with multiple sources of information, including that of a confidential informant, state game wardens obtained a state search warrant; obtained the tribal judge's consent to serve it on the reservation; and secured tribal police to accompany them to the member's residence. This procedure was twice used. On both occasions—separated by approximately a year's time—state officials seized different bighorn sheep heads, and then returned them to the owner several days afterward.

¹ 533 U.S. 353, 121 S. Ct. 2304 (2001).

² States long have possessed criminal jurisdiction over off-reservation crime committed by tribal members. *Mescalero Apache Tribe v. Jones*, 411 U.S. 145, 148-49 (1973); *Organized Village of Kake v. Egan*, 369 U.S. 60, 75 (1962). They also have jurisdiction over crimes committed on a reservation by nonmembers which do not involve tribal members. *New York ex rel. Ray v. Martin*, 326 U.S. 496 (1945); *Draper v. United States*, 164 U.S. 240 (1896).



In separate tribal court actions filed in 1991 and 1992, Floyd Hicks sued the State and state officials in the same tribal court that had approved the search warrants. He named the state officials in both their official and individual capacities, and asserted a variety of torts, as well as tribal and federal civil rights claims.

Over a ten-year period, the cases progressed through tribal court, the inter-tribal appellate court, federal district court,³ and the Ninth Circuit Court of Appeals.⁴ Each of these courts uniformly ruled in favor of the tribe's jurisdiction. Each meticulously scrutinized and analyzed tribal sovereignty, and resolved the State's challenge to tribal jurisdiction by reference to the absence of express limitation on tribal jurisdiction, inferring therefrom tribal power to assert jurisdiction over the State.

The U.S. Supreme Court, without dissent, reversed the Ninth Circuit and ruled the tribal court lacked jurisdiction.

II. REACTION TO THE DECISION

Tribal and academic commentators profess surprise, puzzlement and dismay about *Hicks*.⁵ These reactions are unjustified. *Hicks* was a necessary and foreseeable correction to a drift in lower courts away from a correct understanding of both state and tribal sovereignty, a drift paralleled in much of the scholarly writing on the subject.⁶ This deviation has arisen from unwarranted extrapolations of Indian law principles to unsupportable extremes, in defiance of limits on tribal sovereignty which arise from the Constitution, as well as from a proper understanding of the Supreme Court's precedents.

³ The State filed an original action in federal court, 944 F. Supp. 1455 (D. Nev. 1996), to enjoin tribal court proceedings after the Inter-tribal Appellate Court ordered the actions to trial.

⁴ 196 F. 3d 1020 (9th Cir. 1999).

⁵ See, e.g., N. Bruce Duthu and Dean B. Suagee, *Supreme Court Strikes Two More Blows Against Tribal Self-Determination*, 16 Nat. Resources & Env't 118 (2001), David H. Getches, *Beyond Indian Law: The Rehnquist Court's Pursuit of States' Rights, Color-Blind Justice and Mainstream Values*, 86 MINN. L. REV. 267 (2001).

⁶ See Ray Torgerson, *Sword Wielding and Shield Bearing: An Idealistic Assessment of the Federal Trust Doctrine in American Indian Law*, 2 Tex. Forum Civ. Lib & Civ. R. 165, 192 (1996) (describing "creative resistance on the part of a sympathetic [to tribes] judicial minority and a burgeoning academic presence").

This paper invites critics of the *Hicks* decision to undertake a serious reappraisal of the creed of undiluted tribal sovereignty. Pundits should at least entertain the possibility that recent Supreme Court Indian law decisions signal a serious misunderstanding on their own part, rather than the highest Court's lack of understanding about Indian law.

The origin of tribal proponents' error may be found in the fact that their reasoning is isolated from the rest of the nation's jurisprudence. They propound a "canonical approach" to Indian law.⁷ This approach depends, always, on the so-called Marshall trilogy,⁸ whose principles are first misconstrued to stand for tribal sovereignty akin to that of foreign nations,⁹ and then misportrayed as the final, immutable word. Such devotion to the trilogy resembles religious reverence. Subsequent decisions which do not hew to the dogmatic interpretation of the trilogy are dismissed as heretical. *Hicks* is but the most recent decision to receive this denunciation.

Tribal sovereignty proponents' embrace of isolationism is unabashed. One commentator states, "even a pragmatist might concede . . . the importance of maintaining a distinct body of Indian law."¹⁰ Another states that "federal Indian law must retain its collectivist, separatist, and unique legal elements."¹¹ "Judges who are not steeped in the culture and values of Indian tribalism are ill-equipped to rework these complex and anomalous traditions case by case."¹²

Insularity is often accompanied by euphemistic descriptions of Indian law which seem transparent to the unconverted: "complex and anomalous traditions,"¹³ "alien concepts that may defy the vernacular of Anglo-American law"¹⁴ are seen as ways of urging that favored principles be given priority over all others, and be protected from development and change. To a real

⁷ Philip P. Frickey, *A Common Law for Our Age of Colonialism: The Judicial Divestiture of Indian Tribal Authority Over Nonmembers*, 109 YALE L.J. 1, *passim* (1999).

⁸ *Johnson v. M'Intosh*, 21 U.S. (8 Wheat.) 543 (1823), *Cherokee Nation v. Georgia*, 30 U.S. (5 Pet.) 1 (1831), and *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832).

⁹ The rudimentary principles established by these decisions are: (1) Indian tribes possess certain incidents of preexisting sovereignty; (2) tribal sovereignty is subject to diminution by the United States but not the individual states; and (3) the United States bears a trust responsibility for the tribes. *American Indian Law Deskbook* 4 (2d ed. 1998).

¹⁰ See, e.g., David H. Getches, *Beyond Indian Law: The Rehnquist Court's Pursuit of States' Rights, Color-Blind Justice and Mainstream Values*, 86 MINN. L. REV. 267, 304 (2001).

¹¹ Philip P. Frickey, *Domesticating Federal Indian Law*, 81 MINN. L. REV. 31, 49 (1996).

¹² Getches, *Beyond Indian Law*, 86 MINN. L. REV. at 276.

¹³ *Id.*

¹⁴ *Id.*, 86 MINN. L. REV. at 304.

extent, this insistence on the immutability of perceived “foundational principles” of tribal sovereignty is tantamount to elevating these principles to a constitutional stature.

In *Hicks*, this egocentric perspective ran headlong into constitutional first principles. By arguing that state officials should stand trial in tribal courts, tribal proponents preferred the policy of broad tribal sovereignty to the constitutional principles of state sovereignty. Of course, the founders would not have foreseen such a result, much less intended it. It is little wonder that the Supreme Court interceded in *Hicks*. It will no doubt do so again when development of Indian law in the lower courts again so profoundly betrays founders’ understanding.

In the case of *Nevada v. Hicks*, the tribal parties and amici were blind to two critical factors: (1) states are constitutionally established sovereigns, and (2) tribal sovereignty is developed in federal courts to shield tribes and tribal members from nonmembers, not to invest them with power over others. Recognition of the existence of these two factors supplies rationality and predictability to the Court’s jurisprudence.

III. FIRST FACTOR: STATES ARE SOVEREIGN

First, the pundits overlook the fact that, in *Hicks*, the Tribe attempted to assert civil jurisdiction over state officials, not ordinary nonmembers. The Supreme Court has never confirmed tribal civil adjudicatory jurisdiction over nonmember defendants, much less ones imbued with state sovereignty and immunity. As a consequence, the case became one about much more than nonmember jurisdiction. It in fact became a constitutional case, although not expressly so.

Critics of the Court’s recent decisions argue that tribal sovereignty is not a function of the Constitution,¹⁵ and consequently, legal limitations on tribal sovereignty exist only as a matter of

¹⁵ See, e.g., Sarah Krakoff, *Undoing Indian Law One Case at a Time: Judicial Minimalism and Tribal Sovereignty*, 50 AM. U. L. REV. 1177, 1230 (2001) (positing that Chief Justice Marshall’s view was that tribal sovereignty “is both pre-and extra-constitutional”), Frickey, *Domesticating Federal Indian Law*, 81 MINN. L. REV. at 31 (“tribal sovereignty is not ‘created by and springing from the Constitution,’ but rather is an inherent sovereignty that ‘existed prior to the Constitution’ and is, therefore, not subject to it”) (citations omitted), Torgerson, *Sword Wielding and Shield Bearing*, 2 Tex. Forum Civ. Lib & Civ. R. at 167 (“scholars have described tribes as

federal common law and federal legislation, although this supposed fact is oftentimes lamented.¹⁶ This is a plausible position, the merits of which need not be explored here. In *Hicks*, however, the argument was subject at least to this one exception: tribal sovereignty must square with state (and federal) sovereignty. To the extent that tribal jurisdiction is limited by state sovereignty, tribal jurisdiction necessarily assumes a constitutional dimension.¹⁷

There is some acknowledgement by Court critics, albeit disapproving,¹⁸ that the State's presence was a determinant in *Hicks*, as though state sovereignty ought not influence definitions of tribal sovereignty and tribal jurisdiction. However, the question of tribal adjudicatory jurisdiction is indisputably a question of federal law for federal courts to determine.¹⁹ This determination, as with all rulings on federal law by federal courts, was constrained by the Constitution, which includes state sovereignty as an essential component. Therefore, state sovereignty could not be ignored, even if it was not directly addressed.

It was thus a momentous undertaking to use *Hicks* as the vehicle to establish tribal adjudicatory jurisdiction over nonmember defendants. It has taken all these years, since the formation of the union, to define the federal civil adjudicatory power over states and their officials. That delimited authority has been distilled through the alembic of hundreds of decisions. The Tribe plainly overreached by conflating this attempt to establish corollary authority for tribal courts, together with its effort to establish general nonmember jurisdiction, all in a single case.

 metaphorical 'islands' within a larger ocean of American society, in which Indians exist in an insulated manner . . . This status is commonly regarded as extra-Constitutional in nature") (citations omitted). *But see* Getches, *Beyond Indian Law*, 86 MINN. L. REV. at 301 (invoking the "original understandings of the Framers concerning the place of Indians in the constitutional order").

¹⁶ See generally Frickey, *A Common Law for Our Age of Colonialism*, 109 YALE L.J. 1. See also Frank Pommersheim, *Coyote Paradox: Some Indian Law Reflections from the Edge of the Prairie*, 31 ARIZ. ST. L.J. 439, 465 (1999) (lamenting the "bottomless pit of federal common law").

¹⁷ Cf. Alex Tallchief Skibine, *Making Sense out of Nevada v. Hicks: A Reinterpretation*, 14 ST. THOMAS L. REV. 347, 366-67 (2001) ("the Court's decisions are, at least in part, based on the position of tribes relative to the structure of the Constitution").

¹⁸ Getches, *Beyond Indian Law*, 86 MINN. L. REV. at 320-21 and *passim*; Krakoff, *Undoing Indian Law One Case at a Time*, 50 AM. U. L. REV. at 1235 (citing "overwhelming concern for the status of the state defendants").

¹⁹ *National Farmers Union Ins. Co. v. Crow Tribe of Indians*, 471 U.S. 845 (1985).

The first constitutional problem for the Tribe's argument in *Hicks* was that it failed to properly account for the states' immunity. State immunity is a fundamental aspect of state sovereignty.²⁰ Not even Congress can abrogate that immunity unless the states have consented in the plan of the convention.²¹ Congress cannot unjustifiably abrogate state immunity in federal court or in state court.²² It therefore should follow that tribes, whose sovereignty is subject to complete defeasance by Congress,²³ could not pierce state immunity.²⁴ The fine points of law debated in *Hicks* could not obscure the basic question looming: would state officials be put on trial in the Tribe's court? Contemplation of such a trial offended the ordered understanding of the place of states in the union.

In addition to the hurdle of Nevada's immunity arising from its sovereignty, the Tribe's argument in *Hicks* also conflicted with the structure of federalism within which states and the federal government interact. "It is incontestable that the Constitution established a system of 'dual sovereignty,'" comprised of state and federal sovereigns.²⁵ The Constitution's dual sovereignty also presupposes a dual system of state and federal courts, together forming "one system of jurisprudence."²⁶ By hypothecating a third category of sovereigns whose courts would operate within this system, the Tribe in *Hicks* opened questions²⁷ too numerous, too imponderable, and inviting too large a campaign of judicial lawmaking to contemplate. It is not an exaggeration to

²⁰ *Alden v. Maine*, 527 U.S. 706, 713 (1999) ("[t]he States' immunity from suit is a fundamental aspect of the sovereignty which the States enjoyed before the ratification of the Constitution, and which they retain today . . . except as altered by the plan of the Convention or certain constitutional amendments").

²¹ *Seminole Tribe v. Florida*, 517 U.S. 44, 72 (1996) ("[e]ven when the Constitution vests in Congress complete lawmaking authority over a particular area, the Eleventh Amendment prevents congressional authorization of suits by private parties against unconsenting States").

²² *Alden v. Maine*, 527 U.S. at 754.

²³ *Escondido Mut. Water Co. v. La Jolla Band of Mission Indians*, 466 U.S. 765, 787 n.30 (1984).

²⁴ The Court had already held that states did not consent to suits by tribes in federal court, *Blatchford v. Native Village of Noatak*, 501 U.S. 775 (1991), and that Congress lacked authority under the Indian Commerce Clause to subject non-consenting States to suit by Indian Tribes in federal court. *Seminole Tribe of Fla. v. Florida*, 517 U.S. 44 (1996).

²⁵ *Printz v. U.S.*, 521 U.S. 898, 918 (1997) (quoting from *Gregory v. Ashcroft*, 501 U.S. 452, 457 (1991)).

²⁶ *Clafin v. Houseman*, 93 U.S. 130, 137 (1876).

²⁷ Questions would include authority for off-reservation service of process and other documents, scope and effect of state immunity, limits on tribal authority to exceed state damages caps, tribal authority in official capacity suits against the State, rules of evidence, tribal authority to compel discovery and attendance of witnesses, enforcement of judgments, and rights of appeal or other review in federal courts.

say that recognition of an organic role for tribes within the nation's dual sovereignty would have effectively amended the Constitution.²⁸

By naming state officials as defendants, Hicks thus conjured up high principles with constitutional significance. This salient point was flatly ignored in the lower courts. The momentousness of the Tribe's attempt to assert jurisdiction over state officials was simply unmentioned. Commentators have criticized the Supreme Court for making new federal common law in *Nevada v. Hicks*, but the truly inventive minds were the ones that would have thus peeled away state sovereignty and immunity in a tribal forum with essentially no comment about the effect on states. The effect of that outcome would have been manipulation of constitutional principles grounding state sovereignty as though they were merely tenets of federal common law.

Ultimately, then, the *Hicks* case presented a true dilemma: either state or tribal sovereignty had to yield. Because state sovereignty is constitutionally-based and tribal sovereignty is not, the result was predictable.

Critics of the Court who remain wedded to tribal jurisdiction over state officials have a duty to address the constitutional problems created by their position.²⁹ Is there a plausible argument that the Constitution authorizes suit against state officials in tribal court? If one posits such argument, what account is made for the founders' intent? Are the founders' views to be discounted; if so, upon what principled basis?

If, on the other hand, one argues that tribal courts are not constrained by the Constitution, how is this position reconciled with the fact that tribal adjudicatory jurisdiction is a federal question determined by federal courts that are so constrained? Is the judicial branch at liberty to declare an abrogation of state immunity without a constitutional foundation? Is the abrogation of

²⁸ For a contrary point of view, see Frank Pommersheim, "Our Federalism" In the Context of Federal Courts and Tribal Courts: An Open Letter to the Federal Courts' Teaching and Scholarly Community, 71 U. COLO. L. REV. 123 (2000).

²⁹ One such critic even abstractly "proposes that inherent in the Constitution, not outside the Constitution, are all those notions of inherent sovereignty under international law that are not inconsistent with constitutional text, structures, or institutional relationships." Frickey, *Domesticating Federal Indian Law*, 81 MINN. L. REV. at 68.

state immunity in tribal court a matter of federal common law, pronounced by the federal courts on the basis of a federal judge's personal perception of history and right?

One can only wonder what limits, if any, would have been found for the Tribe's jurisdiction over the State had the Ninth Circuit's decision in *Hicks* been affirmed. That decision would appear to leave entirely to the Tribe's own discretion definition of any limiting effect resulting from the State's sovereign immunity. Perhaps the Circuit meant only to put off questions such as the effect in tribal court of state-defined tort limits on awards against the State, or the prohibition of punitive awards against the State, or even the off-reservation reach of the Tribe's adjudicatory jurisdiction over the State. However, it is difficult to find any basis in the decision for deferral of these issues. The State's real concern was that the limits were left to the twenty-nine tribes, bands, and colonies in Nevada to decide. Under such a rule, the State—much less local governments—could ill-afford to interact with tribes.

These questions are neither moot nor academic. Because the Court in *Hicks* did not fully base its decision on state sovereignty or immunity, there will certainly be major tribal court challenges to states in the future. Furthermore, tribal attempts to address *Hicks* through legislation will encounter these same questions. The force of state sovereignty will remain, however, an enduring and influential presence in all cases, just as in *Hicks*.

IV. SECOND PRINCIPLE: TRIBAL SOVEREIGNTY AS SHIELD, NOT SWORD

The second factor overlooked by the pundits is that the Tribe in *Hicks* attempted to wield its sovereignty offensively instead of using it as a defensive device. This, like the presence of state sovereignty, was fundamental to the result. Because it departed from the developed concept of tribal sovereignty as a shield, the asserted tribal power was rejected.

The federal government's duty towards tribes is almost universally described as protective, sometimes is criticized as patronizing. In all of these references, though, is the notion

that the federal government shields the tribes from harm and interference by outsiders.³⁰ This is the context in which tribal sovereignty has been developed, and which therefore limits the concept. Properly viewed, even the Marshall trilogy partake of this character.

This context, though, can and has been ignored. The widespread misuse of the decision in *Williams v. Lee*, 358 U.S. 217 (1959), is the most conspicuous example. *Williams v. Lee* was a decision shielding a tribe, and foremost a tribal member, from outside forces. A nonmember plaintiff attempted to collect a debt from the tribal member in state court. The Supreme Court ruled that the nonmember plaintiff must pursue his claim in tribal court. The Court justified this narrow result with broad language: “[t]he cases in this Court have consistently guarded the authority of Indian governments over their reservations.”³¹

The Court’s broad language had come to assume talismanic significance for proponents of expansive tribal sovereignty. It was taken as authority that tribal courts have jurisdiction over *all* cases arising on a reservation between a member and nonmember, not just those involving a private, nonmember plaintiff. In Hicks’ litigation with Nevada, for example, *Williams v. Lee* was wielded offensively without regard to its context. The lower federal court endorsed such use.³²

However, such offensive use of tribal sovereignty breaks tradition with the culture of federal protectionism in which tribal sovereignty was cultivated.³³ Until contemporary times,

³⁰ See, e.g., Torgerson, *Sword Wielding and Shield Bearing*, 2 Tex. Forum Civ. Lib & Civ. R. at 171 (1996) (acknowledging it was originally intended for federal government to “insulate and protect the tribes from non-Indian aggression”); Krakoff, *Undoing Indian Law One Case at a Time*, 50 AM. U. L. REV. at 1265-66 (2001) (referring to tribal sovereignty as “protective shell”).

³¹ 358 U.S. at 223.

³² See 944 F. Supp. at 1467 and *passim*. The Supreme Court acknowledged that *Williams v. Lee* is distinguishable on this basis, but did not conclude on the issue. 121 S. Ct. at 2309, n.2.

³³ The theme of sovereignty as shield is notable for its persistence through all the differing periods of federal policy. See, e.g., *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832); *United States v. Forty-Three Gallons of Whiskey*, 93 U.S. 188, 194 (1876); *Choctaw Nation v. United States*, 119 U.S. 1 (1886); *United States v. Quiver*, 241 U.S. 602 (1916) (in a prosecution for adultery committed on reservation by tribal member, Court declined to apply federal law, on basis that such matters were left to the tribes), *Williams v. Lee*, 358 U.S. 217 (1959) *Mescalero Apache Tribe v. Jones*, 411 U.S. 145, 152 (1973) (tribes are accorded a “historic immunity from state and local control”); *Fisher v. District Court*, 424 U.S. 382 (1976) (the Court shielded an Indian mother from a state court adoption proceeding); *Kennerly v. District Court of Montana*, 400 U.S. 423 (1971) (the Court shielded a tribal member sued in state court on a food debt); *Merrion v. Jicarilla Apache Tribe*, 455 U.S. 130, 153-54 (1982) (“This

tribes had not converted their sovereignty to offensive use, as *jura majestatis* employed against nonmembers. As tribes today, though, more frequently “exert their sovereignty in ways that are typical for non-tribal governments, they face increasing impediments from the Supreme Court.”³⁴ Possessing new federal and self-generated financial resources, tribes furthermore are in better position to test—and find limits to—their notions of tribal sovereignty.

This change in tribes’ assertion of sovereignty, rather than any reversal of policy, confusion, or animus in the Court, explains the noted increase in number of adverse outcomes for tribes. The recent decisions in *Hicks*, *Atkinson Trading Co. v. Shirley*,³⁵ *Strate v. A-1 Contractors*,³⁶ and *El Paso Natural Gas v. Neztosie*,³⁷ all have dealt with a tribe’s attempt to affirmatively assert its sovereignty over nonmembers. Again, acknowledgement of this factor makes the result in *Hicks* and the other decisions understandable if not predictable, while denial of its existence leaves the prognosticator with a perception of incoherence.³⁸ The critics’ criticism against the Court’s faithlessness to history,³⁹ and even accusing it of racism,⁴⁰ is therefore disingenuous; the results are in fact true to precedent, history, and reason.

Viewed in this context, there is nothing radical in the *Hicks* result. As the Court noted, it has “never held that a tribal court had jurisdiction over a nonmember defendant,”⁴¹ much less a state official named as defendant. Thus the Court did not alter the limited holding in *Williams v. Lee*, and did not take away any established tribal jurisdiction. Instead, it rejected the Tribe’s

Court has relied on the Indian Commerce Clause as a shield to protect Indian tribes from state and local interference”).

³⁴ Krakoff, *Undoing Indian Law One Case at a Time*, 50 AM. U. L. REV. at 1190-91.

³⁵ 532 U.S. 645 (2001).

³⁶ 520 U.S. 438 (1997).

³⁷ 526 U.S. 473 (1999)

³⁸ See, e.g., Pommersheim, *Coyote Paradox*, 31 ARIZ. ST. L.J. at 439-40 (1999) (accusing the current Court of “doctrinal incoherence that spawns unpredictable ad hoc decision making”).

³⁹ *Id.*, 31 ARIZ. ST. L.J. at 443 (declaiming against “judicial power shorn of historical understanding or conscience”).

⁴⁰ *Id.*, 31 ARIZ. ST. L.J. at 470 (“structural ignorance [about tribal sovereignty] . . . reflects a legacy of racism and marginalization”); John Fredericks III, *America’s First Nations: The Origins, History and Future of American Indian Sovereignty*, 7 J.L. & POL’Y 347, 384 (1999) (decrying “racist-inspired backlash against Indian peoples’ vision of what tribal sovereignty ought to be in the United States”). But see Getches, *Beyond Indian Law: The Rehnquist Court’s Pursuit of States’ Rights, Color-Blind Justice and Mainstream Values*, 86 MINN. L. REV. at 327, n.258 (although stating that “Critical race theory may offer a further explanation for the Court’s recent decisions,” concluding that “I do not believe that a case can be made that the present Justices harbor racist motives more extreme than were manifested by any predecessor Courts”).

⁴¹ 121 S. Ct. at 2309, n.2

assertion of a novel jurisdiction. The result is faithful to the historical concept of limited tribal sovereignty.

It is difficult to understand the logic of argument to the contrary. Were the tribes to employ both the traditional federal shield and a newly-forged sword of full sovereign powers, tribes would assume a character of impervious super-sovereign. Such a result cannot have been within the contemplation of any of the progenitors of tribal sovereignty. Any argument for this result in future cases is bound to encounter resistance, just as it did in *Hicks*, or as it did in *Oliphant v. Suquamish Tribe*,⁴² or *Duro v. Reina*.⁴³

Soboba
Thoughts

Furthermore, such an argument would also encounter strong resistance in Congress.⁴⁴ To accommodate departure from the established and understood concept of limited tribal sovereignty, a legislated expansion of tribal nonmember jurisdiction would, at a bare minimum, contain (1) a guarantee of full constitutional rights for those subject to tribal jurisdiction; (2) private civil remedies against abuse of guaranteed rights; and (3) right of recourse or appeal to federal courts. Without these, it is doubtful that public policy would even contemplate expansion of tribal jurisdiction over nonmembers.

Tribes' aspiration for increased jurisdiction and responsibility is entirely understandable, even commendable. The urge to enlarge their sphere of influence must be combined, however, with a realization that such expansion is not a natural development of tribal sovereignty, that instead it is a departure from the conventional understanding that exists outside the arcane world of the tribal advocate. In *Hicks*, the Tribe lacked this critical insight.

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V. CONCLUSION

Nevada v. Hicks represents the beginning of a new era in tribal-state relations. *Worcester v. Georgia*, in 1832, was the first significant rejection of a state's attempt to exert control over a

⁴² 435 U.S. 191 (1978).

⁴³ 495 U.S. 676 (1990).

⁴⁴ At the time of this paper, tribes are exploring a legislative response to *Hicks* and other recent decisions. Mitchell C. Wright, *Lessons from the Supreme Court*, 1 Case in Point (Alumni Magazine of the National Judicial College) at 25, n.5 (Winter/Spring 2002).

tribe. *Nevada v. Hicks*, in 2001, is the first significant rejection of a tribe's attempted assertion of direct jurisdiction over a state. Thus the decision represents the tribes' embarkation on a journey which the states began long ago, a journey of self-discovery and maturation, based upon finding limits and accepting others' concurrent jurisdiction.

The tribes' disappointment with the result in *Hicks* is understandable; their alarm about it is not. The State was not seeking or asserting new jurisdiction over tribes. To the contrary, it was foremost a defense case for the State: Nevada's argument defensively raised established limits against new assertions of tribal sovereignty. While the Court's decision was cast in terms that describe states' jurisdiction, it was argued in terms that sought recognition of state officials' immunity in a separate sovereign's court. There is thus no plan in the State Attorney's Office to change advice to state agencies regarding service of process on a reservation. The legal counsel given to the game wardens in *Hicks* will continue to be the advice given in the future: state officials should obtain a tribal court's approval for service on a reservation. If that approval is not forthcoming, then the proper next step is to seek a federal court order, with the decision in *Hicks* as legal authority for that order.

Tribes' desire to have exclusive jurisdiction within their reservations is also understandable, but it is not realistic. Exclusive tribal jurisdiction is inconsistent with established law. It is furthermore contrary to the reality of requirements for intergovernmental cooperation. Tribes and reservation residents, both member and nonmember, require and often demand services from state and local governments. Unfettered tribal adjudicatory jurisdiction over cooperating nonmember governments and government officials would severely discourage such cooperation.

This reality, as much as the law, justifies the result in *Hicks*. The decision now opens the door for the state and local governments to better cooperate with tribal officials. There still remain serious concerns on all sides, but the full chill that fell on cooperation while the *Hicks* matter was pending no longer exists. Nevada looks forward to, and welcomes discussions about, realizing the potential for better cooperation created by *Nevada v. Hicks*.

SOBOBA TRIBES' FEE-TO TRUST RESEARCH PROJECT

TOPIC: Soboba Tribe's Sovereign Power

FACTS:

*The Tribe's casino-generated revenues have not achieved the improved quality of life intended. Their exercise of self-governance deserves significant BIA oversight.

*The strongest concern for the three adjacent communities (Soboba Springs is Mobile Home Park, the golf course community and Soboba Heights) is the known fact that the Soboba Band of Luiseno Indians, who live at the reservation, have continuously had escalating crime since their present casino. Alcohol abuse, drug abuse and domestic abuse are rampant on the reservation. BIA has access to the statistics and case studies regarding these tragedies.

*Records will show wild fires have been started by tribal members.

*Dead bodies have been found on the reservation in the past. Many cases have been documented of criminal fugitives using the reservation as a haven to allude law enforcement.

*In May 2008 there were several instances of tribal members retaliating against Riverside County Sheriffs by shooting AK-47s purchased with their casino Allotments.

*The above-mentioned communities do not want the Horseshoe Grande property becoming sovereign land. It will be a catastrophe for the community and for the

Tribe.

*The Tribe's lack of responsibility in the up-keep of homes, in the absence of municipal code enforcement, is another telling example of the consequence of their self-governance. The impact on the property values of the community homes is a factor of deep concern.

*The majority of residents in the neighboring communities are senior citizens—many over eighty. Fear is often mentioned at community gatherings. Break-ins, theft of vehicles and intimidation are presently a big factor in the fear. The threat of a large portion of adjacent land becoming exempt from the enforcement of our laws is frightening.

SOBOBA TRIBE'S FEE- TO- TRUST RESEARCH PROJECT

TOPIC: Tribe's stated purpose for the application is "...would assist tribal members to attain economic self-sufficiency".

FACTS:

(The following statement is provided anonymously out of fear of reprisals but can be verified statistically elsewhere in this report and upon inquiry by BIA authorities given access to data not available to the general public.)

I have worked in the educational field for the City of San Jacinto for more than fifteen years. My experience is that no matter how many opportunities were given to the Native Americans, they did not seem interested in their children's education, they only seem interested in the casino revenues.

Their lack of cooperation and their belief that they are above the law results in many failures to "attain self-sufficiency". Many Soboba Tribal members believe they are above the law. There is a significant amount of hostility towards the educational system and its personnel. The result makes it near impossible to achieve success.

I believe that having the casino revenues and the individual allotments monthly, without Accountability, has worked against them.

My numerous experiences working with individual students and their families is that they believe they will receive their allotment no matter what they do or don't do.

Their blatant disregard for the law, the drug abuse and domestic violence has gotten

much worse since the casino's existence. Giving them more money from the proposed project and the history of the Soboba Tribe demonstrates, a tragedy will result for the tribe and the surrounding communities. As recent events prove there is also significant risks to emergency responders.

There is much-demonstrated ir-responsibility on the reservation. Just one example is the repeated instances of expensive new automobiles being purchased, "trashed", abandoned and replaced by another new car. They have not learned the value of money. The claim in the application to "attain self-sufficiency" is also not supported by the history of Tribal homeownership. Many instances exist of home purchase only resulting in mortgage failure due to financial irresponsibility. A new bigger casino is not going to improve their way of living .I do not envision how they can be held accountable or who is responsible to monitor their accountability considering "sovereign nation" status.

My experience and repeated recorded events demonstrate the difficulty of prosecution of offenders of the law.

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Soboba Band of Luiseño Indians

Soboba

\$uvo'owu - "Winter Place"

The Soboba Band of Luiseno Indians has about 900 tribal members; many reside in the neighboring communities of San Jacinto and Hemet. Soboba is one of six federally recognized Luiseño speaking reservations in Southern California, the other five being Pechanga near Temecula, Pala, Pauma, Rincon and La Jolla located North of San Diego.

On June 19, 1883 the Soboba Indian Reservation was established by an Executive Order that set aside 3,172.03 acres of land for the Soboba Band of Luiseño Indians for their permanent occupation and use. Located at the foothills of the San Jacinto mountain range and depicted by deep ravines and rolling hills sloping from the western foothills of the San Jacinto Mountains in the upper San Jacinto River Basin of Riverside County in Southern California. Soboba is 1,600 feet above sea level beginning at the San Jacinto River which borders the Reservation's western boundary and climbs to about 2,600 feet in the northeastern and southern portions.

First European sightings of Soboba were recorded in 1774-75 most likely by Franciscan missionary, Friar Pedro Font who was a member of the Juan Bautista de Anza expedition. Besides the obvious, priests were a welcomed addition due to their ability to read and record in daily expedition journals. A description of Soboba was recorded as the Anza expedition passed through the Hemet/San Jacinto Valley during Anza's first expedition from Sonora (Southern Arizona) to Alta California. Anza was following established native trails used as trade routes in an attempt to set up an overland route.

Soboba would later come under Mission influence by Mexico's occupation of California near the end of the 18th century. The establishment of Mission San Juan Capistrano (established 1776) Franciscans recorded a rancheria located in the Hemet/San Jacinto Valley. Soon after the formation of Mission San Luis Rey (established 1798) Rancho San Jacinto was described by Fr. Jose Sanchez in September of 1798 as follows:

"Proceeding in the same direction, we stopped at Jaguara, so called by the natives, but by our people San Jacinto. This is the rancho for the cattle of San Luis Rey, distant from Temecula about eleven or twelve leagues."

The Soboba Casino opened its doors in 1995. In addition to gaming the Casino has an outdoor entertainment pavilion with seating for 12,000 guests. Music concerts, King of the Cage fights in addition to the annual Soboba Indian Pow Wow are some of the popular events. Soboba Casino has three restaurants as well as the AC Sport Lounge featuring nightly entertainment or cheer on your favorite sports team on one of the plasma TV screens.

Established in 1992 Noli Indian school became the first tribal middle high school in California. Besides students from Soboba Indian Reservation, students from other reservations in Riverside and San Diego counties also attend Noli. Noli offers extra

SOBOBA TRIBE FEE-TO-TRUST PROJECT

Topic: Aboriginal rights

Facts:

- The Tribes' application claims aboriginal rights to the subject land. "Aboriginal" is defined as "original, native, indigenous." Given that definition, then all new world lands are subject to being reclaimed by natives. If that is not an applicable definition in the B.I.A. fee-to-trust process then the following is applicable.
- The subject property (1) is not supported as a dwelling site by natives. Available archaeological, anthropological and recorded history does not support the claim.
- In a statement by Soboba Tribal council member Rose Salgado on March 19th 2008 at a "working group" meeting she claimed, there is no reason to mitigate archaeology culture resources on that site; the only thing found were tin cans.
- The Soboba Tribe's own website refers to early dwelling places only in the riparian areas on the Soboba Reservation—such as Castillo Canyon, etc. The subject site is alluvial; not riparian.
- Earliest extant archaeological artifacts and rock art were not found at the subject site.
- Recorded findings and oral histories do not support the subject site as a dwelling place.
- A review of the 40 pages of references in California Mission Stories Association "Bibliographies" (www.ca.missions.org/biblio.html) provides no evidence of dwellings at the subject site.
- The earliest recorded observations of natives of this region was by the De Anza party expedition in 1774. The "Bolton Books" translation of expedition leader De Anza's diary of other members of the expedition, makes no reference to a dwelling site at the subject location.

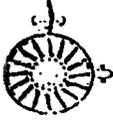
Attachment (1)

DRIFTWAY

PROPERTY TO BE REPURCHASED



PROPERTY TO BE REPURCHASED



SOBOBA SPRINGS

DESCRIPTION:

In the unincorporated area of the County of Riverside, State of California, described as follows:

PARCEL 1:

All those portions of Lots 4, 5, 6, 7 and 8 of Jose Estudillo's Subdivision of Tract VII of Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California and Lots 1 and 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, and Lots 240 and 241 Hot Sulphur Springs Tract as shown by Map on file in Book 14 page 649 of Maps, Records of San Diego County, California, which lies Southwest of Soboba Road as shown as Parcel 8 of Record of Survey on file in Book 52 pages 80 and 81 of Records of Survey, Records of Riverside County, California, and which lies Northwest of the Northwest line of Lot 3 of Jose Estudillo's Subdivision of Tract VII of the Rancho San Jacinto Viejo and which lies Northeast of the following described line:

COMMENCING as a shown point on the Northwest line of Lot 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, which bears North 44° 46' 15" East, a distance of 44.58 feet from the most Northerly corner of Parcel 4020-110C as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;
 THENCE South 19° 02' 28" East, a distance of 155.32 feet;
 THENCE South 00° 56' 31" West, a distance of 117.05 feet;
 THENCE South 19° 02' 28" East, a distance of 1,184.88 feet to the most North corner of Parcel 4020-110D as shown on said Survey;
 THENCE continuing South 19° 02' 28" East, a distance of 1,623.82 feet to the Southwest corner of Parcel 4020-112B as shown on said Survey;
 THENCE North 41° 53' 18" East, a distance of 383.17 feet;
 THENCE South 19° 47' 53" East, a distance of 644.73 feet;
 THENCE North 41° 52' 51" East, a distance of 352.00 feet;
 THENCE South 19° 47' 53" East, a distance of 352.00 feet to the Northwest line of Lot 3 of said Jose Estudillo's Subdivision;

EXCEPT those parcels conveyed to the Eastern Municipal Water District by Deed recorded December 14, 1967 as Instrument No. 110306 and March 1, 1968 as Instrument No. 19156 both of Official Records of Riverside County, California;

EXHIBIT "A"

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165700

ALSO EXCEPT that portion of Lots 1, 2 and 3 of the Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, described as follows:

BEGINNING at the intersection of the Northwest boundary line of said Hot Springs Tract with the Southerly right-of-way line of Soboba Road, 100.00 feet wide, as said intersection is shown on Record of Survey on file in Book 52 pages 75 through 81, inclusive, of Records of Survey, Records of Riverside County, California;

THENCE along said Southerly right-of-way line of Soboba Road the following courses:

South 50° 51' 59" East, a distance of 160.53 feet (recorded as 160.39 feet) to the beginning of a tangent curve concave Northeasterly and having a radius of 1,250.00 feet; Southeasterly along said curve through an angle of 27° 42' 28" (recorded as 27° 42' 04") a distance of 604.49 feet (recorded as 604.34 feet); Tangent to said curve South 78° 34' 27" East, a distance of 328.09 feet (recorded as South 78° 34' 03" East, a distance of 328.35 feet) to the beginning of a tangent curve concave Southwesterly and having a radius 950.00 feet; Southeasterly along said curve through an angle of 03° 22' 26" a distance of 55.94 feet; THENCE leaving said Southerly right-of-way line of Soboba Road South 03° 17' 22" West, a distance of 261.00 feet; THENCE South 67° 51' 37" West, a distance of 265.29 feet; THENCE North 82° 18' 08" West, a distance of 502.62 feet; THENCE North 52° 59' 17" West, a distance of 245.00 feet; THENCE North 43° 13' 46" West, a distance of 470.94 feet to an intersection with the aforesaid Northwest boundary line of the Hot Springs Tract; THENCE North 44° 44' 31" East, (recorded as North 44° 42' 35" East) along said Northwest boundary line a distance of 334.00 feet to the Point of Beginning;

EXCEPTING that portion conveyed to Eastern Municipal Water District by Deed recorded March 1, 1968 as Instrument No. 19156 of Official Records of Riverside County, California;

ALSO EXCEPT that portion of Lots 3, 4, 5 and 6 of Estudillo's Subdivision of Tract VII of the Partition of the Rancho San Jacinto Viego as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California, described as follows:

COMMENCING at the intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 52 pages 75 through 81, inclusive, of Records of Survey, Records of Riverside County, California;

THENCE along the center line of said Soboba Road the following courses:

North 31° 38' 33" West, a distance of 123.91 feet to the beginning of a tangent curve concave Northeasterly having a radius of 1,000.00 feet; Northerly along said curve through an angle of 19° 17' 50", a distance of 336.80 feet; North 12° 20' 39" West, (recorded as North 12° 20' 43" West) a distance of 1,247.61 feet; THENCE South 77° 39' 46" West, a distance of 50.00 feet to the Westerly right-of-way line of said Soboba Road and the TRUE POINT OF BEGINNING; THENCE continuing South 77° 39' 46" West, a distance of 298.33 feet to the beginning of a tangent curve concave Northerly having a radius of 920.00 feet;

EXHIBIT "A"

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16570

THENCE Westerly along said curve through an angle of $42^{\circ} 42' 34''$, a distance of 685.79 feet;
THENCE North $25^{\circ} 23' 25''$ West, a distance of 367.87 feet;
THENCE North $15^{\circ} 01' 44''$ West, a distance of 250.00 feet;
THENCE North $07^{\circ} 01' 44''$ West, a distance of 330.00 feet;
THENCE North $11^{\circ} 58' 16''$ East, a distance of 170.00 feet;
THENCE North $74^{\circ} 58' 16''$ East, a distance of 255.00 feet;
THENCE North $24^{\circ} 14' 03''$ East, a distance of 500.99 feet to a point on said Westerly right-of-way of Soboba Road, said point also being on a curve concave Southwesterly having a radius of 950.00 feet a radial bearing to said point bears North $44^{\circ} 07' 39''$ East;
THENCE along said Westerly right-of-way line following courses:

Southerly along said curve through an angle of $12^{\circ} 28' 00''$, a distance of 206.71 feet; South $33^{\circ} 24' 21''$ East, (recorded as South $33^{\circ} 24' 25''$ East) a distance of 533.71 feet to the beginning of a tangent curve concave Westerly having a radius of 1,150.00 feet Southerly along said curve through an angle of $21^{\circ} 03' 42''$, a distance of 422.74 feet (recorded as 422.73 feet); South $12^{\circ} 20' 39''$ East, (recorded as South $12^{\circ} 20' 43''$ East) a distance of 655.29 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California, described as follows:

BEGINNING at a point on the Southerly line of Lot 1, designated as S. J. 35 on above mentioned map, said point being also the Northwest corner of the Indian Reservation in the Northwest one-quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North $43^{\circ} 00'$ West, a distance of 20 chains;
THENCE North $38^{\circ} 30'$ West, a distance of 7.50 chains;
THENCE North $31^{\circ} 30'$ West, a distance of 11 chains;
THENCE North $11^{\circ} 50'$ West, a distance of 17.11 chains;
THENCE North $11^{\circ} 50'$ West, a distance of 4.46 chains, more or less, to a point on the San Bernardino Meridian line, a distance of 151.00 feet North of the one-quarter section corner between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North $13^{\circ} 45'$ West, to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an Avenue 80.00 feet wide, as shown on said Map;
THENCE South 42° West, on said Southeasterly line of said Avenue, to the Southwesterly line of said Tract VII;
THENCE South 45° East, 56.40 chains, on said Southwesterly line of Tract VII, to the most Southerly corner of said Lot 3;
THENCE North $41^{\circ} 50'$ East, on the Southeasterly line of said Lots 3 and 1, a distance of 41.65 chains, to the Point of Beginning;

EXHIBIT "A"

Page 3 of 4

EXCEPT that portion of the highway known as Soboba Springs Road, as described in Deeds recorded in Book 263 page 144 and in Book 276 page 140, respectively, of Deeds, Records of Riverside County, California;

ALSO EXCEPT a strip of land described as follows:

COMMENCING at said points designated as S. J. 35 on said Map;
 THENCE North 43° 00' West, a distance of 20 chains;
 THENCE North 38° 30' West, a distance of 7.50 chains;
 THENCE North 31° 30' West, a distance of 6.54 chains to the Point of Beginning of a 60 foot strip of land, the center line thereof being beginning at the last mentioned point;
 THENCE South 50° 00' West, a distance of 8.61-3/4 chains, to a point in the San Bernardino Meridian line;
 THENCE South 50° 00' West, a distance of 19.8825 chains;
 THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPT Parcels 4020122A and 4020119A, as shown on Records of Survey on file in Book 33 pages 48 to 62, inclusive, of Records of Survey, Records of Riverside County, California;

ALSO EXCEPT Parcel 4020119C, as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPT that portion lying Southeasterly of the Southeasterly line of Soboba Road (Main Street), as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPT that portion of Soboba Road described as Parcel B and 8A in the deed to the County of Riverside by deed recorded July 17, 1968 as Instrument No. 68078 of Official Records of Riverside County, California.

EXHIBIT "A"

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17

SOBOBA TRIBE'S FEE-TO-TRUST RESEARCH PROJECT

TOPIC: Reacquire Former Reservation Lands

FACTS:

Historical Record; Original Land Patent and recorded documents from the County Recorders Office and the BLM GLO Records.

Regarding FEE LAND owned by the Soboba Band of Luiseno Indian Tribe for the proposed "Horse Shoe Grand" Casino project. Fee land included in the following description

State of California, Section number 25, township 4-5, Range 1-W, Meridian San Bernardino. (1-a.)

1842 Earliest noted date; 1842 a Mexican Land Grant on the twenty first day of December A.D. one thousand eight hundred and forty two by Manuel Jimeno then 1st. vocal of the Departmental Assembly and Acting Governor of California. Grants to Jose Antonio Estudillo and heirs. (1-b.)

1852 A petition and transcript filed with the United States of America; 1851 filed with the General Land Office and provisions approved by Act of Congress third day of March A.D. one thousand eight hundred and fifty one to settle private land claims. (1-c.)

1853 Jose Antonio and Victoria Dominiguez Estudillo filed an amended petition with the Board of Land Commissioners on the sixteenth day of February A.D. one thousand eight hundred and fifty three for the Rancho San Jacinto Jose Antonio Estudillo departed leave all shares and interest to sole heirs is ordered adjusted and affirmed as good and valid to them the extent of eight square leagues and no more within the boundaries specified in the grant. (2-a.)

1854 Decree confirmed by the Board of Land Commissioners on the twenty first day of November one thousand eight hundred and fifty four. (2-b.)

1858 Appeal filed, March 1858. (2-c.)

1875 The Supreme Court of the United States at its October term A.D. one thousand eight hundred and seventy five ordered "final decree" under the thirteenth section of said Act and of the 12th. section of the Act of Congress confirmed the title and claim of Jose Antonio Estudillo to the tract of land designated as San Jacinto as appears from the certified copy and surveyed in conformity to the grant thereof. (2-d.)

- 1877 U.S. Surveyor General Office, San Francisco June 15th. 1877 (3-a.) certify the settlement of title to lands in the State of California to Jose Antonio Estudillo and confirmed by Geo. H. Thompson , surveyor 16 day of June 1877. (3-a.)
- 1880 To Have and To Hold (4-a.) the said tract of land with the appurtenances unto the said Victoria Dominiguez Estudillo etal the estate of Jose Antonio Estudillo their heirs and assigns forever, with the stipulation a forsaid.
In testimony whereof T. Rutherford B. Hayes President of the United States have caused these letters to be made Patent and Seal of the General Land Office to be affixed..... (4-b.)

Gap in found recorded records.

- 1955 El Rancho Highlands Inc. acquired title as Birtcher Brothers and Dorr Inc. Grants to Milton Falkoff, September 26, 1955 (5-a)
Portions of lots 1 and 3 of the Jose A. Estudillo of Tract VII of the Rancho San Jacinto Viejo.
- 1961 John C. Hunter and Clara H. Hunter, ½ interest Helen M. Mitchell. Grants to Soboba Hot Springs Corp. July 17, 1961 (5-b)
- 1966 Soboba Hot springs Corp. December 9,1966 Grants to Sully-Miller Contracting Co. (5-c)
- 1977 Future Enterprises. A Limited Partnership Quitclaims to Willard W. Keith and Adeline N. Keith January 20, 1977 (5-d)
- 1978 Willard W. Keith and Adeline N. Keith Grants to Daon Corp., a Delaware Corp. May 15, 1978 (5-e)
- 1978 Soboba Properties Inc. acquired title as Soboba Hot Springs Corp. Grants to Daon Corp., A Delaware Corp. May 15, 1978 (5-f)
- 1979 Daon Corp., a Delaware Corp. Grants to The Palumbo, Beck, Sylvester and Palumbo General Partnership, an Illinois General Partnership October 30, 1979 (5-g)
- 1979 Union Oil Company of California Grants to Henry Pirelli and Joann Pirelli December 11, 1979 (5-h)
- 1980 The Palumbo, Beck and Palumbo General Partnership an Illinois General Grants to Daon Corp. a Delaware Corp. June 2, 1980 (5-j)
- 1981 Palumbo, Beck Sylvester and Palumbo a General Partnership an Illinois Corp. EMP Soboba, a California Limited Partnership December 3, 1981 (5-k)

- 1982 Daon Corp. a Delaware Corp. Grants to Diet Center Incorporated, an Idaho Corp. September 24, 1982 (5-m)
- 1984 Diet Center Inc. a Idaho Corp. Grants to Daon Corp., a Delaware Corp. Aug. 31, 1984 (5-n)
- 1985 EPM Soboba a California Limited Partnership Quitclaims to Daon Corp. a Delaware Corp. June 11, 1985 (5-0)
- 1985 Daon Corp. a Delaware Corp. Grants to Soboba Associates, a Limited Partnership June 11, 1985 (5-p)
- 1986 EPM Zimmer II, a California Limited Partnership acquired title as EPM Soboba, a California Limited Partnership also doing business as EPM Zimmer, a California Limited Partnership Quitclaims to EPM Zimmer II, a California Limited Partnership July 23, 1986 (5-q)
- 1988 Soboba Associates, a California Limited Partnership Grants to Nitto America Co., a California Corp. April 1, 1988 (5-r)
- 1991 Soboba Associates, a California Limited Partnership, Partnership Grant to Lake Park Venture, a California Limited Partnership December 9, 1991 (5-s)
- 1993 Trustee's Deed, R.F.Norman Corp. dba Benefact & Company, a California Corp. Grant to Brookfield, Inc. January 14, 1993 (5-t)
- 1995 Brookfield Inc., a California Corp. Grants to James R. Ciernia and Mary E. Ciernia of Ciernia Revokable Trust July 11, 1995 (5-u)
- 1995 Trustee's Deed David G. Jimenez, as Trustee Grants to Sharphard Management Services, a California Limited Partnership September 10, 1995 (5-v)
- 1996 Nitto America Co. LTD, a California Corp. Grants to Soboba Springs Royal Vista Golf courses, Inc. a Hawaii Corp. February 1, 1996 (5-w)
- 1999 James Richard Ciernia and Mary Elizabeth Ciernia Trustees Ciernia Revocable Trust Grant to Osborne Development Corp. a California Corp. May 12, 1999 (5-x)
- 2001 Osborne Development Corp., a California Corp. Grants to Soboba Band of Luiseno Mission Indians June 22, 2001 (5-y)
- 2001 Shepherd Management Services, a California Limited Partnership Grants to Soboba Band of Luiseno Indians December 4, 2001 (5-z)
- 2004 Soboba Springs Royal Vista Golf Courses Inc. Grants to Soboba Band of Luiseno Indians December 9, 2004 (5-z,a). * See Attachments

You searched on: State=CALIFORNIA, Section Number=25, Township=4-S, Range=1-W, Meridian=San Bernardino

12.

Patentee Name	State	County/ Parish	Issue Date	District Land Office	Doc. Nr.	Accession or Serial Nr.
<i>AGUIRRA, RESARIA ESTUDILLO DE</i>	CA	<i>Riverside, San Bernardino</i>	<i>1/17/1880</i>	<i>Assigned For Automation</i>	<i>PLC 489</i>	<i>CACAAA 080421</i>
<i>ESTUDILLO, CONCEPCION</i>	CA	<i>Riverside, San Bernardino</i>	<i>1/17/1880</i>	<i>Assigned For Automation</i>	<i>PLC 489</i>	<i>CACAAA 080421</i>
<i>ESTUDILLO, FRANCISCO</i>	CA	<i>Riverside, San Bernardino</i>	<i>1/17/1880</i>	<i>Assigned For Automation</i>	<i>PLC 489</i>	<i>CACAAA 080421</i>
<i>ESTUDILLO, GUADALUPE</i>	CA	<i>Riverside, San Bernardino</i>	<i>1/17/1880</i>	<i>Assigned For Automation</i>	<i>PLC 489</i>	<i>CACAAA 080421</i>
<i>ESTUDILLO, JOSE ANTONIO</i>	CA	<i>Riverside, San Bernardino, Riverside, San Bernardino</i>	<i>1/17/1880</i>	<i>Assigned For Automation</i>	<i>PLC 489</i>	<i>CACAAA 080421</i>

Prior US G.M. (1880)
Amestead act for Ag.

#1

The United States of America
to all to whom these presents shall come greeting

Whereas it appears from a duly authenticated transcript filed in the General Land Office of the United States that pursuant to the provisions of the Act of Congress approved the third day of March A. D. one thousand eight hundred and fifty one, entitled An Act to Ascertain and Settle the Private Land Claims in the State of California Jose Antonio Estudillo as claimant, filed his petition on the twenty third day of March A.D., one thousand eight hundred and fifty two, with the Commissioners to ascertain and settle the Private Land Claims in the State of California, sitting as a Board in the City of San Francisco, in which petition he claimed the confirmation of his title to a certain tract of land known as the "Rancho de San Jacinto" to the extent of four sitios de ganado mayor, situate in the then county of San Diego, and State aforesaid, said claims being founded on a Mexican grant to the petitioner made on the twenty-first day of December A.D. one thousand eight hundred and forty-two by Manuel Jimeno then 1st Vocal of the Departmental Assembly and Acting Governor of California.

And whereas it further appears that Victoria Dominguez de Estudillo, widow, and Jose Maria Estudillo rosaria Estudillo de Aguirra, Reyes Estudillo, Salvador Estudillo, Jose Antonio Estudillo, Guadalupe Estudillo, Concepcion Estudillo and Francisco Estudillo, children of the said Jose Antonio Estudillo, deceased, and Victoria Dominguez, his wife, and Miguel Pedrorena, Victoria Pedrorena, Ysabel Pedrorena and Helena Pedrorena, deceased, who was also a daughter of the said Jose

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#10.

RECEIVED BY THE PUBLIC OFFICE
PUBLIC INFORMATION SECTION
CALIFORNIA STATE OFFICE
BUREAU OF LAND MANAGEMENT

#1



Antonio and Victoria Dominguez Estudillo, as claimants, filed an amended petition with the aforesaid Board of Land Commissioners on the sixteenth day of February A.D. one thousand eight hundred and fifty three claiming that since the filing of the original petition as aforesaid, by Jose Antonio Estudillo for the rancho San Jacinto containing eight sitios de ganado mayor, the said Jose Antonio Estudillo had departed this life and that the petitioners are the sole heirs of his estate, and praying that their title to said tract of land be confirmed.

2. 3.

And whereas, the Board of Land Commissioners aforesaid, on the twenty first day of November A.D. one thousand eight hundred and fifty four rendered a decree confirming said claim to the said Victoria Dominguez de Estudillo, Jose Maria Estudillo and the other heirs and legal representations of the said Jose Antonio Estudillo decd. according to their respective shares and interests in said rancho of San Jacinto which decree or decision having been taken by appeal to the District Court of the United States for the Southern District of California, the said District Court on the eighteenth day of March A.D. one thousand eight hundred and fifty eight in the cause entitled "Victoria Dominguez de Estudillo et al, heirs of Jose Antonio Estudillo appellees, vs The United States appellants, rendered its decree as follows, to wit:

2 b.

2 c.

675371-2 R

This cause coming on to be heard on appeal from the final decision of the United States Board of Land Commissioners to ascertain and settle the private land claims in the State of California under an act of Congress approved March 3, 1854 upon a Transcript of the Decision and Proceedings of said Board and of the papers and Evidence upon which

#2

decision was founded, and it appearing to the court that said transcript and the notice of appeal have been duly filed according to law, and Counsel for the respective parties having been heard,

It is ordered, adjudged and decreed that the said decision of the said Board Board of Land Commissioners, be and the same hereby is affirmed.

And it is further adjudged and decreed that the claim of the appellees to the land in this case is good and valid and the same is hereby confirmed to them to the extent of eight square leagues and no more, within the boundaries specified in the grant and in the map contained in the Expediente to which the grant refers. Reference for further explanation being had to the Act of Judicial possession on file in the case. The lands of which confirmation is hereby made being situate in the County of San Diego and known as "San Jacinto". Provided that should there be a less quantity of land within the said boundaries than eight square leagues then confirmation is hereby made of such less quantity.

And thereafter the Supreme Court of the United States at its October Term A.D. one thousand eight hundred and seventy five rendered a decree docketing and dismissing the appeal taken in this cause from the aforesaid decree of the United States District Court for the Southern District of California as appears by the Mandate of the said Supreme Court of the United States which was presented to the District Court of the United States for the District of California, whereupon said District Court, on the second day of November A.D., one thousand eight hundred and seventy five in the cause entitled "The United States vs. Jose Antonio Estudillo" ordered that the said Mandate be filed hereas and that the claimant have leave to proceed under the decree of

675371-3

confirmation heretofore entered in this case as under "final decree" whereby the proceedings of Court upon title became final.

And whereas under the thirteenth section of said Act of the third of March A.D., one thousand eight hundred and fifty one and the supplemental legislation and in accordance with the proceedings had pursuant to said act and supplemental legislation there has been deposited in the General Land Office a return with the descriptive notes, certificate of advertisement and plat of the survey of the said claim confirmed as aforesaid, authenticated by the signature of the United States Surveyor General for the State of California, which descriptive notes, certificate of advertisement and plat of survey are in the words and figures as follows, to wit:

U.S. Surveyor Generals Office
San Francisco, Cal.

Under and by virtue of the provisions of the 13th Section of the Act of Congress of the third of March 1851, entitled "An Act to ascertain and settle the private land claims in the State of California", and of the 12th Section of the Act of Congress approved on the 31st of August 1852, entitled "An Act making appropriations for the civil and diplomatic expenses of the Government for the year ending the 30th of June 1853, and for other purposes", and whereas the U.S. District Court for the Southern District of California rendered a decision whereby it recognized and confirmed the title and claim of Jose Antonio Estudillo to the tract of land designated as "San Jacinto" as appears from the certified copy of the final decree of the said District Court a copy of which is hereto annexed. The said tract of land was surveyed in conformity to the grant thereof.

2 d.

675371-4

Now Know All That the United States of America
in consideration of the premises, and pursuant to the
provisions of the Act of Congress aforesaid of third
March Anno Domini, one thousand eight hundred
and fifty-one, and the legislation supplemental thereto,
Have given and granted, and by these presents
Do give and grant, unto the said Victoria Dominguez
de Estruchillo et al., heirs of Jose Antonio Estruchillo, their
heirs and assigns, the tract of land embraced and
described in the foregoing survey, but with the stip-
ulation that in virtue of the fifth section of the
said Act, neither the confirmation of the said claims
nor this patent shall affect the interests of third parties.

To Have and To Hold the said tract of land
with the appurtenances unto the said Victoria Dominguez
de Estruchillo et al., heirs of Jose Antonio Estruchillo, their
heirs and assigns forever, with the stipulation aforesaid.

In testimony whereof, I, Rutherford B. Hayes
President of the United States, have caused these records
to be made, Patent and the Seal of the General Land Office
to be hereunto affixed.

Given under my hand at the City of
Washington, this seventeenth day
of January, in the year of our Lord
one thousand eight hundred and
eighty, and of the Independence of
the United States the one hundred
and fourth.

By the President: R. B. Hayes.

By W. H. Crook, Secretary.

W. H. Crook, Register of the General Land Office.

Table
of Towns

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UNCLASSIFIED TO BE A TRUE COPY

Now know ye That the United States of America, in consideration of the premises, and pursuant to the provisions of the Act of Congress aforesaid of third March Anno Domini, one thousand eight hundred and fifty-one, and the legislative supplemental thereto, Have Given and Granted, and by these presents Do Give and Grant, unto the said Victoria Dominquez de Estudillo, et al, heirs of Jose Antonio Estudillo, their heirs and assigns, the tract of land embraced and described in the foregoing survey, but with the stipulation that in virtue of the fifteenth section of the said Act, neither the confirmation of this said claim nor this patent shall affect the interests of third persons.

To Have and To Hold the said tract of land with the appurtenances unto the said Victoria Dominquez de Estudillo et al, heirs of Jose Antonio Estudillo, their heirs and assigns forever, with the stipulation aforesaid

In testimony whereof T Rutherford B. Hayes, President of the United States, have caused these Letters to be made Patent and the Seal of the General Land Office to be hereunto affixed.

4 b.

675371-25 R



Given under my hand at the City of Washington this seventeenth day of January in the year of our Lord one thousand eight hundred and eighty, and of the Independence of the United States the one hundred and fourth.

By the President: R.B. Hayes

By Wm. H. Crook, Secretary

S.W. Clark, Recorder of the General Land Office.

Registration: Riverside, CA Assessor Map 433.14 Page: 1 of 1

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POR RD. S JACINTO VIEJO

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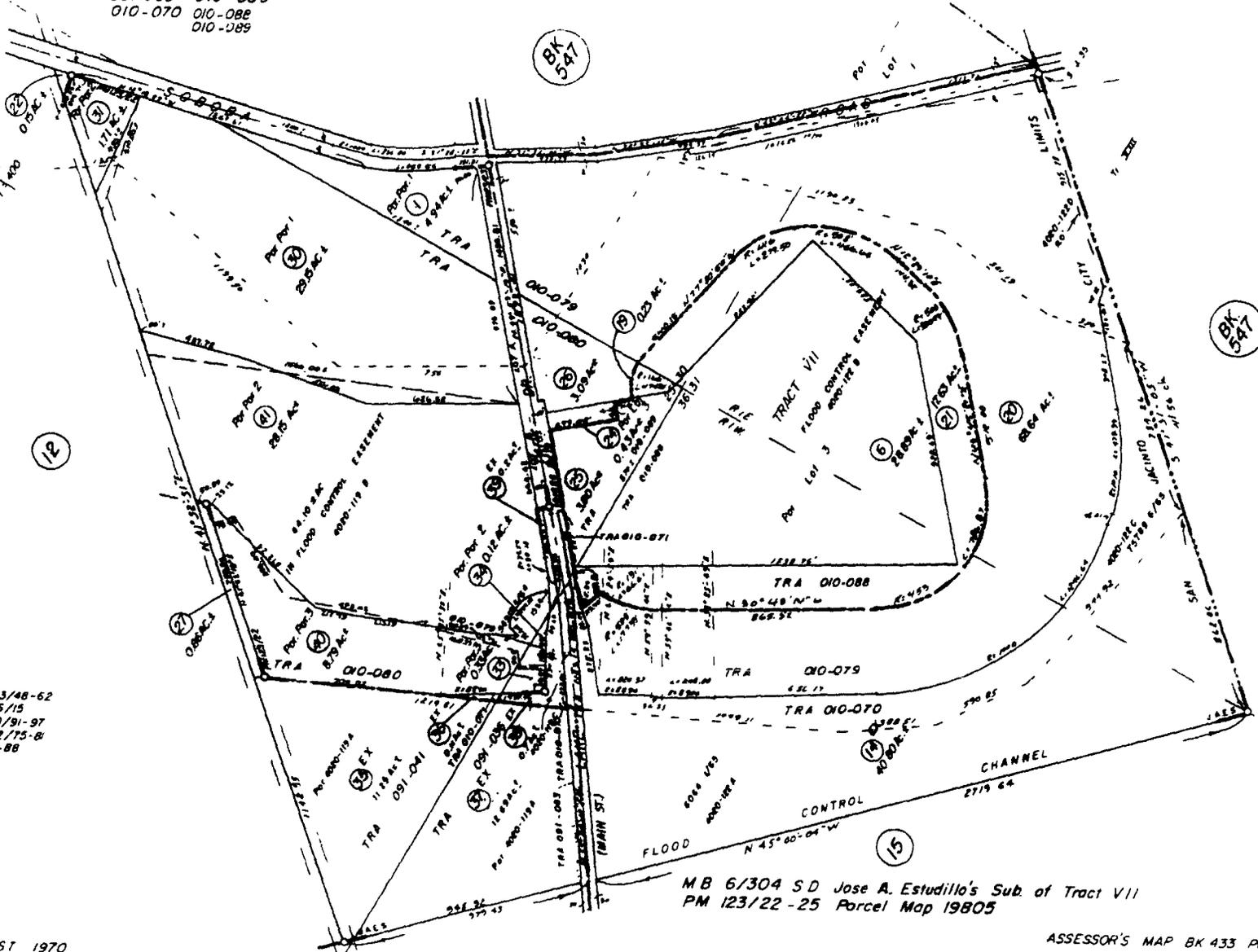
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LLA 1-88

AUGUST 1970

MB 6/304 SD Jose A. Estudillo's Sub. of Tract VII
PM 123/22-25 Parcel Map 19805

ASSESSOR'S MAP BK 433 PG 14
RIVERSIDE COUNTY, CALIF
C

Hassidoe Grande



Corporation Grant Deed

Affix I. R. S. \$ 111.10

208A 2-53

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
EL RANCHO HIGHLANDS, INC. who acquired title as BIRTCHEER BROTHERS & DORR, INC.

a corporation organized under the laws of the state of California

hereby GRANTS to
MILTON FALKOFF

the following described real property in the state of California, county of Riverside,
as per attached description:

In the County of Riverside, State of California:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by map on file in Book 6, Page 304 of Maps, San Diego County Records, described as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned map, said point being also the Northwest corner of the Indian Reservation in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 43° 00' West, 20 chains; thence North 38° 30' West, 7.50 chains; thence North 31° 30' West, 11 chains; thence North 11° 50' West, 17.11 chains; thence North 11° 50' West, 4.46 chains, more or less, to a point in the San Bernardino Meridian line, 151 feet North of the quarter section corner between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 13° 45' West to the Northwesterly line of said Lot 3, said line also being the South-easterly line of an avenue 80 feet wide, as shown on above described map; thence South 42° West on said Southeasterly line of said avenue to the Southwesterly line of said Tract VII; thence South 45° East, 56.10 chains on said Southwesterly line to the most Southerly corner of said Lot 3; then North 41° 50' East on the Southeasterly line of said Lots 3 and 1, 41.65 chains to the point of beginning.

EXCEPTING therefrom that portion thereof lying in highway known as Soboba Springs Road, as described in Deeds recorded in Book 263, Page 144, and in Book 276, Page 140, respectively, of Deeds, Riverside County Records;

ALSO EXCEPTING therefrom a strip of land, described as follows: COMMENCING at said point designated as S. J. 35 on above described map; thence North 43° 00' West, 20 chains; thence North 38° 30' West, 7.50 chains; thence North 31° 30' West, 6.54 chains to the point of beginning of a 60 foot strip of land, the center line thereof beginning at the last mentioned point; thence South 50° 00' West, 8.61 3/4 chains to a point in the San Bernardino Meridian line; thence South 50° 00' West, 19.882 chains; thence South 55° 25' West to the Southwesterly line of said Lot 3.

SUBJECT TO: 1. Taxes for the fiscal year 1955-56, a lien not yet payable.
2. Covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

SUBJECT TO: 1. Taxes for the fiscal year 1955-56, a lien not yet payable.
2. Covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Asst. Secretary thereunto duly authorized.

Dated: September 26, 1955

EL RANCHO HIGHLANDS, INC. who acquired title as BIRTCHEB BROTHERS & DORR, INC.

STATE OF CALIFORNIA COUNTY OF

SS.

Los Angeles

By _____ President
E. S. Galster
By _____ Secretary
J. Gladys Huse

On September 27, 1955 before me, the undersigned, a Notary Public in and for said County and State, personally appeared E. S. Galster known to me to be the President, and J. Gladys Huse known to me to be the Asst. Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal

(Seal)

EMMA M. ANDERSON

Notary Public in and for said County and State.
My Commission Expires May 7, 1968

SPACE BELOW FOR RECORDER'S USE ONLY

RECEIVED FOR RECORD

OCT 5 1955

SECURITY TITLE INSURANCE CO.

BOOK 1802 PAGE 183

El Sep. Recorder of Riverside County California

Recorder

Deputy Recorder

FEE \$ 2.00

8

2/10/5

63903

Order Number 282224 Escrow Number 107-282224

RECORDING REQUESTED BY

WHEN RECORDED, PLEASE MAIL TO

SOBOBA HOT SPRINGS CORPORATION
San Jacinto, California

RECEIVED FOR RECORD

JUL 17 1961

AT 9:00 O'CLOCK A.M.

IN THE OFFICE OF
SECURITY TITLE INSURANCE CO.
Recorded in Official Records

U. S. Dept. of Insurance, California

John A. [Signature]
FEE \$

36

60529

60530

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

I. . \$110.00

JOHN C. HUNTER and CLARA H. HUNTER, husband and wife as to an undivided 1/2 interest

HELEN L. HIPS ALL as to an undivided 1/2 interest

For a Valuable Consideration, the receipt of which is hereby acknowledged, do hereby

GRANT to SOBOBA HOT SPRINGS CORPORATION, a California corporation,

all that real property situated in the County of Riverside, State of California, described as follows:

see description sheet attached and made a part hereof

In the County of Riverside, State of California:

The Northwest quarter of the Northeast quarter and Lot 1 of Section 30 and the south half of the Southeast quarter and the Southeast quarter of the southwest quarter of Fractional Section 19, Township 4 South, Range 1 East, San Bernardino Base and Meridian;

EXCEPTING therefrom that portion heretofore conveyed for road purposes;

AND EXCEPTING therefrom that portion of said Lot 1 in said Section 30 by metes and bounds beginning at the most westerly corner of said Lot, said corner being a closing corner at the intersection of the North line of said Section 30 with the northerly boundary of Rancho San Jacinto Viejo; thence South 73° 54' East 427.60 feet on the northerly boundary of said Rancho; thence North 24° 06' East 155.55 feet; thence South 82° 22' West 466.20 feet on the North line of said Section 30, to the point of beginning;

AND EXCEPTING from said portion of said Section 19, Township 4 South, Range 1 East, San Bernardino Base and Meridian, the following described parcel, that portion of the Southeast quarter of the Southwest quarter of said Section 19 lying West of a line being on the South line of said Section 19 at a point distant 1263 feet West from the quarter corner between Sections 19 and 30 in said Township and Range; thence North 24° 06' East 1446 feet, more or less, to a point on the Northerly line of said Southeast quarter of the Southwest quarter of Section 19.

AND, that portion of Lots 1, 2, 3, and 4 of Jose Estuillo's Subdivision of a portion of Tract VII of Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 504 of Maps, San Diego County Records, and of Tract VII of the Partition of the Rancho San Jacinto Viejo, as shown by Map on file in Case No. 277 of the District Court of the County of San Diego, bounded and described as follows by metes and bounds: Beginning at the most westerly corner of that certain tract conveyed to J. Hornback by Deed recorded in Book 305 page 462 of Deeds, Riverside County Records; thence North 47° 56' East 435 feet; thence North 50° 42' East 543 feet; thence North 84° 01' East 270 feet; thence North 61° 25' East 174 feet; thence North 42° 16' East 444 feet to the East line of Rancho San Jacinto Viejo; thence North, on the East line of said Rancho San Jacinto Viejo, to the northeast corner of said Rancho, being Corner No. 36; thence North 73° 54' East, or the northeasterly line of said Rancho San Jacinto Viejo, to a point 1024 feet north-easterly, measured on said line, from Corner No. 36, said point being also the North-easterly corner of that certain 57.87 acre parcel of land conveyed to John C. Hunter by Deed recorded in Book 510 page 552 of Deeds, Riverside County Records, described as Parcel 1 in said Deed; thence South 24° 06' East 576 feet; thence South 27° 23' East 282.00 feet; thence South 43° 31' East 140.75 feet; thence South 75° 02' East 228.80 feet; thence South 47° 03' West 272 feet; thence South 43° 11' West 544.00 feet; thence South 11° 38' East 750 feet; thence South 58° 51' East 207.25 feet; thence South 11° 51' East 195 feet; thence North 61° 40' West 105.20 feet; thence South 81° 20' East 277 feet, more or less, to the center line of a 60 foot County Road; thence southeasterly on the center line of said County Road, to the point of beginning; AND EXCEPTING therefrom all that portion included in said County Road.

No. 60529

JUL 17 1961

EXCEPTING AND RESERVING to Grantors, their heirs, successors or assigns, an undivided one-half interest in and to the precious and semi-precious stones, minerals and mineral rights, including oil, gas and other hydrocarbon substances, and the rights thereto, or to remove any thereof from said land as follows:

(a) With respect to said portion of Section 19, Township 4 South, Range 1 East, San Bernardino Base and Meridian, and that portion of the North half of Lot 1 in said Section 30, lying and situated easterly of a northerly projection through corner No. 36 of the East line of said Rancho San Jacinto Viejo, said exception and reservation shall include the right of ingress and egress to prospect, explore, mine, drill, remove any of said minerals or substances, or to otherwise develop said rights.

(b) With respect to the remainder of the land hereby conveyed, said exception and reservation shall be restricted to depths below 500 feet from the surface of said land and without any right to enter or go upon the surface of said land to a depth of 500 feet or more from said surface.

ALSO EXCEPTING AND RESERVING THEREFROM an easement for ingress and egress to and from said portion of Section 19 conveyed hereby, and said 60 foot County road, to prospect, explore, mine, drill or otherwise develop said rights, including the right of removal or transportation of any of said precious or semi-precious stones, minerals or hydrocarbons found, developed or produced as aforesaid, which said easement shall be over a strip of land 30 feet in width, lying adjacent to and northerly and westerly of the following described line:

Beginning at the most Westerly corner of that certain tract conveyed to J. Hornback by Deed recorded in Book 305, page 369 of Deeds, Riverside County Records; thence North 47° 56' East 435 feet; thence North 50° 42' East 543 feet; thence North 84° 01' East 270 feet; thence North 61° 26' East, 178 feet; thence North 42° 16' East 444 feet to the East line of Rancho San Jacinto Viejo; thence North, on the East line of said Rancho San Jacinto Viejo to a point situated on the Southerly boundary of the North half of the North half of said Section 30; thence East along said Southerly boundary of the North half of the North half of said Section 30, to a point on the westerly boundary of the East half of the East half of said Section 30; thence North along said westerly boundary of the East half of the East half of said Section 30 to the Northerly boundary line of said Section 30.

MS
MP

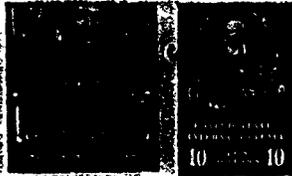
JAN

B. B. K.

H. K.

60530

No. 4



1. Taxes for the fiscal year 19-1-62 a lien not yet payable.

Dated June 23, 1961

John C. Hunter
John C. Hunter
Clara H. Hunter
Clara H. Hunter
Helen M. Mitchell
Helen M. Mitchell

STATE OF CALIFORNIA,
COUNTY OF Los Angeles } SS.

On June 23, 1961, before me, the undersigned, a Notary Public for Los Angeles County, California, personally appeared John C. Hunter, Clara H. Hunter and Helen M. Mitchell

known to me to be the person^s whose name^s are subscribed to the within instrument and acknowledged that they executed the same.

Witness my hand and official seal.

(Seal)

S. G. Stewart
S. G. Stewart (Notary Public's Signature)

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CPC 1964 1-22 P.S.

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Form 291 Rev 11-55 (Corporation)

No. 60529
JUL 17 1961

Grant Deed

(Corporation)

SOBOBA HOT SPRINGS CORPORATION,

(GRANTOR) a corporation

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

Does Hereby Grant To **SOBOBA HEIGHTS MUTUAL WATER CO.,** a California Corporation,

the real property in the

County of **Riverside** State of California, described as follows:

See Exhibit A attached hereto and made a part hereof by reference.

Subject to covenants, conditions, restrictions and easements of record.

April 15, 1964

SOBOBA HOT SPRINGS CORPORATION, a California Corporation

By: *James Minor*
James Minor, resident

Asst. Secy.

STATE OF CALIFORNIA
COUNTY OF
Riverside

15th
April
and 64
Lewis F. Jacobsen

James Minor and
Stanley J. Anderson
Assistant Secretary

WHEN RECORDED PLEASE MAIL THIS INSTRUMENT TO

OFFICE OF THE COUNTY CLERK
ESBROW
SPACE BELOW FOR RECORDER'S USE ONLY

RECEIVED FOR RECORD

MAY 4 1964

At Request of

James Minor
Recorded in Official Records

OFFICE OF THE COUNTY CLERK

W. B. [Signature]
1964

MAY 11 1964

54915

54915

PARCEL No.1:

A portion of Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, Recorded in Book 6 of maps at page 304, Records of San Diego County, California, said portion being more particularly described as follows:

Commencing at the most Southerly corner of parcel 4020-119 B as shown by Record of Survey on file in Book 33 of maps at page 57, Records of Riverside County, California;
Thence South 24° 24' 27" East a distance of 30.38 feet to the center-line of Soboba Road as shown on said Record of Survey;
Thence North 55° 24' 10" East on the center line of said Soboba Road a distance of 232.50 feet;
Thence North 34° 35' 50" West at right angles to said Soboba Road, a distance of 130.00 feet, to the True Point of Beginning;
Thence South 55° 24' 10" West parallel to said Soboba Road a distance of 40.00 feet;
Thence North 34° 35' 50" West a distance of 40.00 feet;
Thence North 55° 24' 10" East parallel with said Soboba Road a distance of 40.00 feet;
Thence South 34° 35' 50" East a distance of 40.00 feet to the True Point of Beginning.

PARCEL No.2:

A portion of Estudillo's Subdivision of Tract VII of the Rancho San Jacinto Viejo, recorded in book 6 of maps at page 304, Records of San Diego County, California, said portion being more particularly described as follows:

Commencing at the most Easterly corner of parcel 4020-110 A as shown on Record of Survey on file in Book 33 of maps at page 59, Records of Riverside County, California;

Thence South 66° 54' 55" East a distance of 437.66 feet to the True Point of Beginning;
Thence North 77° 41' 30" East a distance of 40.00 feet;
Thence South 12° 18' 30" East a distance of 40.00 feet;
Thence South 77° 41' 30" West a distance of 40.00 feet;
Thence North 12° 18' 30" West a distance of 40.00 feet to the True Point of Beginning.

EXHIBIT A

MAY 11 1964

BAILEY

PLACE INTERNAL REVENUE STAMPS IN THIS SPACE

Grant Deed

(Corporate)

15-1

SOBOBA HOT SPRINGS CORPORATION

(GRANTOR)

FOR A VALUABLE CONSIDERATION, the undersigned hereby grants, sells, conveys and certifies

That Hereby Grant To **SOBOBA HEIGHTS MUTUAL WATER CO., a California Corporation.**

the real property in the

County of **Riverside** State of California described as follows:

A portion of Estudillo subdivision of Tract VII of the Rancho San Jacinto Viejo, recorded in book 6 of maps at page 304, Records of San Diego County, California, said portion being more particularly described as follows:

Commencing at the most Northerly corner of Lot 13 of Tract 2372 as said Lot 13 is shown on map filed in Book 49 of maps, at page 26, Records of Riverside County, California;
Thence North 0° 55' 00" West a distance of 132.59 feet to the True Point of Beginning;
Thence North 17° 37' 07" East, 104.14 feet;
Thence North 20° 16' 57" West, 74.01 feet;
Thence North 74° 05' 00" West, 100.45 feet;
Thence South 17° 43' 07" West, 106.24 feet;
Thence South 41° 15' 27" East, 71.14 feet;
Thence South 61° 23' 12" East, 86.73 feet;
To the True Point of Beginning.

SOBOBA HOT SPRINGS CORPORATION, a California Corporation

By: *James Minor*
James Minor, President

Riverside

15th
April

and 6-

Lewis F. Jacobsen

Stanley J. Anderson
Assistant

WHEN RECORDED PLEASE MAIL THIS INSTRUMENT TO

ORDER NO.

ISSUE NO.

SPACE BELOW FOR RECORDER'S USE ONLY

RECEIVED FOR RECORD

MAY 4 1964

at Request of

Stanley J. Anderson

Recorder of Deeds

11 May, 1964, Office of Recorder of Deeds, Riverside County, California

Ed W. [Signature]

MAY 11 1964
B4018

EASEMENT DEED

For a valuable consideration, the receipt of which is hereby acknowledged, SOBOBA HOT SPRINGS CORPORATION, a California corporation, Grantor, hereby grants to SOBOBA HEIGHTS MUTUAL WATER CO., a California corporation, Grantee, a perpetual 10.00 ft. wide easement right of way for, and the right to construct, maintain, reconstruct, use, clean and operate underground pipelines and/or mains under, through and across that certain real property situated in the County of Riverside, State of California, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference together with the right to enter upon said strip of land by the Grantor and its employees whenever and wherever desirable for the purpose of laying, constructing, reconstructing, inspecting, maintaining, repairing, cleaning, using and operating pipelines and/or mains, also the right to make any and all excavations necessary or convenient for any of the purposes aforesaid; Provided, however, that this conveyance is made under and subject to the following conditions which the Grantee, by the acceptance of said right of way, agrees to keep and perform, viz:

That the said Grantee will restore and replace the surface of the ground and improvements over and above the mentioned right of way and will repair any and all damage to the property of the Grantor or Grantor's successors and assigns, above or adjoining the said right of way which is injured or damaged in the construction or maintenance of the said improvement;

To have and to hold to the said Grantee, its successors and assigns, perpetually for the purposes and upon the conditions aforesaid.

Dated April 15, 1964

SOBOBA HOT SPRINGS CORPORATION

By: *[Signature]*
James Minor, President

[Signature]
Stanley J. Anderson,
Assistant Secretary

State of California)
) ss.
County of Riverside)

On this 15th day of April, 1964, before me, LEWIS F. JACOBSEN, a Notary Public in and for said County and State, personally appeared JAMES MINOR and STANLEY J. ANDERSON, known to me to be the President and Assistant Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors. WITNESS my hand and official seal the day and year in this certificate first above written.

[Handwritten signatures and notes]
RECEIVED FOR RECORD
MAY 4 1964

[Signature]
Lewis F. Jacobsen
Notary Public in and for said
County and State
My Commission Expires Jan. 2, 1967



63532

SUPPLY MAINS EASEMENT

In the County of Riverside, State of California, described as follows:

1 A 10.00 foot wide strip of land in a portion of Estudillo Subdivision
2 of Tract VII of the Rancho San Jacinto Viejo, Recorded in Book 6 of
3 maps, at page 304, Records of San Diego County, California. The
4 centerline of said 1000 foot strip being more particularly de-
5 scribed as follows:
6 Commencing at the most Southerly corner of parcel 4020-119 B as
7 shown by Record of Survey on file in Book 33 of maps at page 57,
8 Records of Riverside County, California;
9 Thence South 24° 24' 27" East a distance of 30.38 feet to the
10 centerline of Soboba Road as shown on said Record of Survey;
11 Thence North 55° 24' 10" East on the centerline of said Soboba
12 Road, a distance of 232.50 feet;
13 Thence North 34° 35' 50" West at right angles to said Soboba Road
14 a distance of 135.00 feet to the True Point of Beginning;
15 Thence North 77° 23' 08" East a distance of 220.26 feet to a point
16 which is 50.00 feet measured at right angles from the centerline
17 of said Soboba Road;
18 Thence North 49° 59' 10" East parallel with the centerline of said
19 Soboba Road, a distance of 1823.00 feet more or less to the South-
20 westerly Right of Way line of that portion of Soboba Road which
21 bears North 31° 32' West from its intersection with McDermott Road.

EXHIBIT A

63532

When re-recorded return to:

SHARON PROFFER, CLERK
3
Riverside, California

RECEIVED FOR RECORD

JUN 1 1965

33
at Request of
Susan Mitchell
Recorded in Official Records
of Riverside County, California

W. W. Staloch

FEES \$ *2.00*

End Recorded Document - W.D. Babish, County Recorder

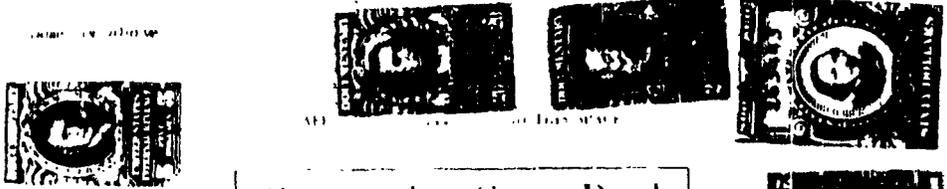
119818
115001

RECORDING REQUESTED BY
DEE-MAILLER CONTRACTING CO.,
1001 1/2 Street, South Street
Long Beach, California

RECEIVED FOR RECORD
DEC 9 1966
AT 9 00 O'CLOCK A.M.
RECORDS SECTION

INDEXED

SPACE ABOVE THIS LINE FOR RECORDER'S USE



Corporation Grant Deed

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
SODOBA HOT SPRINGS CORPORATION, a corporation,

corporation organized under the laws of the State of
CALIFORNIA GRANTS to

DEE-MAILLER CONTRACTING COMPANY, a corporation,

the following described real property in the
County of Riverside State of California

(SEE SHEET ATTACHED HERETO AND MADE A PART HEREOF)

This deed is to be recorded to correct a typographical error
within the deed caption.

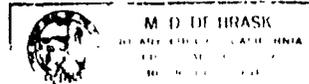
In Witness Whereof, the undersigned, duly authorized officers of the State of California, have hereunto set their hands and the seal of said State at the City of Sacramento, California, this 6th day of December, 1966.

December 6, 1966

SODOBA HOT SPRINGS CORPORATION, a corporation

Stanley J. Anderson
President

By *Stanley J. Anderson*
President



M. D. Debrank
M. D. Debrank
Notary Public

MAIL TAX STATEMENTS AS DIRECTED ABOVE

119815

That portion of Lots 1 and 3 of the Jose A. Retudilla Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 104 of Maps, San Diego County Records, described as follows:

Beginning at a point on the westerly line of said Lot 1, designated as S. J. 15 on above mentioned Map, said point being also the Northwest corner of the Indian Reservation in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence South $41^{\circ} 50'$ West along the Southeastery line of said Lots 1 and 3, 944 feet, more or less, to the most Easterly corner of Parcel No. 4020-1220 as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Riverside County Records; thence North $48^{\circ} 08' 55''$ West along the

Northeasterly line of said Parcel No. 4020-1220, 20 feet; thence South $75^{\circ} 32' 01''$ West along a Northerly line of said Parcel No. 4020-1220 to a point which is located 40 feet Northwesterly of the Southeastery line of said Lot 3, as measured at right angles thereto; thence North $41^{\circ} 50'$ East parallel with the Southeastery line of said Lots 1 and 3 to a point located North $43^{\circ} 00'$ West from the point of beginning; thence South $43^{\circ} 00'$ East to the point of beginning; EXCEPTING therefrom that portion included in State Road.

This easement (Parcel 7) is conveyed subject to a covenant running with the land, that utilization of said easement for road purposes require that user control dust conditions by means of oil or paving; and that shrubs of suitable size and density be planted and maintained to insure a buffer between said easement and adjoining property.

119815



RECEIVED FOR RECORD
DEC 9 1968

At 9:00 O'CLOCK A.M.
At Request of
SECURITY TITLE INSURANCE CO.
Recorded in Official Records
of Riverside County California

W. D. Balogh

REC'D 3.11.0
Recorder

250

END RECORDED DOCUMENT, W. D. BALOGH, COUNTY RECORDER

MAIN STREET AND SOBOBA ROAD

CERTIFICATE OF ACCEPTANCE OF DEED
(Gov. Code 27281)

93172

THIS IS TO CERTIFY that the interest in real property conveyed by the deed dated
September 9, 1970 from WILLARD W. KEITH and ADELINE N. KEITH

to
COUNTY OF RIVERSIDE, a political corporation and/or governmental agency, is hereby accepted by order
of the Board of Supervisors on the date below and the grantee consents to recordation thereof by its duly
authorized officer

Date September 21, 1970

DONALD O. SULLIVAN, County Clerk

By *[Signature]*
deputy

Form 416.5

93172

September, 1970

GRANT DEED

WILLARD W. KEITH and ADELINE N. KEITH

Grants to the County of Riverside all that real property in Riverside County, California, described as follows:

MAIN STREET

That portion of Lot 3 of Estudillo's Subdivision of Tract VII in Rancho San Jacinto Viejo as shown by Map on file in Book 6 of Maps, page 304, Records of San Diego County, California, more particularly described as follows:

Beginning at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 46, page 15, Records of Riverside County, California;

Thence S. 49°59'10" W., along the centerline of said Main Street, a distance of 1489.41 feet;

Thence S. 40°00'50" E., a distance of 30.00 feet to the most northerly corner of Parcel 4020-122C as shown on said Record of Survey, said corner being the true point of beginning;

Thence continuing S. 40°00'50" E., along the northeasterly line of said parcel, a distance of 20.00 feet;

Thence N. 49°59'10" E., parallel with said centerline of Main Street, a distance of 457.55 feet;

Thence N. 40°00'50" W., a distance of 20.00 feet to the southeasterly right of way line of said Main Street;

Thence S. 49°59'10" W., along said right of way line a distance of 457.55 feet to the true point of beginning.

NO TAX DUE

SOBOBA ROAD

That portion of Lot 3 of Estudillo's Subdivision of Tract VII in Rancho San Jacinto Viejo, as shown by Map on file in Book 6 of Maps, page 304, Records of San Diego County, California, described as follows:

Commencing at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 46, page 15, Records of Riverside County, California;

Thence S. 31°31'00" E., along said centerline of Soboba Road, a distance of 433.49 feet;

Thence continuing along said centerline of Soboba Road S. 38°33'14" E., a distance of 420.00 feet;

Thence S. 51°26'46" W., a distance of 30.00 feet to a point on the southwesterly right of way line of said Soboba Road said point being the true point of beginning;

Thence N. 38°33'14" W., along said southwesterly right of way line, a distance of 50.00 feet;

Thence S. 51°26'46" W., a distance of 20.00 feet to a line that is parallel with and 20.00 feet southwesterly measured at right angles from said southwesterly right of way line of Soboba Road;

Thence S. 38°33'14" E., along said parallel line a distance of 76.39 feet;

Thence continuing along said parallel line S. 43°04'28" E., a distance of 1304.05 feet to an intersection with northwesterly line of Parcel 4020-122D as shown on said Record of Survey on file in Book 46, page 15;

Willard W. Keith
Grant Deed
September, 1970

2

93172

Thence N. 41°51'05" E., along said northwesterly line a distance of 20.08 feet to an intersection with said southwesterly right of way line of Soboba Road;

Thence N. 43°04'28" W., along said southwesterly right of way line a distance of 1301.50 feet;

Thence continuing along said southwesterly right of way line N. 38°33'14" W., a distance of 75.58 feet to the true point of beginning.

Dated: September 9, 1970


Willard W. Keith


Adeline N. Keith

After recording return to:
ROAD DEPARTMENT,
Hall of Records, Room 113

STATE OF CALIFORNIA,
COUNTY OF LOS ANGELES

13

93172

ON September 9, 1970
before me, the undersigned, a Notary Public in and for said State, personally appeared
WILLARD W. KEITH and ADELINE N. KEITH

_____ known to me to be the
persons whose names _____ are subscribed to the within instrument,
and acknowledged to me that he executed the same.

WITNESS my hand and official seal.



Rose Marie de la Torre

Rose Marie de la Torre
NAME (TYPED OR PRINTED)
Notary Public in and for said State.

ACKNOWLEDGMENT—General—Notary Public Form 228—Rev. 5-64

After recording return to:
ROAD DEPARTMENT,
Hall of Records, Room 112

93172

RECEIVED FOR RECORD
SEP 21 1970
Filed Pursuant to
CLENE DE BALOGH
Recorded in Official Records
of Riverside County, California
W. D. Balogh
FEE \$ NONE

END RECORDED DOCUMENT, W. D. BALOGH, COUNTY RECORDER

10134

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Mr. Willard W. Keith
10960 Wilshire Boulevard
Suite 506
Los Angeles, California 90024

RECEIVED FOR RECORD
JAN 20 1977
AT 9:00 O'CLOCK A.M.
AS PART OF
SERIES TITLE INSURANCE CO.
BOOK 1977, PAGE 10134
Recorded in Official Records
of Riverside County, California
W.W. Keith
10134

MAIL TAX STATEMENTS TO

Same

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Individual Quitclaim Deed

THIS FORM FURNISHED BY TIGON TITLE INSURERS A.P.N.

B-EX-5/11/77

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 0

- () computed on full value of property conveyed or
- () computed on full value less value of liens and encumbrances remaining at time of sale.
- () Unincorporated area: () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Future Enterprises, a limited partnership

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to

Willard W. Keith and Adeline N. Keith, husband and wife,

the following described real property in the County of Riverside,
State of California

See Exhibit A attached

Future Enterprises, a limited partnership

By Willard W. Keith
Donald R. Keith, a general partner

By Bruce E. Anderson
Bruce E. Anderson, a general partner

By William R. Anderson
William R. Anderson, a general partner

By Charles R. Gilman
Charles R. Gilman, a general partner

By Willard W. Keith
Willard W. Keith, a limited partner

Dated December 14, 1976

STATE OF CALIFORNIA }
COUNTY OF _____ } SS.

On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____

_____, known to me to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same. WITNESS my hand and official seal

Signature _____

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

State of California)
County of Los Angeles) SS.

10134 On December 28, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared Donald K. Keith, Bruce E. Dubrow, William E. Anderson, Charles M. Gibbon, known to me to be all of the general partners, and Willard W. Keith, known to me to be the sole limited partner, of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal



10134 That portion of Lot 3 of Estudillos Subdivision of Tract VII in Rancho San Jacinto Viejo as shown by map on file in book 6 of Maps, Page 304, San Diego County Records, described as follows:

Commencing at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in book 46, page 15, Riverside County Records; thence South 49° 59' 10" west along said centerline of Main Street, a distance of 1079.43 feet to the true point of beginning; thence South 40° 00' 50" east a distance of 544.79 feet; thence South 77° 19' 20" east a distance of 853.42 feet; thence south 14° 27' 51" west a distance of 504.53 feet; thence South 49° 40' 23" west a distance of 928.69 feet; thence North 30° 29' 28" west a distance of 1538.76 feet; thence North 49° 59' 10" east a distance of 227.00 feet; thence North 40° 00' 50" west a distance of 50.00 feet to an intersection with the centerline of said Main Street; thence North 49° 59' 10" east along said centerline a distance of 410.00 feet to the true point of beginning.

Excepting therefrom that portion in said Main Street as shown on Record of Survey on file in book 46 page 15 of Records of Survey and by deed recorded October 8, 1970 as Instrument No. 101656. Also excepting that portion lying within Parcel 4020-122C as shown on Record of Survey on file in book 46 page 15 of Records of Survey, Riverside County Records.

EXHIBIT A

END RECORDED DOCUMENT

W. D. BALOGH, COUNTY RECORDER

RECORDING REQUESTED BY

ADD WHEN RECORDED MAIL TO

James G. Phillipp, Esq.
Gibson, Dunn & Crutcher
515 South Flower Street
Los Angeles, California 90071

RECEIVED FOR RECORD
MAR 21 1978
40 Min. Post Office
Notary Public
Book 1978, Page 52760
Recorded in Office of the
Recorder of Riverside County, California
W. H. Dwyer, Recorder
FEE \$ 4

MAIL TAX STATEMENTS TO

Name: Soboba Properties, Inc.
Street Address: 22151 Soboba Road
City & State: San Jacinto, California 92383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Quitclaim Deed

THIS FORM FURNISHED BY TICOR TITLE INSURERS

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ 11.00
(X) computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
(X) Unincorporated area: () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Soboba Heights Mutual Water Co.
a corporation organized under the laws of the State of California
hereby REMISES, RELEASES AND QUITCLAIMS to
Soboba Properties, Inc., a corporation organized under
the laws of the State of California
the following described real property in the
County of Riverside, State of California:

See Exhibit A attached hereto and by this
reference incorporated herein.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Secretary
thereunto duly authorized.
Dated: March 13, 1978 SOBOBA HEIGHTS MUTUAL WATER CO.

STATE OF CALIFORNIA } SS.
COUNTY OF Riverside
On MARCH 20, 1978 before me, the under-
signed, a Notary Public in and for said State, personally appeared
James Minor known
to me to be the _____ President, and
Stanley J. Anderson known to me to be
the _____ Secretary of the Corporation that executed the
within instrument, known to me to be the persons who executed the
within instrument on behalf of the Corporation therein named, and
acknowledged to me that such Corporation executed the within instru-
ment pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

By James Minor President
By Stanley J. Anderson Secretary

Signature Glenn E. Tindler

OFFICIAL SEAL
GLENN E. TINDER
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My comm. expires FEB 5, 1979
P. O. Box 1195 Hemet CA 92341
(This area for official notarial seal)

Title Order No. _____ Encrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A portion of Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, Recorded in Book 6 of Maps at page 334, Records of San Diego County, California, said portion being more particularly described as follows:

52760

COMMENCING at the most southerly corner of parcel 4030-119 B as shown by Record of Survey on file in Book 13 of Maps at page 57, Records of Riverside County, California;
THENCE South $24^{\circ} 24' 27''$ East a distance of 30.38 feet to the center-line of Soboba Road as shown on said Record of Survey;
THENCE North $55^{\circ} 24' 10''$ East on the center-line of said Soboba Road a distance of 232.50 feet;
THENCE North $34^{\circ} 35' 50''$ West at right angles to said Soboba Road, a distance of 130.00 feet, to the True Point of Beginning;
THENCE South $55^{\circ} 24' 10''$ West parallel to said Soboba Road a distance of 40.00 feet;
THENCE North $34^{\circ} 35' 50''$ West a distance of 40.00 feet;
THENCE North $55^{\circ} 24' 10''$ East parallel with said Soboba Road a distance of 40.00 feet;
THENCE South $34^{\circ} 35' 50''$ East a distance of 40.00 feet to the True Point of Beginning

EXHIBIT A

RECORDED'S MEMO
Liquidity of
Typing or Printing
DISCONTINUED
FACTORY
made in accordance with
the Record

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

RECORDING REQUESTED BY

52761

AND BY AIR RECORDED MAIL TO

James G. Philipp, Esq.
Gibson, Dunn & Crutcher
515 South Flower Street
Los Angeles, California 90071

RECEIVED FOR RECORD
MAR 21 1978
40 Min. Pay
W.W. DeWalt
Notary Public
of Riverside County, California
PAGE 4

MAIL TAX STATEMENTS TO

Name: Soboba Properties, Inc.
Address: 22151 Soboba Road
City & State: San Jacinto, California 92383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Quitclaim Deed

THIS FORM FURNISHED BY T/COR TITLE INSURERS

The undersigned grantor(s) declare(s)
Documentary transfer tax is \$ No documentary transfer tax due
() computed on full value of property conveyed, or
() computed on full value less value of liens and encumbrances remaining at time of sale.
(X) Unincorporated area. () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
Soboba Heights Mutual Water Co.
a corporation organized under the laws of the State of California
hereby REMISES, RELEASES AND QUITCLAIMS to
Soboba Properties, Inc., a corporation organized
under the laws of the State of California
the following described real property in the
County of Riverside, State of California:

All of grantor's right, title and interest in and to that certain easement described in Instrument recorded May 4, 1964 as Instrument No. 54917 and re-recorded June 1, 1965 as Instrument No. 63532 of Official Records of Riverside County, California, over and through that certain real property described in Exhibit A attached hereto and by this reference incorporated herein.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Secretary thereunto duly authorized.
Dated March 13, 1978

SOBOBA HEIGHTS MUTUAL WATER CO.

By James Minor President
By Stanley J. Anderson Secretary

STATE OF CALIFORNIA }
COUNTY OF Riverside } ss.
On MARCH 20, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared James Minor known to me to be the _____ President, and Stanley J. Anderson known to me to be the _____ Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

Signature Glenn E. Tinker

OFFICIAL SEAL
GLENN E. TINDER
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My comm. expires FEB 5, 1979
P. O. Box 1193, Hemet, CA 92343

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

52761

A 10.00 foot wide strip of land in a portion of Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, Recorded in Book 6 of maps. at page 304, Records of San Diego County, California. The centerline of said 1000 foot strip being more particularly described as follows:

Commencing at the most Southerly corner of parcel 4020-119 B as shown by Record of Survey on file in Book 33 of maps at page 57, Records of Riverside County, California;

Thence South 24° 24' 27" East a distance of 30.38 feet to the centerline of Soboba Road as shown on said Record of Survey;

Thence North 55° 24' 10" East on the centerline of said Soboba Road, a distance of 232.50 feet;

Thence North 34° 35' 50" West at right angles to said Soboba Road a distance of 135.00 feet to the True Point of Beginning;

Thence North 77° 23' 08" East a distance of 220.26 feet to a point which is 50.00 feet measured at right angles from the centerline of said Soboba Road;

Thence North 49° 59' 10" East parallel with the centerline of said Soboba Road, a distance of 1823.00 feet more or less to the South-westerly Right of Way line of that portion of Soboba Road which bears North 31° 32' West from its intersection with McDermott Road.

EXHIBIT A

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

RECORDING REQUESTED BY

52762

AND WHEN RECORDED MAIL TO

James G. Phillip, Esq.
Gibson, Dunn & Crutcher
515 South Flower Street
Los Angeles, California 90071

REC'D FOR RECORD
MAR 21 1978
40 Min. Post-Office
W. W. DeWalt

MAIL TAX STATEMENTS TO

Soboba Properties, Inc.
22151 Soboba Road
San Jacinto, California 92383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Quitclaim Deed

THIS FORM FURNISHED BY TIGOR TITLE INSURERS

The undersigned grantor(s) declare(s):
 Documentary transfer tax is \$ No documentary transfer tax due
 computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale
 Unincorporated area: City of _____ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
 Soboba Heights Mutual Water Co.
 a corporation organized under the laws of the State of California
 hereby REMISES, RELEASES AND QUITCLAIMS to
 Soboba Properties, Inc., a corporation organized
 under the laws of the State of California
 the following described real property in the
 County of Riverside, State of California:

All of grantor's right, title and interest in and to that certain easement described in Instrument recorded May 4, 1964 as Instrument No. 54918 and re-recorded June 1, 1965 as Instrument No. 63533 of Official Records of Riverside County, California, over and through that certain real property described in Exhibit A attached hereto and by this reference incorporated herein.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Secretary thereunto duly authorized.
 Dated: March 13, 1978 SOBORA HEIGHTS MUTUAL WATER CO.

STATE OF CALIFORNIA } SS. By James Minor President
 COUNTY OF Riverside } On MARCH 20, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared James Minor known to me to be the _____ President, and Stanley J. Anderson known to me to be the _____ Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors. WITNESS my hand and official seal.

Signature: Glenn E. Tinder

OFFICIAL SEAL
 GLENN E. TINDER
 NOTARY PUBLIC - CALIFORNIA
 RIVERSIDE COUNTY
 My comm. expires FEB 5, 1979
 P. O. Box 1195, Hemet CA 92343

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

52762

A 10-foot wide strip of land in a portion of Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, recorded in Book 6 of Maps, at page 304, Records of San Diego County, California, the centerline of said 10-foot strip being more particularly described as follows:

Commencing at the most Easterly corner of parcel 4020-110A, as shown on Record of Survey on file in Book 33 of Maps, at page 59, Records of Riverside County, California;

Thence South 66° 54' 55" East, a distance of 437.66 feet;

Thence North 77° 41' 30" East, a distance of 40.00 feet;

Thence South 12° 13' 30" East, a distance of 20.00 feet to the True Point of Beginning;

Thence North 72° 30' 10" East, a distance of 1987.23 feet to a point on the centerline of Bridle Road, as said road is shown on map of Tract 2372 on file in Book 49 of Maps, at page 26, Records of Riverside County, California, said point bears South 13° 42' 40" East on the centerline of said Bridle Road, a distance of 100.00 feet from the centerline intersection of Chabela Drive, as said intersection is shown on said Tract 2372.

EXCEPTING therefrom any portion thereof in Bridle Road and Soboba Road.

EXHIBIT A

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

95908 95908 1978

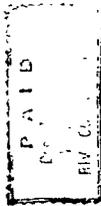
RECORDING REQUESTED BY

(AND WHEN RECORDED MAIL TO)

Daon Corporation
1490 Quail Street, #255
Newport Beach, Ca. 92660
Attn: Ron Miller

MAIL TAX STATEMENTS TO

same as directed above



RECEIVED FOR RECORD

MAY 15 1978
AT 800 OCELOCK P.M.

AT REGISTERED
FIRST AMERICAN TITLE CO.

Book 1978, Page 95908
Recorded in Official Records
of Riverside County, California

W.H. Dwyer Recorder

MAY 15 1978

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Grant Deed

THIS FORM FURNISHED BY TICOR TITLE INSURERS

The undersigned grantor(s) declare(n):

Documentary transfer tax is \$ 1,925.00

() computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

(X) Unincorporated area. () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Soboba Properties, Inc., who acquired title as Soboba Hot Springs Corporation
a corporation organized under the laws of the State of California hereby GRANTS to
Daon Corporation, a Delaware corporation

the following described real property in the
County of Riverside, State of California:

See Exhibit A attached hereto and by this reference incorporated herein.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its _____ President and _____ Assistant Secretary thereunto duly authorized.

Dated: May 4, 1978

SOBOBA PROPERTIES, INC.

STATE OF CALIFORNIA } SS.

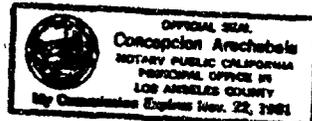
COUNTY OF Los Angeles }
On May 5, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Donald R. Keith

known to me to be the _____ President, and Charles R. Gibbon

known to me to be Assistant Secretary of the Corporation that executed the within instrument, known to me to be the persons who executed the within instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.
Signature *Concepcion Arechabala*

By *Donald R. Keith* President
By *Charles R. Gibbon* Assistant Secretary



Name (Typed or Printed)

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

PARCEL 1:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by map on file in Book 6 page 304 of Maps, San Diego County Records, described as follows:

95908

BEGINNING at a point on the Southerly line of Lot 1, designated as S. J. 35 on above mentioned map, said point being also the Northwest corner of the Indian Reservation in the Northwest 1/4 of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 11 chains;
THENCE North 11° 50' West 17.11 chains;
THENCE North 11° 50' West 4.46 chains, more or less, to a point on the San Bernardino Meridian line, 151 feet North of the 1/4 section corner between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 13° 45' West, to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an avenue 80 feet wide, as shown on said Map;
THENCE South 42° West, on said Southeasterly line of said avenue, to the Southwesterly line of said Tract VII;
THENCE South 45° East, 56.40 chains, on said Southwesterly line to the most Southerly corner of said Lot 3;
THENCE North 41° 50' East, on the Southeasterly lines of said Lots 3 and 1, 41.65 chains, to the Point of Beginning.

EXCEPTING therefrom that portion in the highway known as Soboba Springs Road, as described in Deeds recorded in Book 263 page 144 and in Book 276 page 140, respectively, of Deeds, Riverside County Records;

ALSO EXCEPTING therefrom a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map:
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 6.54 chains to the Point of Beginning of a 60 foot strip of land, the center line thereof being beginning at the last mentioned point;
THENCE South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino Meridian Line;
THENCE South 50° 00' West, 19.8825 chains;
THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcels 4020122A and 4020-119A, as shown on Record of Survey on file in Book 33 pages 48 to 62, inclusive, of Records of Survey, Riverside County Records;

ALSO EXCEPTING therefrom Parcel 4020-119C, as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Riverside County Records;

ALSO EXCEPTING therefrom that portion lying Southeasterly on the Northwesterly line of Soboba Road, as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Riverside County Records.

ALSO EXCEPTING therefrom that portion described as follows:

95908
COMMENCING at the most Southerly corner of Parcel 4020-119B as shown by Record of Survey file in Book 33 of Maps, at page 57, Riverside County Records;
THENCE South 24° 24' 27" East a distance of 30.38 feet to the centerline of Soboba Road as shown on said Record of Survey;
THENCE North 55° 24' 10" East on the centerline of said Soboba Road a distance of 232.50 feet;
THENCE North 34° 35' 50" West at right angles to said Soboba Road a distance of 130.00 feet, to the TRUE POINT OF BEGINNING;
THENCE South 55° 24' 10" West parallel to said Soboba Road a distance of 40.00 feet;
THENCE North 34° 35' 50" West a distance of 40.00 feet;
THENCE North 55° 24' 10" East parallel with said Soboba Road a distance of 40.00 feet;
THENCE South 34° 35' 50" East a distance of 40.00 feet to the True Point of Beginning. Said parcel was conveyed to Soboba Heights Mutual Water Company by deed recorded May 4, 1964 as Instrument No. 54915.

ALSO EXCEPTING that portion of Soboba Road described as Parcel 8 and 8A in the deed to the County of Riverside by deed recorded July 17, 1968 as Instrument No. 68078.

PARCEL 2:

A portion of Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, Recorded in Book 6 of Maps at page 304, Records of San Diego County, California, said portion being more particularly described as follows:

COMMENCING at the most Southerly corner of parcel 4020-119 B as shown by Record of Survey on file in Book 33 of Maps at page 57, Records of Riverside County, California;
THENCE South 24° 24' 27" East a distance of 30.38 feet to the centerline of Soboba Road as shown on said Record of Survey;
THENCE North 55° 24' 10" East on the centerline of said Soboba Road a distance of 232.50 feet;
THENCE North 34° 35' 50" West at right angles to said Soboba Road, a distance of 130.00 feet, to the True Point of Beginning;
THENCE South 55° 24' 10" West parallel to said Soboba Road a distance of 40.00 feet;
THENCE North 34° 35' 50" West a distance of 40.00 feet;
THENCE North 55° 24' 10" East parallel with said Soboba Road a distance of 40.00 feet;
THENCE South 34° 35' 50" East a distance of 40.00 feet to the True Point of Beginning.

95908

PARCEL 3:

All those portions of Lots 4, 5, 6, 7, and 8 of Jose Estudillo's Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 304 of Maps, San Diego County Records and Lots 1, 2 and 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Riverside County Records, and Lots 232, 233, 240 and 241 of Hot Sulphur Springs Tract as shown by Map on file in Book 4 page 649 of Maps, San Diego County Records, which lies Southwest of Loboza Road as shown as Parcel 8 of Record of Survey on file in Book 52 pages 80 and 81 of Records of Survey, Riverside County Records, and which lies Northwest of the Northwest line of Lot 3 of Jose Estudillo's Subdivision of Tract VII of the Rancho San Jacinto Viejo and which lies Northeast of the following described line, commencing at a point on the Northwest line of Lot 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Riverside County Records, which bears North 44° 46' 15" East 44.58 feet from the most Northerly corner of Parcel 4070-110C as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Riverside County Records;

THENCE South 19° 02' 28" East 155.32 feet;
THENCE South 00° 56' 31" West 117.05 feet;
THENCE South 19° 02' 28" East 1184.88 feet to the most North corner of Parcel 4020-110D as shown on said survey;
THENCE continuing South 19° 02' 28" East 1623.82 feet to the Southwest corner of Parcel 4020-112B as shown on said Survey;
THENCE North 41° 53' 18" East 383.17 feet;
THENCE South 19° 47' 53" East 644.73 feet;
THENCE North 41° 52' 51" East 352 feet;
THENCE South 19° 47' 53" East 352 feet to the Northwest line of Lot 3 of said Jose Estudillo's Subdivision.

Excepting therefrom those parcels conveyed to the Eastern Municipal Water District by Deed recorded December 14, 1967 as Instrument No. 110306 and March 1, 1968 as Instrument No. 19156.

PARCEL 4:

Lot 2, Lot 3 and that portion of Lot 4 lying South of a line described as beginning at the Southwest corner of Lot 4,
THENCE North 63° 39' 42" East 148.24 feet;
THENCE South 74° 59' 43" East 70.26 feet to the East line of Lot 4; Lots 7 thru 11 inclusive; Lots 13 through 16 inclusive; Lots 22 thru 27 inclusive; Lots 30, 31, 35 and 36 all in Tract 2372 as shown by Map on file in Book 49 pages 25 and 26 of Maps, Riverside County Records.

Excepting therefrom an undivided 1/2 interest in and to the precious and semi-precious stones, minerals and mineral rights, including oil, gas and other hydrocarbon substances, and the rights thereto, or to remove any thereof from said land, said exception and reservation shall be restricted to depths below 500 feet or more from the said surface as reserved in Deed from John C. Hunter and Clara H. Hunter, husband and

wife, and Helen M. Mitchell to Soboba Hot Springs Corporation, a corporation, dated June 23, 1961 and recorded July 17, 1961 as Instrument No. 60529.

PARCEL 5:

95908

That portion of Government Lot 1 in Section 30, Township 4 South, Range 1 East, San Bernardino Base and Meridian, and of Lot 1 of Hot Springs Tract on file in book 8 page 5 of Maps, Riverside County Records, and that portion of Lots 1, 2, 3, 4, and 5 of Jose Estudillo's Subdivision of a portion of Tract VII of Rancho San Jacinto Viejo, as shown by map on file in book 6 page 304 of Maps, San Diego County Records, and of Tract VII of the partition of the Rancho San Jacinto Viejo, as shown by map on file in Base No. 277 of the District Court of the County of San Diego, bounded and described as follows by metes and bounds:

BEGINNING at the most westerly corner of that certain tract conveyed to J. Horback by deed recorded in book 305 page 369 of Deeds, Riverside County Records;
THENCE North 47° 56' east 435 feet;
THENCE North 50° 42' east, 543 feet;
THENCE North 84° 01' east 270 feet;
THENCE North 61° 26' east, 178 feet;
THENCE North 42° 16' east, 444 feet to the east line of Rancho San Jacinto Viejo;
THENCE North, on the east line of said Rancho San Jacinto Viejo, to the Southwest corner of Government Lot 1 in the northwest 1/4 of Section 30 Township 4 south, Range 1 east;
THENCE east of the South line of said Government Lot 1 to the southwest corner of the Northwest 1/4 of the Northwest 1/4 of said section 30;
THENCE North on the east line of Government Lot 1 to the north line of Section 30;
THENCE west on the north line of Section 30 to the northeast line of Rancho San Jacinto Viejo, said line also being the northeast line of Hot Springs Tract;
THENCE continuing west along a south line of the property conveyed to Francis P. Nevins, et ux, by deed recorded June 14, 1968 as Instrument No. 55672 to the common corner of Sections 19 and 30 in Township 4 south, Range 1 east and Sections 24 and 25 of Township 4 south, Range 1 west;
THENCE South on the east line of Section 25, Township 4 south, Range 1 west, to the north line of Lot 6 of Tract 2372 as shown on the map recorded in book 49 pages 25 and 26 of Maps, Riverside County Records;
THENCE North 80° 03' 33" east to an angle point on said north line of said Lot 6;
THENCE North 72° 45' 45" east on the north lines of Lots 7 and 8 of said tract 2372;
THENCE east 220 feet to the northeast corner of Lot 9 in said tract;
THENCE South 51° 48' 00" east 410 feet along the northeast lines of Lots 10, 11, and 12 of Tract 2372;
THENCE North 51° 45' 00" east 108 feet to the north corner of Lot 13 of Tract 2372;

80656

TRENCE South 28° 25' 49" east 211.23 feet;
TRENCE southeast 60 feet to the north corner of Lot 14 of Tract 2372;
TRENCE South 28° 36' 37" east 178.20 feet;
TRENCE South 14° 33' 56" west 225 feet to the east corner of Lot 16 of
Tract 2372;
TRENCE South 76° 42' 42" 00" west 54.02 feet to a point on the Northeast
line of the property at John Althous shown on Record of Survey in book
6 page 34 of Records of Survey, Riverside County Records;
TRENCE South 27° 23' east 114.67 feet;
TRENCE South 43° 31' west, 130.75 feet;
TRENCE South 75° 02' west, 228.80 feet;
TRENCE South 57° 03' west, 278 feet;
TRENCE South 43° 12' west, 333.40 feet;
TRENCE South 11° 38' east, 750 feet;
TRENCE South 58° 51' West, 203.25 feet;
TRENCE South 11° 59' west, 195 feet;
TRENCE North 61° 30' west, 105.20 feet;
TRENCE South 81° 20' west, 277 feet, more or less, to the center line of
a 60 foot Country Road, to the point of beginning;

ALSO EXCEPTING therefrom all that portion included in said Country Road;
as shown as Parcel 8 on Record of Survey on file in book 52 page 81 of
Records of Survey, Riverside County Records.

ALSO EXCEPTING therefrom 1/2 interest in and to the precious and semi-
precious, minerals and mineral rights including oil, gas and other
hydrocarbon substances, and the right to remove any thereof, as reserved
in deed to Soboba Hot Springs Corporation, recorded July 17, 1961 as
Instrument No. 60529, Said exception shall be restricted to
depths below 500 feet from the surface of said land, except for the
portion of Government Lot 1 lying east of a line drawn from the southwest
corner of Lot 1 thru S.J. corner 36 to the north line of Section 30,
where said reservation shall include the right of ingress and egress to
prospect, explore, mine, drill, remove any of said minerals or substances
or to otherwise develop said rights.

ALSO, excepting therefrom those portions as described in the deeds to
Eastern Municipal Water District recorded December 14, 1967 as Instrument
No. 110306, and February 5, 1971 as Instrument No. 11843, and June 10,
1971 as Instrument No. 62375.

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

Daon Corporation
1400 Quail Street, #255
Newport Beach, Ca. 92660
Attn: Ron Miller

RECORDED FOR RECORD
MAY 16 1978
AT 2:00 O'CLOCK P.M.
At Request of
FIRST AMERICAN TITLE CO.
Book 1978, Page 95907
Recorded in Official Records
of Riverside County, California
W.W. Keith
PER L

MAIL TAX STATEMENTS TO

same as directed above

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Individual Grant Deed

TO 1923 CA 112 741 THIS FORM FURNISHED BY TICOR TITLE INSURERS A P M

The undersigned grantor(s) declare(s):
 Documentary transfer tax is \$ 2,255.00
 computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale.
 Unincorporated area: City of _____ and _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
 Willard W. Keith and Adeline N. Keith, husband and wife
 hereby GRANT(S) to Daon Corporation, a Delaware corporation
 the following described real property in the
 County of Riverside, State of California.

See Exhibit A attached hereto and by this reference
 incorporated herein.

Dated April 28, 1978

Willard W. Keith
 Willard W. Keith

Adeline N. Keith
 Adeline N. Keith

STATE OF CALIFORNIA }
 COUNTY OF Los Angeles } SS
 On April 28, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Willard W. Keith and Adeline N. Keith

_____ known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same
 WITNESS my hand and official seal

Signature Rose Marie de la Torre

OFFICIAL SEAL
 Rose Marie de la Torre
 NOTARY PUBLIC - CALIFORNIA
 PRINCIPAL OFFICE IN
 LOS ANGELES COUNTY
 My Commission Expires May 25, 1978

(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

PARCEL 1:

That portion of Lot 3 of Estudillos Subdivision of Tract VII in RANCHO SAN JACINTO VIEJO as shown by Map on file in Book 6 of Maps, page 304, San Diego County Records, described as follows:

95907
COMMENCING at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in book 46, page 15, Riverside County Records;
THENCE South 49° 59' 10" West along said centerline of Main Street, a distance of 1079.43 feet to the TRUE POINT OF BEGINNING;
THENCE South 40° 00' 50" East a distance of 544.79 feet;
THENCE South 77° 19' 20" East a distance of 853.42 feet;
THENCE South 14° 27' 51" West a distance of 504.53 feet;
THENCE South 49° 40' 23" West a distance of 928.69 feet;
THENCE North 30° 29' 28" West a distance of 1538.76 feet;
THENCE North 49° 59' 10" East a distance of 227.00 feet;
THENCE North 40° 00' 50" West a distance of 50.00 feet to an intersection with the centerline of said Main Street;
THENCE North 49° 59' 10" East along said centerline a distance of 410.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom that portion in said Main Street as shown on Record of Survey on file in book 46 page 15 of Records of Survey and by Deed recorded October, 8, 1970 as Instrument No. 101656 of Official Records of Riverside County, California.

ALSO EXCEPTING that portion lying with Parcel 4020-122C as shown on Record of Survey on file in book 46 page 15 of Records of Survey, Riverside County Records.

PARCEL 2:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the RANCHO SAN JACINTO VIEJO, as shown by Map on file in book 6 page 304 of Maps, San Diego County Records, described as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned Map, said point being also the Northwest corner of the Indian Reservation in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 11 chains;
THENCE North 11° 50' West, 17.11 chains;
THENCE North 11° 50' West, 4.46 chains, more or less, to a point on the San Bernardino Meridian line, 151 feet North of the quarter section between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 13° 45' West, to the Northwesterly line of said Lot 3, said

95907

shown on said Map;
THENCE South 42° West, on said Southeasterly line of said avenue, to the
Southwesterly line of said Tract VII;
THENCE South 45° East, 56.40 chains, on said Southwesterly line, to the
most Southerly corner of said Lot 3;
THENCE North 41° 50' East, on the Southeasterly lines of said Lots 3 and
1, 41.65 chains, to the Point of Beginning;

EXCEPTING therefrom that portion in the highway known as Soboba Springs
Road, as described in Deeds recorded in book 253 page 144 and in book
276 page 140, respectively, of Deeds, Riverside County Records;

ALSO EXCEPTING a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 6.54 chains, to the Point of Beginning of a
60 foot strip of land, the center line thereof beginning at the last
mentioned point;
THENCE South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino
Meridian Line;
THENCE South 50° 00' West, 19.8825 chains;
THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcel 4020122A, as shown on Record of Survey
on file in book 33 pages 48 to 62, inclusive, of Records of Survey,
Riverside County Records;

ALSO EXCEPTING therefrom Parcel 4020-122C, as shown on Record of Survey
on file in book 46 page 15 of Records of Survey, Riverside County Records;

ALSO EXCEPTING therefrom that portion lying Northwesterly of the Southeasterly
line of Soboba Road, as shown on Record of Survey on file in book 33
page 57 of Records of Survey, Riverside County Records.

ALSO EXCEPTING therefrom that portion described as follows:

That portion of Lot 3 of Estudillos Subdivision of Tract VII in RANCHO
SAN JACINTO VIEJO as shown by Map on file in book 6 of Maps, page 304,
San Diego County Records, described as follows:

COMMENCING at the centerline intersection of Main Street and Soboba Road
as said intersection is shown on Record of Survey on file in book 46,
page 15, Riverside County Records;
THENCE South 49° 59' 10" West along centerline of Main Street a distance
of 1079.43 feet to the TRUE POINT OF BEGINNING;
THENCE South 40° 00' 50" East a distance of 544.79 feet;
THENCE South 77° 19' 20" East a distance of 853.42 feet;

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THENCE South 14° 27' 51" West a distance of 584.53 feet;
THENCE South 49° 40' 23" West a distance of 928.69 feet;
THENCE North 30° 29' 28" West a distance of 1538.76 feet;
THENCE North 49° 59' 10" East a distance of 227.00 feet;
THENCE North 40° 00' 50" West a distance of 50.00 feet to an intersection
with the centerline of said Main Street;
THENCE North 49° 59' 10" East along said centerline a distance of 410.00
feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING those portions of Main Street and Soboba Road as conveyed
to the County of Riverside by deed recorded September 21, 1970 as Instrument
No. 95172 and re-recorded October 8, 1970 as Instrument No. 101656.

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

114075
95907

RECORDING REQUESTED BY

AND WHEN RECEIVED MAIL TO

Name: Daon Corporate
Address: 1400 Quail Street, #255
City & State: Newport Beach Ca. 92660
Attn: Ron Miller

MAIL TAX STATEMENTS TO

Name: same as directed above
Address: same as directed above
City & State:

RECEIVED FOR RECORD

MAY 15 1978

AT 5:00 O'CLOCK P.M.

At Request of

FIRST AMERICAN TITLE CO.

Book 1978, Page 95907

Recorded in Official Records
of Riverside County, California

W.H. Doyle
REC'D

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Individual Grant Deed

THIS FORM FURNISHED BY TICOR TITLE INSURERS

FD-192 (CA 11/77)

A.P.N.

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 3,255.00

- () computed on full value of property conveyed, or
- () computed on full value less value of liens and encumbrances remaining at time of sale.
- (X) Unincorporated area: () City of _____, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Willard W. Keith and Adeline N. Keith, husband and wife

hereby GRANT(S) to Daon Corporation, a Delaware corporation

the following described real property in the
County of Riverside, State of California:

See Exhibit A attached hereto and by this reference incorporated herein.

This Deed is being re-recorded for the purpose of correcting the legal description as contained in Parcel 1

Dated April 28, 1978

Willard W. Keith
Willard W. Keith

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } SS

On April 28, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared Willard W. Keith and Adeline N. Keith

Adeline N. Keith
Adeline N. Keith

_____ known to me to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same WITNESS my hand and official seal.

Signature *Rose Marie de la Torre*



(This area for official notarial seal)

Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

114075
95907

PARCEL 1:

That portion of Lot 3 of Estudillos Subdivision of Tract VII in RANCHO SAN JACINTO VIEJO as shown by Map on file in Book 6 of Maps, page 304, San Diego County Records, described as follows:

COMMENCING at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in book 46, page 15, Riverside County Records;
THENCE South 49° 59' 10" West along said centerline of Main Street, a distance of 1079.43 feet to the TRUE POINT OF BEGINNING;
THENCE South 40° 00' 50" East a distance of 544.79 feet;
THENCE South 77° 19' 20" East a distance of 853.42 feet;
THENCE South 14° 27' 51" West a distance of 584.53 feet;
THENCE South 49° 40' 23" West a distance of 928.69 feet;
THENCE North 30° 29' 28" West a distance of 1538.76 feet;
THENCE North 49° 59' 10" East a distance of 227.00 feet;
THENCE North 40° 00' 50" West a distance of 50.00 feet to an intersection with the centerline of said Main Street;
THENCE North 49° 59' 10" East along said centerline a distance of 410.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom that portion in said Main Street as shown on Record of Survey on file in book 46 page 15 of Records of Survey and by Deed recorded October 8, 1970 as Instrument No. 101656 of Official Records of Riverside County, California.

ALSO EXCEPTING that portion lying with Parcel 4020-122C as shown on Record of Survey on file in book 46 page 15 of Records of Survey, Riverside County Records.

PARCEL 2:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the RANCHO SAN JACINTO VIEJO, as shown by Map on file in book 6 page 304 of Maps, San Diego County Records, described as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned Map, said point being also the Northwest corner of the Indian Reservation in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 11 chains;
THENCE North 11° 50' West, 17.11 chains;
THENCE North 11° 50' West, 4.46 chains, more or less, to a point on the San Bernardino Meridian line, 151 feet North of the quarter section between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 13° 45' West, to the Northwesterly line of said Lot 3, said

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shown on said Map;
 THENCE South 42° West, on said Southeasterly line of said avenue, to the Southwesterly line of said Tract VII;
 THENCE South 45° East, 56.40 chains, on said Southwesterly line, to the most Southerly corner of said Lot 3;
 THENCE North 41° 50' East, on the Southeasterly lines of said Lots 3 and 1, 41.65 chains, to the Point of Beginning;

EXCEPTING therefrom that portion in the highway known as Soboba Springs Road, as described in Deeds recorded in book 253 page 144 and in book 276 page 140, respectively, of Deeds, Riverside County Records;

ALSO EXCEPTING a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map;
 THENCE North 43° 00' West, 20 chains;
 THENCE North 38° 30' West, 7.50 chains;
 THENCE North 31° 30' West, 6.54 chains, to the Point of Beginning of a 60 foot strip of land, the center line thereof beginning at the last mentioned point;
 THENCE South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino Meridian Line;
 THENCE South 50° 00' West, 19.8825 chains;
 THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcel 4020122A, as shown on Record of Survey on file in book 33 pages 48 to 62, inclusive, of Records of Survey, Riverside County Records;

ALSO EXCEPTING therefrom Parcel 4020-122C, as shown on Record of Survey on file in book 46 page 15 of Records of Survey, Riverside County Records;

ALSO EXCEPTING therefrom that portion lying Northwesterly of the Southeasterly line of Soboba Road, as shown on Record of Survey on file in book 33 page 57 of Records of Survey, Riverside County Records.

ALSO EXCEPTING therefrom that portion described as follows:

That portion of Lot 3 of Estudillos Subdivision of Tract VII in RANCHO SAN JACINTO VIEJO as shown by Map on file in book 6 of Maps, page 304, San Diego County Records, described as follows:

COMMENCING at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in book 46, page 15, Riverside County Records;
 THENCE South 49° 59' 10" West along centerline of Main Street a distance of 1079.43 feet to the TRUE POINT OF BEGINNING;
 THENCE South 40° 00' 50" East a distance of 544.79 feet;
 THENCE South 77° 19' 20" East a distance of 853.42 feet;

114075

95907

THENCE South 14° 27' 51" West a distance of 584.53 feet;
 THENCE South 49° 40' 23" West a distance of 926.69 feet;
 THENCE North 39° 29' 28" West a distance of 1538.76 feet;
 THENCE North 49° 59' 10" East a distance of 227.00 feet;
 THENCE North 40° 00' 50" West a distance of 50.00 feet to an intersection with the centerline of said Main Street;
 THENCE North 49° 59' 10" East along said centerline a distance of 410.00 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING those portions of Main Street and Soboba Road as conveyed to the County of Riverside by deed recorded September 21, 1970 as Instrument No. 93177 and re-recorded October 8, 1970 as Instrument No. 101656.

114075

RECEIVED FOR RECORD
 JUN 6 1978
 AT 9:00 O'CLOCK A.M.
 FIRST ASSISTANT TITLE CLERK
 OF RECORDS
 Book 1978, Page 114075
 Recorded in Official Records
 of Riverside County, California
 W.D. Balogh
 Recorder

END RECORDED DOCUMENT.

W. D. BALOGH, COUNTY RECORDER

Order No
Escrow No
Loan No

231661

WHEN RECORDED MAIL TO:

First American Title Company
114 E. 5th Street
Santa Ana, Calif 92701
Attn: Bette Hatch

RECEIVED FOR RECORD
FIRST AMERICAN TITLE CO
Book 1979, Page 231661
OCT 30 1979
Notary Public
of Orange County, California
D. J. S. Campbell



SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

DOCUMENTARY TRANSFER TAX \$ 4,400.00
Computed on the consideration or value of property conveyed, OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax: *Morris S. Cohen*
Signature of Notary Public: *Connie Berglund*

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DAON CORPORATION

a corporation organized under the laws of the State of Delaware does hereby

GRANT to The Palumbo, Beck, Sylvester and Palumbo General partnership,
an Illinois general partnership

the real property in the City of Riverside, State of California, described as

on Exhibit 1 attached hereto and incorporated herein by reference.

This Grant Deed is subject to all matters of record as of the date of recordation.

On October 23, 1979

STATE OF CALIFORNIA
COUNTY OF ORANGE

DAON CORPORATION,
a Delaware Corporation

By *Morris S. Cohen*
Morris S. Cohen, Controller

On October 23, 1979

before me, the undersigned, a Notary Public in, and for said
State, personally appeared Morris S. Cohen

By *Garry W. Campbell*
Garry W. Campbell,
General Manager

known to me to be the Controller and
Garry W. Campbell

known to me to be the General Manager Secretary of
the corporation that executed the within instrument, and known
to me to be the persons who executed the within instrument on
behalf of the corporation therein named, and acknowledged to me
that such corporation executed the within instrument pursuant to
its by laws or a resolution of its board of directors



WITNESS my hand and official seal
Signature: *Connie Berglund* To Purchase Agreement and Escrow Instructions
(THIS area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1144 (10/69)

231661

DESCRIPTION:

In the unincorporated area of the County of Riverside, State of California, described as follows:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the RANCHO SAN JACINTO VIEJO as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California, described as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned Map, said point being also the Northwest corner of the Indian Reservation, in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian; THENCE North 43° 00' West, 20 chains; THENCE North 38° 30' West, 7.50 chains; THENCE North 31° 30' West, 11 chains; THENCE North 11° 50' West, 17.11 chains; THENCE North 11° 50' West, 4.46 chains, more or less, to a point on the San Bernardino Base and Meridian line, 151 feet North of the quarter section between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian; THENCE North 13° 45' West, to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an avenue 80 feet wide, as shown on said Map; THENCE South 42° West, on said Southeasterly line of said avenue, to the Southwesterly line of said Tract VII; THENCE South 45° East, 56.40 chains, on said Southwesterly line, to the most Southerly corner of said Lot 3; THENCE North 41° 50' East, on the Southeasterly line of said Lots 3 and 1, 41.65 chains, to the Point of Beginning;

EXCEPTING therefrom that portion in the highway known as Soboba Springs Road, as described in Deeds recorded in Book 253 page 144 and in Book 276 page 140; respectively, of Deeds, Records of Riverside County, California;

ALSO EXCEPTING a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map; THENCE North 43° 00' West, 20 chains; THENCE North 38° 30' West, 7.50 chains; THENCE North 31° 30' West, 6.75 chains, to the Point of Beginning of a 60 foot strip of land, the center line thereof beginning at the last mentioned point; THENCE South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino Base and Meridian Line; THENCE South 50° 20' West, 19.8825 chains; THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcel 4020-122A, as shown on Record of Survey on file in Book 33 pages 48 to 61, inclusive, of Records of Survey, Records of Riverside County, California;

ALSO EXCEPTING therefrom Parcel 4020-122C, as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Records of Riverside County, California;

231661

ALSO EXCEPTING therefrom that portion lying Northwesterly of the Southeasterly line of Soboba Road, as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPTING therefrom that portion described as follows:

That portion of Lot 3 of Estudiosos Subdivision of Tract VII in RANCHO SAN JACINTO VIEJO as shown by Map on file in Book 6 page 46 of Maps, Records of San Diego County, California, described as follows:

COMMENCING at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 46 page 15, Records of Survey, Records of Riverside County, California;
THENCE South 49° 59' 10" West, along centerline of Main Street, a distance of 1079.43 feet to the TRUE POINT OF BEGINNING;
THENCE South 40° 00' 50" East, a distance of 564.79 feet;
THENCE South 77° 19' 20" East, a distance of 653.42 feet;
THENCE South 14° 27' 51" West, a distance of 584.53 feet;
THENCE South 49° 40' 23" West, a distance of 928.69 feet;
THENCE North 30° 29' 28" West, a distance of 1538.76 feet;
THENCE North 49° 59' 10" East, a distance of 227.00 feet;
THENCE North 40° 00' 50" West, a distance of 50.00 feet to an intersection with the center line of said Main Street;
THENCE North 49° 59' 10" East, along said centerline, a distance of 410.00 feet to the TRUE POINT OF BEGINNING;

ALSO EXCEPTING those portions of Main Street and Soboba Road as conveyed to the County of Riverside by Deed recorded September 21, 1970 as Instrument No. 93172 and re-recorded October 8, 1970 as Instrument No. 101656 of Official Records of Riverside County, California.

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

262800

and recorded
and to
Henry Pirelli
P.O. Box 2745
Riverside, CA 92515

statements is above

RECEIVED FOR RECORD
AT 9 00 O'CLOCK A.M.
AT THE COUNTY CLERK'S OFFICE
TITLE INC. & TRUST CO.
Book 1979, Page 25,26,4111

DEC 11 1979

Recorded in Office of Records
at Riverside County, California
Dorothy D. [Signature]
REC'D

For Public Use, Drawn 10/12/79

FOR VALUABLE CONSIDERATION, receipt of which is hereby
acknowledged, AMCO OIL COMPANY OF CALIFORNIA, a California corporation,
hereby grants to Henry Pirelli and Joann Pirelli, husband and wife as
joint tenants, the following described real property in the unincorporated
city and county of Riverside, State of California, to wit:

Subject to the conditions, restrictions, reservations, covenants,
and other matters of record,
AMCO OIL COMPANY OF CALIFORNIA, said corporation has caused this deed to be
executed and to be affixed hereto and this instrument to be executed
and signed by its duly authorized officers.

Witness my hand and seal this 9th day of December, 1979.

By _____
Vice President
By _____
Assistant Secretary

1979

STATE OF CALIFORNIA)
) SS.
COUNTY OF LOS ANGELES)

On this 1st day of September, 1979, in the year A. D. before me, _____, a Notary Public in and for said County and State, residing therein and duly commissioned and sworn, personally appeared _____, known to me to be the Vice President, and _____, known to me to be the Assistant Secretary of _____ COMPANY OF CALIFORNIA, the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public

Notary Public in and for the County
of Los Angeles, State of California

EXHIBIT

The land in this description is situated in the County of Riverside, State of California and is described as follows:

100-2700

PARCEL 1

The south half of the Southeast quarter and the Northeast quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter and the North half of the Northeast quarter of Section 30, Township 4 South, Range 1 East, San Bernardino Meridian, in the County of Riverside, State of California, according to the official plat thereof.

PARCEL 2

The South half of the Southeast quarter and the Southeast quarter of the Southwest quarter and Government Lot 4 of Section 19, Township 4 South, Range 1 East, San Bernardino Meridian, in the County of Riverside, State of California, according to the official plat thereof.

That portion of Government Lot 4 described as follows:

- beginning at the Northwest corner of said Lot 4;
- thence Southerly along the westerly line of said Lot 4, and 40 feet to the true point of beginning;
- thence easterly and parallel with the westerly line of said Lot 4, 40.00 feet;
- thence southerly and parallel with the westerly line of said Lot 4, 40.00 feet to the southerly line of said Lot 4;
- thence westerly, northwesterly and northerly, along the southerly and southerly and westerly line of Lot 4 to the true point of beginning.

PARCEL 3

Non-exclusive easement for road and public utility purposes, with right of ingress and egress over the southerly rectangular 40.00 foot of Government lot 4 in fractional section 30, township 4 South, Range 1 East, San Bernardino Base and Meridian, according to an official plat of said road filed in the District Land Office on September 30, 1933.

PARCEL 4

Non-exclusive easement for road and public utility purposes, with right of ingress and egress over that portion of Lot 1 of Jose Antonio Landin's Subdivision of Tract 111 in the County of San Jacinto, according to the County of Riverside, State of California, as shown by 766 of the 1914 book 6 Page 394 of Maps, San Jacinto County Records, and further described as follows:

beginning at a point on the Southerly line of said Lot 1, designated as S. 2 - B on the above described Map; thence Northerly on the westerly line of said Lot 1 to the Southwest corner of Government Lot 4 in Fractional Section 30, Township 4 South, Range 1 East,

DESCRIPTION CONTINUED ON PAGE 4

100-27-10

San Bernardino Base and Meridian, according to an official plat of said land filed in the District Land Office on September 30, 1830, thence westerly at right angles to said Easterly line of lot 1, 300.00 feet; thence Southerly, parallel with said Easterly line of lot 1 to the Southwesterly line of a certain strip of land covered to the county of Riverside by deed recorded May 11, 1908, in Book 63 (part 4) of Deeds, records of Riverside county, California, to wit: lot 43 East on said Southwesterly line to the point of beginning

except that portion thereof included in said 300.00 feet line to the county of Riverside by deed recorded May 11, 1908 in Book 63 (part 4) of Deeds, records of said Riverside County.

Section 1

and exclusive easement for road and public utility purposes with right of ingress and egress over that portion of Government lot 4 in fractional section 30, Township 4 South, Range 1 East, San Bernardino Base and Meridian, according to an official plat of said land filed in the District Land Office on September 30, 1830, and that portion of lot 1 of Jose Mate Estualla's Subdivision of Tract VII in the County of Riverside, State of California, as shown by map on file in Book 63 (part 4) of Maps, records of San Diego County, California, and within a circle having a radius of 100.00 feet, the center of said circle being the Southwest corner of Government lot 4 in said fractional section 30;

to wit: within a circle having a radius of 100.00 feet within parcels 4 and 5.

Section 2

and exclusive easement for road and public utility purposes with right of ingress and egress over that portion of Government lot 4 in fractional section 30, Township 4 South, Range 1 East, San Bernardino Base and Meridian,

according to an official plat of said land filed in the District Land Office on September 30, 1830, and that portion of lot 1 of Jose Mate Estualla's Subdivision of Tract VII in the County of Riverside, State of California, as shown by map on file in Book 63 (part 4) of Maps, records of San Diego County, California, and within a circle having a radius of 100.00 feet, the center of said circle being the Southwest corner of Government lot 4 in said fractional section 30;

to wit: at the point of the Southerly line of said lot 1, bearing a distance of 100.00 feet from the point of beginning of the Northwesterly line of the Indian Reservation in the Northwest quarter of section 30, Township 4 South, Range 1 East, San Bernardino Base and Meridian, to wit: South 11°50' West along the Southeasterly line of said parcel No. 4020-1220, more or less, to the West 30°00' corner of Parcel No. 4020-1220, as shown on record of Survey, Book 115 in Book 70 Page 15 of Records of Survey, Riverside County, California, only 18°00' West along the North easterly line of said Parcel No. 4020-1220, 29.70 feet, thence South 75°32'01" West along a westerly line of said Parcel No. 4020-1220 to a point which is located 30.00 feet Northwesterly of the Southeasterly line of said lot 1, as measured at right angles thereto; thence North 11°50' East parallel with the Southeasterly line of said Parcel No. 4020-1220 located 30.00 feet from the point of beginning; thence South 75°32'01" East to a point of beginning;

Said strip hereon that portion include La Soboba Road.

Order No
Escrow No 127 9387-BH
Loan No

100984

WHEN RECORDED MAIL TO
DAON CORPORATION
4041 MacArthur Blvd.
Newport Beach, CA 92660

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
As Agent of
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE
Book 1960, Page 100984
JUN - 2 1980
Notarized in Official Records
of Riverside County, California
D. J. [Signature]
Notary

SUN VALORS
Monument Fund

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO
same as addressee above

DOCUMENTARY TRANSFER TAX \$ -0- no consideration
Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

A. P. No.

THE UNDERSIGNED GRANTOR
Signature of Declarant or Agent determining tax - Firm Name
FIRST AMERICAN TITLE INSURANCE COMPANY

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE PALUMBO, BECK, SYLVESTER and PALUMBO GENERAL PARTNERSHIP, An Illinois General Partnership

herby GRANT(S) to

DAON CORPORATION, a Delaware corporation

the real property in the ~~XXXXXX~~ Unincorporated Area
County of Riverside, State of California, described as

Legal description attached hereto as Exhibit "A" and made a part hereof.

1575065.8

"THIS DEED IS GIVEN FOR THE PURPOSE OF CONVEYING TO GRANTEE HEREIN THE PROPERTY THAT WAS ERRONEOUSLY CONVEYED TO GRANTOR HEREIN BY DEED RECORDED OCTOBER 30, 1979 AS INSTRUMENT NO. 231661 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA."

Dated May 14, 1980

STATE OF ~~ILLINOIS~~ ILLINOIS
COUNTY OF COJN

THE PALUMBO, BECK, SYLVESTER AND PALUMBO
GENERAL PARTNERSHIP

By: *George Beck*

By: *Louis M. Sylvester*

J.P. Palumbo

I, me, the undersigned, a Notary Public in and for said
state, personally appeared JOHN F. PALUMBO, GEORGE
J. BECK, LOUIS M. SYLVESTER & JOHN F.
PALUMBO JR.

known to me to be the person S. whose name
subscribed to the within instrument and acknowledged that
T. executed the same.

WITNESS my hand and official seal

Signature *Geo. F. [Signature]*

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1002 (10/80)

STATE OF ~~CALIFORNIA~~ ILLINOIS

COUNTY OF COLE

On MAY 19, 1980 before me, the undersigned, a Notary Public in and for

said State personally appeared JOHN P. PALUMBO, GEORGE J. BECK, LOUIS
P. SYLVESTER & JOHN P. PALUMBO, JR.

Known to me to be ALL the partners of the partnership
that executed the within instrument and acknowledged to me that
such partnership executed the same

WITNESS my hand and official seal

Signature *Leo Arcana*

LEO ARCANA
Name (Typed or Printed)

(This area for official notarial seal)

100984

100984

EXHIBIT "A"

In the unincorporated area in the County of Riverside, State of California,
described as follows:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of
Tract VII of the RANCHO SAN JACINTO VIEJO as shown by Map on file in
Book 6 page 304 of Maps, Records of San Diego County, California, described
as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as
S. J. 35 on above mentioned Map, said point being also the Northwest
corner of the Indian Reservation, in the Northwest quarter of Section
31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 11 chains;
THENCE North 11° 50' West, 17.11 chains;
THENCE North 11° 50' West, 4.46 chains, more or less, to a point on the
San Bernardino Base and Meridian line, 151 feet North of the quarter
section between Sections 25 and 30 in Township 4 South, Range 1 East,
San Bernardino Base and Meridian;
THENCE North 13° 45' West, to the Northwesterly line of said Lot 3, said
line also being the Southeasterly line of an avenue 80 feet wide, as
shown on said Map;
THENCE South 42° West, on said Southeasterly line of said avenue, to the
Southwesterly line of said Tract VII;
THENCE South 45° East, 56.40 chains, on said Southwesterly line, to the
most Southerly corner of said Lot 3;
THENCE North 41° 50' East, on the Southeasterly line of said Lots 3 and
1, 41.65 chains, to the Point of Beginning;

EXCEPTING therefrom that portion in the highway known as Soboba Springs
Road, as described in Deeds recorded in Book 253 page 144 and in Book
276 page 140, respectively, of Deeds, Records of Riverside County,
California;

ALSO EXCEPTING a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map;
THENCE North 43° 00' West, 20 chains;
THENCE North 38° 30' West, 7.50 chains;
THENCE North 31° 30' West, 6.54 chains, to the Point of Beginning of a
60 foot strip of land, the center line thereof beginning at the last
mentioned point;
THENCE South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino
Base and Meridian Line;
THENCE South 50° 00' West, 19.8825 chains;
THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcel 4020-122A, as shown on Record of Survey
on file in Book 33 pages 48 to 62, inclusive, of Records of Survey,
Records of Riverside County, California;

100984

ALSO EXCEPTING therefrom Parcel 4020-122C, as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPTING therefrom that portion lying Northwesterly of the Southeasterly line of Soboba Road, as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPTING therefrom that portion described as follows:

That portion of Lot 3 of Estudillos Subdivision of Tract VII in RAMCHO SAN JACINTO VIEJO as shown by Map on file in Book 6 page 46 of Maps, Records of San Diego County, California, described as follows:

COMMENCING at the centerline intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 46 page 15, Records of Survey, Records of Riverside County, California;
THENCE South 49° 59' 10" West, along centerline of Main Street, a distance of 1079.43 feet to the TRUE POINT OF BEGINNING;
THENCE South 40° 00' 50" East, a distance of 544.79 feet;
THENCE South 77° 19' 20" East, a distance of 853.42 feet;
THENCE South 14° 27' 51" West, a distance of 584.53 feet;
THENCE South 49° 40' 23" West, a distance of 928.69 feet;
THENCE North 30° 29' 28" West, a distance of 1538.76 feet;
THENCE North 49° 59' 10" East, a distance of 227.00 feet;
THENCE North 40° 00' 50" West, a distance of 50.00 feet to an intersection with the center line of said Main Street;
THENCE North 49° 59' 10" East, along said centerline, a distance of 410.00 feet to the TRUE POINT OF BEGINNING;

ALSO EXCEPTING those portions of Main Street and Soboba Road as conveyed to the County of Riverside by Deed recorded September 21, 1970 as Instrument No. 93172 and re-recorded October 8, 1970 as Instrument No. 101656 of Official Records of Riverside County, California.

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

Order No.
Escrow No. 127 9387-BJH
Loan No.

100985

WHEN RECORDED MAIL TO:

Palumbo, Bark, Sylvester & Palumbo
27703 Ortega Highway
San Juan Capistrano, CA

RECEIVED FOR RECORD
AT 9:00 O'CLOCK A.M.
An Agent of
FIRST AMERICAN TITLE COMPANY
BY RECORDER
Book 1980, Page 100985
JUN - 2 1980
Notary Public
of Riverside County, California
[Signature]

SURVEYORS
Monument Fund
3 27

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Same As Addressee Above

CONSIDERATION LESS THAN \$100.00
DOCUMENTARY TRANSFER TAX \$0.00 Consideration

Computed on the consideration or value of property conveyed, OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax Firm Name
First American Title Insurance Company

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DAON CORPORATION,

a corporation organized under the laws of the State of Delaware, does hereby

GRANT to THE PALUMBO, BECK, SYLVESTER and PALUMBO General Partnership, an Illinois
general partnership

the real property in the ~~UNINCORPORATED~~ Unincorporated Area
County of Riverside, State of California, described as

Legal description attached hereto as Exhibit "A" and made a part hereof.

THIS DEED IS A CORRECTIVE DEED GIVEN FOR THE PURPOSE OF CONVEYING TO THE GRANTEE HEREIN THE
REAL PROPERTY ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A", WHICH REAL PROPERTY
WAS INTENDED TO HAVE BEEN CONVEYED IN GRANT DEED RECORDED OCTOBER 30, 1979, AS INSTRUMENT
NUMBER 231661, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

"THIS DEED IS GIVEN PURSUANT TO LOT LINE ADJUSTMENT NO. 733 APPROVED SEPTEMBER 19,
1979 BY THE COUNTY OF RIVERSIDE."

Dated April 4, 1980

DAON CORPORATION, a Delaware Corporation

STATE OF CALIFORNIA
COUNTY OF
ORANGE

By Garry W. Campbell
Gen. Mgr.

On April 18, 1980

before me, the undersigned, a Notary Public in and for said
State, personally appeared Garry W. Campbell

By [Signature]
Secretary

known to me to be the General Mgr. and
William B. Seith

known to me to be the Secretary of
the corporation that executed the within instrument, and known
to me to be the persons who executed the within instrument on
behalf of the corporation therein named, and acknowledged to me
that such corporation executed the within instrument pursuant to
its by-laws or a resolution of its board of directors.



WITNESS my hand and official seal
Signature Connie Berglund

(This area for official notarial seal)

1148 (10/80)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

100985

LOT LINE ADJUSTMENT

That portion of Lot 3 of Jose A. Estudillo's Sub-division of Tract VII in Rancho San Jacinto Viejo as shown by Map on file in Book 6 of Maps, Page 304, Records of San Diego County, California, being more particularly described as follows:

Commencing at the center line intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 46, Page 15, Records of Riverside County, California;

Thence South $49^{\circ}59'10''$ West along said center line of Main Street a distance of 1,149.16 feet to the True Point of Beginning;

Thence South $40^{\circ}00'50''$ East a distance of 329.48 feet;

Thence North $51^{\circ}54'59''$ East a distance of 65.00 feet;

Thence South $47^{\circ}38'27''$ East a distance of 71.67 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 166.00 feet, a radial line to the beginning of said non-tangent curve bears North $47^{\circ}38'27''$ West,

Thence Easterly along said curve through an angle of $60^{\circ}07'37''$ a distance of 174.20 feet;

Thence tangent to said curve South $77^{\circ}30'50''$ East a distance of 540.15 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 416.00 feet;

Thence Southeasterly along said curve through an angle of $38^{\circ}29'43''$ a distance of 279.50 feet to the beginning of a compound curve concave Westerly and having a radius of 508.00 feet, a radial line to the beginning of said compound curve bears North $50^{\circ}58'53''$ East;

Exhibit A

Thence Southerly along said compound curve through an angle of $51^{\circ}30'17''$ a distance of 456.65 feet;

Thence tangent to said curve South $12^{\circ}29'10''$ West a distance of 144.32 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 508.00 feet;

Thence Southwesterly along said curve through an angle of $37^{\circ}16'11''$ a distance of 330.44 feet;

Thence tangent to said curve South $49^{\circ}45'21''$ West a distance of 512.52 feet to the beginning of a tangent curve concave Northerly and having a radius of 453.00 feet;

Thence Southwesterly, Westerly and Northwesterly along said curve through an angle of $99^{\circ}31'25''$ a distance of 786.87 feet;

Thence tangent to said curve North $30^{\circ}43'14''$ West a distance of 865.52 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 508.00 feet;

Thence Northwesterly along said curve through an angle of $20^{\circ}04'30''$ a distance of 177.99 feet to the beginning of a compound curve concave Easterly and having a radius of 131.00 feet, a radial line to the beginning of said compound curve bears South $79^{\circ}21'16''$ West;

Thence Northerly along said compound curve through an angle of $29^{\circ}08'43''$ a distance of 66.64 feet;

Thence North $71^{\circ}30'01''$ West a distance of 113.40 feet to an intersection with the Southeasterly line of Parcel No. 4020-122C as shown on the aforesaid Record of Survey (Southeasterly line of that portion of Parcel No. 4020-122C which is adjacent to Main Street);

Thence North $46^{\circ}16'14''$ East along said Southeasterly

Exhibit A

100985

line a distance of 43.21 feet to an angle point in said Southeasterly line;

Thence continuing along said Southeasterly line North $49^{\circ}59'10''$ East a distance of 370.16 feet;

Thence North $40^{\circ}00'50''$ West a distance of 50.00 feet to an intersection with the aforesaid center line of Main Street;

Thence North $49^{\circ}59'10''$ East along said center line a distance of 340.35 feet to the True Point of Beginning.

Excepting therefrom that portion lying within Main Street.

Exhibit A

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

241676

Street Address
City & State

Name
Street Address
City & State

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

George J. Wall
THOMAS J. O'KEEFE, INC.
2323 N. Broadway, Ste. 400
Santa Ana, CA 92706

MAIL TAX STATEMENT TO

John Palumbo
P.O. Box 4
Barrington, Ill 60010

AP 433-140-006-3
433-140-017-3
433-140-018-5
433-140-021-6

RECEIVED FOR RECORD
When Part of an Instrument
At Request of
OFFICE TITLE INSURANCE CO.
Book 1981, Page 241676
DEC 3 1981

Recorded in Official Records
of Riverside County, California
D. J. ... Recorder
PMS 6

Doc. Title Insurance
L.C. ...

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Grant Deed

GO 804 G1

THIS FORM FURNISHED BY TRUSTORS SECURITY SERVICE

The undersigned grantor(s) declare(s)
Documentary transfer tax is \$ 4,400.00
 computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale
 Unincorporated area of City of _____, and

FOR A VALUABLE CONSIDERATION receipt of which is hereby acknowledged
Palumbo, Beck, Sylvester, & Palumbo, a General Partnership;

he/she (GRANT(S)) to
EPM Soboba, a California Limited Partnership

the following described real property in the
County of Riverside, State of California.

See Attached Exhibit "A"

PALUMBO, BECK, SILVESTER, & PALUMBO,
a General Partnership

Dated December 31, 1981

STATE OF CALIFORNIA
COUNTY OF

I, _____, do hereby certify that the undersigned
is/are the true and correct grantor(s) and State personal representative of

By _____, who name _____, all of which with
_____ and _____, the witness(es) of the grantor(s),
WITNESSETH that he/she/it executed the foregoing instrument

Signature

Book Order No.

File, Esrow or Loan No.

MAIL TAX STATEMENTS AS DIRECTED ABOVE

(Partnership)



STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } SS

On this 21st day of June 1981, before me, the undersigned a Notary Public in and for said State, personally appeared John Palumbo, George J. Beck, Louis M. Sylvester, John Palumbo, Jr.

Known to me to be all of the partners of the partnership that executed this instrument and acknowledged to me that such partnership executed the same
WITNESS my hand and official seal

Signature *San Hierro*
MY COMM. NO. 123456
EXPIRES 12/31/82



211676

Order No. 511018-A

EXHIBIT "A"

That portion of lot 3 of Jose A. Esquivillo's subdivision of Tract VII, in Camino San Jacinto Viejo as per map record 1200000 page 306 of 308, in the Office of the County Recorder of Riverside County, is described as follows:

Beginning at the center line intersection of Main Street and Sussex Road as said intersection is shown on a map filed in book 40 page 15 Records of Survey; thence South 49° 59' 10" West 111.16 feet on said center line of Main Street to the TRUE POINT OF BEGINNING; thence South 40° 00' 50" East 329.48 feet; thence North 51° 54' 50" East 65.00 feet; thence South 47° 38' 27" East 71.67 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 100.00 feet, a radial line to the beginning of said non-tangent curve bears North 47° 39' 27" West, thence Easterly on said curve through an angle of 80° 57' 37" 174.20 feet; thence tangent to said curve South 77° 30' 50" East 340.13 feet to the beginning of a tangent curve concave Southeasterly and having a radius of 416.00 feet; thence Southeasterly on said curve through an angle of 33° 21' 43" 279.50 feet to the beginning of a curve concave Westerly and having a radius of 238.00 feet, a radial line to the beginning of said compound curve bears North 30° 22' 03" East; thence Southerly on said compound curve through an angle of 51° 30' 17" 450.00 feet; thence tangent to said curve South 12° 21' 10" East 144.50 feet to the beginning of a tangent curve concave East; thence East having a radius of 508.00 feet; thence Southeasterly on said curve through an angle of 37° 16' 11" 330.48 feet; thence tangent to said curve South 49° 45' 21" West 512.52 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 451.00 feet; thence Southeasterly, Westerly and Northwesterly on said curve through an angle of 20° 31' 25" 766.87 feet; thence tangent to said curve North 50° 33' 14" West 865.52 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 508.00 feet; thence Northwesterly on said curve through an angle of 20° 04' 30" 177.90 feet to the beginning of a compound curve concave Easterly and having a radius of 131.00 feet, a radius of 131.00 feet, a radial line to the beginning of said compound curve bears South 79° 21' 16" West; thence Northerly on said compound curve through an angle of 29° 08' 43" 66.64 feet; thence North 71° 29' 01" West 113.46 feet to an intersection with the southeasterly line of Parcel 60, 1026-1220 as shown on the aforesaid Record of Survey (southeasterly line of that portion of Parcel No. 4020-1220 which is adjacent to Main Street); thence North 46° 16' 14" East on said southeasterly line 43.21 feet to an angle point in said southeasterly line; thence continuing on said southeasterly line North 49° 59' 10" East 370.10 feet; thence North 40° 00' 50" West 50.00 feet to an intersection with the aforesaid center line of Main Street; thence North 49° 59' 10" East 343.35 feet on said center line to the TRUE POINT OF BEGINNING.

Excepting therefrom that portion lying within Main Street and situated in the block to the County of Riverside recorded as to date 21, 1970 as Instrument No. 93172.



Order No.
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:
DIET CENTER, INCORPORATED
220 S. 200 W.
Rexburg, Idaho 83440

Attn:

165700

RECEIVED FOR RECORD
FIRST AMERICAN TITLE CO.
SEP 24 1982
165700
Presented to Official Records
of Riverside County, California
Willie Brown
Recorder
Fees \$
SURVEYORS
Monument Fund
\$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:
DIET CENTER, INCORPORATED
220 S. 200 W.
Rexburg, Idaho 83440

DOCUMENTARY TRANSFER TAX \$.....
..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DAON CORPORATION

a corporation organized under the laws of the State of Delaware ("Grantor") , does hereby

GRANT to DIET CENTER, INCORPORATED, an Idaho corporation ("Grantee")

the real property in the ~~Riverside~~
County of Riverside , State of California, described as

on EXHIBIT A attached to and incorporated in this Grant Deed by
reference, SUBJECT TO all matters of record and all matters known
to Grantee.

112 2502 E

433-100, 110, 120, 140

Dated September 23, 1982

STATE OF CALIFORNIA
COUNTY OF ORANGE

On September 23, 1982

before me, the undersigned, a Notary Public in and for said
State, personally appeared W. A. Colton, III

known to me to be the Sr. Vice /Land
Gerald C. Weeks /Land
President... and

known to me to be the Director/Land Dev /Land
of the corporation that executed the within instrument, and known
to me to be the persons who executed the within instrument on
behalf of the corporation therein named, and acknowledged to me
that such corporation executed the within instrument pursuant to
a by-law or a resolution of its board of directors.

WITNESS my hand and official seal
Signature Connie Berglund

DAON CORPORATION
a Delaware corporation

By W. A. Colton, III
Sr. Vice President/Land

By Gerald C. Weeks
Director, Land Dev. Secretary



(This area for official notarial seal)

1144 (10/82)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

165700

DESCRIPTION:

In the unincorporated area of the County of Riverside, State of California, described as follows:

PARCEL 1:

All those portions of Lots 4, 5, 6, 7 and 8 of Jose Estudillo's Subdivision of Tract VII of Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California and Lots 1 and 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, and Lots 240 and 241 Hot Sulphur Springs Tract as shown by Map on file in Book 14 page 649 of Maps, Records of San Diego County, California, which lies Southwest of Soboba Road as shown as Parcel 8 of Record of Survey on file in Book 52 pages 80 and 81 of Records of Survey, Records of Riverside County, California, and which lies Northwest of the Northwest line of Lot 3 of Jose Estudillo's Subdivision of Tract VII of the Rancho San Jacinto Viejo and which lies Northeast of the following described line:

COMMENCING at a shown point on the Northwest line of Lot 3 of Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, which bears North 44° 46' 15" East, a distance of 44.58 feet from the most Northerly corner of Parcel 4020-110C as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;
THENCE South 19° 02' 28" East, a distance of 155.32 feet;
THENCE South 00° 56' 31" West, a distance of 117.05 feet;
THENCE South 19° 02' 28" East, a distance of 1,184.88 feet to the most North corner of Parcel 4020-110D as shown on said Survey;
THENCE continuing South 19° 02' 28" East, a distance of 1,623.82 feet to the Southwest corner of Parcel 4020-112B as shown on said Survey;
THENCE North 41° 53' 18" East, a distance of 383.17 feet;
THENCE South 19° 47' 53" East, a distance of 644.73 feet;
THENCE North 41° 52' 51" East, a distance of 352.00 feet;
THENCE South 19° 47' 53" East, a distance of 352.00 feet to the Northwest line of Lot 3 of said Jose Estudillo's Subdivision;

EXCEPT those parcels conveyed to the Eastern Municipal Water District by Deed recorded December 14, 1967 as Instrument No. 110306 and March 1, 1968 as Instrument No. 19156 both of Official Records of Riverside County, California;

EXHIBIT "A"

Page 1 of 4

165700

ALSO EXCEPT that portion of Lots 1, 2 and 3 of the Hot Springs Tract as shown by Map on file in Book 8 page 5 of Maps, Records of Riverside County, California, described as follows:

BEGINNING at the intersection of the Northwest boundary line of said Hot Springs Tract with the Southerly right-of-way line of Soboba Road, 100.00 feet wide, as said intersection is shown on Record of Survey on file in Book 52 pages 75 through 81, inclusive, of Records of Survey, Records of Riverside County, California;

THENCE along said Southerly right-of-way line of Soboba Road the following courses:

South 50° 51' 39" East, a distance of 160.53 feet (recorded as 160.39 feet) to the beginning of a tangent curve concave Northeasterly and having a radius of 1,250.00 feet; Southeasterly along said curve through an angle of 27° 42' 28" (recorded as 27° 42' 04") a distance of 604.49 feet (recorded as 604.34 feet); Tangent to said curve South 78° 34' 27" East, a distance of 328.09 feet (recorded as South 78° 34' 03" East, a distance of 328.35 feet) to the beginning of a tangent curve concave Southwesterly and having a radius 950.00 feet; Southeasterly along said curve through an angle of 03° 22' 26" a distance of 55.94 feet; THENCE leaving said Southerly right-of-way line of Soboba Road South 03° 17' 22" West, a distance of 261.00 feet; THENCE South 67° 51' 37" West, a distance of 265.29 feet; THENCE North 82° 18' 08" West, a distance of 502.62 feet; THENCE North 52° 59' 17" West, a distance of 245.00 feet; THENCE North 43° 13' 46" West, a distance of 470.94 feet to an intersection with the aforesaid Northwest boundary line of the Hot Springs Tract; THENCE North 44° 44' 31" East, (recorded as North 44° 42' 35" East) along said Northwest boundary line a distance of 334.00 feet to the Point of Beginning;

EXCEPTING that portion conveyed to Eastern Municipal Water District by Deed recorded March 1, 1968 as Instrument No. 19156 of Official Records of Riverside County, California;

ALSO EXCEPT that portion of Lots 3, 4, 5 and 6 of Estudillo's Subdivision of Tract VII of the Partition of the Rancho San Jacinto Viego as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California, described as follows:

COMMENCING at the intersection of Main Street and Soboba Road as said intersection is shown on Record of Survey on file in Book 52 pages 75 through 81, inclusive, of Records of Survey, Records of Riverside County, California;

THENCE along the center line of said Soboba Road the following courses:

North 31° 38' 33" West, a distance of 123.91 feet to the beginning of a tangent curve concave Northeasterly having a radius of 1,000.00 feet; Northerly along said curve through an angle of 19° 17' 50", a distance of 336.80 feet; North 12° 20' 39" West, (recorded as North 12° 20' 43" West) a distance of 1,247.61 feet; THENCE South 77° 39' 46" West, a distance of 50.00 feet to the Westerly right-of-way line of said Soboba Road and the TRUE POINT OF BEGINNING; THENCE continuing South 77° 39' 46" West, a distance of 298.33 feet to the beginning of a tangent curve concave Northerly having a radius of 920.00 feet;

EXHIBIT "A"

Page 2 of 4

THENCE Westerly along said curve through an angle of $42^{\circ} 42' 34''$, a distance of 685.79 feet;
 THENCE North $25^{\circ} 23' 25''$ West, a distance of 367.87 feet;
 THENCE North $15^{\circ} 01' 44''$ West, a distance of 250.00 feet;
 THENCE North $07^{\circ} 01' 44''$ West, a distance of 330.00 feet;
 THENCE North $11^{\circ} 58' 16''$ East, a distance of 170.00 feet;
 THENCE North $74^{\circ} 58' 16''$ East, a distance of 255.00 feet;
 THENCE North $24^{\circ} 14' 03''$ East, a distance of 500.99 feet to a point on said Westerly right-of-way of Soboba Road, said point also being on a curve concave Southwesterly having a radius of 950.00 feet a radial bearing to said point bears North $44^{\circ} 07' 39''$ East;
 THENCE along said Westerly right-of-way line following courses:

Southerly along said curve through an angle of $12^{\circ} 28' 00''$, a distance of 206.71 feet; South $33^{\circ} 24' 21''$ East, (recorded as South $33^{\circ} 24' 25''$ East) a distance of 533.71 feet to the beginning of a tangent curve concave Westerly having a radius of 1,150.00 feet Southerly along said curve through an angle of $21^{\circ} 03' 42''$, a distance of 422.74 feet (recorded as 422.73 feet); South $12^{\circ} 20' 39''$ East, (recorded as South $12^{\circ} 20' 43''$ East) a distance of 655.29 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, as shown by Map on file in Book 6 page 304 of Maps, Records of San Diego County, California, described as follows:

BEGINNING at a point on the Southerly line of Lot 1, designated as S. J. 35 on above mentioned map, said point being also the Northwest corner of the Indian Reservation in the Northwest one-quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian;
 THENCE North $43^{\circ} 00'$ West, a distance of 20 chains;
 THENCE North $38^{\circ} 30'$ West, a distance of 7.50 chains;
 THENCE North $31^{\circ} 30'$ West, a distance of 11 chains;
 THENCE North $11^{\circ} 50'$ West, a distance of 17.11 chains;
 THENCE North $11^{\circ} 50'$ West, a distance of 4.46 chains, more or less, to a point on the San Bernardino Meridian line, a distance of 151.00 feet North of the one-quarter section corner between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian;
 THENCE North $13^{\circ} 45'$ West, to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an Avenue 80.00 feet wide, as shown on said Map;
 THENCE South 42° West, on said Southeasterly line of said Avenue, to the Southwesterly line of said Tract VII;
 THENCE South 45° East, 56.40 chains, on said Southwesterly line of Tract VII, to the most Southerly corner of said Lot 3;
 THENCE North $41^{\circ} 50'$ East, on the Southeasterly line of said Lots 3 and 1, a distance of 41.65 chains, to the Point of Beginning;

EXHIBIT "A"

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165700

EXCEPT that portion of the highway known as Soboba Springs Road, as described in Deeds recorded in Book 263 page 144 and in Book 276 page 140, respectively, of Deeds, Records of Riverside County, California;

ALSO EXCEPT a strip of land described as follows:

COMMENCING at said point designated as S. J. 35 on said Map;
THENCE North 43° 00' West, a distance of 20 chains;
THENCE North 38° 30' West, a distance of 7.50 chains;
THENCE North 31° 30' West, a distance of 6.54 chains to the Point of Beginning of a 60 foot strip of land, the center line thereof being beginning at the last mentioned point;
THENCE South 50° 00' West, a distance of 8.61-3/4 chains, to a point in the San Bernardino Meridian line;
THENCE South 50° 00' West, a distance of 19.8825 chains;
THENCE South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPT Parcels 4020122A and 4020119A, as shown on Records of Survey on file in Book 33 pages 48 to 62, inclusive, of Records of Survey, Records of Riverside County, California;

ALSO EXCEPT Parcel 4020119C, as shown on Record of Survey on file in Book 46 page 15 of Records of Survey, Records of Riverside County, California;

ALSO EXCEPT that portion lying Southeasterly of the Southeasterly line of Soboba Road (Main Street), as shown on Record of Survey on file in Book 33 page 57 of Records of Survey, Records of Riverside County, California;

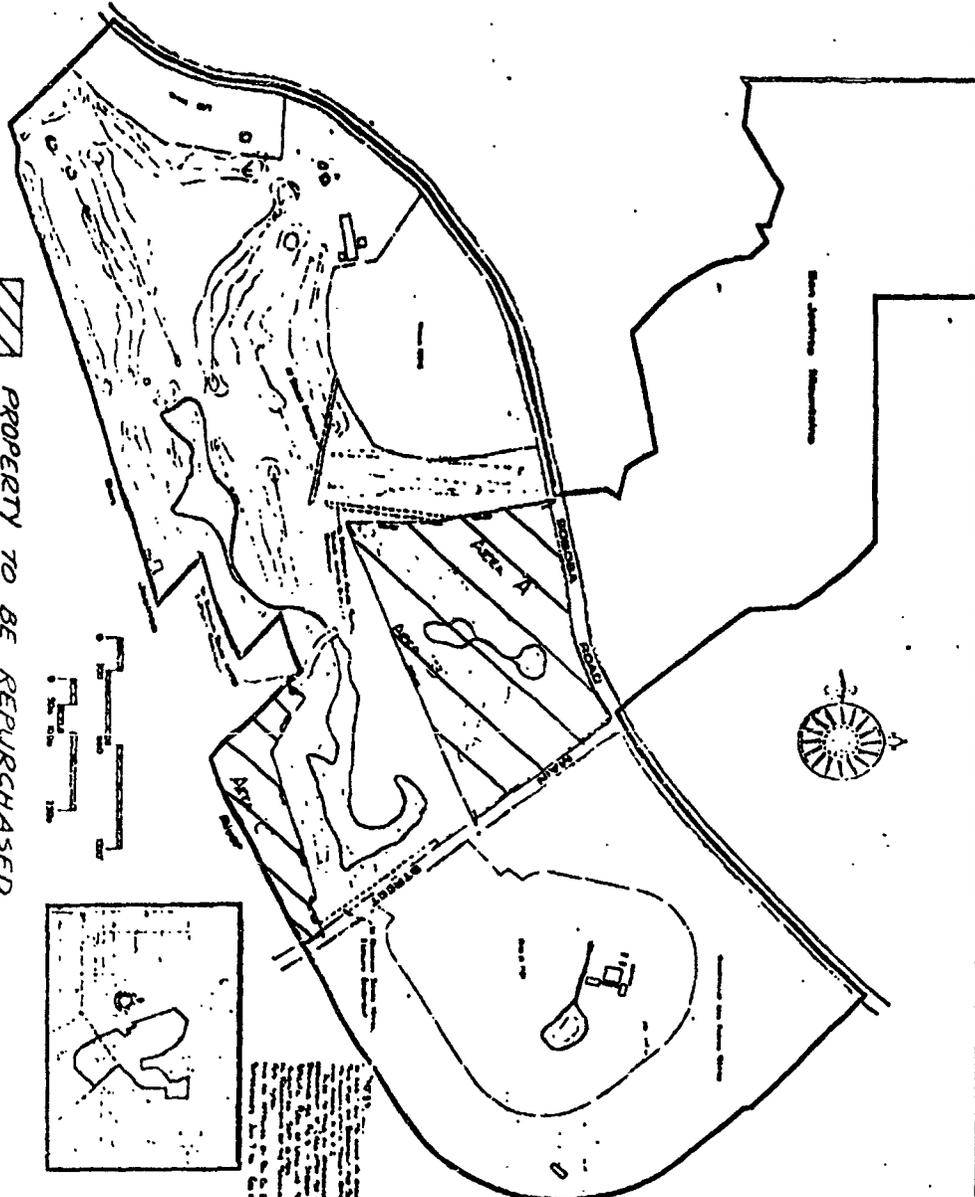
ALSO EXCEPT that portion of Soboba Road described as Parcel 8 and 8A in the deed to the County of Riverside by deed recorded July 17, 1968 as Instrument No. 68078 of Official Records of Riverside County, California.

EXHIBIT "A"

Page 4 of 4

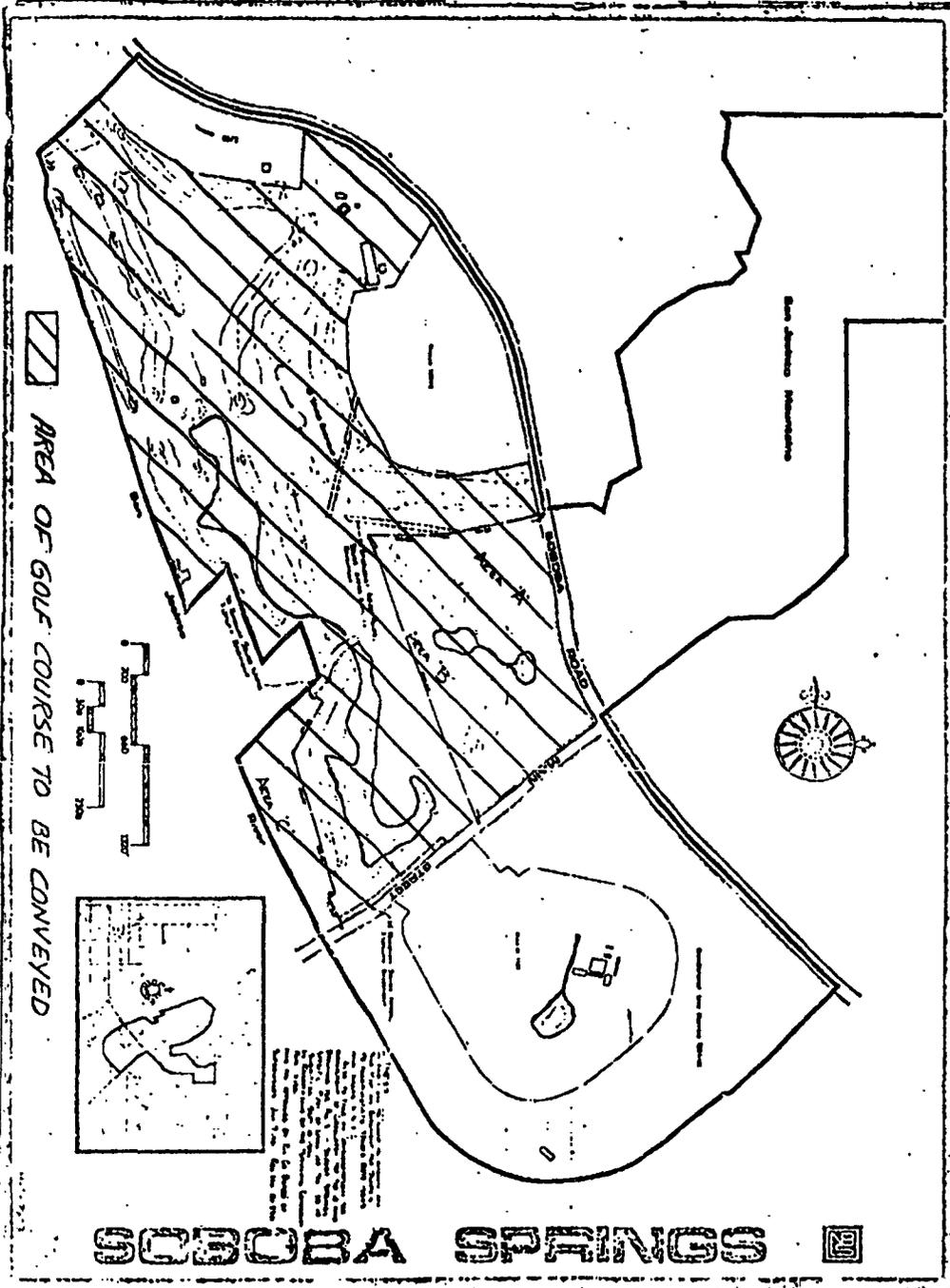
591

PROPERTY TO BE REPURCHASED



SOBOBA SPRINGS

16591



Order No.
Escrow No.
Loan No.

WHEN RECORDED MAIL TO:
DAON CORPORATION
3200 Park Center Drive
Suite 1400
Costa Mesa, CA 92626

Attn: Warren A. Colton, III

RECEIVED FOR
AT 9:00 O'CLOCK A.M.
AS DEPOSITED AT
FIRST AMERICAN TITLE
OF RIVERSIDE
Book 1984, Page 191757
AUG 31 1984
Notarized in Official Records
of Riverside County, California
William P. Berglund
Notary Public

SURVEYORS
Monument Fund
\$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:
DAON CORPORATION
3200 Park Center Drive
Suite 1400
Costa Mesa, CA 92626

DOCUMENTARY TRANSFER TAX NONE

Computed on the consideration or value of property conveyed; OR
Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

W. C. Frank
Signature of Declarant or Agent determining tax - Firm Name

A. P. No.

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DIET CENTER, INC., an Idaho corporation, who acquired title as DIET CENTER, INCORPORATED,
an Idaho corporation

a corporation organized under the laws of the State of Idaho, does hereby

GRANT to DAON CORPORATION, a Delaware corporation

the real property in the ~~GRAND~~
County of Riverside

, State of California, described as:

on Exhibit A attached to this Grant Deed

Dated September 23, 1982

DIET CENTER, INC.,
an Idaho corporation

STATE OF CALIFORNIA
COUNTY OF ORANGE

On September 23, 1982

before me, the undersigned, a Notary Public in and for said
State, personally appeared Michael D. Ferguson

Michael D. Ferguson
President
Richard Smith
Secretary

known to me to be the Exec. Vice President, and
Richard Smith

known to me to be the Secretary of
the corporation that executed the within instrument, and known
to me to be the person who executed the within instrument on
behalf of the corporation therein named, and acknowledged to me
that such corporation executed the within instrument pursuant to
its by-laws or a resolution of its board of directors.



WITNESS my hand and official seal.
Signature Connie Berglund

(This area for official notarial seal)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1946 (16A18)

19175.

Parcels 1 and 3 of Parcel Map No. 19805 as shown by Map on file
in book 123, pages 22 to 25 of Parcel Maps, records of Riverside
County, California.

EXHIBIT "A"

Order No.
E&I row No.
Loan No.

RECORDING REQUESTED BY
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.
AT REQUEST OF
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE

JUN 11 1985

Recorded in Official Records
of Riverside County, California
William S. Stoney
REGISTRAR
Fees \$

WHEN RECORDED MAIL TO:
DAON CORPORATION
4350 Von Karman
Suite 100
Newport Beach, CA 92660
Attn: Warren A. Colton, III

125472

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:
DAON CORPORATION
4350 Von Karman
Suite 100
Newport Beach, CA 92660
Attn: Warren A. Colton, III

DOCUMENTARY TRANSFER TAX \$ None
..... Computed on the consideration or value of property conveyed; OR
X..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.
Signature of Declarant or Agent determining tax - Firm Name

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
EPM SOBOBA, a California limited partnership

do es hereby REMISE, RELEASE AND FOREVER QUITCLAIM to
DAON CORPORATION, a Delaware corporation

the real property in the ~~XXXX~~ unincorporated area
County of Riverside, State of California, described as

Set forth on Exhibit "B" to the Right of First
Refusal recorded December 31, 1981 as Instrument
No. 241679 of Official Records of Riverside
County, California, which Exhibit is incorpo-
rated in and made a part of this Quitclaim Deed
by this reference.

By this Quitclaim Deed, EPM Soboba relinquishes
all right, title and interest it may have in and
to the above described real property pursuant
to the Right of First Refusal dated December 4,
1981 between Daon Corporation, a Delaware
corporation, and EPM Soboba, a California
limited partnership, which Right of First
Refusal was recorded December 31, 1981 in
Book 1981 as Instrument No. 241679 of Official
Records of Riverside County.

Dated February 19, 1985

STATE OF CALIFORNIA
COUNTY OF _____

On _____
before me, the undersigned, a Notary Public in and for said State, per-
sonally appeared _____

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they execute(s)
the same.

WITNESS my hand and official seal.

Notary Public

EPM SOBOBA, a California
limited partnership

By: *[Signature]*
(Title)

By: *[Signature]*
(Title)

DATED: 5/2/85 DATED: 5/7/85

(This line for official notarial use)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1085 (5/82)

125472

STATE OF CALIFORNIA)
) ss.
COUNTY OF Orange)

On May 7, 1985, before me, the undersigned, a Notary Public in and for said state, personally appeared Edwin Evans, personally know to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument, said persons being known to me to be general partners of EPM SOBOBA the limited partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature Lisa Helene Norman
LISA HELENE NORMAN

[SEAL]



125472

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

On May 2, 1985, before me, the undersigned, a Notary Public in and for said state, personally appeared Donald McCalla, personally know to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument, said persons being known to me to be general partners of EPM SORQBA, the limited partnership that executed the within instrument, and acknowledged to me that such partnership executed the same.

WITNESS my hand and official seal.

Signature: Lisa Helene Norman
LISA HELENE NORMAN

[SEAL]



Order No.
Escrow No.
Loan No.

RECORDING DEPARTMENT
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE

RECEIVED FOR RECORD
AS 8:30 P.M. 6/11/85
AT REQUEST OF
FIRST AMERICAN TITLE COMPANY
OF RIVERSIDE

JUN 11 1985
Recorded in Official Records
of Riverside County, California
William E. Connerly
RECORDED
Fee \$

PAID
Doc. Transfer Tax
WILLIAM E. CONNERLY
Riv. Co. Recorder

SURVEYORS
Monument Fund
\$10.00

125-73

WHEN RECORDED MAIL TO:

SOBOBA ASSOCIATES
11650 Riverside Blvd.
North Hollywood, Ca
91602

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

WIXE BV WIXE

DOCUMENTARY TRANSFER TAX \$ 2,060.00

..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

Signature of Declarant or Agent determining tax Firm Name

CORPORATION GRANT DEED

16651502

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

DAON CORPORATION

a corporation organized under the laws of the State of DELAWARE, does hereby

GRANT to

SOBOBA ASSOCIATES, A LIMITED PARTNERSHIP

the real property in the City of _____ unincorporated area
County of RIVERSIDE, State of California, described as

COMPLETE LEGAL DESCRIPTION SET FORTH ON ATTACHED EXHIBIT "A" WHICH IS INCORPORATED IN THIS DEED BY REFERENCE.

SUBJECT TO ALL MATTERS OF RECORD AND ALL MATTERS KNOWN BY GRANTEE AS OF THE RECORDING DATE OF THIS GRANT DEED.

Dated MAY 26, 1985

STATE OF CALIFORNIA ORANGE
COUNTY OF _____

On May 29, 1985, before me,

the undersigned, a Notary Public in and for said State, personally appeared

W. A. Colton, III

and personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed the within instrument as

Vice President and General Manager

on behalf of Daon Corporation

WITNESS my hand and official seal
Signature: *Connie Berglund*

DAON CORPORATION

By *W. A. Colton, III* Vice President

By *Joseph L. Perring* Secretary
General Manager



(This area for official notarial seal) 1144 (6/82)

MAIL TAX STATEMENTS AS DIRECTED ABOVE

EXHIBIT "A" CONSISTING OF SIX PAGES

DESCRIPTION:

IN THE UNINCORPORATED AREA OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, DESCRIBED AS FOLLOWS:

PARCEL A:

125473 PARCELS 1 AND 3 TOGETHER WITH LETTERED LOT "A" AS SHOWN BY PARCEL MAP NO. 19805 ON FILE IN BOOK 123 PAGES 22, 23, 24 AND 25 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

TENTATIVE TRACT NO. 15845, BEING A SUBDIVISION OF THAT PORTION OF LOTS 3, 4, 5 AND 6 OF ESTUDILLO'S SUBDIVISION OF TRACT VII OF THE PARTITION OF THE RANCHO SAN JACINTO VIEJO AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF MAIN STREET AND SOBOBA ROAD AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 52 PAGES 75 THROUGH 81, INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE ALONG THE CENTER LINE OF SAID SOBOBA ROAD THE FOLLOWING COURSES:

NORTH 31° 38' 33" WEST, A DISTANCE OF 123.91 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1,000.00 FEET;

NORTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 19° 17' 50", A DISTANCE OF 336.80 FEET; NORTH 12° 20' 39" WEST, (RECORDED AS NORTH 12° 20' 43" WEST), A DISTANCE OF 1,247.61 FEET;

THENCE SOUTH 77° 39' 46" WEST, A DISTANCE OF 50.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID SOBOBA ROAD AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 77° 39' 46" WEST, A DISTANCE OF 298.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 920.00 FEET;

THENCE WESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 42° 42' 34", A DISTANCE OF 685.79 FEET;

THENCE NORTH 25° 23' 25" WEST, A DISTANCE OF 367.87 FEET;

THENCE NORTH 15° 01' 44" WEST, A DISTANCE OF 250.00 FEET;

THENCE NORTH 07° 01' 44" WEST, A DISTANCE OF 330.00 FEET;

THENCE NORTH 11° 58' 16" EAST, A DISTANCE OF 170.00 FEET;

THENCE NORTH 74° 58' 16" EAST, A DISTANCE OF 255.00 FEET;

THENCE NORTH 24° 14' 03" EAST, A DISTANCE OF 500.99 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY OF SOBOBA ROAD, SAID POINT ALSO BEING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 950.00 FEET A RADIAL BEARING TO SAID POINT BEARS NORTH 44° 07' 39" EAST;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOLLOWING COURSES:

SOUTHERLY ALONG SAID CURVE THROUGH AN ANGLE OF 12° 28' 00",

A DISTANCE OF 206.71 FEET; SOUTH 33° 24' 21" EAST, (RECORDED

AS SOUTH 33° 24' 25" EAST) A DISTANCE OF 533.71 FEET TO THE

BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS

OF 1,150.00 FEET SOUTHERLY ALONG SAID CURVE THROUGH AN ANGLE

OF 21° 03' 42", A DISTANCE OF 422.76 FEET (RECORDED AS 422.73

FEET); SOUTH 12° 20' 39" EAST, (RECORDED AS SOUTH 12° 20' 43"

EAST), A DISTANCE OF 655.29 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THOSE PARCELS CONVEYED TO THE EASTERN MUNICIPAL WATER DISTRICT BY DOCUMENTS RECORDED DECEMBER 14, 1967 AS INSTRUMENT NO. 110306 AND MARCH 1, 1968 AS INSTRUMENT NO. 19156 BOTH OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF LYING SOUTHEASTERLY OF THE NORTHWESTERLY LINE OF LOT 3 OF JOSE ESTUDILLOS SUBDIVISION OF TRACT VII OF RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA.

PARCEL C1

THAT PORTION OF LOTS 1, 2 AND 3 OF HOT SPRINGS TRACT, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWEST BOUNDARY LINE OF SAID HOT SPRINGS TRACT WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOBOPA ROAD, 100.00 FEET WIDE, AS SAID INTERSECTION AS SHOWN BY MAP ON FILE IN BOOK 52 PAGES 75 THROUGH 81, INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA:

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOBOPA ROAD THE FOLLOWING COURSES:

SOUTH 50° 51' 59" EAST, A DISTANCE OF 140.53 FEET (RECORDED AS 140.39 FEET) TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1,250.00 FEET, SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 27° 42' 28" (RECORDED AS 27° 42' 04"), A DISTANCE OF 604.49 FEET (RECORDED AS 604.34 FEET), TANGENT TO SAID CURVE SOUTH 78° 34' 27" EAST, A DISTANCE OF 328.09 FEET (RECORDED AS SOUTH 78° 34' 03" EAST, A DISTANCE OF 328.35 FEET) TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 950.00 FEET SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 03° 22' 26", A DISTANCE OF 55.94 FEET;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOBOPA ROAD SOUTH 03° 17' 22" WEST, A DISTANCE OF 261.00 FEET;
THENCE SOUTH 67° 51' 37" WEST, A DISTANCE OF 265.29 FEET;
THENCE NORTH 82° 18' 08" WEST, A DISTANCE OF 502.62 FEET;
THENCE NORTH 52° 59' 17" WEST, A DISTANCE OF 245.00 FEET;
THENCE NORTH 43° 13' 46" WEST, A DISTANCE OF 470.74 FEET TO AN INTERSECTION WITH THE AFORESAID NORTHWEST BOUNDARY LINE OF HOT SPRINGS TRACT;
THENCE NORTH 44° 44' 31" EAST, (RECORDED AS NORTH 44° 42' 35" EAST) ALONG SAID NORTHWEST BOUNDARY LINE, A DISTANCE OF 334.00 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PARCEL DESCRIBED IN THE DEED TO THE EASTERN MUNICIPAL WATER DISTRICT RECORDED MARCH 1, 1968 AS INSTRUMENT NO. 19156 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D1

THAT PORTION OF LOT 4 LYING SOUTH OF A LINE DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 4;
THENCE NORTH 63° 39' 42" EAST, 148.24 FEET;
THENCE SOUTH 74° 59' 43" EAST, 70.26 FEET TO THE EAST LINE OF LOT 4, ALL IN TRACT 2372, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
EXCEPT AN UNDIVIDED 1/2 INTEREST IN AND TO THE PRECIOUS AND SEMI-PRECIOUS STONES, MINERALS AND MINERAL RIGHTS, INCLUDING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND THE RIGHTS THERETO, OR TO REMOVE ANY THEREOF FROM SAID LAND, SAID EXCEPTION AND RESERVATION SHALL BE RESTRICTED TO DEPTHS BELOW 500.00 FEET OR MORE FROM THE SAID SURFACE, AS RESERVED IN DEED FROM JOHN C. HUNTER AND CLARA H. HUNTER, HUSBAND AND WIFE, AND HELEN M. MITCHELL TO SOBOPA HOT SPRINGS CORPORATION, A CORPORATION, RECORDED JULY 17, 1961 AS INSTRUMENT NO. 60529 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL E:

THAT PORTION OF LOTS 1 AND 3 OF THE JOSE A. ESTUDILLO SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

125473

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, DESIGNATED AS S. J. 35 ON ABOVE MENTIONED MAP, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THE INDIAN RESERVATION, IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;

THENCE NORTH 43° 00' WEST, 20 CHAINS;
THENCE NORTH 38° 30' WEST, 7.50 CHAINS;

THENCE NORTH 31° 30' WEST, 11 CHAINS;
THENCE NORTH 11° 50' WEST, 17.11 CHAINS;
THENCE NORTH 11° 50' WEST, 4.46 CHAINS, MORE OR LESS, TO A POINT ON THE SAN BERNARDINO BASE AND MERIDIAN LINE, 151 FEET NORTH OF THE QUARTER SECTION BETWEEN SECTIONS 25 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;

THENCE NORTH 13° 45' WEST, TO THE NORTHWESTERLY LINE OF SAID LOT 3, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF AN AVENUE 80 FEET WIDE, AS SHOWN ON SAID MAP;
THENCE SOUTH 42° WEST, ON SAID SOUTHEASTERLY LINE OF SAID AVENUE, TO THE SOUTHWESTERLY LINE OF SAID TRACT VII;
THENCE SOUTH 45° EAST, 56.40 CHAINS, ON SAID SOUTHWESTERLY LINE, TO THE MOST SOUTHERLY CORNER OF SAID LOT 3;
THENCE NORTH 41° 50' EAST, ON THE SOUTHEASTERLY LINE OF SAID LOTS 3 AND 1, 41.65 CHAINS, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION IN THE HIGHWAY KNOWN AS SOBOBA SPRINGS ROAD, AS DESCRIBED IN DEED RECORDED IN BOOK 263 PAGE 144 AND IN BOOK 276 PAGE 140, RESPECTIVELY, BOTH OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020122A, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGES 40 TO 62, INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122C, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SOBOBA ROAD (NOW SHOWN AS MAIN STREET), AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGE 57 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 3 OF JOSE A. ESTUDILLO'S SUBDIVISION OF TRACT VII IN RANCHO SAN JACINTO VIEGO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER LINE INTERSECTION OF MAIN STREET AND SOBOBA ROAD AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE SOUTH 49° 59' 10" WEST ALONG SAID CENTER LINE OF MAIN STREET A DISTANCE OF 1,149.16 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 40° 00' 50" EAST, A DISTANCE OF 329.48 FEET;
THENCE NORTH 51° 54' 59" EAST, A DISTANCE OF 65.00 FEET;

1254.3

THENCE SOUTH 47° 38' 27" EAST, A DISTANCE OF 71.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 47° 38' 27" WEST;
THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 60° 07' 37", A DISTANCE OF 174.20 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 77° 30' 50" EAST, A DISTANCE OF 540.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTH-WESTERLY AND HAVING A RADIUS OF 416.00 FEET;
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38° 29' 43" A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 508.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS NORTH 50° 58' 53" EAST;
THENCE SOUTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 51° 30' 17", A DISTANCE OF 456.65 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 12° 29' 10" WEST, A DISTANCE OF 144.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTH-WESTERLY AND HAVING A RADIUS OF 508.00 FEET;
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 37° 16' 11" A DISTANCE OF 330.44 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 49° 45' 21" WEST, A DISTANCE OF 512.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 453.00 FEET;
THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 99° 31' 25", A DISTANCE OF 786.87 FEET;
THENCE TANGENT TO SAID CURVE NORTH 30° 43' 14" WEST, A DISTANCE OF 865.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTH-EASTERLY AND HAVING A RADIUS OF 508.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 04' 30" A DISTANCE OF 177.99 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 131.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS SOUTH 79° 21' 16" WEST;
THENCE NORTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 29° 08' 43", A DISTANCE OF 66.64 FEET;
THENCE NORTH 71° 30' 01" WEST, A DISTANCE OF 113.40 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF PARCEL NO. 4020-122C, AS SHOWN ON THE AFORESAID RECORD OF SURVEY (SOUTHEASTERLY LINE OF THAT PORTION OF PARCEL NO. 4020-122C WHICH IS ADJACENT TO MAIN STREET);
THENCE NORTH 46° 16' 14" EAST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 43.21 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY LINE;
THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 49° 59' 10" EAST A DISTANCE OF 370.16 FEET;

THENCE NORTH 40° 00' 50" WEST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE AFORESAID CENTER LINE OF MAIN STREET;
THENCE NORTH 49° 59' 10" EAST ALONG SAID CENTER LINE, A DISTANCE OF 340.35 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL E:

THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, AND OF LOT 1 OF HOT SPRINGS TRACT ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; AND THAT PORTION OF LOTS 1, 2, 3, 4 AND 5 OF JOSE ESTUDILLO'S SUBDIVISION OF A PORTION OF TRACT VII OF RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS; RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND OF TRACT VII OF THE PARTITION OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BASE NO. 277 OF THE DISTRICT COURT OF THE COUNTY OF SAN DIEGO, BOUNDED AND DESCRIBED AS FOLLOWS BY METES AND BOUNDS:

125473

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED TO J. HORBACK BY DEED RECORDED IN BOOK 305 PAGE 369 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE NORTH 47° 56' EAST, 435 FEET;
THENCE NORTH 50° 42' EAST, 543 FEET;
THENCE NORTH 84° 01' EAST, 270 FEET;
THENCE NORTH 61° 26' EAST, 178 FEET;
THENCE NORTH 42° 16' EAST, 444 FEET TO THE EAST LINE OF RANCHO SAN JACINTO VIEJO;
THENCE NORTH ON THE EAST LINE OF SAID RANCHO SAN JACINTO VIEJO, TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST;
THENCE EAST OF THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 30;
THENCE NORTH ON THE EAST LINE OF GOVERNMENT LOT 1 TO THE NORTH LINE OF SECTION 30;
THENCE WEST ON THE NORTH LINE OF SECTION 30 TO THE NORTHEAST LINE OF RANCHO SAN JACINTO VIEJO, SAID LINE ALSO BEING THE NORTHEAST LINE OF HOT SPRINGS TRACT;
THENCE CONTINUING WEST ALONG A SOUTH LINE OF THE PROPERTY CONVEYED TO FRANCIS P. NEVINS, ET UX, BY DEED RECORDED JUNE 14, 1968 AS INSTRUMENT NO. 55672 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TO THE COMMON CORNER OF SECTIONS 19 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST AND SECTIONS 24 AND 25 OF TOWNSHIP 4 SOUTH, RANGE 1 WEST;
THENCE SOUTH ON THE EAST LINE OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 WEST, TO THE NORTH LINE OF LOT 6 OF TRACT 2372, AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE NORTH 80° 03' 33" EAST, TO AN ANGLE POINT ON SAID NORTH LINE OF SAID LOT 6;
THENCE NORTH 72° 45' 45" EAST, ON THE NORTH LINES OF LOTS 7 AND 8 OF SAID TRACT 2372;
THENCE EAST, 220 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID TRACT;
THENCE SOUTH 51° 48' 00" EAST, 410 FEET ALONG THE NORTHEAST LINES OF LOTS 10, 11 AND 12 OF TRACT 2372;
THENCE NORTH 51° 45' 00" EAST, 108 FEET TO THE NORTH CORNER OF LOT 13 OF TRACT 2372;
THENCE SOUTH 28° 25' 49" EAST, 211.23 FEET;
THENCE SOUTHEAST 60 FEET TO THE NORTH CORNER OF LOT 14 OF TRACT 2372;
THENCE SOUTH 28° 36' 37" EAST, 178.20 FEET;
THENCE SOUTH 14° 33' 56" WEST, 225 FEET TO THE EAST CORNER OF LOT 16 OF TRACT 2372;
THENCE SOUTH 76° 42' 00" WEST, 54.02 FEET TO A POINT ON THE NORTHEAST LINE OF THE PROPERTY AT JOHN ALTHOUSE, SHOWN ON RECORD OF SURVEY IN BOOK 6 PAGE 34 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE SOUTH 27° 23' EAST, 114.67 FEET;
THENCE SOUTH 43° 31' WEST, 130.75 FEET;
THENCE SOUTH 75° 02' WEST, 228.80 FEET;
THENCE SOUTH 57° 03' WEST, 278 FEET;
THENCE SOUTH 43° 12' WEST, 333.40 FEET;
THENCE SOUTH 11° 38' EAST, 750 FEET;
THENCE SOUTH 58° 51' WEST, 203.25 FEET;
THENCE SOUTH 11° 59' WEST, 195 FEET;
THENCE NORTH 61° 30' WEST, 105.20 FEET;
THENCE SOUTH 81° 20' WEST, 277 FEET, MORE OR LESS, TO THE CENTER LINE OF A 60 FOOT COUNTRY ROAD, TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM ALL THAT PORTION INCLUDED IN SAID COUNTRY ROAD, AS SHOWN AS PARCEL B ON RECORD OF SURVEY ON FILE IN BOOK 52 PAGE 81 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

1254

ALSO EXCEPTING THEREFROM 1/2 INTEREST IN AND TO THE PRECIOUS AND SEMI-PRECIOUS STONES, MINERALS AND MINERAL RIGHTS INCLUDING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND THE RIGHT TO REMOVE ANY THEREOF, AS RESERVED IN DEED TO SOBODA HOT SPRINGS CORPORATION, RECORDED JULY 17, 1961 AS INSTRUMENT NO. 60529 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA:

SAID EXCEPTION SHALL BE RESTRICTED TO DEPTHS BELOW 500 FEET FROM THE SURFACE OF SAID LAND, EXCEPT FOR THE PORTION OF GOVERNMENT LOT 1 LYING EAST OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 1 THROUGH B. J. CORNER 36 TO THE NORTH LINE OF SECTION 30, WHERE SAID RESERVATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS TO PROSPECT, EXPLORE, MINE, DRILL, REMOVE ANY OF SAID MINERALS OR SUBSTANCES OR TO OTHERWISE DEVELOP SAID RIGHTS:

ALSO EXCEPTING THEREFROM THOSE PORTIONS AS DESCRIBED IN THE DEEDS TO EASTERN MUNICIPAL WATER DISTRICT RECORDED DECEMBER 14, 1967 AS INSTRUMENT NO. 110306 AND FEBRUARY 5, 1971 AS INSTRUMENT NO. 11843 AND JUNE 10, 1971 AS INSTRUMENT NO. 62275 ALL OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

* * * * *

RECORDING REQUESTED BY

Continental Land Title Co.
AND WHEN RECORDED MAIL THIS DEED AND UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

NAME: Coast Savings and Loan
P.O. Box 9115
ADDRESS: Van Nuys, Ca. 91409-9115
Attn: Ln. Escrow/mlw/
cc610
CITY: VAN NUYS
STATE: CA
ZIP: 91411

RECEIVED FOR RECORD
AT 8:30 O'CLOCK A.M.
At Request of
CONTINENTAL LAND TITLE CO.

JUL 23 1986

Recorded in Official records
of Riverside County, California
William E. Young
RECORDER
Fee \$

SPACE ABOVE THIS LINE FOR RECORDER'S USE

173071

433 440 021 025 0 0

90315-04

QUITCLAIM DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX IS \$ NONE

- () computed on full value of property conveyed, or
- () computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
EPM ZIMMER II, a California Limited Partnership who acquired title as
EPM SOBODA, a California limited partnership, also doing business as
EPM ZIMMER, a California limited partnership
hereby remise, release and forever quitclaim to

EPM ZIMMER II, a California Limited Partnership

the following described real property in the Unincorporated area

County of RIVERSIDE, State of California:

SEE EXHIBIT " A " ATTACHED HERETO AND MADE A PART HEREOF.

Dated JULY 11, 1986

EPM SOBODA, a California limited partnership, also doing business as EPM ZIMMER, a California limited partnership

STAR OF CALIFORNIA } SS
COUNTY OF _____

On _____ before me, the undersigned a Notary Public in and for said State personally appeared

SEE ATTACHED EXHIBIT " A " SIGNATURE PAGE

_____ personally know to me (or proved to me on the basis of satisfactory evidence) to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same WITNESS my hand and official seal:

Signature _____

(This area for official notarial seal)

Title Order No. _____

Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE.

EXHIBIT " A "

173071

BY: Randal H. Zimmer
RANDAL H. ZIMMER

BY: Edwin J. Evans
EDWIN J. EVANS AS TRUSTEE OF
THE EDWIN J. EVANS FAMILY TRUST
UNDER DECLARATION OF TRUST DATED
JANUARY 1, 1983 AND ANY AMENDMENTS
THERETO.

BY: Donald D. McCalla
DONALD D. MC CALLA AS TRUSTEE
OF THE DONALD D. MC CALLA LIVING
TRUST UNDER DECLARATION OF TRUST
JUNE 10, 1981 AND ANY AMENDMENTS
THERETO.

BY: Daniel J. McCalla
DANIEL J. MC CALLA AS TRUSTEE OF THE
DANIEL J. MC CALLA FAMILY TRUST UNDER
DECLARATION OF TRUST DATED JULY 12, 1985
AND ANY AMENDMENTS THERETO.

BY: Robert J. McCalla
ROBERT J. MC CALLA AS TRUSTEE OF THE
ROBERT J. MC CALLA FAMILY TRUST UNDER
DECLARATION OF TRUST DATED SEPTEMBER 10,
1985 AND ANY AMENDMENTS THERETO.

BY: Betty R. Bewak
BETTY R. BEWAK

BY: Robert J. McCalla
ROBERT J. MC CALLA

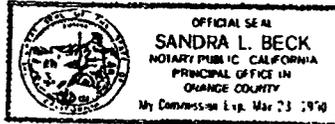
ALL GENERAL PARTNERS

STATE OF CALIFORNIA
COUNTY OF Orange } ss.

On July 16, 1986 before me, the undersigned, a Notary Public in and for
said State, personally appeared Edwin J. Evans, Donald D. McCalla

Edwin J. Evans, Donald D. McCalla, personally known to me or
proved to me on the basis of satisfactory evidence to be
the person S who executed the within instrument as
Edwin J. Evans, Donald D. McCalla of the partners of the partnership
that executed the within instrument, and acknowledged
to me that such partnership executed the same.
WITNESS my hand and official seal.

Signature Sandra L. Beck



(This area for official notarial seal)

STATE OF CALIFORNIA
COUNTY OF July 16, 1986 Orange } ss.

On July 16, 1986 before me, the undersigned, a Notary Public in and for
said State, personally appeared Betty R. Bewak, Randal H. Zimmer,
Robert J. McCalla, Trustee Robert J. McCalla, Daniel J. McCalla

Betty R. Bewak, Randal H. Zimmer,
Robert J. McCalla, Trustee Robert J. McCalla, Daniel J. McCalla, personally known to me or
proved to me on the basis of satisfactory evidence to be
the person S who executed the within instrument as
Betty R. Bewak, Randal H. Zimmer,
Robert J. McCalla, Trustee Robert J. McCalla, Daniel J. McCalla of the partners of the partnership
that executed the within instrument, and acknowledged
to me that such partnership executed the same.
WITNESS my hand and official seal.

Signature Sandra L. Beck



(This area for official notarial seal)

The land referred to in this report is situated in the State of California, County of Riverside and is described as follows:

PARCEL 1:

173071

That portion of Lot 3 of Jose A. Estudillo's Subdivision of TRACT VII, in Rancho San Jacinto Viejo, as per map recorded in Book 6, Page 304 of Maps, in the Office of the County Recorder of San Diego County, described as follows:

Beginning at the center line intersection of Main Street and Soboba Road as said intersection is shown on a map filed in Book 46, Page 15, Records of Survey; thence South 49° 59' 10" West, 1,149.16 feet on said center line of Main Street to the TRUE POINT OF BEGINNING; thence South 40° 00' 50" East, 329.48 feet; thence North 51° 54' 59" East, 65.00 feet; thence South 47° 38' 27" East, 71.67 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 166.00 feet, a radial line to the beginning of said non-tangent curve bears North 47° 38' 27" West; thence Easterly on said curve through an angle of 60° 07' 37" 174.20 feet; thence tangent to said curve South 77° 30' 50" East 540.15 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 416.00 feet; thence Southeasterly on said curve through an angle of 38° 29' 43", 279.50 feet to the beginning of a compound curve concave Westerly and having a radius of 508.00 feet, a radial line to the beginning of said compound curve bears North 50° 58' 53" East; thence Southerly on said compound curve through an angle of 51° 30' 17" 456.65 feet; thence tangent to said curve South 12° 29' 10" West, 144.32 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 508.00 feet; thence Southwesterly on said curve through an angle of 37° 16' 11", 330.44 feet; thence tangent to said curve South 49° 45' 21" West, 512.52 feet to the beginning of a tangent curve concave Northerly and having a radius of 453.00 feet; thence Southwesterly, Westerly and Northwesterly on said curve through an angle of 99° 31' 25" 786.87 feet; thence tangent to said curve North 30° 43' 14" West, 865.52 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 508.00 feet; thence Northwesterly on said curve through an angle of 20° 04' 30", 177.99 feet to the beginning of a compound curve concave Easterly and having a radius of 131.00 feet, a radius of 131.00 feet, a radial line to the beginning of said compound curve bears South 79° 21' 16" West; thence Northerly on said compound curve through an angle of 29° 08' 43" 66.64 feet; thence North 71° 30' 01" West, 113.40 feet to an intersection with the Southeasterly line of Parcel No. 4020-122C as shown on the aforesaid Record of Survey (Southeasterly line of that portion of Parcel No. 4020-122C which is adjacent to Main Street); thence North 46° 16' 14" East on said Southeasterly line 43.21 feet to an angle point in said Southeasterly line; thence continuing on said Southeasterly line North 49° 59' 10" East, 370.16 feet; thence North 40° 00' 50" West, 50.00 feet to an intersection with the aforesaid center line of Main Street; thence North 49° 59' 10" East, 340.35 feet on said center line to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom that portion lying within Main Street as described in the deed to the County of Riverside, recorded September 21, 1970 as Instrument No. 93172, Official Records.

PARCEL 2:

An easement for ingress and egress purposes and for the parking and storage of travel trailers, boats, recreational vehicles and purposes related to such parking and storage, including the use of the existing enclosed storage facilities and the use of utilities servicing the same, on, over and across those portions of the following described real property, presently being utilized for such purposes:

Those portions of Lots 1 and 3 of Jose A. Estudillo Subdivision of TRACT VII of the Rancho San Jacinto Viejo, as per map recorded in Book 6, Page 304 of Maps, in the Office of the County Recorder, San Diego County, described as follows:

Beginning at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned map, said point being also the Northwest corner of the Indian Reservation in the Northwest 1/4 of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 43° 00' West, 20 chains; thence North 38° 30' West, 7.50 chains; thence North 31° 30' West, 11 chains; thence North 11° 50' West, 17.11 chains; thence North 11° 50' West, 4.46 chains, more or less, to a point on the San Bernardino Meridian line, 151 feet North of the quarter section between Section 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 13° 45' West, to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an avenue 80 feet wide, as shown on said Map; thence South 42° West, on said Southeasterly line of said avenue, to the Southwesterly line of said TRACT VII; thence South 45° East, 56.40 chains, on said Southwesterly line, to the most Southerly corner of said Lot 3; thence North 41° 50' East, on the Southeasterly lines of said Lots 3 and 1, 41.65 chains, to THE POINT OF BEGINNING.

... Herefrom that portion in the highway known as Soboba Springs Road, as described in Deeds recorded in Book 253, Page 144 and in Book 276, Page 140, respectively, of Deeds.

Also excepting therefrom a strip of land described as follows:

Beginning at said point designated as S. J. 35 on said Map; thence North 43° 00' West, 20 chains; thence North 38° 30' West, 7.50 chains; thence North 31° 30' West, 6.54 chains, to THE POINT OF BEGINNING of a 60 foot strip of land, the center line thereof beginning at the last mentioned point; thence South 50° 00' West, 8.61-3/4 chains, to a point in the San Bernardino Meridian Line; thence South 50° 00' West, 19.8825 chains; thence South 55° 25' West, to the Southwesterly line of said Lot 3;

ALSO EXCEPTING therefrom Parcel 4020-122A, as shown on a map filed in Book 33, Pages 48 through 62, inclusive, Records of Survey.

ALSO EXCEPTING therefrom Parcel 4020-122C, as shown on a map filed in Book 46, Page 15 of Records of Survey.

ALSO EXCEPTING therefrom that portion lying Northwesterly of the Southeasterly line of Soboba Road (now Main Street) as shown on a map filed in Book 33, Page 57 of Records of Survey.

ALSO EXCEPTING therefrom that portion described as follows:

Beginning at the center line intersection of Main Street and Soboba Road as said intersection is shown on a map filed in Book 46, Page 15, Records of Survey; thence South 49° 59' 10" West, 1,149.16 feet on said center line of Main Street to the TRUE POINT OF BEGINNING; thence South 40° 00' 50" East, 329.48 feet; thence North 51° 54' 59" East, 65.00 feet; thence South 47° 38' 27" East, 71.67 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 166.00 feet, a radial line to the beginning of said non-tangent curve bears North 47° 38' 27" West; thence Easterly on said curve through an angle of 60° 07' 37" 174.20 feet; thence tangent to said curve South 77° 30' 50" East, 540.15 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 416.00 feet; thence Southeasterly on said curve through an angle of 38° 29' 43", 279.50 feet to the beginning of a compound curve concave Westerly and having a radius of 508.00 feet, a radial line to the beginning of said compound curve bears North 50° 58' 53" East; thence Southerly on said compound curve through an angle of 51° 30' 17", 456.65 feet; thence tangent to said curve South 12° 29' 10" West, 144.32 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 508.00 feet; thence Southwesterly on said curve through an angle of 37° 16' 11", 330.44 feet; thence tangent to said curve South 49° 45' 21" West, 512.22 feet to the beginning of a tangent curve concave Northerly and having a radius of 453.00 feet; thence Southwesterly, Westerly and Northwesterly on said curve through an angle of 99° 31' 25" 786.87 feet; thence tangent to said curve North 30° 43' 14" West, 865.52 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 508.00 feet; thence Northwesterly on said curve through an angle of 20° 04' 30", 177.99 feet to the beginning of a compound curve concave Easterly and having a radius of 131.00 feet, a radial line to the beginning of said compound curve bears South 79° 21' 16" West; thence Northerly on said compound curve through an angle of 29° 08' 43" 66.64 feet; thence North 71° 30' 01" West, 113.40 feet to an intersection with the Southeasterly line of Parcel No. 4020-122C as shown on the aforesaid Record of Survey (Southeasterly line of that portion of Parcel No. 4020-122C which is adjacent to Main Street); thence North 46° 16' 14" East on said Southeasterly line 43.21 feet to an angle point in said Southeasterly line; thence continuing on said Southeasterly line North 49° 59' 10" East, 370.16 feet; thence North 40° 00' 50" West, 50.00 feet to an intersection with the aforesaid center line of Main Street; thence North 49° 59' 10" East, 340.35 feet on said center line to the TRUE POINT OF BEGINNING;

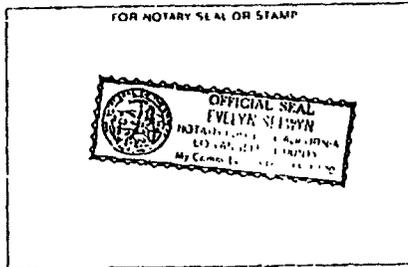
ALSO EXCEPTING therefrom those portions of Main Street and Soboba Road as described in the deeds to the County of Riverside, recorded September 21, 1970 as Instrument No. 93172, Official Records and re-recorded October 8, 1970 as Instrument No. 101656, Official Records.

EXCEPTING therefrom the Northeasterly 1500 feet measured from the center line of Soboba Road. Said easement was created by an instrument recorded February 5, 1982 as Instrument No. 22010, Official Records.

STATE OF CALIFORNIA
COUNTY OF Los Angeles } SS



On March 17, 1988
before me the undersigned, a Notary Public in and for said
County and State personally appeared
Peter J. Sidlow



86349

known to me
(or proved to me on the basis of satisfactory evidence) to be
one of the partners of the partnership that executed the
within instrument and acknowledged to me that such partnership
executed the same

Signature Evelyn S. Sidlow

TC 059

CAT NO NN00636
TO 21854 CA (11 83)
(Corporation as a Partner of a Partnership)

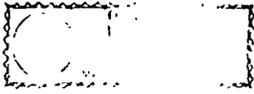


STATE OF CALIFORNIA
COUNTY OF Los Angeles } SS.
On March 17, 1988

On March 17, 1988 before me, the undersigned, a Notary Public in and for
said State, personally appeared Michael A. Freed
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed
the within instrument as the President, and
~~personally known to me or proved to me on the basis of satisfactory evidence~~
~~to be the person who executed the within instrument as the~~ Secretary of

86349
STAPLE HERE

Ocean Park Corporation
the corporation that executed the within instrument on
behalf of Soboba Associates
the partnership that executed
the within instrument, and acknowledged to me that such
corporation executed the same as such partner and that
such partnership executed the same
WITNES my hand and official seal



Signature Philip Sidlow

(This area for official notarial seal)

First American Title Insurance Company

A subsidiary of The First American Financial Corporation

86349

DESCRIPTION

Parcels 1, 2 and 3 of Parcel Map 19805, in the County of Riverside, State of California, as per map recorded in Book 123, Pages 22 through 25 inclusive of Parcel Maps, in the Office of the County Recorder of said County, together with that portion of Lots 1, 2 and 3 of Hot Springs Tract as shown by Map on file in Book 8, Page 5 of Maps, said Riverside County, California, lying Southerly of the Southerly right of way line of Soboba Road, 100.00 feet wide, and together with that portion of Lots 3, 4, 5 and 6 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo as shown by Map on file in Book 6, Page 304 of Maps, Records of San Diego County, California, and portions of the vacated streets, lying Westerly of the Westerly right of way line of said Soboba Road, as said portions of Hot Springs Tract and Jose A. Estudillo Subdivision are shown on map of said Parcel Map No. 19805.

EXCEPT that portion of said Parcels 1 and 2 lying Easterly and Southerly of a line described as follows:

Beginning at the Southwesterly corner of said Parcel 1;
thence North $34^{\circ}06'54''$ West 626.58 feet;
thence North $09^{\circ}42'03''$ West 501.82 feet;
thence North $14^{\circ}28'46''$ West 437.72 feet;
thence North $26^{\circ}20'47''$ West 510.16 feet;
thence South $86^{\circ}35'25''$ East 371.92 feet;
thence North $83^{\circ}12'23''$ East 792.55 feet to the Northeasterly corner of said Parcel 1.

ALSO EXCEPT that portion of said Parcels 2 and 3 lying Westerly of a line described as follows:

Beginning at the most Westerly corner of said Parcel 3;
thence North $41^{\circ}52'18''$ East on the Northerly line of said Parcel 3, and its prolongation, 712.65 feet to the true point of beginning.
thence South $16^{\circ}42'14''$ East 25.12 feet;
thence South $15^{\circ}25'16''$ West 572.24 feet;

thence South 17°28'52" East 212.79 feet;

thence South 21°13'53" East 215.19 feet;

thence South 21°25'27" East 210.69 feet;

thence South 28°03'31" East 187.00 feet;

thence North 14°15'16" East 33.64 feet to the beginning of a non-tangent curve concave Southwesterly and having a radius of 160.00 feet, a radial line to said beginning bears North 30°13'49" West;

thence Southeasterly on said curve through an angle of 80°12'59" 224.01 feet;

thence tangent to said curve South 40°00'50" East 19.34 feet to an intersection with the Southerly line of said Parcel 2, and said line there terminating.

ALSO EXCEPT that portion described as follows:

Beginning at the Northeast corner of Parcel 1 of said Parcel Map No. 19805, said corner begin also a point on the Westerly right of way line of Soboba Road, 100.00 feet wide;

thence North 12°18'57" West on said Westerly right of way line 532.75 feet to the true point of beginning;

thence South 77°41'03" West 100.16 feet to the beginning of a non-tangent curve concave Westerly and having a radius of 60.00 feet, a radial line to said beginning bears North 73°31'23" East;

thence Southerly on said curve through an angle of 51°42'49" 54.15 feet;

thence South 51°20'39" East 28.93 feet;

thence South 04°22'16" East 73.55 feet;

thence South 41°52'18" West 32.15 feet;

thence South 83°41'40" West 107.78 feet;

thence North 88°57'35" West 45.35 feet;

thence North 88°36'50" West 48.41 feet;

thence North 84°34'50" West 43.75 feet;

thence North 84°02'59" West 566.64 feet;

thence North 30°06'11" West 107.84 feet;

thence North 21°46'31" West 252.93 feet;

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thence North $14^{\circ}02'58''$ West 172.97 feet;

thence North $07^{\circ}00'02''$ West 428.12 feet;

thence North $13^{\circ}02'49''$ East 67.65 feet;

thence North $48^{\circ}43'11''$ East 63.22 feet;

thence North $78^{\circ}07'26''$ East 153.05 feet;

thence North $11^{\circ}52'34''$ West 50.00 feet;

thence North $56^{\circ}55'17''$ East 44.55 feet;

thence North $55^{\circ}17'24''$ East 25.00 feet;

thence North $52^{\circ}17'37''$ East 39.71 feet;

thence North $48^{\circ}44'15''$ East 39.33 feet;

thence North $48^{\circ}35'52''$ East 81.72 feet;

thence North $51^{\circ}01'00''$ East 53.49 feet to the beginning of a non-tangent curve concave Southeasterly and having a radius of 47.00 feet, a radial line to said beginning bears North $89^{\circ}04'52''$ West;

thence Northeasterly on said curve through an angle of $90^{\circ}03'45''$ 73.8 feet;

thence North $00^{\circ}58'53''$ East 20.06 feet;

thence North $56^{\circ}37'33''$ East 117.66 feet to an intersection with the aforesaid Westerly right of way line of Soboba Road, said intersection being also a point on a curve concave Southwesterly and having a radius of 950.00 feet, a radial line to said point bears North $53^{\circ}24'10''$ East;

thence on said Westerly right of way line of Soboba Road the following courses:

Southeasterly on said curve through an angle of $03^{\circ}13'23''$ 53.44 feet;

Tangent to said curve South $33^{\circ}22'27''$ East 533.59 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 1,150.00 feet;

Southeasterly on said curve through an angle of $21^{\circ}03'30''$ 422.67 feet;

Tangent to said curve South $12^{\circ}18'57''$ East 418.24 feet to the true point of beginning.

ALSO EXCEPT that portion described as follows:

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Beginning at the intersection of the Northwesterly boundary line of said Hot Springs Tract with the centerline of Soboba Road, as said intersection is shown on said Parcel Map No. 19805;

thence South $44^{\circ}46'47''$ West on said Northwesterly boundary line of Hot Springs Tract 384.21 feet to the most Northerly corner of Parcel 2 of said Parcel Map No. 19805;

thence South $46^{\circ}31'38''$ East 713.63 feet to an angle point in the boundary line of said Parcel 2;

thence on said boundary line of Parcel 2 the following courses:

South $82^{\circ}15'51''$ East 502.62 feet;

North $67^{\circ}53'54''$ East 265.29 feet;

North $03^{\circ}19'39''$ East 261.00 feet to the Southerly right of way line of said Soboba Road;

thence North $14^{\circ}50'16''$ East 50.00 feet to an intersection with said centerline of Soboba Road, said intersection being also a point on a curve concave Southwesterly and having a radius of 1,000.00 feet, a radial line to said point bears North $14^{\circ}50'16''$ East;

thence on said centerline the following courses:

Northwesterly on said curve through an angle of $03^{\circ}22'26''$ 58.89 feet;

Tangent to said curve North $78^{\circ}32'10''$ West 328.16 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 1,200.00 feet;

Northwesterly on said curve through an angle of $27^{\circ}42'26''$ 580.30 feet;

Tangent to said curve North $50^{\circ}49'44''$ West 155.60 feet to the point of beginning.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS FOR WELL SITE TO INCLUDE ACCESS FOR REPAIRS, MAINTENANCE, ETC ACROSS THE FOLLOWING DESCRIBED PARCEL OF LAND:

TOGETHER with an easement for access and pipeline for well as shown as Easement No. 2

Well Site Easement 1

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That portion of Parcels 2 and 3 of Parcel Map No. 19805 as shown by Map on file in Book 123 of Parcel Maps, Pages 22 through 25, inclusive, Records of Riverside County, California, described as follows:

Beginning at the most Southerly corner of said Parcel 3, said corner being also an angle point in the boundary line of said Parcel Map No. 19805;

Thence North 59°46'11" East along said boundary line a distance of 250.89 feet to an angle point in said boundary line;

Thence North 71°47'32" East along said boundary line a distance of 88.27 feet;

Thence leaving said boundary line North 40°00'50" West a distance of 20.66 feet to the beginning of a tangent curve concave Southerly and having a radius of 65.00 feet;

Thence Northwesterly, Westerly and Southwesterly along said curve through an angle of 80°12'59" a distance of 91.00 feet;

Thence tangent to said curve South 59°46'11" West a distance of 23.74 feet;

Thence South 69°26'30" West a distance of 65.47 feet;

Thence South 59°46'11" West a distance of 20.00 feet;

Thence South 38°36'30" West a distance of 33.24 feet;

Thence South 61°07'18" West a distance of 127.18 feet to an intersection with the Westerly line of said Parcel 3, said intersection being also a point on a curve concave Northeasterly and having a radius of 8890.00 feet, a radial line to said point bears South 63°08'59" West;

Thence Southeasterly along said curve and Westerly line through an angle of 0°22'26" a distance of 58.01 feet to the point of beginning.

Shown by map on file in Book 123 of Parcel Maps, pages 22 through 25, inclusive records of Riverside County, California, described as follows:



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Commencing at the most Southerly corner of said Parcel 3, said corner being also an angle point in the boundary line of said Parcel Map No. 19805;

Thence North 59°46'11" East along said boundary line a distance of 250.89 feet to an angle point in said boundary line;

Thence North 71°47'32" East along said boundary line a distance of 88.27 feet to the True Point of Beginning;

Thence leaving said boundary line North 40°00'50" West a distance of 20.66 feet to the beginning of a tangent curve concave Southerly and having a radius of 65.00 feet;

Thence Northwesterly, Westerly and Southwesterly along said curve through an angle of 80°12'59" a distance of 91.00 feet;

Thence tangent to said curve South 59°46'11" West a distance of 23.74 feet;

Thence South 69°26'30" West a distance of 65.47 feet;

Thence South 59°46'11" West a distance of 20.00 feet;

Thence South 38°36'30" West a distance of 33.24 feet;

Thence South 61°07'18" West a distance of 127.18 feet to an intersection with the Westerly line of said Parcel 3, said intersection being also a point on a curve concave Northeasterly and having a radius of 8890.00 feet, a radial line to said point bears South 63°08'59" West;

Thence Northwesterly along said curve and Westerly line through an angle of 0°16'40" a distance of 43.08 feet;

Thence North 59°46'11" East a distance of 241.75 feet;

Thence North 28°03'31" West a distance of 14.01 feet;

Thence North 14°15'16" East a distance of 33.64 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 160.00 feet, a radial line to said point bears North 30°13'49" West;

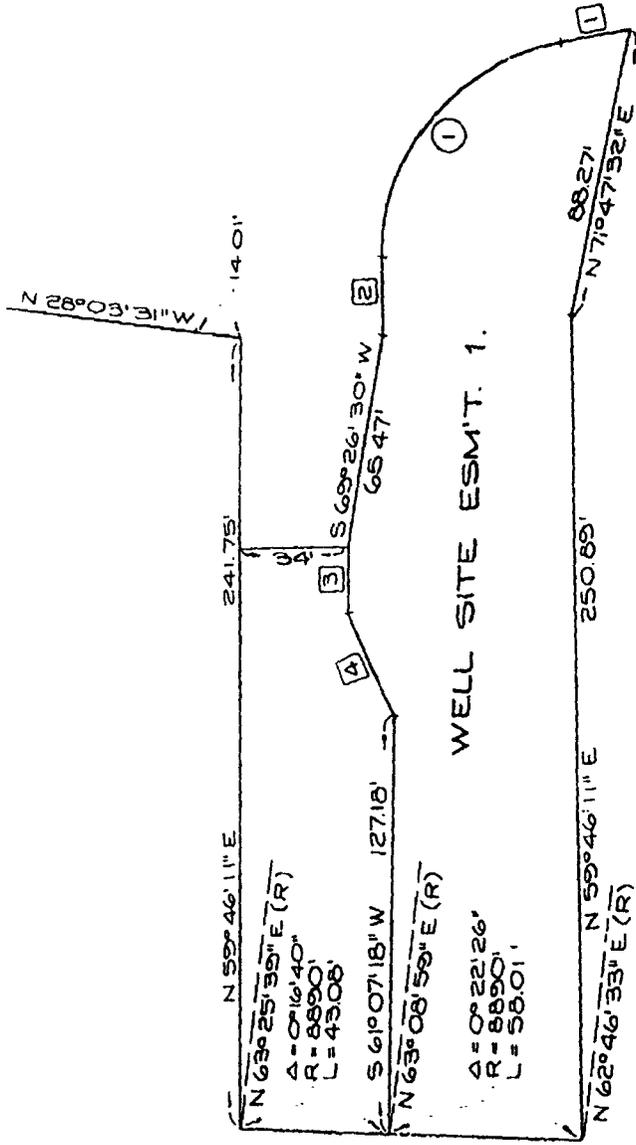
Thence Southeasterly along said non-tangent curve through an angle of 80°12'59" a distance of 224.01 feet;

Thence tangent to said curve South 40°00'50" East a distance of 19.34 feet to an intersection with the Southerly line of said Parcel 3, said intersection being also a point on said boundary line of Parcel Map No. 19805;

Thence South 56°27'12" West along said boundary line a distance of 95.30 feet to an angle point in said boundary line;

Thence South 71°47'32" West along said boundary line a distance of 0.33 foot to the True Point of Beginning.





- ① N 40° 00' 50" W 20.66'
 - ② S 59° 46' 11" W 23.74'
 - ③ S 59° 46' 11" W 20.00'
 - ④ S 38° 36' 30" W 33.24'
- ① Δ - 80° 12' 59" R = 65' L = 91.00' T = 54.75'

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That portion of Parcels 2 and 3 of Parcel Map No. 19805 as shown by Map on file in Book 123 of Parcel Maps, Pages 22 through 25, inclusive, Records of Riverside County, California, described as follows:

Commencing at the most Southerly corner of said Parcel 3, said corner being also an angle point in the boundary line of said Parcel Map No. 19805;

Thence North 59°46'11" East along said boundary line a distance of 250.89 feet to an angle point in said boundary line;

Thence North 71°47'32" East along said boundary line a distance of 88.27 feet to the True Point of Beginning;

Thence leaving said boundary line North 40°00'50" West a distance of 20.66 feet to the beginning of a tangent curve concave Southerly and having a radius of 65.00 feet;

Thence Northwesterly, Westerly and Southwesterly along said curve through an angle of 80°12'59" a distance of 91.00 feet;

Thence tangent to said curve South 59°46'11" West a distance of 23.74 feet;

Thence South 69°26'30" West a distance of 65.47 feet;

Thence South 59°46'11" West a distance of 20.00 feet;

Thence South 38°36'30" West a distance of 33.24 feet;

Thence South 61°07'18" West a distance of 127.18 feet to an intersection with the Westerly line of said Parcel 3, said intersection being also a point on a curve concave Northeasterly and having a radius of 8890.00 feet, a radial line to said point bears South 63°08'59" West;

Thence Northwesterly along said curve and Westerly line through an angle of 0°16'40" a distance of 43.08 feet;

Thence North 59°46'11" East a distance of 241.75 feet;

Thence North 28°03'31" West a distance of 14.01 feet;

Thence North 14°15'16" East a distance of 33.64 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 160.00 feet, a radial line to said point bears North 30°13'49" West;

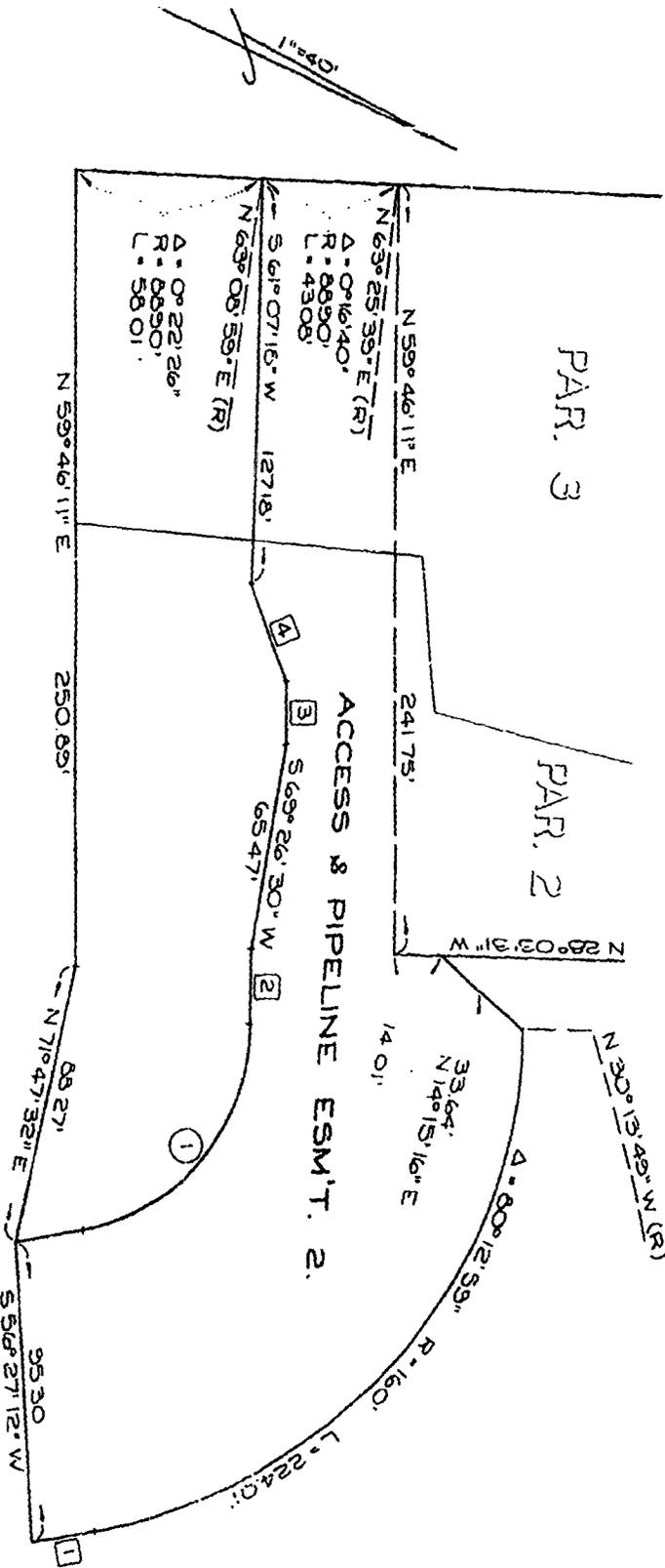
Thence Southeasterly along said non-tangent curve through an angle of 80°12'59" a distance of 224.01 feet;

Thence tangent to said curve South 40°00'50" East a distance of 19.34 feet to an intersection with the Southerly line of said Parcel 3, said intersection being also a point on said boundary line of Parcel Map No. 19805;

Thence South 56°27'12" West along said boundary line a distance of 95.30 feet to an angle point in said boundary line;

Thence South 71°47'32" West along said boundary line a distance of 0.33 feet to the True Point of Beginning.

SOUTH: H. 81-007, 514
 H. 87-021, 023



- ① N 40° 00' 50" W 2066'
- ② S 59° 46' 11" W 2374'
- ③ S 59° 46' 11" W 2000'
- ④ S 38° 36' 30" W 3324'

① Δ = 80° 12' 59" R = 65' L = 9100' T = 5475'

86198

Processed by
RECORDING REQUESTED BY
First American Title Insurance Company
 AND WHEN RECORDED MAIL THIS DEED AND, UNLESS
 OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

NAME: **Gerald H. Rice**
 STREET ADDRESS: **Rice Development, Inc.
 163 E. Main Street
 San Jacinto, CA 92583**

425992

CITY STATE ZIP

RECEIVED FOR RECORDING
 AT 2:00 O'CLOCK P.M.
 DEC - 9 1991
 RECEIVED BY: [Signature]
 3

RECORDED
 NOV 11 1991

SPACE ABOVE THIS LINE FOR RECORDER'S USE

23/6

				ALL
				PTM

Title Order No. _____
 Escrow or Loan No. _____

Partnership Grant Deed

The undersigned grantor(s) declare(s).
 Documentary transfer tax is \$ _____
 () computed on full value of property conveyed, or
 (X) computed on full value less value of liens and encumbrances remaining at time of sale
 () Unincorporated area () City of _____ and _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
SOBOBA ASSOCIATES,

a limited partnership organized under the laws of the State of California
 hereby GRANTS to **LAKE PARK VENTURE, LTD.,** a California limited
 partnership

the following described real property in the
 County of **Riverside**, State of California

As more particularly described in Exhibit "A" attached hereto and
 incorporated herein by this reference.

First American Title Company has recorded
 this instrument by request as an accom-
 modation only and has not examined it for
 regularity and sufficiency or as to its effect
 upon the title to any real property that may
 be described herein.

Dated: November 25, 1991

SOBOBA ASSOCIATES,
 a California limited partnership

STATE OF CALIFORNIA }
 COUNTY OF _____ } SS

By: Ocean Park Corporation
 General Partner

On this _____ day of _____
 19____ before me, the undersigned, a Notary Public in and
 for said County and State, personally appeared

By: [Signature]
Glen Davis, Vice President

STATE OF CALIFORNIA }
 COUNTY OF Los Angeles } SS
 On this 25th day of November in the year 1991
 before me, the undersigned, a Notary Public in and for said County and State
 personally appeared
GLEN DAVIS
 is the person who executed the within instrument as VICE
 President and
 is personally known to me (or proved to me on the basis of satisfactory evidence) to
 be the person who executed the within instrument.
 My duty as Notary Public in and for said County and State
 requires that I declare, on the basis of my knowledge and
 that the corporation is a legal entity, and that the partnership is a legal entity, and
 acknowledged to me the partnership exists for



Signature: [Signature]
 Notary Public in and for said County and State

425992
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PARCEL 7:

THOSE PORTIONS OF PARCELS 1 AND 2 OF PARCEL MAP 19805 IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 123 PAGES 22 THROUGH 25, INCLUSIVE OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING EASTERLY AND SOUTHERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1:
THENCE NORTH 34 DEGREES 06' 54" WEST, 625.58 FEET;
THENCE NORTH 9 DEGREES 42' 03" WEST, 501.82 FEET;
THENCE NORTH 14 DEGREES 28' 46" WEST, 437.72 FEET;
THENCE NORTH 26 DEGREES 20' 47" WEST, 510.16 FEET;
THENCE SOUTH 86 DEGREES 35' 25" EAST, 371.92 FEET;
THENCE NORTH 83 DEGREES 12' 23" EAST, 792.55 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1.

PARCEL 8:

THAT PORTION OF LOTS 1, 2, AND 3 OF HOT SPRINGS TRACT, AS SHOWN BY MAP ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY BOUNDARY LINE OF SAID HOT SPRINGS TRACT WITH THE CENTER LINE OF SOBABA ROAD, AS SAID INTERSECTION IS SHOWN, ON PARCEL MAP NO. 19805, ON FILE IN BOOK 123 PAGES 22 THROUGH 25, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 44 DEGREES 46' 47" WEST, ALONG SAID NORTHWESTERLY BOUNDARY LINE OF HOT SPRINGS TRACT, A DISTANCE OF 384.21 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 19805;
THENCE SOUTH 46 DEGREES 31' 38" EAST, A DISTANCE OF 713.68 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL 2;
THENCE ALONG SAID BOUNDARY LINE OF PARCEL 2 OF THE FOLLOWING COURSES:

SOUTH 82 DEGREES 15' 51" EAST, A DISTANCE OF 502.62 FEET;
NORTH 67 DEGREES 53' 54" EAST, A DISTANCE OF 265.29 FEET;
NORTH 3 DEGREES 19' 39", A DISTANCE OF 261.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOBABA ROAD;
THENCE NORTH 14 DEGREES 50' 16" EAST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH SAID CENTER LINE OF SOBABA ROAD, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1000.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 14 DEGREES 50' 16" EAST;
THENCE ALONG SAID CENTER LINE THE FOLLOWING COURSES:

NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 3 DEGREES 22' 26", A DISTANCE OF 58.89 FEET; TANGENT TO SAID CURVE NORTH 78 DEGREES 32' 10" WEST, A DISTANCE OF 328.16 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1200.00 FEET; NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 27

EXHIBIT "A"
Page 1 of 6

7-2-1991

DEC 9 1991

DEGREES 42' 26", A DISTANCE OF 580.10 FEET; TAUGHT TO SAID CURVE NORTH 50 DEGREES 49' 44" WEST, A DISTANCE OF 155.66 TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SOBOWA ROAD, 100 FEET WIDE;

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT, BY DEED RECORDED MARCH 1, 1968 AS INSTRUMENT NO. 19156 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 9:

THAT PORTION OF LOTS 1 AND 2 OF THE JOHN A. FRIEDBERG SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, DESIGNATED AS S.J. 35 ON ABOVE MENTIONED MAP, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THE INDIAN RESERVATION, IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;
THENCE NORTH 42 DEGREES 00' WEST, 20 CHAINS;
THENCE NORTH 38 DEGREES 30' WEST, 7.50 CHAINS;
THENCE NORTH 33 DEGREES 30' WEST, 13 CHAINS;
THENCE NORTH 13 DEGREES 50' WEST, 17.13 CHAINS;
THENCE NORTH 11 DEGREES 50' WEST, 4.46 CHAINS, MORE OR LESS, TO A POINT ON THE SAN BERNARDINO BASE AND MERIDIAN LINE, 151 FEET NORTH OF THE QUARTER SECTION BETWEEN SECTIONS 25 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN; THENCE NORTH 13 DEGREES 45' WEST TO THE NORTHWESTERLY LINE OF SAID LOT 3, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF AN AVENUE, 60 FEET WIDE, AS SHOWN ON SAID MAP;
THENCE SOUTH 42 DEGREE WEST, OF SAID SOUTHEASTERLY LINE OF SAID AVENUE, TO THE SOUTHWESTERLY LINE OF SAID TRACT VII;
THENCE SOUTH 45 DEGREE EAST, 57.50 CHAINS, OF SAID SOUTHWESTERLY LINE, TO THE MOST SOUTHERLY CORNER OF SAID LOT 3;
THENCE NORTH 41 DEGREE 50' EAST OF THE SOUTHEASTERLY LINE OF SAID LOTS 1 AND 2, 61.65 CHAINS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION IN THE RIGHT-OF-WAY OF SOBOWA SPRING ROAD, AS DESCRIBED IN DEED RECORDED IN BOOK 27 PAGE 155 AND IN BOOK 277 PAGE 149, RESPECTIVELY, BOTH DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ALSO EXCEPTING THEREFROM PARCELS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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ALSO EXCEPTING THEREFROM PARCEL 4020-122C, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SOBOBA ROAD (NOW SHOWN AS MAIN STREET), AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGE 57 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 3 OF JOSE A. ESTUDILLO'S SUBDIVISION OF TRACT VII IN RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER LINE INTERSECTION OF MAIN STREET AND SOBOBA ROAD, AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 49 DEGREES 59' 10" WEST ALONG SAID CENTER LINE OF MAIN STREET, A DISTANCE OF 1,149.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 40 DEGREES 00' 50" EAST, A DISTANCE OF 129.48 FEET; THENCE NORTH 51 DEGREES 54' 59" EAST, A DISTANCE OF 65.00 FEET; THENCE SOUTH 47 DEGREES 38' 27" EAST, A DISTANCE OF 71.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 47 DEGREES 38' 27" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 60 DEGREES 07' 17", A DISTANCE OF 174.20 FEET; THENCE TANGENT TO SAID CURVE SOUTH 77 DEGREES 30' 50" EAST, A DISTANCE OF 540.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 416.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38 DEGREES 29' 43", A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 508.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS NORTH 50 DEGREES 58' 53" EAST; THENCE SOUTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 51 DEGREES 30' 17", A DISTANCE OF 456.65 FEET; THENCE TANGENT TO SAID CURVE SOUTH 12 DEGREES 29' 10" WEST, A DISTANCE OF 144.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 508.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 37 DEGREES 16' 11", A DISTANCE OF 330.44 FEET; THENCE TANGENT TO SAID CURVE SOUTH 49 DEGREES 45' 21" WEST, A DISTANCE OF 512.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 453.00 FEET; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 99 DEGREES 31' 25", A DISTANCE OF 786.87 FEET;

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THENCE TANGENT TO SAID CURVE NORTH 30 DEGREES 43' 14" WEST, A DISTANCE OF 865.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 508.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20 DEGREES 04' 30" A DISTANCE OF 177.99 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 131.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS SOUTH 79 DEGREES 21' 16" WEST;
THENCE NORTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 29 DEGREES 08' 43", A DISTANCE OF 66.64 FEET;
THENCE NORTH 71 DEGREES 30' 01" WEST, A DISTANCE OF 113.40 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF PARCEL NO. 4020-122C, AS SHOWN ON THE AFORESAID RECORD OF SURVEY (SOUTHEASTERLY LINE OF THAT PORTION OF PARCEL NO. 4020-122C WHICH IS ADJACENT TO MAIN STREET);
THENCE NORTH 46 DEGREES 16' 14" EAST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 43.21 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY LINE;
THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 49 DEGREES 59' 10" EAST, A DISTANCE OF 370.16 FEET;
THENCE NORTH 40 DEGREES 00' 50" WEST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE AFORESAID CENTER LINE OF MAIN STREET;
THENCE NORTH 49 DEGREES 59' 10" EAST ALONG SAID CENTER LINE, A DISTANCE OF 340.35 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 10:

THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, AND OF LOT 1 OF HOT SPRINGS TRACT ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND THAT PORTION OF LOTS 1, 2, 3, 4 AND 5 OF JOSE ESTUDILLO'S SUBDIVISION OF A PORTION OF TRACT VII OF RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND OF TRACT VII OF THE PORTION OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BASE NO. 277 OF THE DISTRICT COURT OF THE COUNTY OF SAN DIEGO, BOUNDED AND DESCRIBED AS FOLLOWS BY METES AND BOUNDS:

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED TO J. HORBACK BY DEED ON FILE IN BOOK 305 PAGE 369 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA:

THENCE NORTH 47 DEGREES 56' EAST, 435 FEET;
THENCE NORTH 50 DEGREES 42' EAST, 543 FEET;
THENCE NORTH 84 DEGREES 01' EAST, 270 FEET;
THENCE NORTH 61 DEGREES 26' EAST, 178 FEET;

THENCE NORTH 42 DEGREES 16' EAST, 444 FEET TO THE EAST LINE OF RANCHO SAN JACINTO VIEJO;

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THENCE NORTH ON THE EAST LINE OF SAID RANCHO SAN JACINTO VIEJO, TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST;
 THENCE EAST OF THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30;
 THENCE NORTH ON THE EAST LINE OF GOVERNMENT LOT 1 TO THE NORTH LINE OF SECTION 30;
 THENCE WEST ON THE NORTH LINE OF SECTION 30 TO THE NORTHEAST LINE OF RANCHO SAN JACINTO VIEJO, SAID LINE ALSO BEING THE NORTHEAST LINE OF HOT SPRINGS TRACT;
 THENCE NORTHWEST ON SAID RANCHO LINE AND WEST ALONG A SOUTH LINE OF THE PROPERTY CONVEYED TO FRANCES P. NEVINS, ET UX, BY DEED RECORDED JUNE 14, 1968 AS INSTRUMENT NO. 55672 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TO THE COMMON CORNER OF SECTIONS 19 AND 30 IN TOWNSHIP 4, RANGE 1 EAST AND SECTIONS 24 AND 25 OF TOWNSHIP 4 SOUTH, RANGE 1 WEST;
 THENCE SOUTH ON THE EAST LINE OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 WEST, TO THE NORTH LINE OF LOT 6 OF TRACT 2372, AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
 THENCE NORTH 80 DEGREES 03' 33" EAST, TO AN ANGLE POINT ON SAID NORTH LINE OF SAID LOT 6;
 THENCE NORTH 72 DEGREES 45' 45" EAST, ON THE NORTH LINES OF LOTS 7 AND 8 OF SAID TRACT 2372;
 THENCE EAST, 220 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID TRACT;
 THENCE SOUTH 51 DEGREES 48' 00" EAST, 410 FEET ALONG THE NORTHEAST LINES OF LOTS 10, 11 AND 12 OF TRACT 2372;
 THENCE NORTH 51 DEGREES 45' 00" EAST, 108 FEET TO THE NORTH CORNER OF LOT 13 OF TRACT 2372;
 THENCE SOUTH 28 DEGREES 25' 49" EAST, 211.23 FEET,
 THENCE SOUTHEAST 60 FEET TO THE NORTH CORNER OF LOT 14 OF TRACT 2372;
 THENCE SOUTH 28 DEGREES 36' 37" EAST, 178.20 FEET;
 THENCE SOUTH 14 DEGREES 33' 56" WEST, 225 FEET TO THE EAST CORNER OF LOT 16 OF TRACT 2372;
 THENCE SOUTH 76 DEGREES 42' 00" WEST, 54.02 FEET TO A POINT ON THE NORTHEAST LINE OF THE PROPERTY AT JOHN ALTHOUSE, AS SHOWN ON RECORD OF SURVEY IN BOOK 6 PAGE 34 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
 THENCE SOUTH 27 DEGREES 23' EAST, 114.67 FEET;
 THENCE SOUTH 43 DEGREES 31' WEST, 130.75 FEET;
 THENCE SOUTH 75 DEGREES 02' WEST, 228.80 FEET;
 THENCE SOUTH 57 DEGREES 03' WEST, 278 FEET;
 THENCE SOUTH 43 DEGREES 12' WEST, 333.40 FEET;
 THENCE SOUTH 11 DEGREES 38' EAST, 750 FEET;
 THENCE SOUTH 58 DEGREES 51' WEST, 203.25 FEET;
 THENCE SOUTH 11 DEGREES 59' WEST, 195 FEET;
 THENCE SOUTH 61 DEGREES 30' WEST, 105.20 FEET;

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WHEN RECORDED MAIL TO
BROOKFIELD INC.
ATTN: DIANE JENTZSCH
IMPERIAL PROMENADE, SUITE 100
SANTA ANA, CA 92707

RECEIVED FOR RECORD
AT 6:00 O'CLOCK

JAN 14 1993

Notary Public
for the County of Riverside
[Signature]

MAIL TAX STATEMENTS TO
Same as above

Stewart Title

Space above this line for recorder's use

Title Order No. 427148 Trustee Sale No. F-31874 Reference No.

TRUSTEE'S DEED UPON SALE

A.P.N. NO. _____

The undersigned grantor declares:

- 1) The grantee herein was the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was..... \$1,679,854.04
- 3) The amount paid by the grantee at the trustee sale was..... \$1,679,854.04
- 4) The documentary transfer tax is..... \$0.00

5) Said property is in an unincorporated area and r. f. norman corporation dba Benefact & Company, a California Corporation (herein called Trustee), as the duly appointed Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without warranty, express or implied, to BROOKFIELD, INC.

(herein called Grantee), all of its right, title and interest in and to that certain property situated in the County of RIVERSIDE State of California, described as follows: EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

RECITALS:

This conveyance is made pursuant to the powers conferred upon Trustee by that certain Deed of Trust dated 06/11/85 and executed by SOBOEA ASSOCIATES, A LIMITED PARTNERSHIP

as Trustor, and recorded 06/11/85 as Instrument No. 125474 in book _____ page _____ of Official Records of RIVERSIDE County, California, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the office of the Recorder of said County.

All requirements of law regarding the mailing of copies of notices or the publication of a copy of the Notice of Default or the personal delivery of the copy of the Notice of Default and the posting and publication of copies of the Notice of a Sale have been complied with.

Said property was sold by said Trustee at public auction on 10/22/92 at the place named in the Notice of Sale, in the County of RIVERSIDE, California, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefore to said trustee the amount bid being \$1,679,854.04 in lawful money of the United States, or by the satisfaction, pro tanto, of the obligations then secured by said Deed of Trust.

Date: 10/26/92

r. f. norman corporation dba Benefact & Company as Trustee

x [Signature] x
LINDA CASTRILLON, TRUSTEE OFFICER

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____, a Notary Public in and for said county, personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Notary Public in and for said County and State

(CATRD001)

ALL-PURPOSE ACKNOWLEDGMENT

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NO 209

State of California
County of Orange

On 1-11-93 before me, Marsha K. Burns Notary Public
DATE NAME, TITLE OF OFFICER - E.G., JANE DOE, NOTARY PUBLIC

personally appeared Linda Castrillon
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.



Marsha K. Burns
SIGNATURE OF NOTARY

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL(S)
- CORPORATE OFFICER(S) _____ TITLE(S) _____
- PARTNER(S)
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- SUBSCRIBING WITNESS
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(ES)
R.F. Dorman
Corp. dba
Beneficial

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to unauthorized documents

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document Trustees Deed
Number of Pages 7 Date of Document 10-26-92
Signer(s) Other Than Named Above _____

Exhibit "A"

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T.S. No: F-31874

THE LAND REFERRED TO IN THIS GUARANTEE IS SITUATED IN THE STATE OF CALIFORNIA , COUNTY OF RIVERSIDE , AND IS DESCRIBED AS FOLLOWS:

PARCEL C:

THAT PORTION OF LOTS 1, 2 AND 3 OF HOT SPRINGS TRACT AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS, PAGE 5, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY BOUNDARY LINE OF SAID HOT SPRINGS TRACT WITH THE CENTER LINE OF SOBABA ROAD, AS SAID INTERSECTION IS SHOWN ON PARCEL MAP NO. 19805, ON FILE IN BOOK 123 OF PARCEL MAPS, PAGES 22 THROUGH 25, INCLUSIVE, SAID RIVERSIDE COUNTY RECORDS;

THENCE SOUTH 44 DEGREES 46' 47" WEST ALONG SAID NORTHWESTERLY BOUNDARY LINE OF HOT SPRINGS TRACT A DISTANCE OF 384.21 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 19805.

THENCE SOUTH 46 DEGREES 31' 38" EAST A DISTANCE OF 713.63 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL 2;

THENCE ALONG SAID BOUNDARY LINE OF PARCEL 2 THE FOLLOWING COURSES:

SOUTH 82 DEGREES 15' 51" EAST A DISTANCE OF 502.62 FEET; NORTH

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67 DEGREES 53' 54" EAST A DISTANCE OF 265.29 FEET; NORTH 3 DEGREES 19' 39" EAST A DISTANCE OF 261.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOBOBA ROAD;

THENCE NORTH 14 DEGREES 50' 16" EAST A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH SAID CENTER LINE OF SOBOBA ROAD, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1000.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 14 DEGREES 50' 16" EAST;

THENCE ALONG SAID CENTER LINE THE FOLLOWING COURSES:

NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 3 DEGREES 22' 26" A DISTANCE OF 58.89 FEET;

TANGENT TO SAID CURVE NORTH 78 DEGREES 32' 10" WEST A DISTANCE OF 328.16 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1200.00 FEET;

NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 27 DEGREES 42' 26" A DISTANCE OF 580.30 FEET;

TANGENT TO SAID CURVE NORTH 50 DEGREES 49' 44" WEST A DISTANCE OF 155.60 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID SOBOBA ROAD, 100 FEET WIDE.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO EASTERLY MUNICIPAL WATER DISTRICT BY DEED RECORDED MARCH 1, 1968 AS INSTRUMENT NO. 19156, OFFICIAL RECORDS OF SAID RIVERSIDE COUNTY.

PARCEL D:

THAT PORTION OF LOT 4 LYING SOUTH OF A LINE DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 4; THENCE NORTH 63 DEGREES 39' 42" EAST, 148.24 FEET; THENCE SOUTH 74 DEGREES 59' 43" EAST, 70.26 FEET TO THE EAST LINE OF LOT 4, ALL IN TRACT 2372, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT AN UNDIVIDED 1/2 INTEREST IN AND TO THE PRECIOUS AND SEMI-PRECIOUS STONES, MINERALS AND MINERAL RIGHTS, INCLUDING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND THE RIGHTS THERETO, OR TO REMOVE ANY THEREOF FROM SAID LAND, SAID EXCEPTION AND RESERVATION SHALL BE RESTRICTED TO DEPTHS BELOW 500.00 FEET OR MORE FROM THE SAID SURFACE, AS RESERVED IN DEED FROM JOHN C. HUNTER AND CLARA H. HUNTER, HUSBAND AND WIFE, AND HELEN M. MITCHELL TO SOBOBA HOT SPRINGS CORPORATION, A CORPORATION, RECORDED JULY 17, 1961 AS INSTRUMENT NO. 60529 OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL E:

THAT PORTION OF LOTS 1 AND 3 OF THE JOSE A. ESTUDILLO SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, DESIGNATED AS S. J. 35 ON ABOVE MENTIONED MAP, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THE INDIAN RESERVATION, IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN; THENCE NORTH 43 DEGREES 00' WEST, 20 CHAINS; THENCE NORTH 38 DEGREES 30' WEST, 7.50 CHAINS; THENCE NORTH 31 DEGREES 30' WEST, 11 CHAINS; THENCE NORTH 11 DEGREES 50' WEST, 17.11 CHAINS; THENCE NORTH 11 DEGREES 50' WEST, 4.46 CHAINS, MORE OR LESS, TO A POINT ON THE SAN BERNARDINO BASE AND MERIDIAN LINE, 151 FEET NORTH OF THE QUARTER SECTION BETWEEN SECTIONS 25 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN; THENCE NORTH 13 DEGREES 45' WEST, TO THE NORTHWESTERLY LINE OF SAID LOT 3, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF AN AVENUE 80 FEET WIDE, AS SHOWN ON SAID MAP; THENCE SOUTH 42 DEGREES WEST, ON SAID SOUTHEASTERLY LINE OF SAID AVENUE, TO THE SOUTHWESTERLY LINE OF SAID TRACT VII; THENCE SOUTH 45 DEGREES EAST, 56.40 CHAINS, ON SAID SOUTHWESTERLY LINE, TO THE MOST SOUTHERLY CORNER OF SAID LOT 3; THENCE NORTH 41 DEGREES 50' EAST, ON THE SOUTHEASTERLY LINE OF SAID LOTS 3 AND 1, 41.65 CHAINS, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION IN THE HIGHWAY KNOWN AS SOBOBA SPRINGS ROAD, AS DESCRIBED IN DEED RECORDED IN BOOK 263 PAGE 144 AND IN BOOK 276 PAGE 140, RESPECTIVELY, BOTH OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020122A, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGES 48 TO 62, INCLUSIVE, OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122C, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SOBOBA ROAD (NOW SHOWN AS MAIN STREET), AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGE 57 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 3 OF JOSE A. ESTUDILLO'S SUBDIVISION OF TRACT VII IN RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER LINE INTERSECTION OF MAIN STREET AND SOBOBA ROAD AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 49 DEGREES 59' 10" WEST ALONG SAID CENTER LINE OF MAIN STREET A DISTANCE OF 1,149.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 40 DEGREES 00' 50" EAST, A DISTANCE OF 329.48 FEET; THENCE NORTH 51 DEGREES 54' 59" EAST, A DISTANCE OF 65.00 FEET; THENCE SOUTH 47 DEGREES 38' 27" EAST, A DISTANCE OF 71.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 47 DEGREES 38' 27" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 60 DEGREES 07' 37", A DISTANCE OF 174.20 FEET; THENCE TANGENT TO SAID CURVE SOUTH 77 DEGREES 30' 50" EAST, A DISTANCE OF 540.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 416.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38 DEGREES 29' 43" A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND 29 DEGREES 43" A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 508.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS NORTH 50 DEGREES 58' 53" EAST; THENCE SOUTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 51 DEGREES 30' 17", A DISTANCE OF 456.65 FEET; THENCE TANGENT TO SAID CURVE SOUTH 12 DEGREES 29' 10" WEST, A DISTANCE OF 144.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 508.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 32 DEGREES 16' 11" A DISTANCE OF 330.44 FEET; THENCE TANGENT TO SAID CURVE SOUTH 49 DEGREES 45' 21" WEST, A DISTANCE OF 51.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 453.00 FEET; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 99 DEGREES 31' 25", A DISTANCE OF 786.87 FEET; THENCE TANGENT TO SAID CURVE NORTH 30 DEGREES 43' 14" WEST, A DISTANCE OF 865.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 508.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20 DEGREES 04' 30" A DISTANCE OF 177.99 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 131.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS SOUTH 79 DEGREES 21' 16" WEST; THENCE NORTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 29 DEGREES 08' 43", A DISTANCE OF THENCE NORTH 71 DEGREES 30' 01" WEST, A DISTANCE OF 113.40 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF PARCEL NO. 4020-122C, AS SHOWN ON THE AFORESAID RECORD OF SURVEY (SOUTHEASTERLY LINE OF THAT PORTION OF PARCEL NO. 4020-122C WHICH IS ADJACENT TO MAIN STREET); THENCE NORTH 46 DEGREES 16' 14" EAST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 43.21 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY LINE; THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 49 DEGREES 59' 10" EAST A DISTANCE OF 370.16 FEET

THENCE NORTH 40 DEGREES 00' 50" WEST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE AFORESAID CENTER LINE OF MAIN STREET; THENCE NORTH 49 DEGREES 59' 10" EAST ALONG SAID CENTER LINE, A DISTANCE OF 340.35 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL F:

THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, AND OF LOT 1 OF HOT SPRINGS TRACT ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND THAT PORTION OF LOTS 1, 2, 3, 4 AND 5 OF JOSE ESTUDILLO'S SUBDIVISION OF A PORTION OF TRACT VII OF RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND OF TRACT VII OF THE PARTITION OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BASE NO. 277 OF THE DISTRICT COURT OF THE COUNTY OF SAN DIEGO, BOUNDED AND DESCRIBED AS FOLLOWS BY METES AND BOUNDS:

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED TO J. HORBACK BY DEED RECORDED IN BOOK 305 PAGE 369 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE NORTH 47 DEGREES 56' EAST, 435 FEET; THENCE NORTH 50 DEGREES 42' EAST, 543 FEET; THENCE NORTH 84 DEGREES 01' EAST, 270 FEET; THENCE NORTH 61 DEGREES 26' EAST, 178 FEET; THENCE NORTH 42 DEGREES 16' EAST, 444 FEET TO THE EAST LINE OF RANCHO SAN JACINTO VIEJO; THENCE NORTH ON THE EAST LINE OF SAID RANCHO SAN JACINTO VIEJO, TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST; THENCE EAST OF THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE NORTH ON THE EAST LINE OF GOVERNMENT LOT 1 TO THE NORTH LINE OF SECTION 30; THENCE WEST ON THE NORTH LINE OF SECTION 30 TO THE NORTHEAST LINE OF RANCHO SAN JACINTO VIEJO, SAID LINE ALSO BEING THE NORTHEAST LINE OF HOT SPRINGS TRACT; THENCE CONTINUING WEST ALONG A SOUTH LINE OF THE PROPERTY CONVEYED TO FRANCIS P. NEVINS, ET UX, BY DEED RECORDED JUNE 14, 1968 AS INSTRUMENT NO. 55672 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TO THE COMMON CORNER OF SECTIONS 19 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST AND SECTIONS 24 AND 25 OF TOWNSHIP 4 SOUTH, RANGE 1 WEST; THENCE SOUTH ON THE EAST LINE OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 WEST, TO THE NORTH LINE OF LOT 6 OF TRACT 2372, AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE NORTH 80 DEGREES 03' 33" EAST, TO AN ANGLE POINT ON SAID NORTH LINE OF SAID LOT 6; THENCE NORTH 72 DEGREES 45' 45" EAST, ON THE NORTH LINES OF LOTS 7 AND 8 OF SAID TRACT 2372; THENCE EAST, 220 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID TRACT; THENCE SOUTH 51 DEGREES 48' 00" EAST, 410 FEET ALONG THE NORTHEAST LINES OF LOTS 10, 11 AND 12 OF TRACT 2372; THENCE NORTH 51 DEGREES 45' 00" EAST, 108 FEET TO THE NORTH CORNER OF LOT 13 OF TRACT 2372; THENCE SOUTH 28 DEGREES 25' 49" EAST, 211.23 FEET; THENCE SOUTHEAST 60 FEET TO THE NORTH CORNER OF LOT

14 OF TRACT 2372; THENCE SOUTH 28 DEGREES 16' 37" EAST, 178.20 FEET; THENCE SOUTH 14 DEGREES 33' 56" WEST, 275 FEET TO THE EAST CORNER OF LOT 16 OF TRACT 2372; THENCE SOUTH 76 DEGREES 42' 00" WEST, 54.02 FEET TO A POINT ON THE NORTHEAST LINE OF THE PROPERTY AT JOHN ALTHOUSE, SHOWN ON RECORD OF SURVEY IN BOOK 6 PAGE 34 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 27 DEGREES 23' EAST, 114.67 FEET; THENCE SOUTH 43 DEGREES 31' WEST, 130.75 FEET; THENCE SOUTH 75 DEGREES 02' WEST 228.80 FEET; THENCE SOUTH 57 DEGREES 03' WEST, 278 FEET; THENCE SOUTH 43 DEGREES 12' WEST, 333.40 FEET; THENCE SOUTH 11 DEGREES 38' EAST, 750 FEET; THENCE SOUTH 58 DEGREES 51' WEST, 203.25 FEET; THENCE SOUTH 11 DEGREES 59' WEST, 195 FEET; THENCE NORTH 61 DEGREES 30' WEST, 105.20 FEET; THENCE SOUTH 81 DEGREES 20' WEST, 277 FEET, MORE OR LESS, TO THE CENTER LINE OF A 60 FOOT COUNTRY ROAD, TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM ALL THAT PORTION INCLUDED IN SAID COUNTRY ROAD, AS SHOWN AS PARCEL 8 ON RECORD OF SURVEY ON FILE IN BOOK 52 PAGE 81 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM 1/2 INTEREST IN AND TO THE PRECIOUS AND SEMI-PRECIOUS STONES, MINERALS AND MINERAL RIGHTS INCLUDING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND THE RIGHT TO REMOVE ANY THEREOF, AS RESERVED IN DEED TO SOBORA HOT SPRINGS CORPORATION, RECORDED JULY 17, 1961 AS INSTRUMENT NO. 60529 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

SAID EXCEPTION SHALL BE RESTRICTED TO DEPTHS BELOW 500 FEET FROM THE SURFACE OF SAID LAND, EXCEPT FOR THE PORTION OF GOVERNMENT LOT 1 LYING EAST OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 1 THROUGH S. J. CORNER 36 TO THE NORTH LINE OF SECTION 30, WHERE SAID RESERVATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS TO PROSPECT, EXPLORE, MINE, DRILL, REMOVE ANY OF SAID MINERALS OR SUBSTANCES OR TO OTHERWISE DEVELOP SAID RIGHTS;

ALSO EXCEPTING THEREFROM THOSE PORTIONS AS DESCRIBED IN THE DEEDS TO EASTERN MUNICIPAL WATER DISTRICT RECORDED DECEMBER 14, 1967 AS INSTRUMENT NO. 110306 AND FEBRUARY 5, 1971 AS INSTRUMENT NO. 11843 AND JUNE 10, 1971 AS INSTRUMENT NO. 62375 ALL OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

Order No. _____
Escrow No. _____
Loan No. _____
Recording Requested By
American Title Insurance Company

SURVEYORS
M... ..

222644
RECEIVED FOR RECORD
AT 8:00 O'CLOCK

WHEN RECORDED MAIL TO:

James R. Ciernia
153 Country Club Drive
San Luis Obispo, CA 93401

PAID
Doc. Transfer Tax
FRANK K. JOHNSON
Riv. Co. Recorder

JUL 11 1995
Recorder
Fee \$ 27

DOCUMENTARY TRANSFER TAX \$ 715.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

* Computed on the consideration or value of property conveyed. OR
Computed on the consideration of value less liens or encumbrances
remaining at time of sale.

The undersigned
Signature of Declarant or Agent determining tax - Firm Name

SEE ATTACHED LIST OF APNs
AND TRAs

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
BROOKFIELD INC., a California corporation

hereby GRANT(S) to **JAMES R. CIERNIA and MARY E. CIERNIA, Co-Trustees of the
Ciernia Revocable Trust**

the real property in the City of **San Jacinto**
County of **Riverside**, State of California, described as

See Legal Description attached hereto and incorporated herein by this reference.

SUBJECT TO, all rights, interests, easements, covenants, conditions and restrictions
of record.

Dated July 6, 1995

BROOKFIELD, INC., a California corporation

STATE OF CALIFORNIA }
COUNTY OF ORANGE } ss

By: [Signature]
VP Finance

On July 6, 1995 before me,
Jeanne L. Rackliffe, Notary Public
personally appeared Daniel T. Gray and
Timothy D. England

By: [Signature]
VP Controller

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies) and that by his/her/their signa-
ture(s) on the instrument the person(s) or the entity upon behalf of which
the person(s) acted, executed the instrument

WITNESS my hand and official seal
Signature Jeanne L. Rackliffe



(This area for official notarial seal)

MAIL TAX STATEMENTS TO:

James R. Ciernia
153 Country Club Drive
San Luis Obispo, CA 93401

WHEN RECORDED MAIL TO:

W. W. SHEPHERD
GENERAL PARTNER
SHEPHERD MANAGEMENT SERVICES
3500 SHEPHERD STREET
WHITTIER, CA 90601

306223

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

SEP 18 1995

Recorded in Official Records
of Riverside County, California
Recorder
9

TRUSTEE'S DEED

David G. Jimenez, as Trustee under the Deed of Trust described below, grants without warranty to Shepherd Management Services, a California Limited Partnership, all that real property situated in the City of San Jacinto, County of Riverside, California, described as follows:

"Those Portions of Parcels 1 and 2 of Parcel Map 19805, as shown by map on file in Book 123, Pages 22 through 25, inclusive of Parcel Maps, Records of Riverside County, California, lying easterly and southerly of a line described as follows:

Beginning at the southwesterly corner of said Parcel 1;
Thence North 34° 06' 54" West, 625.58 Feet;
Thence North 9° 42' 03" West, 501.82 Feet;
Thence North 14° 28' 46" West, 437.32 Feet;
Thence North 26° 20' 47" West, 510.16 Feet;
Thence South 86° 35' 25" East, 371.92 Feet;
Thence North 83° 12' 23" East, 792.55 Feet to the Northeasterly corner of said Parcel 1."
(See, attached Exhibit "A")

This conveyance is made pursuant to the powers conferred on grantor by the Deed of Trust dated March 23, 1990, recorded on March 28, 1990, as Instrument No. 110594, Official Records of Riverside County, California, executed by Soboba Associates, a California Partnership as Trustor in which Shepherd Management Services is named as Beneficiary and later assumed by Lake Park Ventures, a joint venture; and after fulfillment of the conditions specified in the Deed of Trust authorizing this conveyance, as follows:

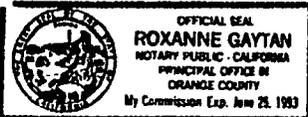
1. A default occurred in the obligations for which the above Deed of Trust was given as security, and a Notice of Default was recorded in the Office of the County Recorder for each County in which the property described in the Deed of Trust is situated. The default, which still existed at the time of sale, consisted of the unpaid balance due on the Note Secured By A Deed Of Trust, dated March 3, 1990, and subject to the Stipulation and Order Regarding Forbearance and Relief From Stay, dated December 10, 1991, and filed February 13, 1992 with the United States Bankruptcy Court for the Central District of California.
2. The Beneficiary made due demand on the Trustee to sell the property pursuant to the terms of the Deed of Trust

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5103

State of CALIFORNIA
County of ORANGE
On June 18, 1993 before me, ROXANNE GAYTAN
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"
personally appeared DAVID G. JIMENEZ
NUMBER OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal

Roxanne Gaytan
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S)
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT: TITLE OR TYPE OF DOCUMENT TRUSTEE'S DEED

NUMBER OF PAGES 1 DATE OF DOCUMENT June 18, 1993

Though the data requested here is not required by law.



Exhibit A

LEGAL DESCRIPTION

PARCEL 1 (VILLAGE 2):

THAT CERTAIN REAL PROPERTY SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF SAN JACINTO AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 1 AND 3 OF THE JOSE A. ESTUDILLO SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, DESIGNATED AS S.J. 35 ON ABOVE MENTIONED MAP, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THE INDIAN RESERVATION, IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;
THENCE NORTH 43° 00' WEST, 20 CHAINS;
THENCE NORTH 38° 30' WEST, 7.50 CHAINS;
THENCE NORTH 31° 30' WEST, 11 CHAINS;
THENCE NORTH 11° 50' WEST, 17.11 CHAINS;
THENCE NORTH 11° 50' WEST, 4.46 CHAINS, MORE OR LESS, TO A POINT ON THE SAN BERNARDINO BASE AND MERIDIAN LINE, 151 FEET NORTH OF THE QUARTER SECTION BETWEEN SECTIONS 25 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;
THENCE NORTH 13° 45' WEST TO THE NORTHWESTERLY LINE OF SAID LOT 3, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF AN AVENUE, 80 FEET WIDE, AS SHOWN ON SAID MAP;
THENCE SOUTH 42° WEST, ON SAID SOUTHEASTERLY LINE OF SAID AVENUE, TO THE SOUTHWESTERLY LINE OF SAID TRACT VII;
THENCE SOUTH 45° EAST, 56.40 CHAINS, ON SAID SOUTHWESTERLY LINE, TO THE MOST SOUTHERLY CORNER OF SAID LOT 3;
THENCE NORTH 41° 50' EAST ON THE SOUTHEASTERLY LINE OF SAID LOTS 3 AND 1, 41.65 CHAINS, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION IN THE HIGHWAY KNOWN AS SOBORA SPRINGS ROAD, AS DESCRIBED IN DEED RECORDED IN BOOK 263 PAGE 144 AND IN BOOK 276 PAGE 140, RESPECTIVELY, BOTH OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122A, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGES 48 THROUGH 62, INCLUSIVE OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122C, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SOBORA ROAD (NOW SHOWN AS MAIN STREET), AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGE 57 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 3 OF JOSE A. ESTUDILLO'S SUBDIVISION OF TRACT VII IN RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER LINE INTERSECTION OF MAIN STREET AND SOBORA ROAD, AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 49° 59' 10" WEST ALONG SAID CENTER LINE OF MAIN STREET, A DISTANCE OF 1,149.15 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 40° 00' 50" EAST, A DISTANCE OF 329.48 FEET;

THENCE NORTH 51° 54' 59" EAST, A DISTANCE OF 65.00 FEET;

THENCE SOUTH 47° 38' 27" EAST, A DISTANCE OF 71.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 47° 38' 27" WEST;

THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 60° 07' 37", A DISTANCE OF 174.20 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 77° 30' 50" EAST, A DISTANCE OF 540.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 416.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38° 29' 43", A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 508.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS NORTH 50° 58' 53" EAST;

THENCE SOUTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 51° 30' 17", A DISTANCE OF 456.65 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 12° 29' 10" WEST, A DISTANCE OF 144.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 508.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 37° 16' 11", A DISTANCE OF 330.44 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 49° 45' 21" WEST, A DISTANCE OF 512.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 453.00 FEET;

THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 99° 31' 25", A DISTANCE OF 786.87 FEET;

THENCE TANGENT TO SAID CURVE NORTH 30° 43' 14" WEST, A DISTANCE OF 865.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 508.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 04' 30" A DISTANCE OF 177.99 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 131.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS SOUTH 79° 21' 16" WEST;
THENCE NORTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 29° 08' 43", A DISTANCE OF 66.64 FEET;
THENCE NORTH 71° 30' 01" WEST, A DISTANCE OF 113.40 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF PARCEL NO. 4020-122C, AS SHOWN ON THE AFORESAID RECORD OF SURVEY (SOUTHEASTERLY LINE OF THAT PORTION OF PARCEL NO. 4020-122C WHICH IS ADJACENT TO MAIN STREET);
THENCE NORTH 46° 16' 14" EAST ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 43.21 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY LINE;
THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 49° 59' 10" EAST, A DISTANCE OF 370.16 FEET;
THENCE NORTH 40° 00' 50" WEST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH THE AFORESAID CENTER LINE OF MAIN STREET;
THENCE NORTH 49° 59' 10" EAST ALONG SAID CENTER LINE, A DISTANCE OF 340.35 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2 (VILLAGE 5):

THAT CERTAIN REAL PROPERTY SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF SAN JACINTO AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOTS 1, 2 AND 3 OF HOT SPRINGS TRACT, AS SHOWN BY MAP ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY BOUNDARY LINE OF SAID HOT SPRINGS TRACT WITH THE CENTER LINE OF SOBOBA ROAD, AS SAID INTERSECTION IS SHOWN, ON PARCEL MAP NO. 19805, ON FILE IN BOOK 123 PAGES 22 THROUGH 25, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 44 DEGREES 46' 47" WEST, ALONG SAID NORTHWESTERLY BOUNDARY LINE OF HOT SPRINGS TRACT, A DISTANCE OF 384.21 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 2 OF SAID PARCEL MAP NO. 19805; THENCE SOUTH 46 DEGREES 31' 38" EAST, A DISTANCE OF 713.68 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL 2;

THENCE ALONG SAID BOUNDARY LINE OF PARCEL 2 OF THE FOLLOWING COURSES:

SOUTH 82 DEGREES 15' 51" EAST, A DISTANCE OF 502.62 FEET;
NORTH 67 DEGREES 53' 54" EAST, A DISTANCE OF 265.29 FEET;
NORTH 3 DEGREES 19' 39", A DISTANCE OF 261.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SOBOBA ROAD;

THENCE NORTH 14 DEGREES 50' 16" EAST, A DISTANCE OF 50.00 FEET TO AN INTERSECTION WITH SAID CENTER LINE OF SOBOBA ROAD, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1000.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 14 DEGREES 50' 16" EAST;

THENCE ALONG SAID CENTER LINE THE FOLLOWING COURSES:
NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 3 DEGREES 22' 26", A DISTANCE OF 58.89 FEET; TANGENT TO SAID CURVE NORTH 78 DEGREES 32' 10" WEST, A DISTANCE OF 328.16 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1200.00 FEET; NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 27 DEGREES 42' 26", A DISTANCE OF 580.30 FEET; TANGENT TO SAID CURVE NORTH 50 DEGREES 49' 44" WEST, A DISTANCE OF 155.60 TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SOBOBA ROAD, 100 FEET WIDE;

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO EASTERN MUNICIPAL WATER DISTRICT, BY DEED RECORDED MARCH 1, 1968 AS INSTRUMENT NO. 19156 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL 3 (VILLAGE 6):

THAT CERTAIN REAL PROPERTY SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF SAN JACINTO AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN, AND OF LOT 1 OF HOT SPRINGS TRACT ON FILE IN BOOK 8 PAGE 5 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND THAT PORTION OF LOTS 1, 2, 3, 4 AND 5 OF JOSE ESTUDILLO'S SUBDIVISION OF A PORTION OF TRACT VII OF RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND OF TRACT VII OF THE PORTION OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BASE NO. 277 OF THE DISTRICT COURT OF THE COUNTY OF SAN DIEGO, BOUNDED AND DESCRIBED AS FOLLOWS BY METES AND BOUNDS;

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED TO J. HORBACK BY DEED ON FILE IN BOOK 305 PAGE 369 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE NORTH 47 DEGREES 56' EAST, 435 FEET;
THENCE NORTH 50 DEGREES 42' EAST, 543 FEET;
THENCE NORTH 84 DEGREES 01' EAST, 270 FEET;
THENCE NORTH 61 DEGREES 26' EAST, 178 FEET;
THENCE NORTH 42 DEGREES 16' EAST, 444 FEET TO THE EAST LINE OF RANCHO SAN JACINTO VIEJO;
THENCE NORTH ON THE EAST LINE OF SAID RANCHO SAN JACINTO VIEJO, TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 1 EAST;
THENCE EAST OF THE SOUTH LINE OF SAID GOVERNMENT LOT 1 TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30;
THENCE NORTH ON THE EAST LINE OF GOVERNMENT LOT 1 TO THE NORTH LINE OF SECTION 30;
THENCE WEST ON THE NORTH LINE OF SECTION 30 TO THE NORTHEAST LINE OF RANCHO SAN JACINTO VIEJO, SAID LINE ALSO BEING THE NORTHEAST LINE OF HOT SPRINGS TRACT;

THENCE NORTHWEST ON SAID RANCHO LINE AND WEST ALONG A SOUTH LINE OF THE PROPERTY CONVEYED TO FRANCES P. NEVINS, ET UX, BY DEED RECORDED JUNE 14, 1968 AS INSTRUMENT NO. 55672 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TO THE COMMON CORNER OF SECTIONS 19 AND 30 IN TOWNSHIP 4, RANGE 1 EAST AND SECTIONS 24 AND 25 OF TOWNSHIP 4 SOUTH, RANGE 1 WEST;
THENCE SOUTH ON THE EAST LINE OF SECTION 25, TOWNSHIP 4 SOUTH, RANGE 1 WEST, TO THE NORTH LINE OF LOT 6 OF TRACT 2372, AS SHOWN BY MAP ON FILE IN BOOK 49 PAGES 25 AND 26 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE NORTH 80 DEGREES 03' 33" EAST, TO AN ANGLE POINT ON SAID NORTH LINE OF SAID LOT 6;
THENCE NORTH 72 DEGREES 45' 45" EAST, ON THE NORTH LINES OF LOTS 7 AND 8 OF SAID TRACT 2372;

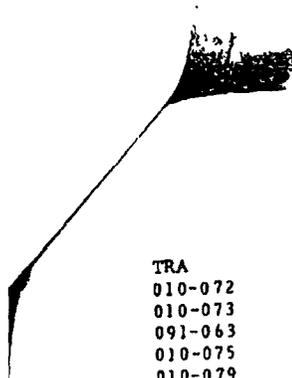
THENCE EAST, 220 FEET TO THE NORTHEAST CORNER OF LOT 9 IN SAID TRACT;
THENCE SOUTH 51 DEGREES 48' 00" EAST, 410 FEET ALONG THE NORTHEAST LINES OF LOTS 10, 11 AND 12 OF TRACT 2372;
THENCE NORTH 51 DEGREES 45' 00" EAST, 108 FEET TO THE NORTH CORNER OF LOT 13 OF TRACT 2372;
THENCE SOUTH 28 DEGREES 25' 49" EAST, 211.23 FEET;
THENCE SOUTHEAST 60 FEET TO THE NORTH CORNER OF LOT 14 OF TRACT 2372;
THENCE SOUTH 28 DEGREES 36' 37" EAST, 178.20 FEET;
THENCE SOUTH 14 DEGREES 33' 56" WEST, 225 FEET TO THE EAST CORNER OF LOT 16 OF TRACT 2372;
THENCE SOUTH 76 DEGREES 42' 00" WEST, 54.02 FEET TO A POINT ON THE NORTHEAST LINE OF THE PROPERTY AT JOHN ALTHOUSE, AS SHOWN ON RECORD OF SURVEY IN BOOK 6 PAGE 34 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;
THENCE SOUTH 27 DEGREES 23' EAST, 114.67 FEET;
THENCE SOUTH 43 DEGREES 31' WEST, 130.75 FEET;
THENCE SOUTH 75 DEGREES 02' WEST, 228.80 FEET;
THENCE SOUTH 57 DEGREES 03' WEST, 278 FEET;
THENCE SOUTH 43 DEGREES 12' WEST, 333.40 FEET;
THENCE SOUTH 11 DEGREES 38' EAST, 750 FEET;
THENCE SOUTH 58 DEGREES 51' WEST, 203.25 FEET;
THENCE SOUTH 11 DEGREES 59' WEST, 195 FEET;
THENCE SOUTH 61 DEGREES 30' WEST, 105.20 FEET;
THENCE SOUTH 81 DEGREES 20' WEST, 277 FEET, MORE OR LESS, TO THE CENTER LINE OF A 60 FOOT COUNTRY ROAD;
THENCE SOUTHERLY ALONG SAID CENTER LINE TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM ALL THAT PORTION INCLUDED IN SAID COUNTRY ROAD, AS SHOWN AS PARCEL 8 ON RECORD OF SURVEY ON FILE IN BOOK 52 PAGE 81 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM 1/2 INTEREST IN AND TO THE PRECIOUS AND SEMI-PRECIOUS STONES, MINERALS AND MINERAL RIGHTS INCLUDING, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AND THE RIGHT TO REMOVE ANY THEREOF, AS RESERVED IN DEED TO SOBOBA HOT SPRINGS CORPORATION, RECORDED JULY 17, 1961 AS INSTRUMENT NO. 60529 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

SAID EXCEPTION SHALL BE RESTRICTED TO DEPTHS BELOW 500 FEET FROM THE SURFACE OF SAID LAND, EXCEPT FOR THE PORTION OF GOVERNMENT LOT 1 LYING EAST OF A LINE DRAWN FROM THE SOUTHWEST CORNER OF LOT 1 THROUGH S. J. CORNER 36 TO THE NORTH LINE OF SECTION 30 WHERE SAID RESERVATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS TO PROSPECT, EXPLORE, MINE, DRILL, REMOVE ANY OF SAID MINERALS OR SUBSTANCES OR TO OTHERWISE DEVELOP SAID RIGHTS;

ALSO EXCEPTING THEREFROM THOSE PORTIONS AS DESCRIBED IN THE DEEDS TO EASTERN MUNICIPAL WATER DISTRICT RECORDED DECEMBER 14, 1967 AS INSTRUMENT NO. 110306 AND FEBRUARY 5, 1971 AS INSTRUMENT NO. 11843 AND JUNE 10, 1971 AS INSTRUMENT NO. 62375 ALL OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.



TRA
010-072
010-073
091-063
010-075
010-079
010-080

ASSESSORS PARCEL NUMBERS:

433-140-020
433-140-024
433-140-026
547-120-002
547-120-003
547-100-011
547-110-048
547-110-045
433-100-002
433-100-013
433-100-014

WHEN RECORDED MAIL TO:

W. W. SHEPHERD
GENERAL PARTNER
SHEPHERD MANAGEMENT SERVICES
3500 SHEPHERD STREET
WHITTIER, CA 90601

306223

RECEIVED FOR RECORD
AT 8:00 O'CLOCK

SEP 18 1995

Recorded in Official Records
of Riverside County, California
Recorder
9/18/95

TRUSTEE'S DEED

David G. Jimenez, as Trustee under the Deed of Trust described below, grants without warranty to Shepherd Management Services, a California Limited Partnership, all that real property situated in the City of San Jacinto, County of Riverside, California, described as follows:

"Those Portions of Parcels 1 and 2 of Parcel Map 19805, as shown by map on file in Book 123, Pages 22 through 25, inclusive of Parcel Maps, Records of Riverside County, California, lying easterly and southerly of a line described as follows:

Beginning at the southwesterly corner of said Parcel 1;
Thence North 34° 06' 54" West, 625.58 Feet;
Thence North 9° 42' 03" West, 501.82 Feet;
Thence North 14° 28' 46" West, 437.32 Feet;
Thence North 26° 20' 47" West, 510.16 Feet;
Thence South 86° 35' 25" East, 371.92 Feet;
Thence North 83° 12' 23" East, 792.55 Feet to the Northeasterly corner of said Parcel 1."
(See, attached Exhibit "A")

This conveyance is made pursuant to the powers conferred on grantor by the Deed of Trust dated March 23, 1990, recorded on March 28, 1990, as Instrument No. 110594, Official Records of Riverside County, California, executed by Soboba Associates, a California Partnership as Trustor in which Shepherd Management Services is named as Beneficiary and later assumed by Lake Park Ventures, a joint venture; and after fulfillment of the conditions specified in the Deed of Trust authorizing this conveyance, as follows:

1. A default occurred in the obligations for which the above Deed of Trust was given as security, and a Notice of Default was recorded in the Office of the County Recorder for each County in which the property described in the Deed of Trust is situated. The default, which still existed at the time of sale, consisted of the unpaid balance due on the Note Secured By A Deed Of Trust, dated March 3, 1990, and subject to the Stipulation and Order Regarding Forbearance and Relief From Stay, dated December 10, 1991, and filed February 13, 1992 with the United States Bankruptcy Court for the Central District of California.
2. The Beneficiary made due demand on the Trustee to sell the property pursuant to the terms of the Deed of Trust.
3. Not less than three months elapsed between the recordation of the Notice of Default and the posting, first publication, and recordation of the Notice of Sale of the property.
4. The Trustee gave notice of the time and place of sale of the property in accordance with law and the terms of the Deed of Trust.
5. Copies of the Notice of Default and of the Notice of Sale were mailed in accordance with all requirements of law.
6. Grantor, as Trustee, sold the property at public auction on June 18, 1993, in Riverside County, California, the county in which the property is situated, in full accordance with the law and the terms of the Deed of Trust. The grantee described above, being the highest bidder at the sale, became the purchaser and paid valid consideration to the Trustee.

Dated: June 18, 1993


David G. Jimenez, Trustee
4 Hutton Centre, Suite 200
Santa Ana, CA 92707-0007
(714) 433-7464

039536

RECORDING REQUESTED BY
CHICAGO TITLE COMPANY
AND WHEN RECORDED MAIL TO

SURVEYORS
Monument Fund
\$10.00

RECEIVED FOR RECORD
AT 2:00 O'CLOCK

FEB -1 1996

Name
SOBOBA SPRINGS ROYAL VISTA G. INC.
Street
675 Queen St. #200
Address
Honolulu, Hawaii
Attn: Mr. Eugene Shigemoto
City & State

PAID
Doc. Transfer Tax
FRANK K. JOHNSON
Rev. Co. Recorder

Recorded in Official Register
of Records, Deeds, Conveyances
Recorder
Page 8

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRA No. 010-080

APNS: 433-110-013-6, 433-140-031-5,
433-120-031-3, 433-140-022-7,
433-100-015-7, 433-140-041-4

Grant Deed

The undersigned Grantor(s) declare(s) under penalty of perjury that the following is true and correct:
Documentary transfer tax is see separate affidavit

- computed on full value of property conveyed, or
- computed on full value less value of liens and encumbrances remaining at time of sale.
- Unincorporated area: City of SAN JACINTO, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

NITTO AMERICA CO., LTD., a California corporation

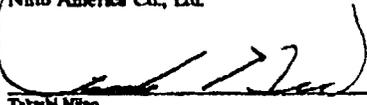
hereby GRANT(S) to SOBOBA SPRINGS ROYAL VISTA GOLF COURSES, INC., a Hawaii corporation

the following described real property in the City of San Jacinto, County of Riverside,
State of California:

See Exhibit "A"

Nitto America Co., Ltd.

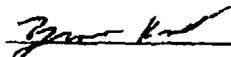
Dated February 2, 1996

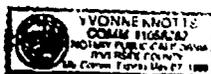

Takashi Niino
Its President

State of California)
) ss
County of ~~RIVERSIDE~~)
San Bernardino)

On this the 1st day of February, 19 96, before me, the undersigned Notary Public, personally appeared Takashi Niino, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that he executed it in his authorized capacity, and that by his signature on the instrument, the person or the entity on behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.


Notary's signature



(This area for official notarial seal)

Title Order No. _____ Escrow, Loan or Attorney File No. _____

FILED
COUNTY CLERK
RIVERSIDE, CALIF.
APR 11 1996

EXHIBIT A

PARCEL 1:

PARCELS 1, 2 AND 3 OF PARCEL MAP 19805, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 123, PAGES 22 THROUGH 25 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF LOTS 1, 2 AND 3 OF HOT SPRINGS TRACT AS SHOWN BY MAP ON FILE IN BOOK 8, PAGE 5 OF MAPS, SAID RIVERSIDE COUNTY, CALIFORNIA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF SOBORA ROAD, 100.00 FEET WIDE, AND TOGETHER WITH THAT PORTION OF LOTS 3, 4, 5 AND 6 OF THE JOSE A. ESTUDILLO SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO AS SHOWN BY MAP ON FILE IN BOOK 6, PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, AND PORTIONS OF THE VACATED STREETS, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF SAID SOBORA ROAD, AS SAID PORTIONS OF HOT SPRINGS TRACT AND JOSE A. ESTUDILLO SUBDIVISION AS SHOWN ON MAP OF SAID PARCEL MAP NO. 19805.

EXCEPT THAT PORTION OF SAID PARCELS 1 AND 2 LYING EASTERLY AND SOUTHERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL 1;
THENCE NORTH 34° 06' 54" WEST 626.58 FEET;
THENCE NORTH 09° 42' 03" WEST 501.82 FEET;
THENCE NORTH 14° 28' 46" WEST 437.72 FEET;
THENCE NORTH 26° 20' 47" WEST 510.16 FEET;
THENCE SOUTH 86° 35' 25" EAST 371.92 FEET;
THENCE NORTH 83° 12' 23" EAST 792.55 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL 1.

ALSO EXCEPT THAT PORTION OF SAID PARCELS 2 AND 3 LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL 3;
THENCE NORTH 41° 52' 18" EAST ON THE NORTHERLY LINE OF SAID PARCEL 3, AND ITS PROLONGATION, 712.65 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 16° 42' 14" EAST 25.12 FEET;
THENCE SOUTH 15° 25' 16" WEST 572.24 FEET;
THENCE SOUTH 17° 28' 52" EAST 212.79 FEET;
THENCE SOUTH 21° 13' 53" EAST 215.19 FEET;
THENCE SOUTH 21° 25' 27" EAST 210.69 FEET;
THENCE SOUTH 28° 03' 31" EAST 187.00 FEET;
THENCE NORTH 14° 15' 16" EAST 33.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 160.00 FEET, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 30° 13' 49" WEST;
THENCE SOUTHEASTERLY ON SAID CURVE THROUGH AN ANGLE OF 80° 12' 59" 224.01 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 40° 00' 50" EAST 19.34 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID PARCEL 2, AND SAID LINE THERE TERMINATING.

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 1 OF SAID PARCEL MAP NO. 19805, SAID CORNER BEING ALSO A POINT ON THE WESTERLY LINE OF WAY LINE OF SOBORA ROAD, 100.00 FEET WIDE;

TRENCE NORTH 12° 18' 57" WEST ON SAID WESTERLY RIGHT OF WAY LINE 532.75 FEET TO
 THE TRUE POINT OF BEGINNING;
 TRENCE SOUTH 77° 41' 03" WEST 100.16 FEET TO THE BEGINNING OF A NON-TANGENT
 CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 60.00 FEET, RADIAL LINE TO SAID
 BEGINNING BEARS NORTH 73° 31' 23" EAST;
 TRENCE SOUTHERLY ON SAID CURVE THROUGH AN ANGLE OF 51° 42' 49" 54.15 FEET;
 TRENCE SOUTH 51° 20' 39" EAST 28.93 FEET;
 TRENCE SOUTH 04° 22' 16" EAST 73.86 FEET;
 TRENCE SOUTH 41° 52' 18" WEST 32.18 FEET;
 TRENCE SOUTH 83° 41' 40" WEST 107.78 FEET;
 TRENCE NORTH 88° 57' 35" WEST 45.36 FEET;
 TRENCE NORTH 88° 36' 50" WEST 48.41 FEET;
 TRENCE NORTH 34° 34' 50" WEST 43.75 FEET;
 TRENCE NORTH 84° 02' 59" WEST 566.64 FEET;
 TRENCE NORTH 30° 06' 11" WEST 107.84 FEET;
 TRENCE NORTH 21° 46' 31" WEST 252.93 FEET;
 TRENCE NORTH 14° 02' 58" WEST 172.97 FEET;
 TRENCE NORTH 07° 00' 02" WEST 428.12 FEET;
 TRENCE NORTH 13° 02' 49" EAST 67.65 FEET;
 TRENCE NORTH 48° 43' 11" EAST 63.22 FEET;
 TRENCE NORTH 78° 07' 26" EAST 153.05 FEET;
 TRENCE NORTH 11° 52' 34" WEST 50.00 FEET;
 TRENCE NORTH 66° 55' 17" EAST 44.55 FEET;
 TRENCE NORTH 55° 17' 24" EAST 25.00 FEET;
 TRENCE NORTH 52° 17' 37" EAST 39.71 FEET;
 TRENCE NORTH 48° 44' 15" EAST 39.33 FEET;
 TRENCE NORTH 48° 35' 52" EAST 81.72 FEET;
 TRENCE NORTH 51° 01' 00" EAST 53.49 FEET TO THE BEGINNING OF A NON-TANGENT
 CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 47.00 FEET, A RADIAL LINE
 TO SAID BEGINNING BEARS NORTH 89° 04' 52" WEST;
 TRENCE NORTHEASTERLY ON SAID CURVE THROUGH AN ANGLE OF 90° 03' 45" 73.88 FEET;
 TRENCE NORTH 00° 58' 53" EAST 20.06 FEET;
 TRENCE NORTH 56° 37' 33" EAST 117.66 FEET TO AN INTERSECTION WITH THE AFORESAID
 WESTERLY RIGHT OF WAY LINE OF SOBORA ROAD, SAID INTERSECTION BEING ALSO A
 POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 950.00 FEET, A
 RADIAL LINE TO SAID POINT BEARS NORTH 53° 24' 10" EAST;
 TRENCE ON SAID WESTERLY RIGHT OF WAY LINE OF SOBORA ROAD THE FOLLOWING
 COURSES:

SOUTHEASTERLY ON SAID CURVE THROUGH AN ANGLE OF 03° 13' 23" 53.44 FEET;

TANGENT TO SAID CURVE SOUTH 33° 22' 27" EAST 533.59 FEET TO THE BEGINNING OF A
TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,150.00 FEET;

SOUTHEASTERLY ON SAID CURVE THROUGH AN ANGLE OF 21° 03' 30" 422.67 FEET;

TANGENT TO SAID CURVE SOUTH 12° 18' 57" EAST 418.24 FEET TO THE TRUE POINT OF
BEGINNING.

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY BOUNDARY LINE OF SAID HOT
 SPRINGS TRACT WITH THE CENTERLINE OF SOBORA ROAD, AS SAID INTERSECTION IS
 SHOWN ON SAID PARCEL MAP NO. 19805;
 TRENCE SOUTH 44° 46' 47" WEST ON SAID NORTHWESTERLY BOUNDARY LINE OF HOT
 SPRINGS TRACT 354.21 FEET TO THE MOST NORTHERLY CORNER OF PARCEL 2 OF SAID
 PARCEL MAP NO. 19805;

THENCE SOUTH 46° 31' 38" EAST 713.63 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL 2;
THENCE ON SAID BOUNDARY LINE OF PARCEL 2 THE FOLLOWING COURSES:

SOUTH 82° 15' 51" EAST 502.62 FEET;
NORTH 67° 53' 54" EAST 265.29 FEET;
NORTH 03° 19' 39" EAST 261.00 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID SOBABA ROAD;
THENCE NORTH 14° 50' 16" EAST 50.00 FEET TO AN INTERSECTION WITH SAID CENTERLINE OF SOBABA ROAD, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1,000.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 14° 50' 16" EAST;
THENCE ON SAID CENTERLINE THE FOLLOWING COURSES;

NORTHWESTERLY ON SAID CURVE THROUGH AN ANGLE OF 03° 22' 26" 58.89 FEET;
TANGENT TO SAID CURVE NORTH 78° 32' 10" WEST 328.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1,200.00 FEET;
NORTHWESTERLY ON SAID CURVE THROUGH AN ANGLE OF 27° 42' 26" 580.30 FEET;
TANGENT TO SAID CURVE NORTH 50° 49' 44" WEST 155.60 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS FOR WELL SITE TO INCLUDE ACCESS FOR REPAIRS, MAINTENANCE ETC. AS CREATED IN THE DEED RECORDED APRIL 1, 1988 AS INSTRUMENT NO. 86349 OFFICIAL RECORDS, ACROSS THE FOLLOWING:

THAT PORTION OF LOT 1 OF TRACT NO. 21943 AS SHOWN BY MAP ON FILE IN BOOK 239, PAGES 90 THROUGH 94, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY DESCRIBED AS FOLLOWS:

THAT PORTION OF PARCELS 2 AND 3 OF PARCEL MAP NO. 19805 AS SHOWN BY MAP ON FILE IN BOOK 123 OF PARCEL MAPS, PAGES 22 THROUGH 25, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING ALSO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL MAP NO. 19805;
THENCE NORTH 59° 46' 11" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 250.89 FEET TO AN ANGLE POINT IN SAID BOUNDARY LINE;
THENCE NORTH 71° 47' 32" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 88.27 FEET;
THENCE LEAVING SAID BOUNDARY LINE NORTH 40° 00' 50" WEST A DISTANCE OF 20.66 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 65.00 FEET;
THENCE NORTHWESTERLY, WESTERLY, AND SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 80° 12' 59" A DISTANCE OF 91.00 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 59° 46' 11" WEST A DISTANCE OF 23.74 FEET;
THENCE SOUTH 69° 26' 30" WEST A DISTANCE OF 65.47 FEET;
THENCE SOUTH 59° 46' 11" WEST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 38° 36' 30" WEST A DISTANCE OF 33.24 FEET;
THENCE SOUTH 61° 07' 18" WEST A DISTANCE OF 127.18 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF SAID PARCEL 3, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 8890.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 63° 08' 59" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE AND WESTERLY LINE THROUGH AN ANGLE OF 0° 22' 26" A DISTANCE OF 58.01 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

AN EASEMENT FOR ACCESS AND PIPELINE FOR WELL AS CREATED IN THE DEED RECORDED APRIL 1, 1988 AS INSTRUMENT NO. 86349 ACROSS THE FOLLOWING:

THAT PORTION OF LOT 1 OF TRACT NO. 21943 AS SHOWN BY MAP ON FILE IN BOOK 239 PAGES 90 THROUGH 94, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, DESCRIBED AS FOLLOWS:

THAT PORTION OF PARCELS 2 AND 3 OF PARCEL MAP NO. 19805 AS SHOWN BY MAP ON FILE IN BOOK 123 OF PARCEL MAPS, PAGES 22 THROUGH 25, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING ALSO AN ANGLE POINT IN THE BOUNDARY LINE OF SAID PARCEL MAP NO. 19805;
THENCE NORTH 59° 46' 11" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 250.89 FEET TO AN ANGLE POINT IN SAID BOUNDARY LINE;
THENCE NORTH 71° 47' 32" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 88.27 FEET TO THE TRUE POINT OF BEGINNING;
THENCE LEAVING SAID BOUNDARY LINE NORTH 40° 00' 50" WEST A DISTANCE OF 20.66 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 65.00 FEET;
THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 80° 12' 59" A DISTANCE OF 91.00 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 59° 46' 11" WEST A DISTANCE OF 23.74 FEET;
THENCE SOUTH 59° 26' 30" WEST A DISTANCE OF 65.47 FEET;
THENCE SOUTH 59° 46' 11" WEST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 38° 36' 30" WEST A DISTANCE OF 33.24 FEET;
THENCE SOUTH 61° 07' 18" WEST A DISTANCE OF 127.18 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF SAID PARCEL 3, SAID INTERSECTION BEING ALSO A POINT ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 8890.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 63° 08' 59" WEST;
THENCE NORTHWESTERLY ALONG SAID CURVE AND WESTERLY LINE THROUGH AN ANGLE OF 0° 16' 40" A DISTANCE OF 43.08 FEET;
THENCE NORTH 59° 46' 11" EAST A DISTANCE OF 241.75 FEET;
THENCE NORTH 28° 03' 31" WEST A DISTANCE OF 14.01 FEET;
THENCE NORTH 14° 15' 16" EAST A DISTANCE OF 33.64 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 160.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 30° 13' 49" WEST;
THENCE SOUTHEASTERLY ALONG SAID NON-TANGENT CURVE THROUGH AN ANGLE OF 80° 12' 59" A DISTANCE OF 224.01 FEET;
THENCE TANGENT TO SAID CURVE SOUTH 40° 00' 50" EAST A DISTANCE OF 19.34 FEET TO AN INTERSECTION WITH THE SOUTHERLY LINE OF SAID PARCEL 3, SAID INTERSECTION BEING ALSO A POINT ON SAID BOUNDARY LINE OF PARCEL MAP NO. 19805;
THENCE SOUTH 56° 27' 12" WEST ALONG SAID BOUNDARY LINE A DISTANCE OF 95.30 FEET TO AN ANGLE POINT IN SAID BOUNDARY LINE;
THENCE SOUTH 71° 47' 32" WEST ALONG SAID BOUNDARY LINE A DISTANCE OF 0.33 FEET TO THE TRUE POINT OF BEGINNING.

Recording Requested By
First American Title Company

100880

RECORDING REQUESTED BY

First American Title Ins. Co.

AND WHEN RECORDED MAIL TO:

Osborne Development Corp.
Attn: Robert E. Osborne
30001 Comercio
Rancho Santa Margarita, CA 92688

00 01 \$
Monument Fund
SURVEYORS

RECEIVED FOR RECORD
AT 8:00AM

MAR 12 1999

Recorded in public records
of Riverside County, California

Recorder

Page 8

PAID
Doc. Transfer Tax
Riv. Co. Recorder

Space Above This Line for Recorder's Use Only

15 15/3

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LW

A. P. No.: 433-140-028; 024; 026 TRA #: 010-075 Order No: 2100791-CG

Escrow No: 7924-LK

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY 5 Affixed Separately

computed on full value of property conveyed, or
 computed on full value less value of liens or encumbrances remaining at time of sale,
unincorporated area; City of San Jacinto, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,

James Richard Ciernia and Mary Elizabeth Ciernia, Trustees of the Ciernia Family Revocable Trust dated October 28, 1984

hereby GRANT(S) to Osborne Development Corp., a California corporation

the following described property in the City of San Jacinto, County of Riverside State of California:

Legal Description as set forth in Exhibit "A" attached hereto and made a part hereof.

2100791-22

James R. Ciernia, Co-Trustee *Mary E. Ciernia, Co-Trustee*
James R. Ciernia, Co-Trustee Mary E. Ciernia, Co-Trustee

Document Date: February 22, 1999

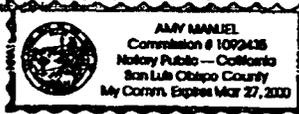
STATE OF CALIFORNIA)
COUNTY OF San Luis Obispo) SS

On February 24, 1999 before me, Amy Manuel, Notary Public
personally appeared James R. Ciernia and Mary E. Ciernia, Co-Trustees

personally knows to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature: *Amy Manuel*



This area for official notarial seal.

Mail Tax Statements to: SAME AS ABOVE

Attached For Clarity

RECORDING REQUESTED BY

AND WHEN RECORDED, MAIL TO

SOBOBA BAND OF LUISENO INDIANS
P O Box 487
San Jacinto, CA 92581

THIS SPACE FOR RECORDER'S USE ONLY

GRANT DEED

ASSESSOR'S PARCEL NO.: 443-140-030
TITLE ORDER NO: R-199381-1
ESCROW NO.: 3121-I

The undersigned Grantor(s) declare that the **DOCUMENT TRANSFER TAX IS:**
\$ 2,134.00 County \$ City
xx computed on the full value of the interest of property conveyed, or
___ computed on the full value less the value of liens or encumbrances
remaining thereon at the time of sale.
___ OR transfer is EXEMPT from tax for the following reason

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SHEPHERD MANAGEMENT SERVICES,
A CALIFORNIA LIMITED PARTNERSHIP

hereby GRANT(S) to SOBOBA BAND OF LUISENO INDIANS

all that real property situated in the City of San Jacinto, County of RIVERSIDE, State of California, described as Those
Portions of Parcels 1 and 2 of Parcel Map 19805, as shown by map on file in Book 123, Pages 22 through 25, inclusive
of Parcel Maps, Records of Riverside County, California, lying easterly and southerly of a line described as follows
BEGINNING at the southwesterly corner of said Parcel 1;
THENCE North 34 degrees, 06' 54" West, 625.58 feet;
THENCE North 9 degrees 42' 03" West, 501.82 feet;
THENCE North 14 degrees 28' 46" West, 437.32 feet;
THENCE North 26 degrees 20' 47" West, 510.16 feet;
THENCE South 86 degrees 35' 25" East 371.92 feet;
THENCE North 83 degrees 12' 23" East, 792 55 feet to the Northeasterly corner of said Parcel 1.

Dated December 3, 2001

STATE OF CALIFORNIA,
COUNTY OF _____

SHEPHERD MANAGEMENT SERVICES,
A CALIFORNIA LIMITED PARTNERSHIP

ON _____, before me _____
_____, Notary Public, personally appeared

BY: _____
AUTHORIZED SIGNER

personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument
WITNESS my hand and official seal.

BY: _____
AUTHORIZED SIGNER

Signature _____

MAIL TAX STATEMENTS TO:
SOBOBA BAND OF LUISENO INDIANS - SAME AS ABOVE,

(This area for official notary seal)



2001-598369
12/04/2001 08:00A
2 of 2

EXHIBIT A

THAT PORTION OF LOTS 1 AND 3 OF THE JOSE A. ESTUDILLO SUBDIVISION OF TRACT VII OF THE RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT 1, DESIGNATED AS S.J. 35 ON ABOVE MENTIONED MAP, SAID POINT BEING ALSO THE NORTHWEST CORNER OF THE INDIAN RESERVATION, IN THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;
THENCE NORTH 43° 00' WEST, 20 CHAINS;
THENCE NORTH 38° 30' WEST, 7.50 CHAINS;
THENCE NORTH 31° 30' WEST, 11 CHAINS;
THENCE NORTH 11° 50' WEST, 17.11 CHAINS;
THENCE NORTH 11° 50' WEST, 4.46 CHAINS, MORE OR LESS, TO A POINT ON THE SAN BERNARDINO BASE AND MERIDIAN LINE, 151 FEET NORTH OF THE QUARTER SECTION BETWEEN SECTIONS 25 AND 30 IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN;
THENCE NORTH 13° 45' WEST TO THE NORTHWESTERLY LINE OF SAID LOT 3, SAID LINE ALSO BEING THE SOUTHEASTERLY LINE OF AN AVENUE, 80 FEET WIDE, AS SHOWN ON SAID MAP;
THENCE SOUTH 42° WEST, ON SAID SOUTHEASTERLY LINE OF SAID AVENUE, TO THE SOUTHWESTERLY LINE OF SAID TRACT VII;
THENCE SOUTH 45° EAST, 56.40 CHAINS, ON SAID SOUTHWESTERLY LINE, TO THE MOST SOUTHERLY CORNER OF SAID LOT 3;
THENCE NORTH 41° 50' EAST ON THE SOUTHEASTERLY LINE OF SAID LOTS 3 AND 1, 41.65 CHAINS, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION IN THE HIGHWAY KNOWN AS SOBORA SPRINGS ROAD, AS DESCRIBED IN DEED RECORDED IN BOOK 263 PAGE 144 AND IN BOOK 276 PAGE 140, RESPECTIVELY, BOTH OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122A, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGES 48 THROUGH 62, INCLUSIVE OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM PARCEL 4020-122C, AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION LYING NORTHWESTERLY OF THE SOUTHEASTERLY LINE OF SOBORA ROAD (NOW SHOWN AS MAIN STREET), AS SHOWN ON RECORD OF SURVEY, ON FILE IN BOOK 33 PAGE 57 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

San Jacinto, CA 92070

THAT PORTION OF LOT 3 OF JOSE A. ESTUDILLO'S SUBDIVISION OF TRACT VII IN RANCHO SAN JACINTO VIEJO, AS SHOWN BY MAP ON FILE IN BOOK 6 PAGE 304 OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER LINE INTERSECTION OF MAIN STREET AND SOBOBA ROAD, AS SAID INTERSECTION IS SHOWN BY RECORD OF SURVEY, ON FILE IN BOOK 46 PAGE 15 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

THENCE SOUTH 49° 59' 10" WEST ALONG SAID CENTER LINE OF MAIN STREET, A DISTANCE OF 1,149.16 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 40° 00' 50" EAST, A DISTANCE OF 329.48 FEET;

THENCE NORTH 51° 54' 59" EAST, A DISTANCE OF 65.00 FEET;

THENCE SOUTH 47° 38' 27" EAST, A DISTANCE OF 71.67 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 166.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID NON-TANGENT CURVE BEARS NORTH 47° 38' 27" WEST;

THENCE EASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 60° 07' 37", A DISTANCE OF 174.20 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 77° 30' 50" EAST, A DISTANCE OF 540.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 416.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 38° 29' 43", A DISTANCE OF 279.50 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 508.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS NORTH 50° 58' 53" EAST;

THENCE SOUTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 51° 30' 17", A DISTANCE OF 456.65 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 12° 29' 10" WEST, A DISTANCE OF 144.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 508.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 37° 16' 11", A DISTANCE OF 330.44 FEET;

THENCE TANGENT TO SAID CURVE SOUTH 49° 45' 21" WEST, A DISTANCE OF 512.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 453.00 FEET;

THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 99° 31' 25", A DISTANCE OF 786.87 FEET;

THENCE TANGENT TO SAID CURVE NORTH 30° 43' 14" WEST, A DISTANCE OF 865.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 508.00 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH AN ANGLE OF 20° 04' 30" A DISTANCE OF 177.99 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 131.00 FEET, A RADIAL LINE TO THE BEGINNING OF SAID COMPOUND CURVE BEARS SOUTH 79° 21' 16" WEST;

THENCE NORTHERLY ALONG SAID COMPOUND CURVE THROUGH AN ANGLE OF 29° 08' 43", A DISTANCE OF 66.64 FEET;

THENCE NORTH 71° 30' 01" WEST, A DISTANCE OF 113.40 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY LINE OF PARCEL NO. 4020-122C, AS SHOWN ON THE AFORESAID RECORD OF SURVEY (SOUTHEASTERLY LINE OF THAT PORTION OF PARCEL NO. 4020-122C WHICH IS ADJACENT TO MAIN STREET);

San Joaquin County, CA 95270

THENCE NORTH 46° 16' 14" EAST ALONG SAID SOUTHEASTERLY LINE A
DISTANCE OF 43.21 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY
LINE;
THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 49° 59' 10"
EAST, A DISTANCE OF 370.16 FEET;
THENCE NORTH 40° 00' 50" WEST, A DISTANCE OF 50.00 FEET TO AN
INTERSECTION WITH THE AFORESAID CENTER LINE OF MAIN STREET;
THENCE NORTH 49° 59' 10" EAST ALONG SAID CENTER LINE, A DISTANCE OF
340.35 FEET TO THE TRUE POINT OF BEGINNING.

San Joaquin County, CA 95278

DOC # 2001-017419

01/16/2001 08:00A Fee:MC

Page 1 of 6

Recorded in Official Records

County of Riverside

Gary L. Orza

Assessor, County Clerk & Recorder

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Riverside County Flood Control
Water Conservation District
1995 Market St.
Riverside, CA 92501-1770



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Quitclaim Deed

Title of Document

**THIS AREA FOR
RECORDER'S
USE ONLY**

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3.00 Additional Recording Fee Applies)

STC-3CSD 000 Rev 0/97

Recorded at request of, and return to:
Ed Lotz
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, California 92501-1770

NO FEE (GOV. CODE 6103)

Project No: 4-0020
Project: San Jacinto River
Bridge at Lake Park Dr
TR 28998

QUITCLAIM DEED

The CITY OF SAN JACINTO, a Municipal Corporation,

Does hereby remise, and forever quitclaim to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** all right, title and interest in and to the real property in the City of San Jacinto, County of Riverside, State of California. Described in Exhibits "A" and "B" attached hereto and made a part hereof.

Dated: November 16, 2000

CITY OF SAN JACINTO
A Municipal Corporation

By: PA Williams
Patrick A. Williams, Mayor

Attest: Frances V. Alvarez
City Clerk (Seal)



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed to **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT** is hereby accepted by the undersigned officer pursuant to authority conferred by resolution of the Board of Supervisors of said District adopted on May 12, 1961, and the grantee consents to the recordation thereof by its duly authorized officer.

Date JANUARY 8, 2001

By: David Zappe
David Zappe, General Manager-
Chief Engineer

2001-017419
01/16/2001 00 00A
2 of 6

Exhibit "A"
Legal Description
(Tentative Tract # 28998)

That portion of Lot 3 of Jose A. Estudillo's Subdivision of Tract VII in Rancho San Jacinto Viejo as shown by map on file in Book 6 of Maps, Page 304, Records of San Diego County, California, described as follows:

Commencing at the most westerly corner of Parcel 4020-122C as shown in Map on file in Book 46, Records of Survey, Page 15, Records of Riverside County, California:

Thence North 55° 27' 15" East, shown as North 55° 24' 10" East per said Record of Survey, along the northwesterly line of said Parcel 4020-122C, being also along the southeasterly line of Lake Park Drive, shown as Main Street on said Record of Survey, a distance of 102.95 feet;

Thence South 34° 32' 45" East, perpendicular to the preceding course, a distance of 66.48 feet to the most westerly southeasterly line of said Parcel 4020-122C, said point being the True Point of Beginning;

Thence South 51° 14' 39" West, shown as North 51° 14' 34" East per said Record of Survey, a distance of 92.88 feet to the beginning of a non-tangent curve concave to the northeast, having a radius of 8890.00 feet and from which the radius point bears North 61° 24' 57" East, shown as North 61° 24' 59" East per said Record of Survey; said point also being an angle point in the boundary of said Parcel 4020- 122C;

Thence southeasterly along said curve, to the left, through a central angle of 0° 23' 22", an arc distance of 60.44 feet to a point of cusp;

Thence North 26° 15' 00" East, a distance of 116.15 feet;

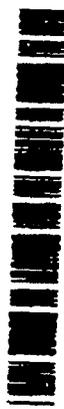
Thence North 49° 09' 45" West, a distance of 10.63 feet to the True Point of Beginning.

Containing 0.08 acres, more or less.


John R. Dawson
L.S. #3547



2891-817419
81/18/2001 08:08
3 of 6



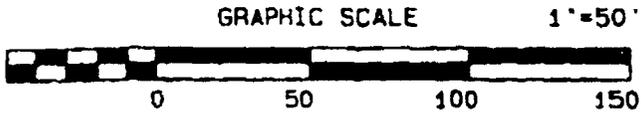
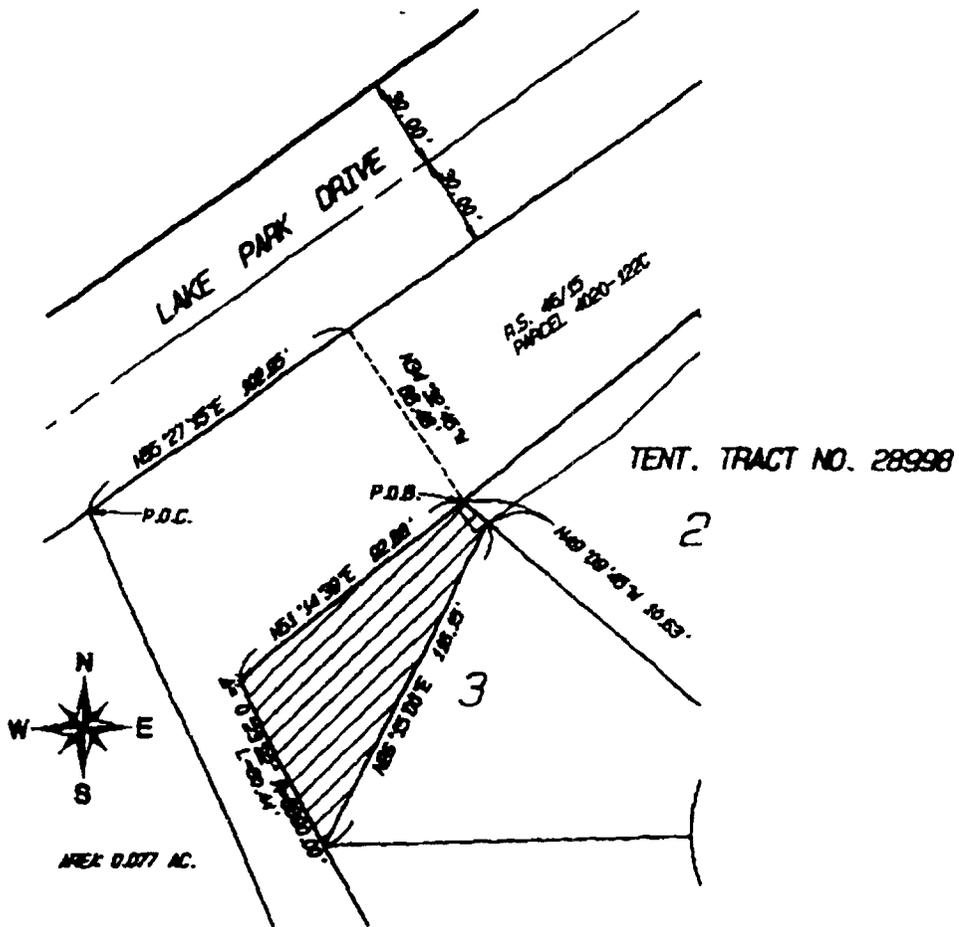
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4 of 6

2 of 5
 8/18/2008
 81K18-1002

3 of 5
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<p>INTEGRA ENGINEERING, INC. LAND SURVEYING & CIVIL ENGINEERS 251 LINDSEY DRIVE, SAN JACINTO, CALIFORNIA 92583 TEL: 951-271-1111 FAX: 951-271-1112 WWW.INTEGRA-CA.COM</p>	<p>CITY OF SAN JACINTO TRACT No. 28998 EXHIBIT "B"</p>	<p>M.O.: 022.22</p>
<p>SCALE: 1" = 50'</p>	<p>DRAWN BY E.J.L. DATE 8-21-08 CHKD BY J.H.D. DATE 8-21-08</p>	<p>SUBJECT:</p>

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

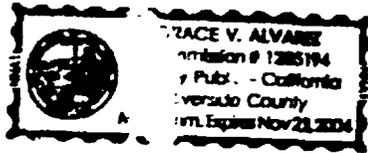
State of California
County of Riverside } ss.

On December 28, 2000, before me, Grace V. Alvarez, Notary Public

personally appeared Patrick A. Williams

personally known to me
proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) is/are
subscribed to the within instrument and
acknowledged to me that he/she/they executed
the same in his/hers/their authorized
capacity(ies), and that by his/hers/their
signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s)
acted, executed the instrument.



Please Notary Seal Above

WITNESS my hand and official seal

Grace V. Alvarez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document

Description of Attached Document

Title or Type of Document Quitclaim Deed

Document Date November 16, 2000 Number of Pages: 3

Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other Mayor, City of San Jacinto

Signer is Representing City of San Jacinto, a Municipal Corporation



Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: Grace V Alvarez

Commission #: 1285194

Place of Execution: Riverside, CA

Date Commission Expires: Nov. 23, 2004

Date: 1-16-01

Signature: [Handwritten Signature]



2001-017419
01/16/2001 00:00:00
5 of 6

ORANGE COAST TITLE CO.

RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:

SOBOBA BAND OF LUISENO MISSION IND
P.O. Box 487
San Jacinto, CA 92581

DOC # 2001-285791

05/22/2001 08:00A Fee:42.00

Page 1 of 3 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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MG

433-140-0249
433-140-0261

GRANT DEED

ASSESSOR'S PARCEL NO.: 433-140-020-5 The undersigned Grantor(s) declare that the DOCUMENT TRANSFER TAX IS:

TITLE ORDER NO.: R-194178-1 \$ 6,149.00 County \$ City

ESCROW NO: 2878-1

TR # 00-079

- computed on the full value of the interest of property conveyed, or
- computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale.
- OR transfer is EXEMPT from tax for the following reason:

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, OSBORNE DEVELOPMENT CORP . A CALIFORNIA CORPORATION

hereby GRANT(S) to SOBOBA BAND OF LUISENO MISSION INDIANS

all that real property situated in the City of San Jacinto, County of RIVERSIDE, State of California, described as. That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, etc., complete legal description is attached hereto as Exhibit "A" and made a part hereof, comprised of 2 pages.

Dated April 23, 2001

STATE OF CALIFORNIA,
COUNTY OF ORANGE

ON APRIL 24, 2001, before me PAMELA J. WOODS

Notary Public, personally appeared

ROBERT E. OSBORNE

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Pamela J. Woods

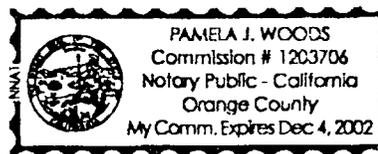
OSBORNE DEVELOPMENT CORP
A CALIFORNIA CORPORATION

BY:

ROBERT E. OSBORNE, PRESIDENT

BY:

Authorized Signer



MAIL TAX STATEMENTS TO:

SOBOBA BAND OF LUISENO MISSION IND - P.O. Box 487, San Jacinto, CA 92581

(This area for official notary seal)

Exhibit "A"

That portion of Lots 1 and 3 of the Jose A. Estudillo Subdivision of Tract VII of the Rancho San Jacinto Viejo, in the City of San Jacinto, as shown by Map on file in Book 6, Page 304, of Maps, Records of San Diego County, California, described as follows:

BEGINNING at a point on the Southerly line of said Lot 1, designated as S. J. 35 on above mentioned Map, said point being also the Northwest corner of the Indian Reservation, in the Northwest quarter of Section 31, Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 43° 00' West, 20 chains; thence North 38° 30' West, 7.50 chains; thence North 31° 30' West, 11 chains; thence North 11° 50' West, 17.11 chains; thence North 11° 50' West, 4.46 chains, more or less, to a point on the San Bernardino Base and Meridian line, 151 feet North of the quarter section between Sections 25 and 30 in Township 4 South, Range 1 East, San Bernardino Base and Meridian; thence North 13° 45' West to the Northwesterly line of said Lot 3, said line also being the Southeasterly line of an Avenue, 80 feet wide, as shown on said Map; thence South 42° West, on said Southeasterly line of said Avenue, to the Southwesterly line of said Tract VII; thence South 45° East 56.40 chains, on said Southwesterly line, to the most Southerly corner of said Lot 3; thence North 41° 50' East on the Southeasterly line of said Lots 3 and 1, 41.65 chains, to the point of beginning.

EXCEPTING THEREFROM that portion in the highway known as Soboba Springs Road, as described in Deed recorded in Book 263, Page 144 and in Book 276, Page 140, respectively, both of Deeds, Records of Riverside County, California.

ALSO EXCEPTING THEREFROM Parcel 4020-122A, as shown on Record of Survey, on file in Book 33, Pages 48 to 62, inclusive of Records of Survey, Records of Riverside County, California.

ALSO EXCEPTING THEREFROM Parcel 4020-122C, as shown on Record of Survey, on file in Book 46, Page 15 of Records of Survey, Records of Riverside County, California.

ALSO EXCEPTING THEREFROM that portion lying Northwesterly of the Southeasterly line of Soboba Road (now shown as Main Street), as shown on Record of Survey, on file in Book 33, Page 57 of Records of Survey, Records of Riverside County, California.

ALSO EXCEPTING THEREFROM that portion described as follows:

That portion of Lot 3 of Jose A. Estudillo's Subdivision of Tract VII in the Rancho San Jacinto Viejo, as shown by Map on file in Book 6, Page 304 of Maps, Records of San Diego County, California, being more particularly described as follows:

COMMENCING at the center line intersection of Main Street and Soboba Road, as said intersection is shown by Record of Survey on file in Book 46, Page 15 of Records of Survey, Records of Riverside County, California; thence South 49° 59' 10" West along said center line of Main Street, a distance of 1,149.16 feet to the true point of beginning; thence South 40° 00' 50" East, a distance of 329.48 feet; thence North 51° 54' 59" East, a distance of 65.00 feet; thence South 47° 38' 27" East, a distance of 71.67 feet to the beginning of a non-tangent curve concave Southerly and having a radius of 166.00 feet, a radial line to the beginning of said non-tangent curve bears North 47° 38' 27" West; thence Easterly along said curve through an angle of 60° 07' 37", a distance of 174.20 feet; thence tangent to said curve South 77° 30' 50" East, a distance of 540.15 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 416.00 feet; thence Southeasterly along said curve through an angle of 38° 29' 43" a distance of 279.50 feet to the beginning of a compound curve concave Westerly



Exhibit "A"

and having a radius of 508.00 feet, a radial line to the beginning of said compound curve bears North 50° 58' 53" East; thence Southerly along said compound curve through an

Legal Description Continued

angle of 51° 30' 17", a distance of 456.65 feet; thence tangent to said curve South 12° 29' 10" West, a distance of 144.32 feet to the beginning of a tangent curve concave Northwesterly and having a radius of 508.00 feet; thence Southwesterly along said curve through an angle of 37° 16' 11", a distance of 330.44 feet; thence tangent to said curve South 49° 45' 21" West, a distance of 512.52 feet to the beginning of a tangent curve concave Northerly and having a radius of 453.00 feet; thence Southwesterly, Westerly and Northwesterly along said curve through an angle of 99° 31' 25", a distance of 786.87 feet; thence tangent to said curve North 30° 43' 14" West, a distance of 865.52 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 508.00 feet; thence Northwesterly along said curve through an angle of 20° 04' 30" a distance of 177.99 feet to the beginning of a compound curve concave Easterly and having a radius of 131.00 feet, a radial line to the beginning of said compound curve bears South 79° 21' 16" West; thence Northerly along said compound curve through an angle of 29° 08' 43", a distance of 66.64 feet; thence North 71° 30' 01" West, a distance of 113.40 feet to an intersection with the Southeasterly line of Parcel No. 4020-122C, as shown on the aforesaid Record of Survey (Southeasterly line of that portion of Parcel No. 4020-122C which is adjacent to Main Street); thence North 46° 16' 14" East along said Southeasterly line a distance of 43.21 feet to an angle point in said Southeasterly line; thence continuing along said Southeasterly line North 49° 59' 10" East, a distance of 370.16 feet; thence North 40° 00' 50" West, a distance of 50.00 feet to an intersection with the aforesaid center line of Main Street; thence North 49° 59' 10" East along said center line, a distance of 340.35 feet to the true point of beginning.



2001-285791
06/22/2001 09:00A
3 of 3

RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:

SOBOBA BAND OF LUISENO INDIANS
P.O. Box 487
San Jacinto, CA 92581

DOC # 2001-598369

12/04/2001 03:08 PM Fee: 39.00

Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



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A	R	L																	

39
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DL

443-140-001-8
433-140-004
433-120-023-6

GRANT DEED

ASSESSOR'S PARCEL NO.: 443-140-030
TITLE ORDER NO.: R-199381-1
ESCROW NO.: 3121-1
TRA - 010

The undersigned Grantor(s) declare that the DOCUMENT TRANSFER TAX IS:
\$ 2,134.00 County \$ City
 computed on the full value of the interest of property conveyed, or
 computed on the full value less the value of liens or encumbrances
remaining thereon at the time of sale.
 OR transfer is EXEMPT from tax for the following reason.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SHEPHERD MANAGEMENT SERVICES,
A CALIFORNIA LIMITED PARTNERSHIP

hereby GRANT(S) to SOBOBA BAND OF LUISENO INDIANS

all that real property situated in the City of San Jacinto, County of RIVERSIDE, State of California, described as: Those
Portions of Parcels 1 and 2 of Parcel Map 19805, as shown by map on file in Book 123, Pages 22 through 25, inclusive
of Parcel Maps, Records of Riverside County, California, lying easterly and southerly of a line described as follows:
BEGINNING at the southwesterly corner of said Parcel 1;
THENCE North 34 degrees, 08' 54" West, 625.58 feet;
THENCE North 9 degrees 42' 03" West, 501.82 feet;
THENCE North 14 degrees 28' 46" West, 437.32 feet;
THENCE North 28 degrees 20' 47" West, 510.16 feet;
THENCE South 86 degrees 35' 25" East 371.92 feet;
THENCE North 83 degrees 12' 23" East, 792.55 feet to the Northeasterly corner of said Parcel 1.

Dated December 3, 2001

STATE OF CALIFORNIA
COUNTY OF Los Angeles

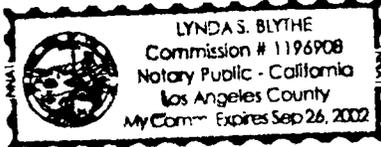
ON December 3, 2001, before me Lynda S Blythe
Notary Public, personally appeared
W.W. Shepherd

SHEPHERD MANAGEMENT SERVICES,
A CALIFORNIA LIMITED PARTNERSHIP
BY: [Signature]
AUTHORIZED SIGNER

BY: _____
AUTHORIZED SIGNER

personally known to me (or proved to me on the basis of satisfactory evidence)
to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed
the instrument.
WITNESS my hand and official seal.

Signature [Signature]



MAIL TAX STATEMENTS TO:
SOBOBA BAND OF LUISENO INDIANS - SAME AS ABOVE.

(This area for official notary seal)

R-1 9381-1

ORANGE COAST TITLE CO.

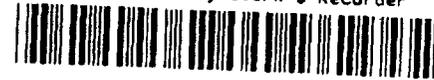
RECORDING REQUESTED BY:

AND WHEN RECORDED, MAIL TO:

SOBOBA BAND OF LUISENO INDIANS
P O BOX 487
SAN JACINTO, CA 92581

DOC # 2004-0978974

12/09/2004 08:00A Fee:29.00
Page 1 of 5 Doc T Tax Paid
Recorded in Official Records
County of Riverside
Gary L. Orso
Assessor, County Clerk & Recorder



M	S	U	PAGE	SIZE	DA	PCOR	NOCOR	SMF	MISC
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A	R	L				COPY	LONG	REFUND	NCHG EXAM

TRA 010

DTT: See separate statement

GRANT DEED

29
T
SG

ASSESSOR'S PARCEL NO:433-140-041/031/
022 and 433-110-013 433-100-015, 433-120-031

TITLE ORDER NO. IE 011261 01
ESCROW NO 6384-A

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SOBOBA SPRINGS ROYAL VISTA GOLF COURSES, INC

hereby GRANT(S) to SOBOBA BAND OF LUISENO INDIANS

all that real property situated in the City of San Jacinto, County of RIVERSIDE, State of California, described as SEE COMPLETE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Dated November 30, 2004

STATE OF ~~CALIFORNIA~~, Hawaii
City & COUNTY OF HONOLULU

SOBOBA SPRINGS ROYAL VISTA GOLF COURSES, INC.

ON DECEMBER 3, 2004, before me PATRICIA A. TROTT

Notary Public, personally appeared

Scott D. Whiting

BY: Scott D. Whiting
Scott D. Whiting, President

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal

Signature

MAIL TAX STATEMENTS TO:

my commission expires: 10/18/05

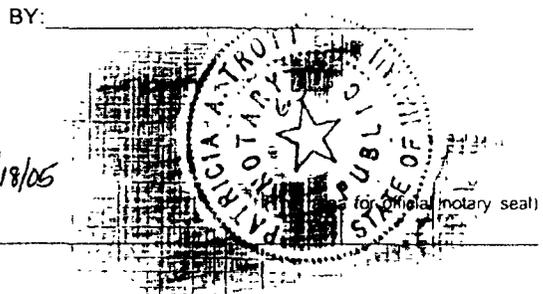


Exhibit "A"

Parcel 1:

Parcels 1, 2 and 3 of parcel map 19805, in the county of Riverside, State of California, as per map recorded in book 123, page(s) 22 through 25, inclusive of parcel maps, in the office of the county recorder of said county, together with that portion of lots 1, 2 and 3 of Hot Springs tract as shown by map on file in book 8, page(s) 5 of maps, said Riverside County, California, lying southerly of the southerly right of way line of Soboba Road, 100.00 feet wide, and together with that portion of lots 3, 4, 5 and 6 of the Jose A. Estudillo Subdivision of tract VII of the Rancho San Jacinto Viejo as shown by map on file in book 6, page(s) 304 of maps, records of San Diego County, California, and portions of the vacated streets, lying westerly of the westerly right of way line of said Soboba Road, as said portions of Hot Springs tract and Jose A. Estudillo Subdivision as shown on map of said parcel map no 19805

Except that portion of said parcels 1 and 2 lying easterly and southerly of a line described as follows:

Beginning at the southwesterly corner of said parcel 1:
 Thence north 34 deg 06' 54" west 626.58 feet;
 Thence north 09 deg 42' 03" west 501.82 feet;
 Thence north 14 deg 28' 46" west 437.72 feet;
 Thence north 26 deg 20' 47" west 510.16 feet;
 Thence south 86° 35' 25" East 371.92 feet;
 Thence north 83 deg 12' 23" east 792.55 feet to the northeasterly corner of said parcel 1.

Also except that portion of said parcels 2 and 3 lying westerly of a line described as follows:

Beginning at the most westerly corner of said parcel 3,
 Thence north 41 deg 52' 18" east on the northerly line of said parcel 3, and its prolongation, 712.65 feet to the true point of beginning

Thence south 16 deg 42' 14" east 25.12 feet;
 Thence south 15 deg 25' 16" west 572.24 feet;
 Thence south 17 deg 28' 52" east 212.79 feet;
 Thence south 21 deg 13' 53" east 215.19 feet;
 Thence south 21 deg 25' 27" east 210.69 feet;
 Thence south 28 deg 03' 31" east 187.00 feet;
 Thence north 14 deg 15' 16" east 33.64 feet to the beginning of a non-tangent curve concave southwesterly and having a radius of 160.00 feet, a radial line to said beginning bears north 30 deg 13' 49" west;
 Thence southeasterly on said curve through an angle of 80 deg 12' 59" 224.01 feet;

Thence tangent to said curve south 40 deg 00' 50" east 19.34 feet to an intersection with the southerly line of said parcel 2, and said line there terminating.

Also except that portion described as follows:

Beginning at the northeast corner of parcel 1 of said parcel map no. 19805, said corner being also a point on the westerly line of way line of Soboba road, 100.00 feet wide;
 Thence north 12 deg 18' 57" west on said westerly right of way line 532.75 feet to the true point of beginning;
 Thence south 77 deg 41' 03" west 100.16 feet to the beginning of a non-tangent curve concave westerly and having a radius of 60.00 feet, radial line to said beginning bears north 73 deg 31' 23" east;
 Thence southerly on said curve through an angle of 51 deg 42' 49" 54.15 feet;
 Thence south 51 deg 20' 39" east 28.93 feet;
 Thence south 04 deg 22' 16" east 73.55 feet;
 Thence south 41 deg 52' 18" west 32.15 feet;
 Thence south 83 deg 41' 40" west 107.78 feet;
 Thence north 88 deg 57' 35" west 45.36 feet;
 Thence north 88 deg 36' 50" west 48.41 feet;
 Thence north 84 deg 34' 50" west 43.75 feet;
 Thence north 84 deg 02' 59" west 566.64 feet;
Legal description Continued

Thence north 30 deg 06' 11" west 107.84 feet;
Thence north 21 deg 46' 31" west 252.93 feet;
Thence north 14 deg 02' 58" west 172.97 feet;
Thence north 07 deg 00' 02" west 428.12 feet;
Thence north 13 deg 02' 49" east 67.65 feet;
Thence north 48 deg 43' 11" east 63.22 feet;
Thence north 78 deg 07' 26" east 153.05 feet;
Thence north 11 deg 52' 34" west 50.00 feet;
Thence north 56 deg 55' 17" east 44.55 feet;
Thence north 55 deg 17' 24" east 25.00 feet;
Thence north 52 deg 17' 37" east 39.71 feet;
Thence north 48 deg 44' 15" east 39.33 feet;
Thence north 48 deg 35' 52" east 81.72 feet;
Thence north 51 deg 01' 00" east 53.49 feet to the beginning of a non-tangent curve concave southeasterly and having a radius of 47.00 feet, a radial line to said beginning bears north 89 deg 04' 52" west;
Thence northeasterly on said curve through an angle of 90 deg 03' 45" 73.88 feet;
Thence north 00 deg 58' 53" east 20.06 feet;
Thence north 56 deg 37' 33" east 117.65 feet to an intersection with the aforesaid westerly right of way line of Soboba Road, said intersection being also a point on a curve concave southwesterly and having a radius of 950.00 feet, radial line to said point bears north 53 deg 24' 10" east;
Thence on said westerly right of way line of Soboba Road the following courses;

Southeasterly on said curve through an angle of 03 deg 13' 23" 53.44 feet;

Tangent to said curve south 33 deg 22' 27" east 533.59 feet to the beginning of a tangent curve concave southwesterly and having a radius of 1,150.00 feet;

Southeasterly on said curve through an angle of 21 deg 03' 30" 422.67 feet;

Tangent to said curve south 12 deg 18' 57" east 418.24 feet to the true point of beginning.

Also except that portion described as follows:

Beginning at the intersection of the northwesterly boundary line of said Hot Springs tract with the centerline of Soboba Road, as said intersection is shown on said parcel map no. 19805;

Thence south 44 deg 46' 47" west on said northwesterly boundary line of Hot Springs tract 384.21 feet to the most northerly corner of parcel 2 of said parcel map no. 19805;

Thence south 46 deg 31' 38" east 713.63 feet to an angle point in the boundary line of said parcel 2,

Thence on said boundary line of parcel 2 the following courses:

South 82 deg 15' 51" east 502.62 feet,

North 67 deg 53' 54" east 265.29 feet,

North 03 deg 19' 39" east 261.00 feet to the southerly right of way line of said Soboba Road;

Thence north 14 deg 50' 16" east 50.00 feet to an intersection with said centerline of Soboba Road, said intersection being also a point on a curve concave southwesterly and having a radius of 1,000.00 feet, a radial line to said point bears north 14 deg 50' 16" east;

Thence on said centerline the following courses;

Northwesterly on said curve through an angle of 03 deg 22' 26" 58.89 feet;

Tangent to said curve north 78 deg 32' 10" west 328.16 feet to the beginning of a tangent curve concave northeasterly and having a radius of 1,200.00 feet;

Northwesterly on said curve through an angle of 27 deg 42' 26" 580.30 feet;

Tangent to said curve north 50 deg 49' 44" west 155.60 feet to the point of beginning.

Parcel 2:

An easement for ingress and egress for well site to include access for repairs, maintenance, etc. as created in the deed recorded April 1, 1988, as instrument no. 86349 official records, across the following:

Legal description Continued

That portion of lot 1 of tract no. 21943 as show by map on file in book 239, page(s) 90 through 94, inclusive of maps, in the office of the county recorder of Riverside County described as follows:

That portion of parcels 2 and 3 of parcel map no. 19805 as shown by map on file in book 123 of parcel maps, page(s) 22 through 25, inclusive, records of Riverside County, California, described as follows:

Beginning at the most southerly corner of said parcel 3, said corner being also an angle point in the boundary line of said parcel map no. 19805; thence north 59 deg 46' 11" east along said boundary line a distance of 250.89 first to an angle point in said boundary line;

Thence north 71 deg 47' 32: east along said boundary line a distance of 88.27 feet;

Thence leaving said boundary line north 40 deg 00' 50" west a distance of 20.66 feet to the beginning of a tangent curve concave southerly and having a radius of 65.00 feet;

Thence northwesterly, westerly, and southwesterly along said curve through an angle of 80 deg 12' 59" a distance of 91.00 feet;

Thence tangent to said curve south 59 deg 46' 11" west a distance of 23.74 feet;

Thence scuth 69 deg 24' 30" west a distance of 65.47 feet;

Thence scuth 59 deg 46' 11" west a distance of 20.00 feet;

Thence scuth 38 deg 36' 30" west a distance of 33.24 feet;

Thence south 61 deg 07' 18" west a distance of 127.18 feet to an intersection with the westerly line of said parcel 3, said intersection being also a point on a curve concave northeasterly and having a radius of 8890.00 feet, a radial line to said point bears south 63 deg 08' 59" west;

Thence southeasterly along said curve and westerly line in through an angle of 0 deg 22' 26" a distance of 58.01 feet to the point beginning

Parcel 3

An easement for access and pipeline for well as created in the deed recorded April 1, 1988, as instrument no. 86349 across the following

That portion of lot 1 of tract no. 21943 as shown by map on file in book 239, page(s) 90 through 94, inclusive of maps, in the office of the county recorder of Riverside County, described as follows:

That portion of parcels 2 and 3 of parcel map no. 19805 as shown by on file in book 123 of parcel maps, page(s) 22 through 25, inclusive records of Riverside County, California, described as follows:

Commenc ng at the most southerly corner of said parcel 3, said corner being also an angle point in the boundary line of said parcel map no. 19805;

Thence north 59 deg 46' 11" east along said boundary line a distance of 250.89 feet to an angle point in said boundary line.

Thence north 71 deg 47' 32" east along said boundary line a distance of 88.27 feet to the true point of beginning,

Thence leaving said boundary line north 40 deg 00' 50" west a distance of 20.66 feet to the beginning of a tangent concave southerly and having a radius of 65.00 feet;

Thence northwesterly, westerly and southwesterly along said curve through an angle of 80 deg 12' 59" a distance of 91.00 feet;

Thence tangent to said curve south 59 deg 46' 11" west a distance of 23.74 feet,

Thence south 69 deg 26' 30" west a distance of 65.47 feet;

Thence south 59 deg 46' 11" west a distance of 20.00 feet;

Thence south 38 deg 36' 30" west a distance of 33.24 feet;

Thence south 61 deg 07' 18" west a distance of 127.18 feet to an intersection with the westerly line of said parcel 3, said intersection being also a point on a curve concave northeasterly and having a radius of 8890.00 feet, a radial line to said point bears south 63 deg 08' 59" west;

Thence northwesterly along said curve and westerly line through an angle of a 0 deg 16' 40" a distance of 43.08 feet.

Thence north 59 deg 46' 11" east a distance of 241.75 feet,

Thence north 28 deg 03' 31" west a distance of 14 01 feet;

Thence north 14 deg 15' 16" east a distance of 33.64 feet to the beginning of a non-tangent curve concave southerly and having a radius of 160 00 feet, a radial line to said point bears north 30 deg 13' 49" west;

Thence southeasterly along said non-tangent curve through an angle of 80 deg 12' 59" a distance of 224 01 feet;

Thence tangent to said curve south 40 deg 00' 50" east a distance of 19.34 feet to an intersection with the southerly line of said parcel 3 said intersection being also a point on said boundary line of parcel map no. 19805;

Thence south 56 deg 27' 12" west along said boundary line a distance of 95.30 feet to an angle point in said boundary line,

Thence south 71 deg 47' 32" west along said boundary line a distance of 0.33 feet to the true point of beginning.



GARY L. ORSO
COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER

Recorder
P O Box 751
Riverside, CA 92502-0751
(909) 486-7000
<http://riverside.assclerk.com>

NOTARY CLARITY

Under the provisions of Government Code 27361.7, I certify under the penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: Patricia A. Trott

Commission #: _____

Place of Execution: Honolulu Hawaii

Date Commission Expires: 10-18-05

Date: 12-9-04

Signature: Gina Bencie

GINA BENCIE
FOR ORANGE COAST TITLE



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



18

JAN 04 2008

The Honorable Charles F. Wood
Chairman, Chemehuevi Indian Tribe
P.O. Box 1976
Havasu Lake, California 92362

Dear Chairman Wood:

On February 16, 2006, the Chemehuevi Indian Tribe (Tribe) submitted to the Bureau of Indian Affairs (BIA) an application to acquire in trust a 40-acre parcel of land in Barstow, California (Barstow parcel). The Tribe proposes to construct, develop, and manage a resort gaming facility, hotel, and other uses incidental thereto on the parcel.

Background

In explaining the Department of the Interior's (Department) decision, it is important to begin by restating the core principles that underlie the land acquisitions regulations. The Part 151 regulations implement the trust land acquisition authority given to the Secretary by the Indian Reorganization Act of 1934 (IRA), 25 U.S.C. § 465. The IRA was primarily intended to redress the effects of the discredited policy of allotment, which had sought to divide up the tribal land base among individual Indians and non-Indians, and to destroy tribal governments and tribal identity. To assist in restoring the tribal land base, the IRA gives the Secretary the authority to: 1) return "to tribal ownership the remaining surplus lands of any Indian reservation" that had been opened to sale or disposal under the public land laws; 2) consolidate Indian ownership of land holdings within reservations by acquiring and exchanging interests of both Indians and non-Indians; and 3) acquire, in his discretion, interests in lands "within or without existing reservations." The IRA also contains provisions strengthening tribal governments and facilitating their operation. The policy of the IRA, which is just the opposite of allotment, is to provide a tribal land base on which tribal communities, governed by tribal governments, could exist and flourish. Consistent with the policy, the Secretary has typically exercised his trust land acquisition authority to take lands into trust that are within, or in close proximity to, existing reservations.

The IRA has nothing to do directly with Indian gaming. The Indian Gaming Regulatory Act (IGRA), 25 U.S.C. § 2701 et. seq., adopted more than 50 years after the IRA, sets the criteria under which gaming activities can occur on Indian lands. One requirement is that if gaming is to occur on off-reservation lands, those lands must be trust lands "over which an Indian tribe exercises governmental power." The authority to acquire trust lands, however, is derived from the IRA; no trust land acquisition authority is granted to the Secretary by IGRA. The Department has taken the position that although IGRA was intended to promote the economic development of tribes by facilitating Indian gaming

operations, it was not intended to encourage the establishment of Indian gaming facilities on off-reservation land. Whether off-reservation land should be taken into trust for gaming purposes is a decision that must be made pursuant to the Secretary's IRA authority.

Compliance with 25 C.F.R. Part 151

In a letter dated February 13, 2007, the Department made it clear that the Tribe's land-into-trust application would receive a thorough and critical review under the Department's land acquisition regulations in 25 C.F.R. Part 151. Our review of the Tribe's application has identified several concerns, particularly with criteria in 25 C.F.R. §§ 151.3, 151.10(b), 151.10(c), and 151.11(b), as explained below.

A. 25 C.F.R. 151.3 Land acquisition policy.

The regulations require the Department, in 25 C.F.R. 151.3(a)(3), to make a determination that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing. The justification provided with your land-into-trust application directed our attention to economic development as the key reason for seeking our approval of this application. The proposed gaming site is approximately 135 miles from the Tribe's existing reservation. The application suggests that the economic benefits to the Tribe would be a projected cash flow from casino operations at Barstow that could then be used to satisfy tribal needs on the reservation.

B. 25 C.F.R. 151.10(b). The need of the Tribe for additional land.

The regulations require the Department, in 25 C.F.R. 151.10(b), to evaluate the need of the Tribe for additional land. The Tribe owns approximately 30,600 acres of trust land. This application does not address a need for more land to support tribal housing, government infrastructure, or to resolve local land management conflicts. Rather, the application seeks a particular site of approximately 40 acres, located 135 miles away from the reservation, which has been selected due, principally, to its proximity to urban markets.

C. 25 C.F.R. 151.10(c). The purposes for which the land will be used.

The regulations, in 25 C.F.R. 151.10(c), require the Department to consider the purposes for which the land will be used. In this case, the land will be used for the development of a very large off-reservation class III gaming facility. It is worth noting that the Tribe already has at least one class III gaming facility located on its reservation.

D. 25 C.F.R. 151.11(b). The location of the land relative to State boundaries, and its distance from the boundaries of the Tribe's reservation.

The regulations, in 25 C.F.R. 151.11(b), require the Department to consider the location of the land relative to State boundaries and its distance from the boundaries of the Tribe's

reservation. As the distance increases, the Secretary must give greater scrutiny to the Tribe's justification of anticipated benefits from the acquisition, and greater weight to the concerns of local governments. The Tribe's reservation and the proposed Barstow parcel are located in the State of California, approximately 135 miles apart. The Department is concerned that approval of this application would not support the option for tribal members to live on their existing reservation and to have meaningful employment opportunities at the proposed gaming establishment in Barstow because the proposed gaming establishment will not be located within a reasonable commuting distance from the Tribe's reservation.

① In your application you state in Resolution No. 06-01-28-01 that, "[t]he Project will provide the revenues necessary to fund essential governmental services on the Reservation, allow the Tribe to finance and develop businesses on the reservation." Therefore, the primary expected benefit is the income stream from the gaming facility, which can be used to fund tribal services anticipated to provide a positive effect on reservation life regardless of the distance of the gaming facility from the reservation. The general statements in the application on tribal programs and needs do not provide sufficient detail to allow a determination by the Secretary on the specific benefits expected from the use of net gaming revenues to either on-reservation employment of tribal members, or specific tribal programs and operations.

② The second benefit of the proposed gaming facility is the opportunity for job training and employment of tribal members living on reservation. In your application you state in Resolution No. 06-01-28-01 that the Project will, "create jobs on the Reservation that will improve the standard of living for all persons who live and work on the reservation." Your application does not indicate, however, that the Tribe expects the off-reservation location to provide jobs directly to residents of the reservation. With respect to job training and employment, the location of the gaming facility can have other significant negative effects on reservation life. Because the proposed gaming facility is not within a commutable distance of the reservation, resident tribal members will either: a) decline the job opportunity if they desire to remain on the reservation; or b) move away from the reservation to take advantage of the job opportunities.

In either case, the negative impacts on reservation life could be considerable. In the first case, the operation of the gaming facility would not directly improve the employment rate of tribal members living on the reservation. A high on-reservation unemployment rate, with its attendant social ills, is already a problem on the Tribe's reservation. A gaming operation on or close to the reservation would allow the Tribe to alleviate this situation by using its gaming facility as a conduit for job training and employment programs for tribal members. Provision of employment opportunities to reservation residents promotes a strong tribal government and tribal community. Employment of tribal members is an important benefit of tribal economic enterprises.

In the second case, the remote location of the proposed gaming facility may encourage reservation residents to leave the reservation for an extended period to take advantage of the job opportunities created by the tribal gaming facility. The potential departure of a

look at standard of living on res.

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significant number of reservation residents and their families could have serious and far-reaching implications for the remaining tribal community and its continuity as a community. While the financial benefits of the proposed gaming facility might create revenues for the Tribe and may mitigate some potential negative impacts, the Tribe's application fails to carefully address and comprehensively analyze the potential negative impacts on reservation life and does not clearly demonstrate why these negative impacts should be out weighed by the financial benefits of tribal ownership of a remote gaming facility.

Decision

The Department's regulations, in 25 C.F.R. 151.3, state that no acquisition of land in trust status shall be valid unless the acquisition is approved by the Secretary. The Department has completed an evaluation of the Tribe's fee-to-trust application for the Barstow parcel and has determined that it will not accept the land into trust.

The Department's evaluation of this off-reservation land-into-trust application has identified several concerns, as outlined above, that lead to a determination that the Department will not exercise its discretionary authority to take the parcel into trust. This decision is a final agency action consistent with the provisions of 25 C.F.R. 2.6(c).

Please be advised that since this land will not be accepted into trust, the proposed site does not qualify for Indian gaming pursuant to IGRA. It is our hope that the Department will be able to work with the Tribe to identify economic development opportunities that we can support mutually.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl J. Artman', with a long horizontal line extending to the right.

Carl J. Artman
Assistant Secretary – Indian Affairs

19



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Location Filming Made Simple In Southern California

The recent opening of Soboba Movie Ranch located at the Oaks Retreat and Conference Center provides Southern California with some excellent filming solutions.

Hollywood, CA (PRWEB) December 29, 2006 – The Soboba Band of Luiseno Indians announced the opening of the Soboba Movie Ranch today according to FilmStew.com Chairman, John Culton. FilmStew.com, the Hollywood entertainment portal, is assisting Soboba with their marketing to movie studios and production companies.

but filming in a foreign country can be filled with hassles, confusion and, most of all, a language barrier which always tends to slow down production. Soboba Ranch is owned and operated by the Soboba Band of Luiseno Indians. Your location / services agreement is your permit to shoot.

Soboba Ranch is located near the City of San Jacinto in the heart of Riverside County, only 85 miles from downtown Los Angeles. The Ranch is nestled in the foothills under the majestic peaks of Mount San Jacinto and the San Bernardino National Forest.

The ranch boasts magnificent vistas and an unparalleled diversity of shots in one location, including sports facilities (a regulation football field / stands / professional locker rooms, boxing and training facilities), foothills, orchards, old houses, bungalows, meeting areas, outdoor campfire and gathering areas, class rooms, a full compliment of interiors, and more

Additionally, the Ranch is located near the Soboba Springs Country Club with its 18-hole championship golf course and the Soboba Casino with 2000 slot machines, and a full compliment of table games. The Casino facility also has a 6000 seat outdoor arena that hosts celebrity events of all types and sporting events (King of the Cage, Pro Rodeo, Professional Bull Riding, etc.) Soboba Ranch can arrange filming per available schedule at Soboba Springs or Soboba Casino. Tribal Chairman, Robert Salgado says, "Depending upon your needs, from day shooting to feature filming, Soboba Movie Ranch can provide the varied locations and facilities. Just tell us what you need and we will put it together."

Soboba Movie Ranch is one of the rare facilities that can also provide living accommodations for a film crew. The accommodations have been recently remodeled top to bottom and include all new bedding and linens, tiled bathrooms and privacy. Soboba Ranch has single rooms, double rooms, bungalows, and rooms for meetings and relaxation.

Soboba Ranch has complete kitchen/cafeteria services and can also provide special menus or occasions such as outdoor dining and BBQs

"In recent years lots of production companies have moved to foreign countries for perceived savings," Culton says, "but filming in a foreign country can be filled with hassles, confusion and, most of all, a language barrier which always tends to slow down production. Soboba Ranch is owned and operated by the Soboba Band of Luiseno Indians. Your location / services agreement is your permit to shoot."

Tribal Administrator Tobin White says, "We are hoping to attract independent filmmakers, movie studios, corporate films, and music video. We can put together the locations, shots, and services; cut through the red tape and accommodate your needs on time."

Contact us via e-mail or visit <http://www.sobobaranch.com>

ABOUT SOBOBA BAND OF LUISENO INDIANS

The Soboba Band of Luiseno Indians is located in the foothills of the San Jacinto / Hemet Valley. The Tribe owns and operates Soboba Springs Country Club, Soboba Casino, and <http://www.sobobaranch.com>

ABOUT FILMSTEW.COM

FilmStew.com is a Hollywood entertainment portal and the online home of Hollywood's Master Storytellers. Go to <http://FilmStew.com> today and track movie projects with your favorite actors, sign up for the industry's most extensive Contact Directory, or, enjoy the daily entertainment news and reviews

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CONTACT INFORMATION

JOHN CULTON
FilmStew.com
Visit Our Site
951 658 7211
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ATTACHED FILES

There are no multimedia files attached to this release. If this is your release, you may add images or other multimedia files through your login.

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Economic – Revenue and Business

- In 2003 53 tribes in 26 counties participated in Indian gaming (casinos).
- Large casinos can easily double the daily population in small communities, increasing traffic congestion and air pollution. San Diego County notes that deterioration of air quality in the vicinity of gaming and resort projects is still a significant issue that is largely unaddressed, and the major road improvements needed to prevent development of “hot spots” take years to construct, under the best of circumstances. (1)
- Sewer and wastewater treatment is another major concern. Some casinos (*Soboba for example*) are located in dry rural areas that lack sufficient water and have inadequate wastewater infrastructure. Local governments do not have jurisdiction, and the state’s role is limited, particularly under the 1999 tribal-state compacts. (emphasis added) (1)
- Many of the jobs created by Indian casino (*and resorts*) are service jobs involving restaurant and hotel work and are relatively low paying. A 2003 study of Wages and Healthcare Benefits of Workers at Agua Caliente Casino (Rancho Mirage) . . . concluded that the income (of the average worker) was not enough for employees with children to achieve a modest standard of living. This study found that the tribe (Agua Caliente) induced employees to depend on government subsidized health-care for their children. (2)
- Many tribal casinos are located in rural areas reached by narrow winding road, leading to special problems with drunken driving. In the opinion of a Riverside County deputy district attorney, tribal casinos need to train their alcohol servers better. . . . (3)
- The adequacy of rural road infrastructure and traffic control is a major concern given the thousands of patrons drawn daily to many tribal casinos. (4)
- Casino owning tribes contributed millions of dollars to congressional campaigns at lobbyists’ direction. Federal law allows Indian tribes to contribute to an unlimited number of candidates, political parties, political action committees, and state parties, unlike other donors, who are subject to limits. (5)
- A study using data from every U. S county between 1987 and 1996 found that casinos (including Indian casinos and riverboat casinos) increased crime (defined as FBI Index 1 offenses) after a lag of three to four years. (6)
- Property crimes increased dramatically after a casino opened. (7)

- The most significant crime effects were for property crimes such as larceny and burglary, where obtaining resources was the primary motivation for the crime. A 2002 national study, using county-level data, found that four years after a Native American casino opened, property crimes (primarily auto theft and larceny) and non-violent crimes increased by about 10 per cent. (7)
- Urban casinos attract people primarily to gamble for a few hours, not to experience a destination resort, and so stimulate considerably less job creation and economic development. They are also more likely to displace other local consumer spending. Shifting expenditures from one area to another does not represent new income for the local economy. (8)
- Currently the Tribal-State compact stipulates the amount of money tribes must contribute to the state, which may or may not (emphasis added) disburse a portion of these funds to local communities to attend to various costs incurred because of tribal casinos. A number of local governments have *negotiated* (emphasis added) comprehensive local 'fair-share' financial transfer agreements directly with tribes to deal with local casino impacts. (9)
- The Palm Springs Police Department estimates that the new Spa Casino that was built in downtown Palm Springs would generate a 15% increase in calls for service when opened. The tribe claims a much lower number of calls and lower costs. (10)
- In addition to direct negative impacts on city and county services, like transportation and public safety, tribal casinos may have negative impacts on local school systems. As a large and fast growing employer of low income workers, these employees and their families depend on a vast range of social institutions, including local schools. Increased subsidies for food assistance, increased class rooms and teachers, and continuing decline in testing levels are all impacts of these low income families. (10/11)
- The prevalence of low-wage workers leads to greater reliance of publicly funded healthcare programs and health care facilities. Tribal casinos are commonly lauded as an economic development success, creating jobs and moving people off public subsidies and welfare. The record of success (in the Coachella Valley) is unremarkable. In the region, the percentage of population that qualifies for Medi-Cal assistance has pretty much followed the same pattern as found throughout Riverside County and the State. When wage earners remain in need of public healthcare, these workers, along with other taxpayers, are left to pick up the bill, essentially subsidizing the healthcare costs of employers through tax dollars. (11)

- Tribal casinos impact State and local public services – increasing the cost and potentially lowering the quality of service. Negative impacts include greater law enforcement and fire protection needs, traffic mitigation and road maintenance, water and sewage extension and maintenance, augmented social services (including family health care and affordable housing) and the added costs to infrastructure extension. (12)
- Tribal businesses do not transfer funds to State and local government like other businesses. Yet local government and local taxpayers must attend to the impacts of the business for the overall future health and safety of the community. (12)

Sources: California Research Bureau; *Gambling in the Golden State 1998 Forward*. By Charlene Wear Simmons, Ph.D. (Requested by Attorney General Bill Lockyer. May 2006

- (1) Page 76
- (2) Page 77
- (3) Page 79
- (4) Page 81
- (5) Page 139
- (6) Page 140
- (7) Page 141
- (8) Page 145

Tribal Casinos and their impact on a California community, February 2003, Prepared by the Research Dept. of the Hotel Employees and Restaurant Employees International Union.

- (9) Page 8
- (10) Page 21
- (11) Page 22
- (12) Page 25

M. Adams 7/1/08



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

2)

OFFICE OF THE
REGIONAL ADMINISTRATOR

August 21, 2008

Robert Salgado, Chairman
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA 92583

Dear Chairman Salgado:

This letter provides information on the status of fine particle (PM_{2.5}) air pollution in the area where your reservation is located. PM_{2.5} pollution represents one of the most significant barriers to clean air facing us today. Health studies link these tiny particles – about 1/30th the diameter of a human hair – to serious human health problems including aggravated asthma, increased respiratory symptoms such as coughing and difficult or painful breathing, chronic bronchitis, decreased lung function, and even premature death in people with heart and lung disease. PM_{2.5} pollution can remain suspended in the air for long periods of time and create public health problems far away from emission sources. Reducing levels of PM_{2.5} pollution is an important part of our commitment to clean, healthy air.

Your reservation is located in an area that EPA is proposing to designate as nonattainment for the 2006 PM_{2.5} air quality standard. Consistent with section 107(d) (1) of the Clean Air Act, this letter is to inform you that EPA intends to designate your reservation as nonattainment for the 2006 PM_{2.5} health standard. We also intend to provide copies of this letter to Tribal Environmental Directors along with a copy of our supporting analysis for your reference. This analysis describes EPA's review of the air quality data, emissions data, and other related information for the area surrounding your reservation. If you would like to provide additional information about the PM_{2.5} status of your reservation or adjoining areas for our consideration, please send it to us by October 20, 2008.

EPA has taken steps to reduce fine particle pollution across the country, such as implementing the Clean Diesel Program, which has reduced emissions from highway, non-road and stationary diesel engines. In addition, implementation plans developed by the state to attain the 1997 PM_{2.5} standards will also help reduce unhealthy levels of fine particle pollution.

We intend to make final designation decisions for the 2006 24-hour PM_{2.5} standards by December 18, 2008. If you have any questions, please do not hesitate to have your staff contact Colleen McKaughan at 520-498-0118. We look forward to a continued dialogue with you as we work together to implement the PM_{2.5} standards.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne Natri', written in a cursive style.

Wayne Natri
Regional Administrator

Enclosure

cc: Erica Helms-Schenk, Environmental Director

EPA Technical Analysis for the South Coast Air Basin

Pursuant to section 107(d) of the Clean Air Act, EPA must designate as nonattainment those areas that violate the NAAQS and those areas that contribute to violations. This technical analysis for South Coast Air Basin identifies the counties with monitors that violate the 24-hour PM_{2.5} standard and evaluates the counties that potentially contribute to fine particle concentrations in the area. EPA has evaluated these counties based on the weight of evidence of the following nine factors recommended in EPA guidance and any other relevant information:

- pollutant emissions
- air quality data
- population density and degree of urbanization
- traffic and commuting patterns
- growth
- meteorology
- geography and topography
- jurisdictional boundaries
- level of control of emissions sources

Figure 1 is a map of the counties in the area and other relevant information such as the locations and design values of air quality monitors, the metropolitan area boundary, and counties recommended as nonattainment by the State.

Los Angeles-South Coast Air Basin, CA

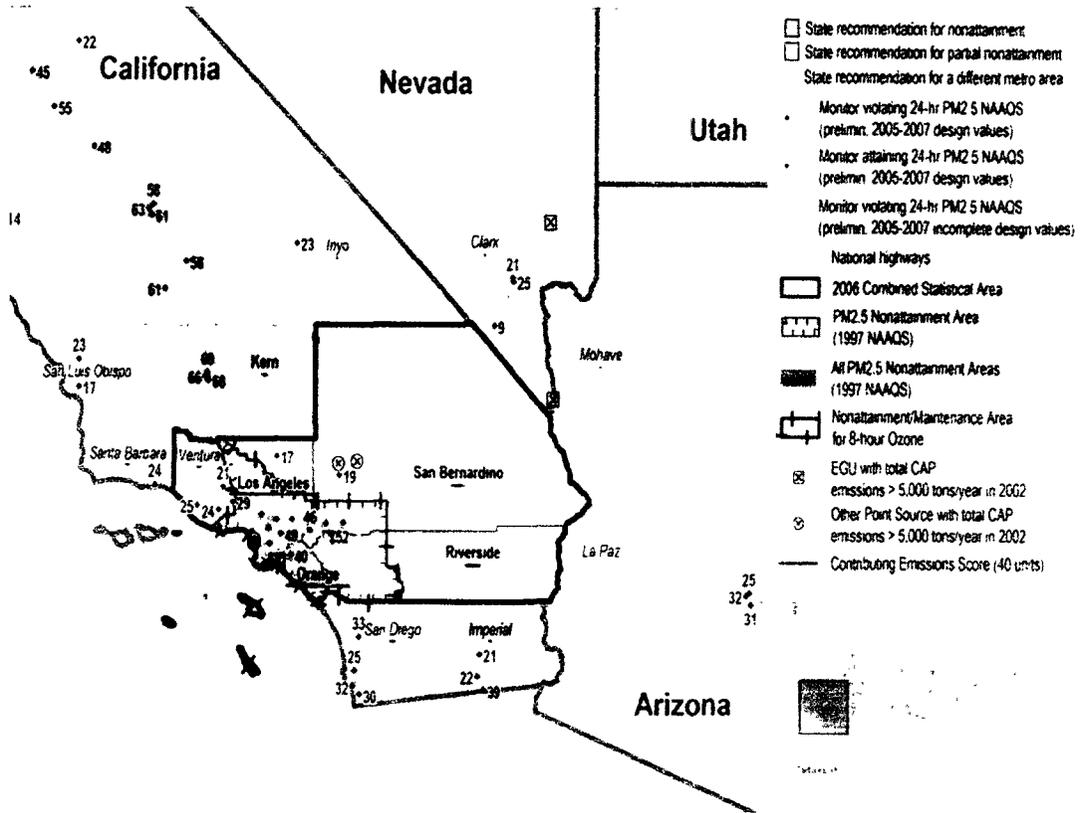


Figure 1

Counties labeled in bold reflect NAAs under 1997 NAAQS

directly from stacks rather than forming in atmospheric reactions with SO₂ and NO_x, are part of “PM_{2.5} emissions total,” they are not shown on Table 1 as separate items). “PM_{2.5} emissions carbon” represents the sum of organic carbon (OC) and elemental carbon (EC) emissions, and “PM_{2.5} emissions other” represents other inorganic particles (crystal). Emissions of SO₂ and NO_x, which are precursors of the secondary PM_{2.5} components sulfate and nitrate, are also considered. VOCs (volatile organic compounds) and NH₃ (ammonia) are also potential PM_{2.5} precursors and are included for consideration.

Emissions data were derived from the 2005 National Emissions Inventory (NEI), version 1. See http://www.epa.gov/ttn/naaqs/pm/pm25_2006_techinfo.html.

EPA also considered the Contributing Emissions Score (CES) for each county. The CES is a metric that takes into consideration emissions data, meteorological data, and air quality monitoring information to provide a relative ranking of counties in and near an area. Note that this metric is not the exclusive way for consideration of data for these factors. A summary of the CES is included in attachment 2, and a more detailed description can be found at http://www.epa.gov/ttn/naaqs/pm/pm25_2006_techinfo.html#C.

Table 1 shows emissions of PM_{2.5} and precursor pollutants components (given in tons per year) and the CES for violating and potentially contributing counties in the Los Angeles/South Coast Air Basin. Counties are listed in descending order by CES.

County	State Recommended Nontainment?	CES	PM _{2.5} Emission Total	PM _{2.5} emissions carbon	PM _{2.5} emissions other	SO ₂	NO _x	VOCs	NH ₃
Los Angeles	Yes (P)	100	16,764	10,780	5,984	31,620	272,971	191,280	12,156
Orange County	Yes	73	4,960	3,265	1,694	9,149	63,417	64,446	3,444
Riverside	Yes (P)	16	5,314	2,899	2,415	4,451	58,229	38,262	4,733
San Bernardino	Yes (P)	14	12,043	5,055	6,988	3,792	96,578	51,873	3,592

P = partial. Data given is for entire County

Los Angeles has the highest CES value and the highest PM_{2.5} emissions, and precursor emissions, by far. Orange County has a CES of 73 which argues for it being included as a candidate for a PM_{2.5} nonattainment designation. San Bernardino and Riverside Counties, while having lower CES, have significant PM_{2.5} emissions. Based on both emissions levels and CES values, parts of Los Angeles, Riverside, San Bernardino Counties and all of Orange County in California are candidates for a 24-hour PM_{2.5} nonattainment designation and, therefore, require further analysis.

Table 1 indicates that there is a significant emissions of nitrogen oxides (NO_x) and volatile organic compounds (VOCs) in these counties. These pollutants are precursors to the formation of PM_{2.5}. On-road vehicles, combined with the amount of Vehicle Miles Traveled (VMT) are the largest emission sources of these two pollutants. Data included in the “2006 Estimated Annual

Average Emissions Inventories”, available from the California Air Resources Board, indicate that for all the counties in the South Coast Air Basin, mobile sources constitute a major portion of the PM_{2.5} emissions total.

Based on emission levels and CES values, Riverside, San Bernardino, Los Angeles and Orange Counties are candidates for a 24-hour PM_{2.5} nonattainment designation.

Factor 2: Air quality data

This factor considers the 24-hour PM_{2.5} design values in micrograms per cubic meter (µg/m³) for air quality monitors in counties in the Los Angeles South Coast Air Basin based on data for the 2005-2007 period. A monitor’s design value indicates whether that monitor attains a specified air quality standard. The 24-hour PM_{2.5} standards are met when the 3-year average of a monitor’s 98th percentile values are 35 µg/m³ or less. A design value is only valid if minimum data completeness criteria are met.

The PM_{2.5} violating monitors in the South Coast Air Basin are shown in Figure 2. Los Angeles has four violating monitors, Orange County has one, San Bernardino County has two and Riverside County has three. The 24-hour PM_{2.5} design values for counties in the South Coast Air Basin are shown in Table 2.

County	State Recommended Nonattainment?	24-hr PM _{2.5} Design Values 2004-06 (µg/m ³)	24-hr PM _{2.5} Design Values 2005-07 (µg/m ³)
Los Angeles	Yes (P)	50	49
Orange	Yes	44	40
Riverside	Yes (P)	57	52
San Bernardino	Yes (P)	55	46

P = partial

Parts of Los Angeles, Riverside, San Bernardino and all of Orange County show a violation of the 24-hour PM_{2.5} standard. Although the design values of all four of these counties decreased from the 2004 – 2006 to 2005 – 2007 periods, they are still above the PM_{2.5} standard. Based on the data, these counties have the worst air quality for PM_{2.5} in the country. Therefore, these counties are candidates for inclusion in the South Coast Air Basin nonattainment area. EPA considered each County’s CES as well as other factors and circumstances when determining which counties to include in the South Coast Air Basin nonattainment area.

Eligible monitors for providing design value data generally include State and Local Air Monitoring Stations (SLAMS) at population-oriented locations with a FRM or FEM monitor. All data from Special Purpose Monitors (SPM) using an FRM, FEM, or Alternative Reference Method (ARM) which has operated for more than 24 months is eligible for comparison to the relevant NAAQS, subject to the requirements given in the October 17, 2006 Revision to Ambient



<http://www.epa.gov/otaq/inventory/overview/pollutants/pm.htm>

Last updated on Monday, July 9th, 2007.

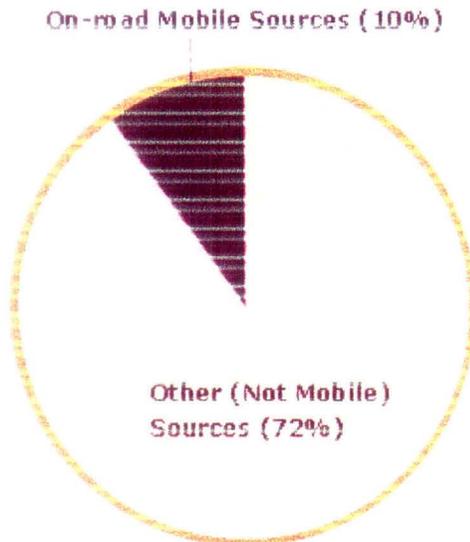
Mobile Source Emissions - Past, Present, and Future

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[Pollutants](#) [Particulate Matter](#)

Particulate Matter

[Carbon Monoxide](#)
[Hydrocarbons](#)
[Nitrogen Oxides](#)
[Particulate Matter](#)

1999 National Emissions by Source: Fine Particulate Matter (PM2.5)



Particulate matter is the term for solid or liquid particles found in the air. Some particles are large or dark enough to be seen as soot or smoke, but fine particulate matter is tiny and is generally not visible to the naked eye. Mobile source particulate emissions consist mainly of these very tiny particles, also known as PM2.5, because they are less than 2.5 microns in diameter.

Click on a mobile source category for detailed information.

General information about other (not mobile) sources can be found at www.epa.gov/air/data/netdb.html and at www.epa.gov/air/urbanair/6poll.html

View the entire [1999 Trends Report](#) for detailed information on hydrocarbon emissions by various sources.

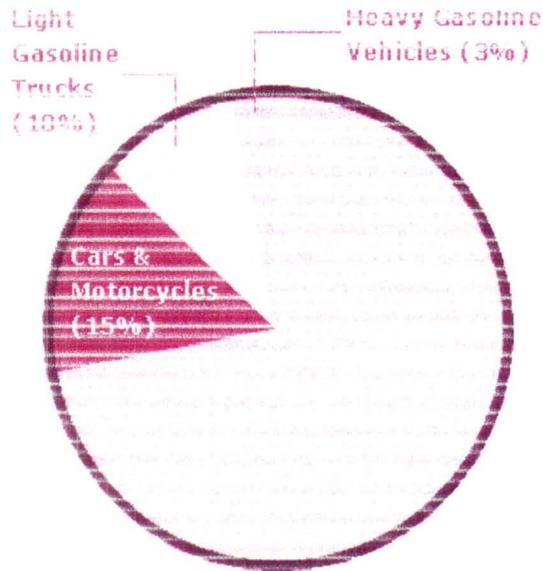
Both on-road and nonroad mobile sources emit fine particulate matter. Diesel-powered vehicles and engines contribute more than half the mobile source particulate emissions.

Fine particulate matter is a health concern because very fine particles can reach the deepest regions of the lungs. Health effects include asthma, difficult or painful breathing, and chronic bronchitis, especially in children and the elderly. Fine particulate matter associated with diesel exhaust is also thought to cause lung cancer and is therefore listed as a mobile source air toxic. Fine particulate matter can travel long distances on air currents and is also a major cause of haze, which reduces visibility, affecting cities and scenic areas throughout the United States.

Learn more about [particulate matter](#) and [haze and visibility](#). You can also find out about [PM2.5 levels where you live](#).

1999 National Emissions by Source: Particulate Matter (PM2.5)

On-Road Mobile Sources



1999 National Emissions by Source: Particulate Matter (PM2.5) Nonroad Mobile Sources



<http://www.epa.gov/otaq/inventory/overview/pollutants/nox.htm>

Last updated on Monday, July 09, 2007

Mobile Source Emissions - Past, Present, and Future

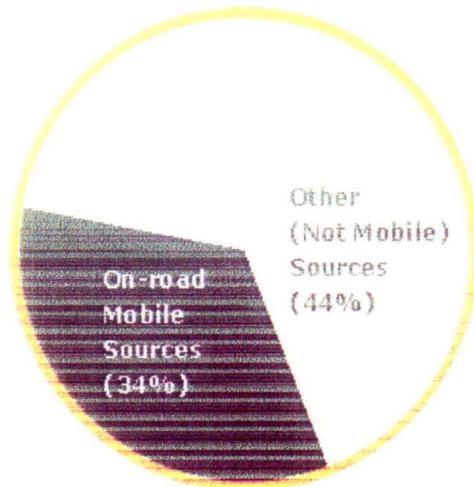


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Nitrogen Oxides

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1999 National Emissions by Source: Nitrogen Oxides



Nitrogen oxides form when fuel burns at high temperatures, such as in motor vehicle engines. Mobile sources are responsible for more than half of all nitrogen oxide emissions in the United States. Both on-road and nonroad mobile sources are major nitrogen oxide polluters

Click on a mobile source category for detailed information.

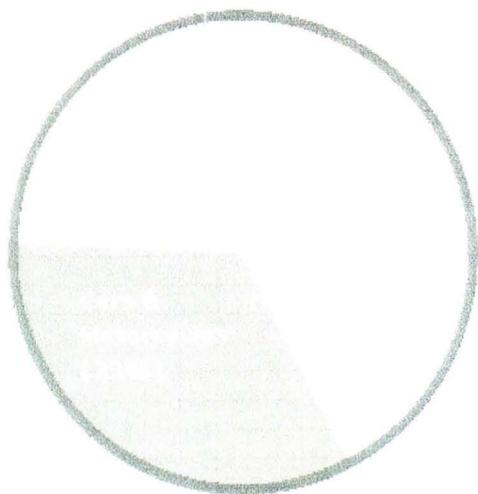
General information about other (not mobile) sources can be found at www.epa.gov/air/data/netdb.html and at www.epa.gov/air/urbanair/6poll.html

View the entire [1999 Trends Report](#) for detailed information on hydrocarbon emissions by various sources.

Nitrogen oxides can travel long distances, causing a variety of health and environmental problems in locations far from their emissions source. These problems include ozone and smog, which are created in the atmosphere from nitrogen oxides, hydrocarbons, and sunlight. On smoggy days, you might notice difficulty breathing or trouble seeing objects in the distance. Nitrogen oxide emissions also contribute to the formation of particulate matter through chemical reactions in the atmosphere.

Learn [more about nitrogen oxides and ground-level ozone](#), the major component of smog. Also, find out about [nitrogen oxide levels where you live](#).

1999 National Emissions by Source: Nitrogen Oxides On-Road Mobile Sources



**1999 National Emissions by Source: Nitrogen Oxides
Nonroad Mobile Sources**

<http://www.epa.gov/otaq/inventory/overview/pollutants/hydrocarbons.htm>

Last updated on Monday, July 9th, 2007

Mobile Source Emissions - Past, Present, and Future

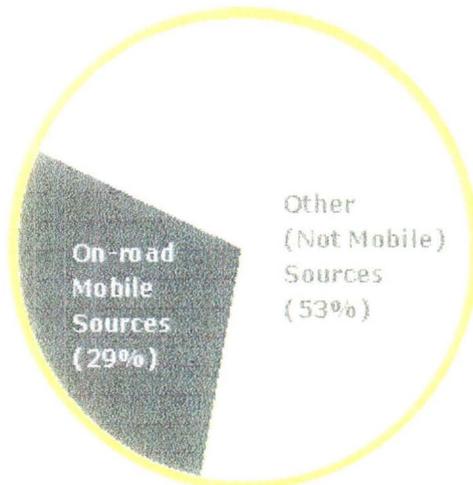


You are here: [EPA Home](#) | [Transportation and Air Quality](#) | [Mobile Source Emissions](#)
[Pollutants](#) | [Hydrocarbons](#)

Hydrocarbons

[Carbon Monoxide](#)
Hydrocarbons
[Nitrogen Oxides](#)
[Particulate Matter](#)

1999 National Emissions by Source: Hydrocarbons



Hydrocarbons are a precursor to ground-level ozone, a serious air pollutant in cities across the United States. A key component of smog, ground-level ozone is formed by reactions involving hydrocarbons and nitrogen oxides in the presence of sunlight. Hydrocarbon emissions result from incomplete fuel combustion and from fuel evaporation. Today's cars are equipped with emission controls designed to reduce both exhaust and evaporative hydrocarbon emissions.

Click on a mobile source category for detailed information.

General information about other (not mobile) sources can be found at www.epa.gov/air/data/netdb.html and at

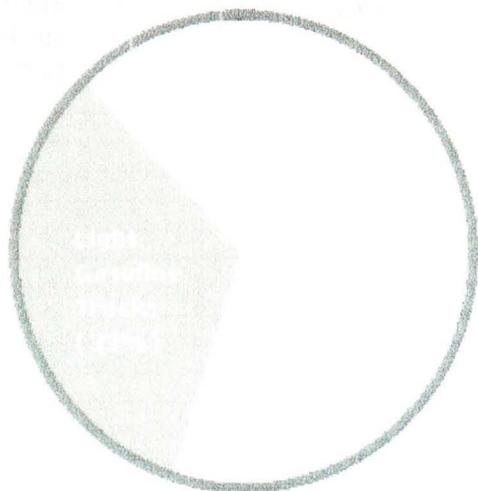
www.epa.gov/air/urbanair/6poll.html

View the entire 1999 Trends Report for detailed information on hydrocarbon emissions by various sources.

Ground-level ozone causes health problems such as difficulty breathing, lung damage, and reduced cardiovascular functioning. A number of hydrocarbons are also considered toxic, meaning they can cause cancer or other health problems.

Learn more about the role hydrocarbons play in creating ozone, the health and environmental effects of ozone, and about hydrocarbon levels where you live.

1999 National Emissions by Source: Hydrocarbons On-Road Mobile Sources



**1999 National Emissions by Source: Hydrocarbons
Nonroad Mobile Sources**



<http://www.epa.gov/otaq/inventory/overview/pollutants/carbonmon.htm>

Last updated on Monday, July 9th, 2007.

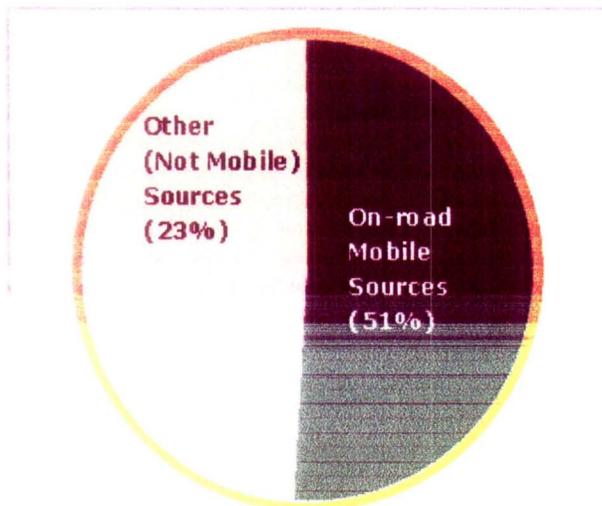
Mobile Source Emissions - Past, Present, and Future

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[Pollutants](#) [Carbon Monoxide](#)

Carbon Monoxide

- **Carbon Monoxide**
- [Hydrocarbons](#)
- [Nitrogen Oxides](#)
- [Particulate Matter](#)

1999 National Emissions by Source: Carbon Monoxide



Although you cannot see or smell carbon monoxide, this poisonous gas is a major air pollutant in many American cities. Carbon monoxide forms when carbon in fuel doesn't burn completely (incomplete combustion). The main source of carbon monoxide in our air is vehicle emissions. As much as 95 percent of the carbon monoxide in typical U.S. cities comes from mobile sources, according to EPA studies.

Click on a mobile source category for detailed information.

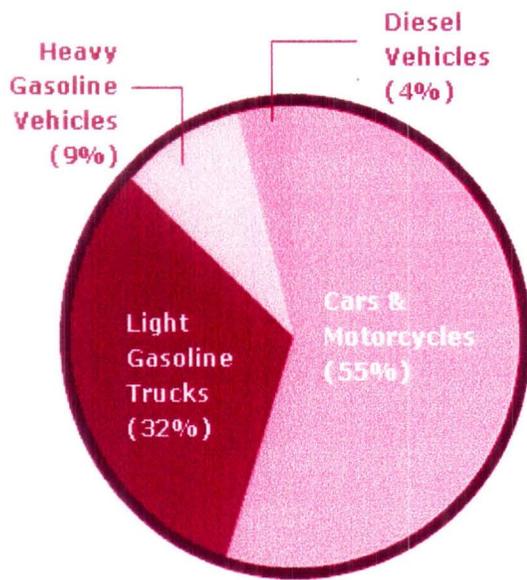
General information about other (not mobile) sources can be found at

www.epa.gov/air/data/netdb.html and at www.epa.gov/air/urbanair/6poll.html

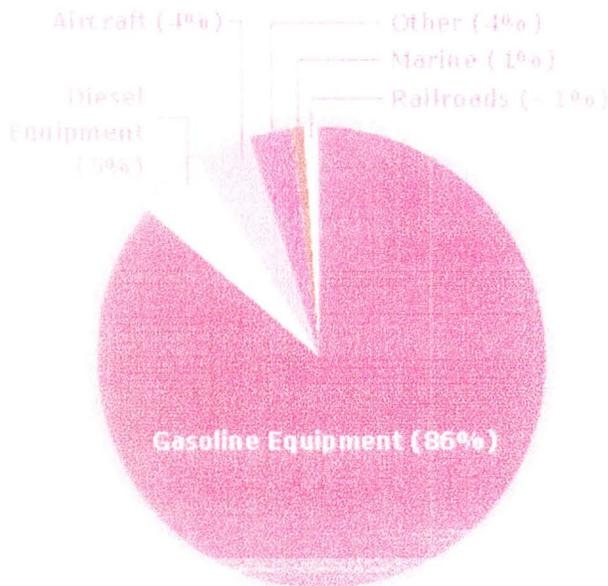
View the entire [1999 Trends Report](#) for detailed information on carbon monoxide emissions by various sources.

Carbon monoxide is harmful because it reduces oxygen delivery to the body's organs and tissues. It is most harmful to those who suffer from heart and respiratory disease. High carbon monoxide pollution levels also affect healthy people. Symptoms may include visual impairment, headache, and reduced work capacity. Unlike many other air pollutants, carbon monoxide levels in the outside air typically peak during colder months. [Learn more about carbon monoxide](#), and find out about [carbon monoxide levels where you live](#).

1999 National Emissions by Source: Carbon Monoxide On-Road Mobile Sources



1999 National Emissions by Source: Carbon Monoxide Nonroad Mobile Sources



Off-road vehicles' dirty air equal to 1.5m car trips

Motorized off-road vehicle use in California releases as much greenhouse gas as 1.5 million car trips from San Francisco to Los Angeles, according to a report from the Center for Biological Diversity and Clean Air Initiative.

Yet California continues to exempt the most-polluting off-road vehicles from state air-quality laws, the study said. The loophole should be closed, said the Center for Biological Diversity.

Off-road vehicles include dirt bikes, all-terrain vehicles and snowmobiles.

California aims to cut emissions

[Climate, from Page A1]

Automakers oppose California's pending crackdown on carbon dioxide emissions from cars, a regulation that more than a dozen states have pledged to adopt. Manufacturers want regulators to lower the cost of complying, saying it will lead to billions of dollars in higher electricity costs.

"This plan is an economic train wreck waiting to happen," James Duran of the California Hispanic Chambers of Commerce told the board, saying that it would cause financial hardship to minority-owned companies.

But Bob Epstein, a Silicon Valley entrepreneur, led a coalition of energy technology and Hollywood executives, including Google Chief Executive Eric Schmidt, in endorsing the plan as a spur to the state's lagging economy.

Investors have poured \$2.5 billion into California clean-tech companies in the first nine months of the year, up from \$1.8 billion for all of 2007,

he said, a level that eclipsed the software industry.

"This plan is a clear signal to investors to invest in California," Epstein said.

Schwarzenegger, a sharp critic of President Bush's opposition to climate legislation, said, "When you look at today's depressed economy, green tech is one of the few bright spots out there."

California's plan will be "a road map for the rest of the nation," he predicted.

After an aborted attempt last spring, Congress is expected to renew its efforts to craft climate legislation next year. Many of the elements in contention are addressed in California's blueprint, including a cap-and-trade program that would allow industries to reduce emissions more cheaply.

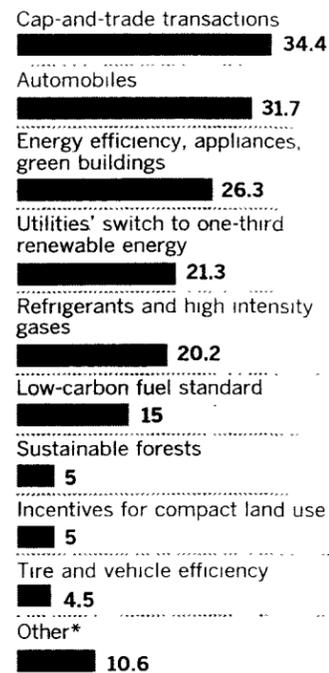
In 18 months of public hearings and workshops, hundreds of people testified and more than 43,000 comments were submitted. More than 250,000 copies of the plan have been

Cutting emissions

The California Air Resources Board adopted a blueprint to slash the state's emission of greenhouse gases to 1990 levels by 2020. Where and how the state plans to cut 174 million metric tons

Proposed cuts, by source

(In millions of metric tons)



* Includes goods movement, port electrification, solar roof program, industrial measures, aerodynamic and hybrid trucks, high-speed rail and landfill methane capture

Sources: California Air Resources Board, Associated Press. Graphics reporting by MARGOT ROOSEVELT

Los Angeles Times

viewed or downloaded from the air board's website in the last two months.

The state's blueprint will be implemented over the next two years through industry-specific regulations. Republican legislators have called on Schwarzenegger to delay the

Strategies the state will use to cut emissions

Carbon trading

- Impose an emissions limit on utilities, refiners, fuels and large industrial sources.

- Allow those large polluters to lower emissions by participating in a cap-and-trade market

Transportation

- Require automobile manufacturers to make less-polluting vehicles.

- Reformulate transportation fuels to be less carbon-intensive by 2020.

- Give local governments incentives to curb urban sprawl.

- Support efforts to build a high-speed rail system.

- Require ships to turn off their engines while docked.

Trash and recycling

- Capture methane emissions from landfills.

- Increase recycling.

Energy

- Require utilities to get one-third of their electricity from renewable sources by 2020.

- Strengthen energy-efficiency standards for appliances and buildings.

- Use less energy to transport and treat water

- Fund incentives for solar roof panels and water heating systems.

- Require major industrial facilities to audit their energy use.

Industry

- Require refineries to reduce methane emissions.

- Limit flaring at oil refineries.

Forestry and agriculture

- Better manage forests to store carbon dioxide.

- Support processing of farm and dairy manure.

plan, citing the dire state of California's economy and criticism of the air board's economic models.

Fears were also expressed at Thursday's hearing by city and county officials who said the plan's effort to force land-use changes infringes on local

powers. Environmentalists want more ambitious strategies to curb the sprawl that has led to a rapid increase in driving, and thus in greenhouse gases.

Worldwide, emissions of planet-warming gases, which are mainly formed by burning fossil fuels, have been growing far more rapidly than scientists had predicted. California is expected to experience severe damage from climate change by mid-century, including water shortages from a shrinking snowpack, increased wildfires, rising ocean levels and pollution-aggravating heat waves.

Given the state's fast-growing population and sprawling suburban development, its emissions are on track to increase by 30% over 1990 levels by 2020. The new blueprint would slash the state's carbon footprint over the next 12 years by a total of 174 million metric tons of greenhouse gas emissions — the equivalent of 4 metric tons for every resident.

Despite the reach of the state's effort, it would barely make a dent in global warming: The state's emissions account for about 1.5% of the world's

emissions. Nonetheless, air board Chairwoman Mary Nichols said California's leadership has spurred other states to move ahead. "We are filling a vacuum left by inaction at the federal level," she said.

More than two dozen states have committed to capping emissions since California passed its landmark 2006 global warming law, the trigger for Thursday's action by the Air Resources Board.

California has joined with four Canadian provinces and seven western states to form a regional cap-and-trade program. Under the program, the states would set a total allowable amount of emissions — as California did in its blueprint. Utilities and other large industries would be required to obtain allowances to cover their emissions. If companies cut emissions more than required, they can sell their extra emission reductions to firms that are not able to meet their targets.

A cap-and-trade system has been adopted in Europe, where it was initially fraught with logistical problems and afforded windfall profits to many industries. California's system, which would apply to industries responsible for 85% of its emissions, is the most controversial aspect of its plan.

Groups representing low-income residents of polluted urban areas testified that allowing industries to trade in emissions would lead to dirtier plants in their neighborhoods. Under California's plan, industries would also be allowed to buy "offsets" — emission reductions from projects in other states, or possibly foreign nations, to avoid making their own reductions.

However, the board assuaged many environmentalists Thursday when it pledged that it would gradually move toward a system to auction 100% of greenhouse gas permits, rather than give the permits away for free, as was initially the case in Europe.

Bernadette del Chiaro, an energy analyst for Environment California, predicted the auctions could bring in \$1 billion at the outset and up to \$340 million per year by 2020.

"This is huge," she said. "Revenue from polluters would be used to transit to a green economy."

Roosevelt is a Times staff writer.
margot.roosevelt@latimes.com

**Statement of Majel M. Russell
Principal Deputy Assistant Secretary for Indian Affairs
U.S. Department of the Interior
Before the
Subcommittee on Water and Power
Committee on Natural Resources
U.S. House of Representatives
On
H.R. 4841**

March 13, 2008

Madam Chairwoman and members of the Subcommittee, my name is Majel M. Russell and I am the Principal Deputy Assistant Secretary - Indian Affairs at the Department of the Interior. I appreciate the opportunity to appear today to present the Administration's views on H.R. 4841, the "Soboba Band of Luiseño Indians Settlement Act."

The Administration supports H.R. 4841, provided that the Settlement Agreement that the bill approves is modified to be fully consistent with the language included in H.R. 4841 and the agreements among the parties and the United States. Passage of this bill would bring to an end almost sixty years of sporadic litigation and over ten years of settlement negotiations. Parties to the Settlement Agreement include the Soboba Band of Luiseño Indians (Soboba Tribe) and three water districts active in the San Jacinto water basin in Riverside County, California, where the Soboba Reservation is located: the Eastern Municipal Water District (EMWD), the Lake Hemet Municipal Water District (LHMWD), and the Metropolitan Water District of Southern California (MWD). Approval by Congress of this Settlement Agreement would resolve contentious questions of liability and ownership of water rights that have hindered the Soboba Tribe's efforts to stimulate economic growth and provide an adequate standard of life for its people as well as regional efforts to achieve sustainable water management in the over-drafted San Jacinto basin.

This settlement provides a just resolution that protects the Soboba Tribe's water rights, avoids protracted litigation, and advances the interests of the entire San Jacinto basin.

The fact that all parties are making significant contributions indicates the importance of this settlement to everyone involved. The value of the non-Federal contribution that is provided for in the Settlement Agreement exceeds \$80 million, which is approximately four times the Federal cost share of \$21 million that would be authorized by H.R. 4841. Under the Settlement Agreement, the Soboba Tribe is also contributing by agreeing to forbear in its use of a portion of its water rights for the next fifty years. By gradually phasing in increased water use, the Soboba Tribe is giving two local water districts the time they need to develop and implement a groundwater management plan to cure the current overdraft in the San Jacinto basin. The Soboba Tribe's forbearance has a monetary value of over \$58 million and this contribution, combined with the Federal monetary support, was key to convincing the three water districts involved to agree to make their own significant contributions.

*How to monitor use
golf course
Clubhouse
Reservation
Orchards
Kasino
hotel/casino
shops
irrigation*

A crucial provision of the settlement is the agreement by MWD to deliver 7,500 acre-feet of water each year for the next 30 years to the two local water districts, EMWD and the LHMWD, to use to recharge the San Jacinto groundwater basin. Recharging the depleted basin should help not only to fulfill the Band's water rights but also to terminate chronic groundwater overdrafts that, if left unaddressed, would eventually lead to further **degradation of the basin's environment.** When implemented, the groundwater management plan that is being developed will restore groundwater levels to close to the historic norm and ensure that the rate at which water is being withdrawn from the aquifer does not exceed the rate at which the aquifer is being recharged, thus supporting the conditions for a sustainable water budget and long-term health of the valley ecosystem. We believe that this settlement illustrates the potential of negotiated settlements to resolve Indian water rights claims in a manner that both recognizes local needs and provides for long-term improvements in regional water management.

Background

Water use in the San Jacinto Valley by the Tribe predates American settlement in the 1860s; the earliest known diversion of water from the San Jacinto River was from the

Soboba Ditch used by the Soboba Tribe. The Soboba Indian Reservation was created by Executive Order in 1883. Until non-Indian diversions from the River began in the late 1800s, the San Jacinto River flowed through the Reservation year-round. Construction of the Hemet Dam on the South Fork of the San Jacinto River in 1893 together with diversion of surface flows effectively stopped the summer and autumn flow of the San Jacinto River to the Soboba Indian Reservation. This left the Soboba Tribe without surface water for irrigation of its main valley lands. Since that time, groundwater has been the main source of water supply to the Reservation.

Construction of the San Jacinto Tunnel by the MWD, which took place between 1933 and 1939 as part of the Colorado River Aqueduct System, resulted in the interception of significant amounts of groundwater that used to naturally recharge the aquifer under the Soboba Reservation. The tunnel reduced the number of springs on the Reservation from 40 to just a few. Groundwater pumping in the basin has subsequently lowered the water table to over 200 feet below the land surface, and presently it is estimated that the basin groundwater overdraft is about 10,000 acre-feet per year.

Litigation involving Indian water rights in the basin began as far back as 1950 when the Soboba Tribe brought claims before the Indian Claims Commission (ICC) against the United States for failing to protect the Tribe's water resources. A 1976 ICC ruling found that the Soboba Reservation "has been transformed from an oasis into a desert, completely unsuitable for the purposes for which it was established." In 1992, the United States reached a settlement with the Soboba Tribe for \$12 million for damages for failure to protect the Tribe's water through 1991.

In 1995, a Federal Negotiation Team was appointed to seek a settlement of the Soboba Tribe's water rights claims and to find mechanisms to prevent further damage to the Reservation. The Team has worked with the Soboba Tribe and the other parties to this settlement consistent with the *Criteria and Procedures for the Participation of the Federal Government in Negotiations for the Settlement of Indian Water Rights Claims*

(Criteria), found at 55 Fed. Reg. 9223 (1990), to develop the Agreement that would be approved through the passage of H.R. 4841.

The parties did not all come to the negotiating table at once. In 2000, the Soboba Tribe filed a lawsuit against MWD in United States District Court seeking damages and injunctive relief on the grounds that the construction and operation of the San Jacinto Tunnel have interfered with the Soboba Tribe's water resources and its rights to the beneficial use and enjoyment of the Reservation. This litigation provided the impetus MWD needed to join the water rights negotiations and the active participation of the three water districts, MWD, EMWD, and LHMWD, proved crucial to the agreement underlying this settlement.

Details of the Agreement and Current Status

Under the Settlement Agreement reached among the parties, the water districts will guarantee the delivery of 7,500 acre-feet per year for 30 years to recharge the San Jacinto basin. In addition, to resolve claims of past damages to the Tribe, MWD and EMWD together are also contributing 128 acres of land, with an estimated value of \$55 million. EMWD together with LHMWD are providing \$30 million in a combination of monetary and in-kind contributions to the settlement (waiving the usual fee for water hookups and providing habitat mitigation land for recharge project development).

San Jacinto

The Settlement Agreement provides for a basin recharge plan and the development of a Water Management Plan to stop the current overdraft in the San Jacinto basin. The United States would provide funding in the amount of \$10,000,000 for only a portion of the basin recharge plan; most of the funding would come from local sources. The agreement also includes Federal funding in the amount of \$11,000,000 for the Soboba Tribe for rehabilitating and maintaining water and sewage infrastructure and other water-related development projects. No Federal money will be available for expenditure until the Settlement Agreement becomes effective under section 10(a) of H.R. 4841.

The Settlement Agreement releases the parties from potential damage claims: MWD is released from damage claims related to the San Jacinto tunnel and LHMWD and EMWD are both released from damage claims based on interference with the Soboba Tribe's water rights. Implementation of the settlement will release the United States from any potential damage claims that could be asserted by the Soboba Tribe with respect to failure to protect the Tribe's water rights and will relieve the Federal government of the obligation to litigate the Soboba Tribe's water rights claims at substantial Federal expense.

As referenced in H.R. 4841, all the parties except the United States signed a Settlement Agreement in June of 2006. Enactment of H.R. 4841 will allow the United States to join in the Settlement Agreement after modifications are made to the agreement consistent with the provisions of H.R. 4841 and understandings among the parties. The water districts that are parties to the settlement and the Soboba Tribe have all been actively participating in activities consistent with the settlement over the last year. Notably, the Soboba Tribe has already started work on rehabilitating its existing water and sewer system, and the water districts have already made progress in planning and design work for the new water delivery infrastructure required under the Settlement Agreement.

Conclusion

It is most significant that the Settlement Agreement ratified by H.R. 4841 includes provisions, particularly those related to the recharge and restoration of the San Jacinto basin aquifer, that could not be achieved through litigation. Negotiating a settlement rather than facing each other in court allowed the parties to develop a settlement that went beyond zero-sum battles over a disappearing groundwater resource. Not only does this settlement provide the Soboba Tribe with an assured water right, but it also provides the framework for regional groundwater management that will help to restore the groundwater flows to some of the dry springs on the Soboba Reservation and to prevent the current overdraft situation from continuing in the future.

Enactment of this legislation will ensure the future water supply of the Soboba people as well as providing for the needs of the valley's non-Indian inhabitants and providing a legally sound basis for future water management decisions by the three water districts that participated in these negotiations. We believe that the Federal participation and contribution contemplated in H.R. 4841 is appropriate to resolve the Soboba Tribe's water rights claims. This settlement illustrates how negotiated agreements among Indian tribes, states, local parties, and the Federal government can resolve reserved water right claims, provide assured water supplies for present and future tribal generations, and wisely manage an increasingly scarce resource. It also illustrates the gains that can be made ~~when all stakeholders, including non-Indian and non-Federal parties,~~ are willing to make substantial contributions to achieve long-term solutions of their water management dilemmas.

This concludes my statement. I would be happy to answer any questions that the Subcommittee may have.

SOBOBA TRIBE'S FEE-TO-TRUST RESEARCH PROJECT

TOPIC: Water Resources

FACTS:

*Water Supply: The Tribe has, after decades of legal action, tentatively secured significant future water sources. At a meeting of the “working group”(1) it was stated the Tribe would have excess water to improve the area water supplies. Contractual assurance should be required on behalf of the involved entities—cities, water districts, agricultural users, water conservation organizations and the county—that the tribe will meet their commitments regarding water usage and aquifer recharge.

*The water resources subject is dealt with extensively in the DEIS(pg 15), letters from the City of San Jacinto, Eastern Municipal Water District and the United States Environmental Protection Agency (also in the DEIS). Missing in those sources is the blatant disregard of water quality by the Tribe's existing casino wastewater leech system discharge into the San Jacinto River watershed.

(1) “The working group” was established by the Tribe. It met twice: the third meeting was cancelled on short noticed after the much-publicized shootings.

VISUAL

27

From: Bill Bengen (bill@ragesd.org)
To: bill@ragesd.org
Date: Wednesday, May 28, 2008 10:18:05 PM
Subject: Today's R.A.G.E.: Some news about Singing Hills

Fellow R.A.G.E. supporter,

Attached is a letter from Carl J. Artman, departing Ass't Secretary for Indian Affairs (US Department of the Interior), to Congressman Duncan Hunter. It contains at least two passages which have great significance for all of us. First, some background on why the letter was written.

The Dehesa Valley Community Council has been pursuing, with the substantial aid of the Congressman's local office, a land-into-trust transaction by the Sycuan band which apparently was made under false pretenses. Some years ago the tribe applied for, and received permission from the DOI to place about 82 acres of newly acquired land into trust for purposes of "housing".



The parking garage contains housing today. Instead, Sycuan built on the site the 2,000-vehicle parking garage for casino patrons, which it so proudly advertises on TV. DVCC objected (as do we!) and asked Hunter's office to write the DOI to complain about the matter. The attached letter- which was much delayed in coming- is their reply, as well as a reply to an inquiry about the status of the Singing Hills land-into-trust application.

As you can see, the official position of the DOI is that once land is taken into trust, regulations "do not authorize the Department to impose restrictions on a tribe's future use of land which has been taken into trust." In other words, a tribe could claim it needed to take land into trust for any purpose at all- housing, medical needs, schools, etc.- and then do whatever it wished with the land once it was in trust. I imagine that includes constructing a toxic waste facility, or a nuclear waste dump!

Given that logic, one quickly arrives at the conclusion that **under the current system, no applications for land into trust should be approved for any Indian tribe anywhere, as the land could be used for casino-related purposes once it is placed into trust, no matter what the original stated intent.** Once having used this "bait-and-switch" tactic, the tribe has completely lost all credibility with the local community. As the saying goes, "Once fooled, shame on you. Twice fooled, shame on us".

This startling revelation segues neatly into the last paragraph of the letter, which is fraught with implication for the as-yet-to-be-filed land-into-trust application for Singing Hills Resort. Secretary Artman concludes by saying "...the Department of Interior has not received an application into trust for the Tribe. **If and when that happens, the Department will be vigilant in reviewing the application, especially because the 2007 compact specifically lists that parcel as potentially eligible for gaming.**"

In other words, no "bait-and switch" tactic could be used to bring the Singing Hills property into trust for purposes other than casino gaming- because the amended compact, approved by the legislature and signed into law by the governor specifically refers to this parcel's use as a casino

gaming site.

And in so many other words, we believe that the Secretary is implying that if the local community raises enough objections to the land-into-trust application when it is received, the community's objections will carry great weight. That is when all of us will come into the picture. That will be the time for all of us to take a stand to defend our community and neighborhoods from this unwelcome, unwanted, and unwarranted intrusion on our peaceful lifestyle here in East County. Expect a loud clarion call from me when the application from Sycuan arrives at the DOI. I know you will respond, as you have in the past!

Our considerable thanks to Michael Harrison of Duncan Hunter's office for pursuing this matter with the DOI, and to Pat Riggs and the DVCC for raising loud and persistent objections to the bad-smelling "bait & switch" maneuver by Sycuan. Well done, all!

Best regards,

Bill Bengen

Residents Against Gaming Expansion (R.A.G.E.): This and future e-mails will concern themselves with our grassroots effort to prevent the Sycuan Band from building a huge new casino at or near Singing Hills Resort, as well as adding 3,000 slots to their existing count of 2,000. If you do not wish to continue receiving these e-mails, please e-mail me back accordingly. Thanks for reading! Please visit our website: www.ragesd.org



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



MAY 12 2008

The Honorable Duncan Hunter
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Hunter:

Thank you for your letter of April 1, 2008, regarding a dispute between the Sycuan Band of the Kumeyaay Nation (Tribe) and the Dehesa Valley Community Council (Dehesa Community) concerning a Tribe's land acquisition program. You have enclosed with your letter copies of a January 10, 2006, letter from the Dehesa Community, and of a January 29, 2007, letter from the Tribe. These letters address the issues of concern that the Dehesa Community has raised with you.

The Dehesa Community would like the Department of the Interior to re-examine a fee-to-trust application for an 82.85-acre parcel of land that was taken into trust for the Tribe in 2004 because the actual use of the land (parking lot for casino) is different from the proposed use at the time of acquisition (housing). We understand that the Dehesa Community is very unhappy with what it is calling the "bait and switch" tactic employed by the Tribe. Although we understand the Community's concern, once land is taken into trust, the Department is not authorized to reconsider its decision because land cannot be taken out of trust without Congressional authorization. In addition, current land acquisition regulations in 25 CFR Part 151 do not authorize the Department to impose restrictions on a Tribe's future use of land which has been taken into trust. See *City of Lincoln, Oregon v. Portland Area Director*, 33 IBIA 102 (1999). To do so would require amending existing regulations in 25 CFR Part 151. The Department is not currently in the process of amending these regulations. In addition, the Department has been reluctant in the past to take any action to eliminate the flexibility that Indian tribes enjoy to change the use of trust lands both because it is an aspect of tribal sovereignty and because it is a needed tool to adapt to changed economic conditions.

The Dehesa Community also questions whether the use of the 82.85-acre parcel for a parking lot is consistent with a provision of the Tribe's 1999 compact with the State of California which requires any portion of a gaming facility (including a parking lot) to be located on Indian lands on which gaming may lawfully be conducted under the Indian Gaming Regulatory Act (IGRA). Since the 82.85-acre parcel of land is contiguous to the Tribe's Indian Reservation as it existed on October 17, 1988, gaming on the parcel would be authorized under Section 20(a)(1) of IGRA, 25 U.S.C. 2719(a)(1).

The Dehesa Community would also like the Department to "pay attention" to the Tribe's potential future trust acquisition of a specific 1,600-acre parcel because that parcel is identified in the Tribe's 2007 class III gaming compact with the State of California. At this

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RIGGS
CONGRESSMAN D. BLUNIER

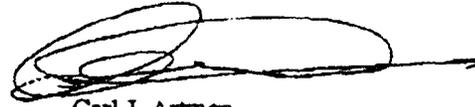
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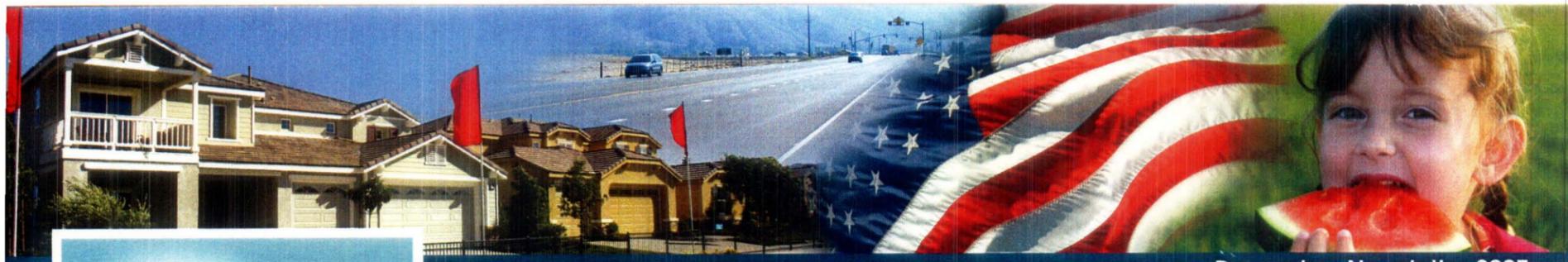
time, the Department of the Interior has not received an application to take the 1600-acre parcel into trust for the Tribe. If and when that happens, the Department will be vigilant in reviewing the application, especially because the 2007 compact specifically lists that parcel as potentially eligible for gaming.

We hope this information is helpful. Thank you for your interest in this important matter.

Sincerely,



Carl J. Artman
Assistant Secretary - Indian Affairs



December Newsletter 2007



City of SAN JACINTO

City Manager's Message

Welcome to the City of San Jacinto 2007 Newsletter. It has been an exciting year in San Jacinto with so many more shopping opportunities becoming available, more police officers and paramedics added, more new parks, and more new sidewalks. The city team has been working hard to keep these improvements on course, and I am pleased to report our success.

So much is happening, but let us begin with the commercial development. The Wal-Mart Super Center opened on May 9, and the Stater Bros. at Ramona Expressway and State Street followed two weeks later. A shopping center opened this summer at the northeast corner of Esplanade and Sanderson, with a restaurant, drive-through coffee shop, and other eating and shopping conveniences. Currently, a 15,000 square foot Fresh & Easy is under construction as well. Valley Medical Center, next to the movie theater, is opening in November.

With the budget year that began in July, the city added five sworn police officers which keeps our sworn law enforcement levels in stride with our growth. These additional officers keep our ratio of police to population at slightly more than one per 1000, which is a benchmark many cities strive to attain. Also, the addition of paramedic/firefighters to each shift at both fire stations was approved. This will now provide residents with "first responder" Advance Life Support on every city fire engine. Previously, we have had Emergency Medical Technicians on each engine, and Paramedics were only available in the responding ambulance, which typically arrives a few minutes after a fire engine is already on scene.

The city has completed many much needed street improvement programs such as the widening of the Ramona Expressway to four lanes from Sanderson to Warren. The downtown area just had a half-million dollars worth of sidewalk installed in older neighborhoods, and many more streets will be resurfaced this year. In the next year, many improvements will take place on San Jacinto Avenue, Ramona Blvd., and Ramona Expressway with the funds provided by CalTrans for the city accepting Highway 79 into our local street system.

Regards,

Barry McClellan

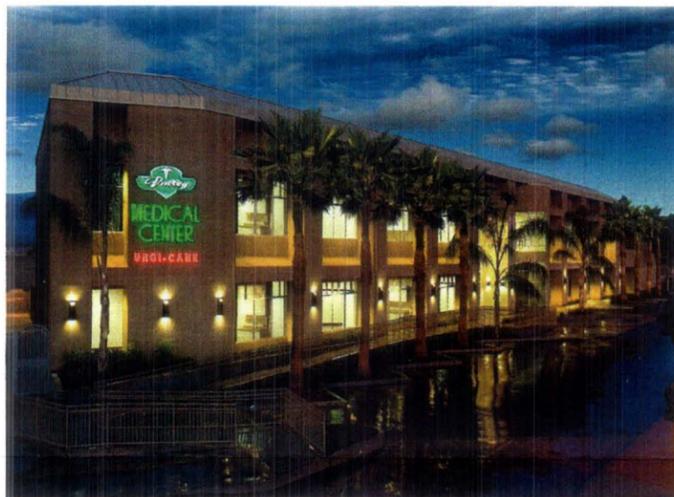
Ramona Expressway Widening

The widening of Ramona Expressway from Warren Road to Sanderson Avenue started construction in February. The \$4 million project was completed in August, on time and on budget. Work included two new lanes for traffic, a continuous striped left turn pocket, and reconstruction of the traffic signal at Warren and Ramona. It was the first TUMF project to be completed in San Jacinto, and the first TUMF project sponsored by RCTC to be completed in all of Riverside County.



Valley Medical Center Opens

Valley Medical Center is located at La Entrada and San Jacinto Avenue, next to the Regal San Jacinto Metro 12 Cinemas and the Family Sport & Fitness center. Valley Medical Center held its grand opening on November 14, 2007 and provides 28,000 square feet of medical office space under one roof. The center is anchored by Urgi-Care Family Practice and a new 3,000 square foot imaging center. In addition to Urgi-Care and San Jacinto Imaging, the center will also offer physical therapy, orthopedic, neurology, oncology, a blood lab and many other medical practices.



City Street Improvements

Several projects improved city streets, including:

- Repaving of Esplanade Avenue between Kirby and Palm Street (joint project with City of Hemet).
- Repaving of Santa Fe Street between Midway and Esplanade Avenue.
- Road widening and construction of sidewalk, curb and gutter on Buena Vista Street north of Esplanade Avenue.



Improvements at Esplanade Avenue between Lyon Avenue and Sanderson Avenue.



Sidewalk construction along Santa Fe Street.

A Rich History, A Bright Future.

PRESORTED
STANDARD
U.S. POSTAGE
PAID
San Jacinto CA
Permit No. 2

POSTAL CUSTOMER

City of San Jacinto
248 E. Main Street
San Jacinto, CA 92583

Industrial, Commercial & Medical

- **Edelbrock Manufacturing** expansion
- **Skyline Homes Inc.** expansion
- **Wal-Mart Super Center** open
- **State Bros Center** open
- **San Jacinto Esplanade Center** open
- **Valley Medical Center** open
- **Parkside Medical** breaking ground

Proposed Development:

- **The San Jacinto Gateway**



The San Jacinto Gateway (pictured right) at Sanderson and Ramona Expressway looks forward to several major new developments; The 512,000 square foot Festival Shopping Center that is anchored by a Target Super Center, and the 35 acre Gateway Plaza.

All of the new and proposed developments represent a growing interest from the various business sectors to invest in San Jacinto bringing goods, services, and employment opportunities for our residents. It is a trend, that with the City's full support, we expect to continue.

New Development on the Rise

New industrial, commercial and medical developments are on the rise as the local economy in San Jacinto continues to grow.

Major employers such as Edelbrock and Skyline Homes Inc. expanded their facilities. Edelbrock, with the assistance of an industrial development bond sponsored by the City of San Jacinto, opened a new 70,000 square foot plant. Skyline Homes Inc. added a new wing to their production line.

Three new shopping centers have opened this year. The Super Wal-Mart Center on San Jacinto Avenue, Stater Bros Center on State Street and San Jacinto Esplanade (at Sanderson) where Walgreens, Bull Pen Restaurant and Starbucks opened. These new centers have provided shopping closer to home and employ over a thousand people. In addition, they generate valuable sales taxes for community services in San Jacinto – taxes that previously were being collected and spent in other communities. The City's sales tax rate rose 11% in the first quarter of 2007 and 29% in the second quarter. Both increases are comparisons to the same time period in 2006.

The state-of-the-art Valley Medical Center opened, which brings quality care to our residents. These brings care next door to the Regal Theatres' south side. Also, Parkside Medical Center broke ground on Esplanade Avenue next to Valley Wide Park and Recreation. Offices are expected to open in late 2008.



Edelbrock's new 70,000 square foot auto parts manufacturing expansion.



Edelbrock's latest technology and equipment.



Skyline Homes increased production.



Wal-Mart Super Center at San Jacinto Avenue and Commonwealth Avenue.

Stater Bros in the **Village San Jacinto** shopping plaza at Ramona Expressway and State Street celebrated their grand opening.

Main Street lamp post banners add a festive touch to down town.



Mark Your Calendar **X**

Events:

November 15

State of the City Dinner at SJA
6:30 PM

December 1

Holiday Tree Lighting at Hofmann Park
6:00 PM

December 8

Druding Park Coast Guard Monument Dedication
10:00 AM

City Meetings:

City Council

1st and 3rd Thursdays
2045 S. San Jacinto Ave.
7:00 PM

Planning Commission

2nd and 4th Thursdays
2045 S. San Jacinto Ave.
7:00 PM

City Officials:

Jim Ayres, Mayor

Chris Olson, Vice Mayor

Dale Stubblefield, Councilman

Robert Ritchie, Councilman

John Mansperger, Councilman

Jim Potts, City Treasurer

Barry McClellan, City Manager

Tim Hults, Assistant City Manager

Jeff Ballinger, City Attorney

Kevin Vest, Police Chief

Bob Michael, Fire Chief

Bernie Simon, Finance Director

Dorothy Chouinard, City Clerk

Mike Emberton, Public Works Director

Habib Motlagh, City Engineer

Community Celebrations

Each year, the City sponsors and/or participates in a number of community events. Included is the annual Fourth of July Parade and Celebration. This great tradition draws thousands of people to the parade route to watch the ever increasing entries wind their way through town from Druding Park on Ramona Boulevard to the historic Estudillo Mansion at Main and Seventh Streets. At the Mansion, vendors and entertainers provide food and fun throughout the day.

This year, the City was compelled to hold a Patriots' Day Event to dedicate a 9/11 Memorial at Hofmann Park to ensure that we never forget those who perished on that fateful day six years ago. The dedication was well attended and every one was deeply moved by the ceremony and the candle light vigil.

Another annual tradition is the Veteran's Day Ceremony, where this past year a Memorial to Joe Pink was dedicated at Druding Park (pictured on previous page). Joe Pink was San Jacinto's only casualty from the Vietnam War. Hundreds of people, including Joe Pink's family, some of which still reside in San Jacinto, attended the ceremony.

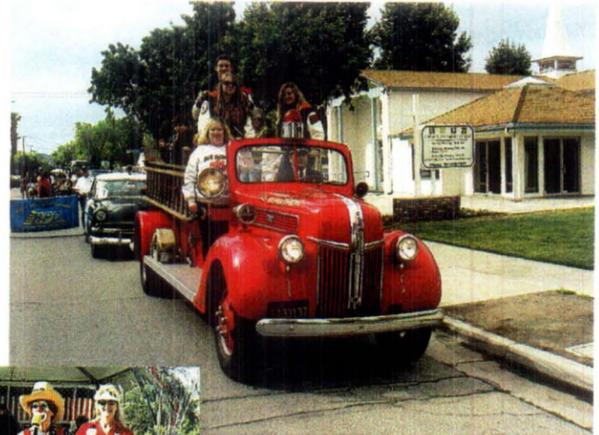
Other events held through out the year include the Senior Health Fair, the Public Safety Fair, the State of the City, and the Christmas Tree Lighting Ceremony. We hope to see you next year at one of these great events.



San Jacinto Posse saddle up for the Veteran's Day ceremony.



Trumpeter playing taps at Veteran's Day ceremony.



Above: At the 4th of July Parade San Jacinto High School students and parents rode in the restored 1929 City fire engine.



Boy Scouts and Color Guard open Patriot's Day ceremony.



Lest we Forget... The 911 Memorial at Hofmann Park was dedicated on Patriot's Day.



Patriot's Day candle vigil.

City of
San Jacinto

951-654-7337

248 E. Main Street
San Jacinto, CA 92583
Fx: 951-654-3728

www.ci.san-jacinto.ca.us



City Departments Continue to Grow

The new City Hall located at 595 S. San Jacinto Avenue, at the northeast corner of San Jacinto Avenue and Sixth Street, is slated to open in February 2008. The facility includes two buildings and encompasses about 10,600 square feet of office space. Presently, the City's administrative staff, including the City Manager's office, the City Clerk's office, the Community Development Department, and the Finance Department are spread out among four separate buildings in downtown San Jacinto. The new City Hall will consolidate these administrative services in one downtown location to better serve the citizens of San Jacinto.

As noted in the City Manager's message, five new police officers have been added to the Police Department's compliment of staff. With these added officers, San Jacinto now has a police force of 41 sworn officers and 8.5 non-sworn personnel. Additional public safety enhancements include staffing each shift at both fire stations with paramedic/firefighters. Our residents will now be provided with "first responder" Advance Life Support on every city fire engine.



New City Hall on San Jacinto Avenue and Sixth Street.

October '07 Windstorm

October 21, 2007, as the Southern California fires swept through several communities, San Jacinto was struck with a severe windstorm. Gusts as high as 110 miles per hour were reported in the northern area of the City. Over \$5 million in property damage occurred as several businesses and more than 500 homes sustained damage. The windstorm forced the closure of local schools for days and Mount San Jacinto College for a week. Sand drifts as high 6 feet

piled up at several homes blocking access to front doors and garages. Widespread power outages occurred as power poles snapped and power lines were severed by falling trees. As many as 2,500 homes lost power during the storm, some for several days. Utilities such as Southern California Edison and Verizon worked around the clock to restore power and other related services to city residents. City crews are still hard at work removing debris from as many as 1000 trees that were lost, cleaning the roadways of the sand drifts and repairing broken signs and traffic control devices.



*Above:
New Police Substation
at the West San Jacinto
Fire Station.*



*Left:
San Jacinto
firefighters.*

Come Enjoy San Jacinto's Newest Parks

San Jacinto is now a city of parks, with more than 30 parks available to serve the community's recreation needs. There are plans for even more, as two parks are under construction and another is in the design stage. The City Council has mandated that park space be added as new homes are built. The Council believes that the presence of a well-designed system of parks conveys a strong sense of place and enhances the quality of life for city residents.

New park in The Ranch neighborhood at Cawston Avenue and Cottonwood Avenue.



New park in the Durango neighborhood on Main Street.

Below: Joe Pink Memorial at Druding Park.



SOBOBA TRIBE'S FEE-TO TRUST RESEARCH PROJECT

TOPIC: Visual resources

FACTS:

*The residents of the three impacted communities chose their homes for many reasons—including visual resources. The views from their homes (385), the views upon ingress and egress from their communities, the views shared by visitors and neighbors, etc. are seriously threatened by the proposed project.

*The zoning of the proposed site is open-space, low density and recreational. In the midst of the communities is a proposed project of multistoried hotel-casino and parking structure.

*The subject communities are clearly shown on the attached map (1).

*The threatened views are visible on the attached photographic portfolios (2).

:



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AN JACINTO RIVER

92583

**THE COUNTRY CLUB
AT SOBOBA SPRINGS**

MSTEAD ST

RAMONA EXPWY

SOBOBA RD

PUMMEL CIR

BRIDLE RD

*Soboba Heights
Homes
#1 VIEW Photos*

**SOBOBA
HOT SPRINGS**

SAN JOSE DR
VIEW DR
GRANITE DR
CHABELLA DR
PALMAS CT
VERONA AV
TORINO AV
BERGANTIO DR
CARRERA DR

*#2 Golf Course
Homes
VIEW Photos*

*NEW CASINO
SITE*

*Soboba Springs
Mobile Homes*

**SOBOBA
CASINO**

*EXISTING
CASINO*

BURT AVE

CYPRESS AV

E ARTESIA ST

PEACH ST

E 1ST ST

2ND ST

E 2ND ST

E 3RD ST

E MAIN ST

5TH ST

N CAMINO LOS BANOS ST

HONEYSUCKLE DR

S CAMINO LOS BANOS ST

MIRAMAR AV

SNOWBERRY CT

LILY LN

ELDERBERRY

DIVINE WY

PRAY ST

SALAM PL

TSYORIGI

REBOICE LN

SHAYER ST

SHAYER ST

SHAYER ST

LUPINE DR

FORNIA DR

OFFERING WY

TRUTH ST

FAITHFUL WY

REWARD ST

REWARD ST

REWARD ST

REWARD ST

REWARD ST

REWARD ST

BOXELDER WY

CORNFLOWER

POPPY ST

PRICKLY PEAR LN

SEDUM AVE

TRUTH ST

FAITHFUL WY

REWARD ST

REWARD ST

REWARD ST

REWARD ST

N VILHISIA

FORNIA DR

OFFERING WY

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REWARD ST

**NORTH MOUNTAIN
MIDDLE SCHOOL**

**MISTLETOE
PARK**

50

HEWITT ST

S VERNON AV

ANDREWS AV

SOBOBA AV

ROSARIO AV

S CAMINO LOS BANOS ST

MIRAMAR AV

O LOS BANOS ST

MIRAMAR AV

SHAYER ST

SHAYER ST

SHAYER ST

5TH ST

PRAY ST

SALAM PL

TSYORIGI

REBOICE LN

SHAYER ST

OFFERING WY

TRUTH ST

FAITHFUL WY

REWARD ST

TRUTH ST

FAITHFUL WY

REWARD ST

ANDY AV

E 7TH ST

1TH ST

COURT

ALBA

SHANG

SHANG

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SHANG

SHANG

SHANG

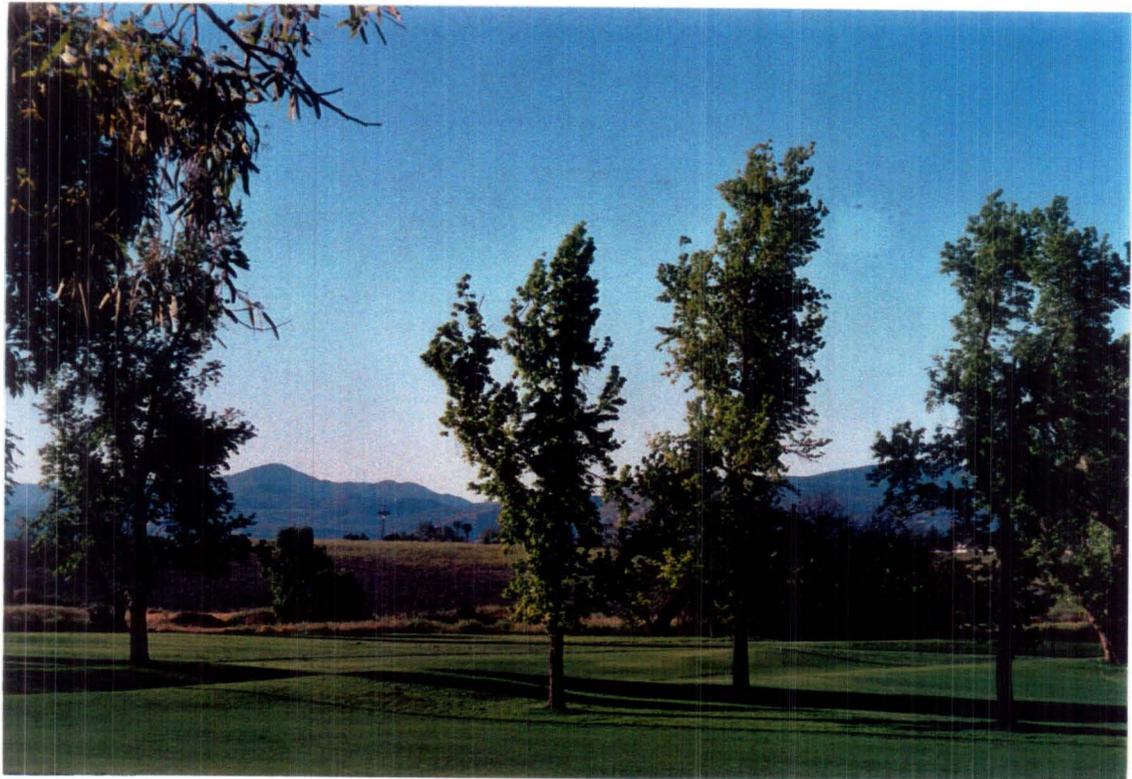
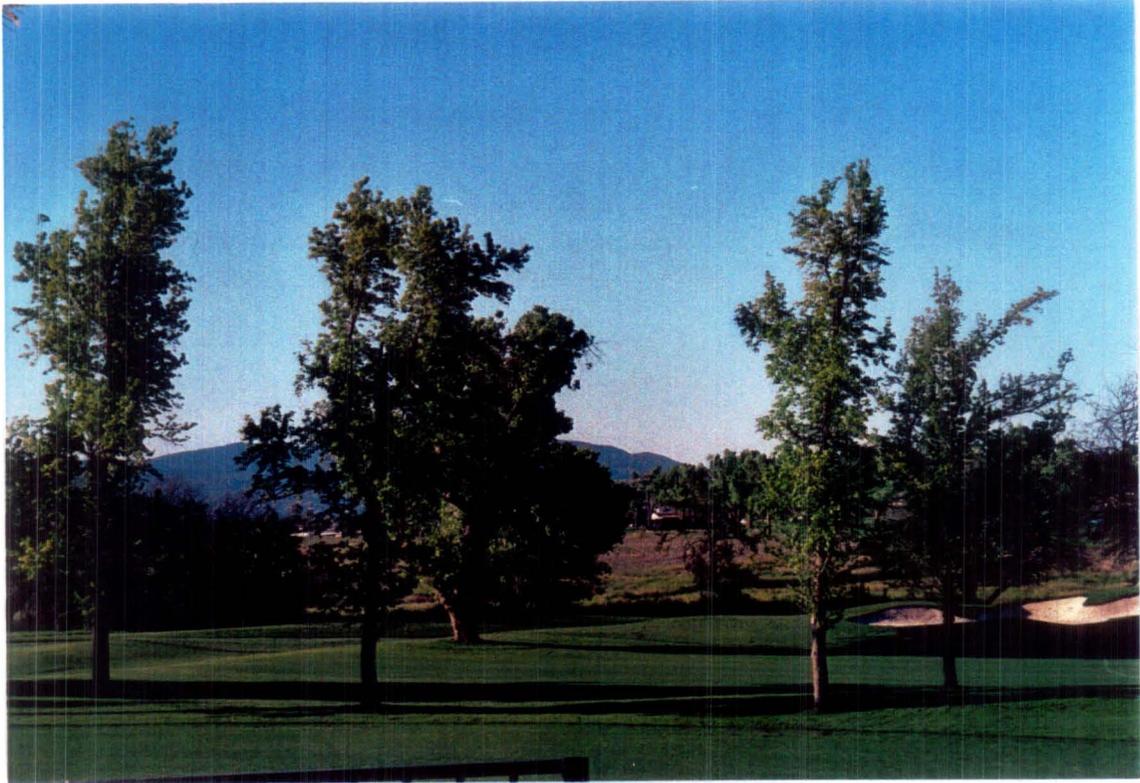
SHANG

SHANG

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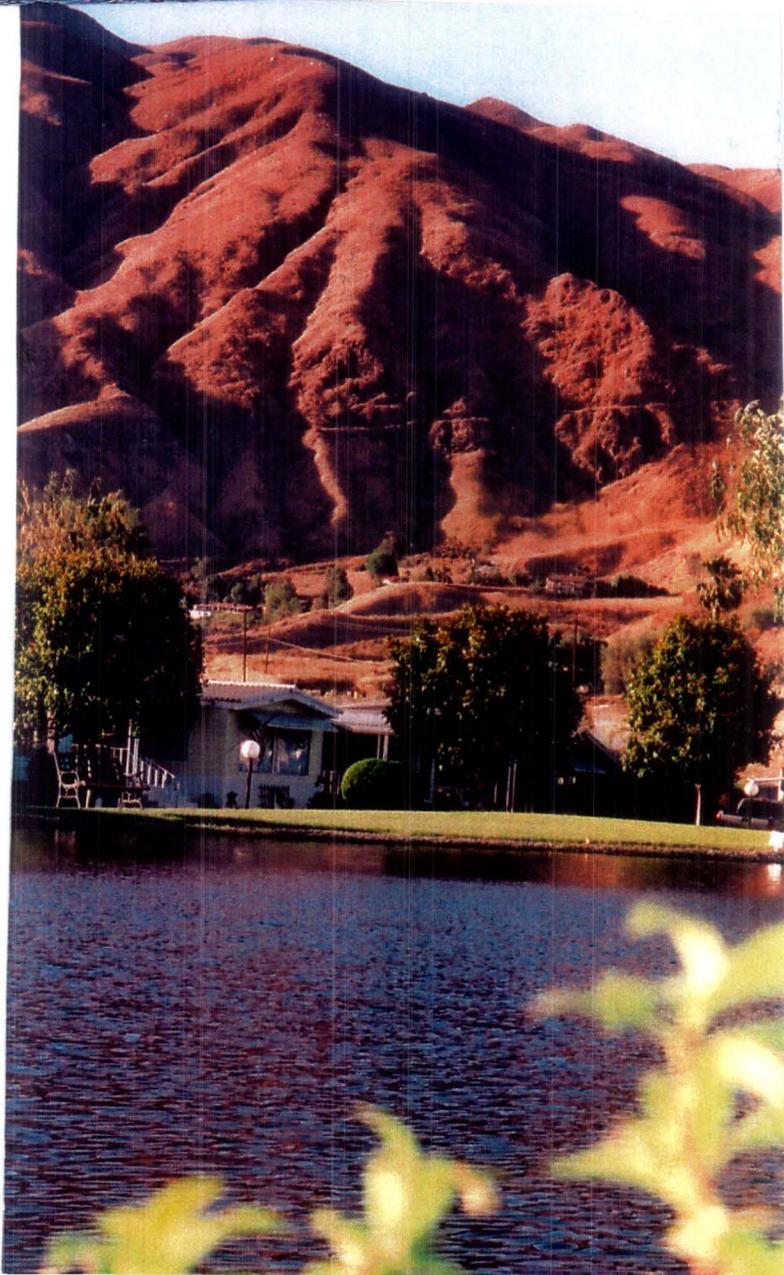
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EXISTING CASINO

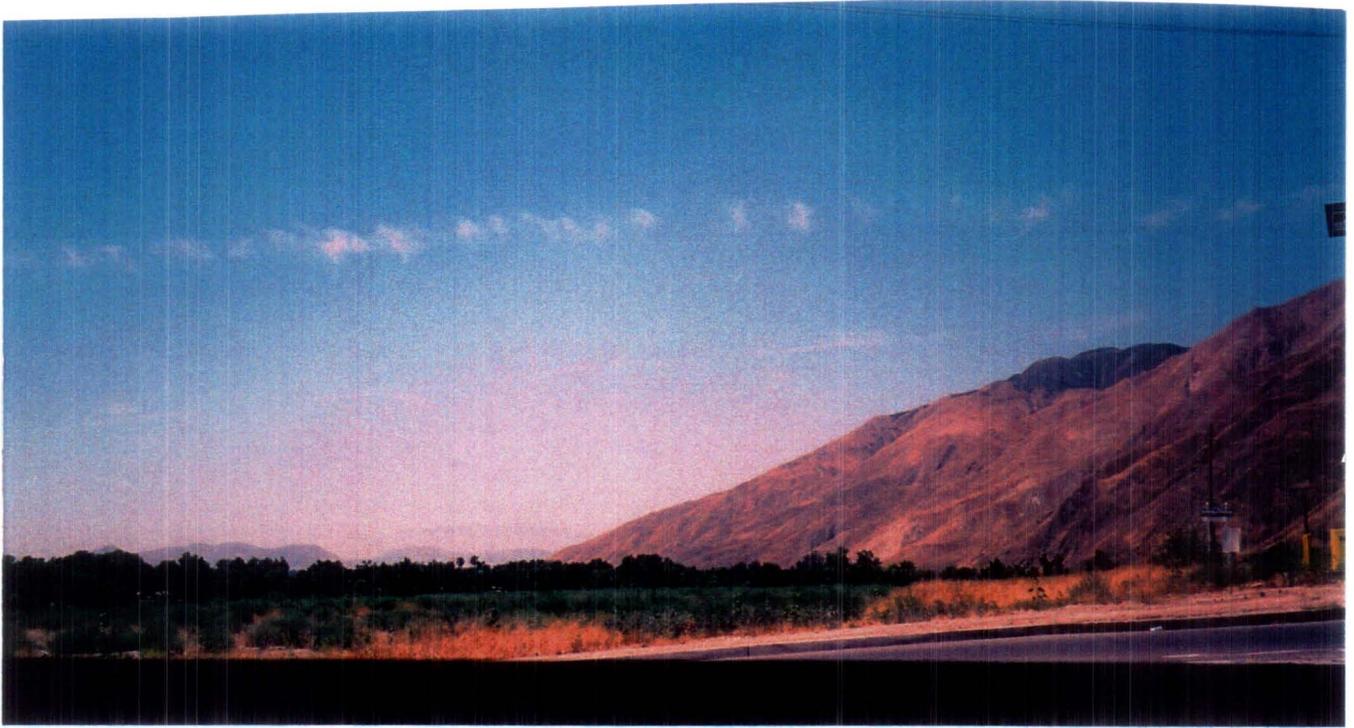




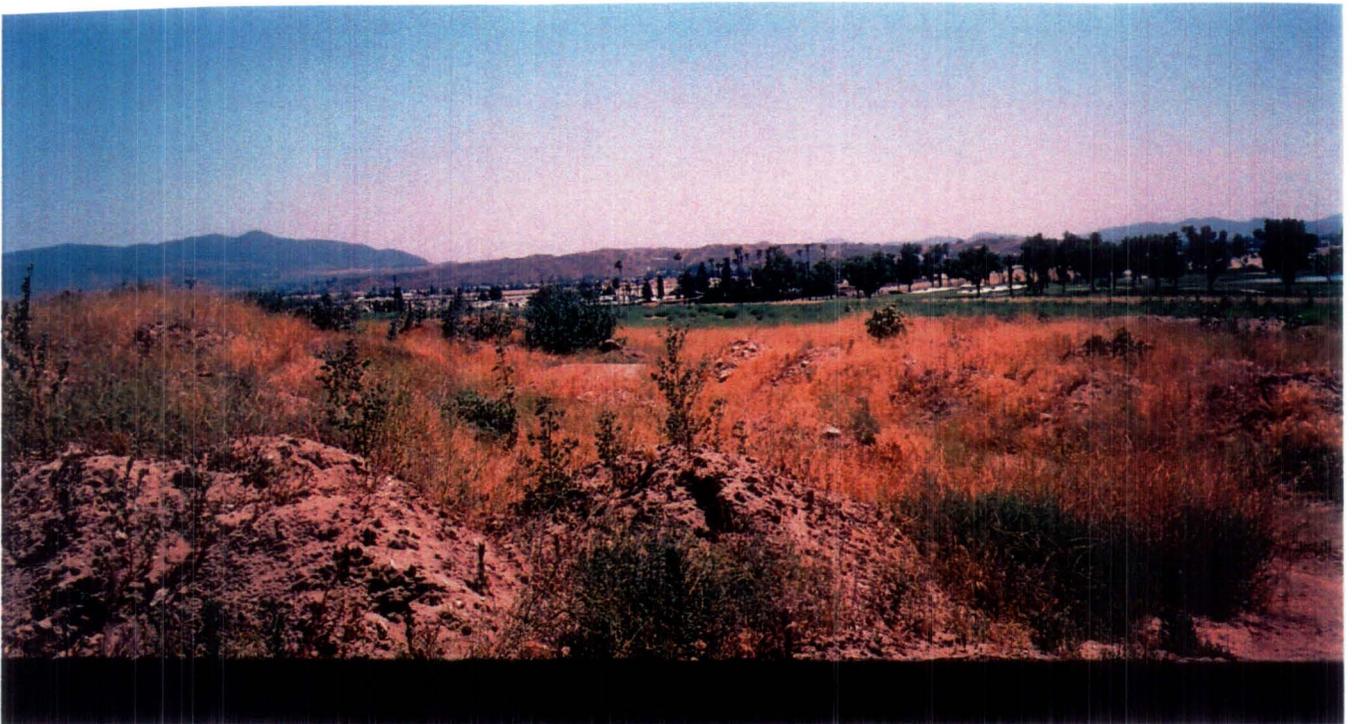








LAKE PARK AT SOBODA RD



SOBODA BETWEEN LAKE PARK & DEAN HOMES



LAKE PARK AT SOBORA SDGS MHP



DEAN HOMES SOBUBA RD



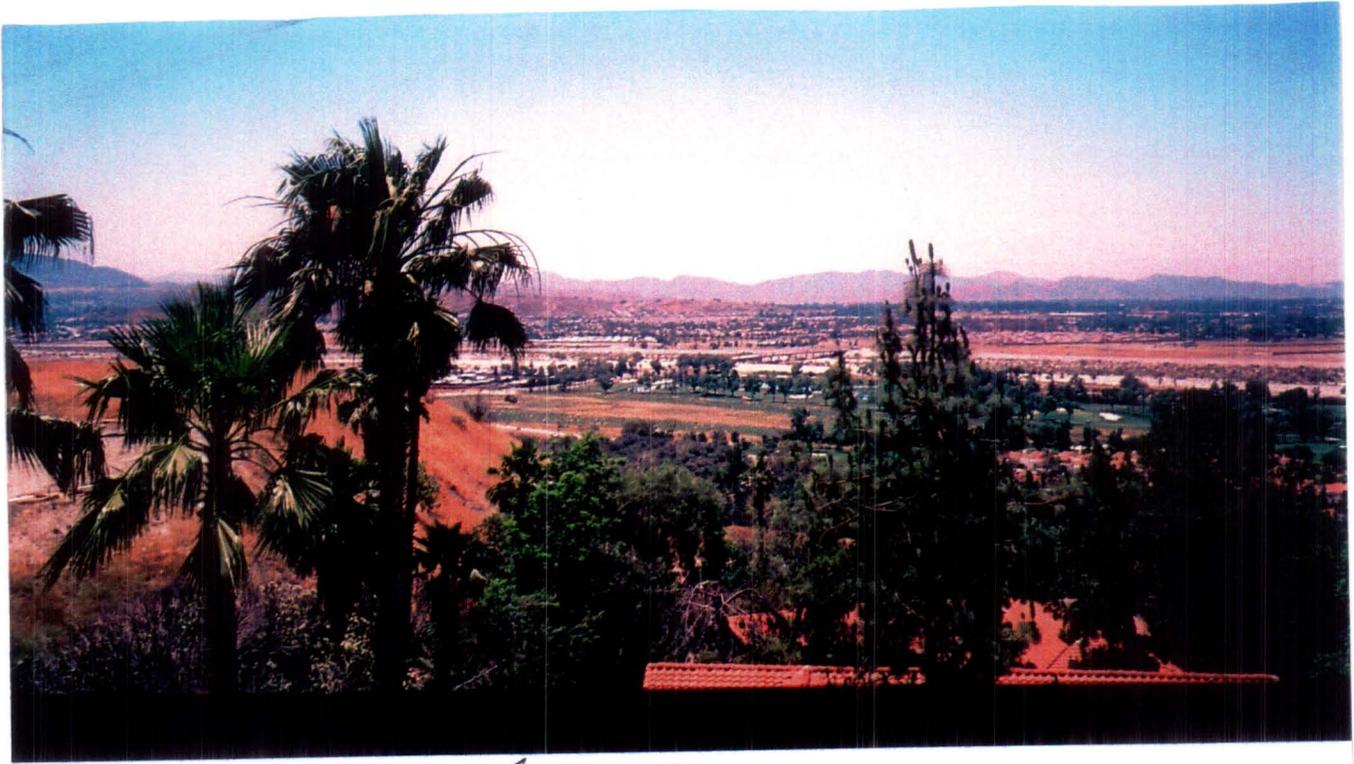
LOOKING FROM DEAN HOMES



VIEW FROM SAN JOSE DA



LOWER ON SAN JOSE DA



SAN JOSE DR





Chapter 8.40 - San Jacinto Code
NOISE CONTROL

Sections:

- 8.40.010 Purpose.
- 8.40.020 Definitions.
- 8.40.030 Exemptions.
- 8.40.040 General noise regulations.
- 8.40.050 General noise standards.
- 8.40.060 Amplified sound.
- 8.40.070 Sound-amplifying equipment—Use.
- 8.40.080 Appeals.
- 8.40.090 Fees.
- 8.40.100 Violation—Penalty.
- 8.40.110 Violations—Additional remedies—Injunctions.

8.40.010 Purpose.

It is the purpose of this chapter to prohibit unnecessary, excessive and annoying noises from all sources subject to the city's jurisdiction and police power. At certain levels noises are detrimental to the health and welfare of the citizenry and in the public interest shall be systematically proscribed. (Ord. 1043 § 1, 1997)

8.40.020 Definitions.

As used in this chapter, unless the context otherwise clearly indicates, the words and phrases used in this chapter are defined as follows:

"Commercial purpose" means and includes the use, operation or maintenance of any sound-amplifying equipment for the purpose of advertising any business, or any goods, or any services, or for the purpose of attracting the attention of the public to, or advertising for, or soliciting patronage or customers to or for any performance, show, entertainment, exhibition or event.

"Motor vehicle" includes, but is not limited to, motorcycles, trail bikes, motor scooters, mini-bikes, go carts, and dune buggies.

"Noncommercial purpose" means the use, operation or maintenance of any sound equipment for other than a commercial purpose. "Noncommercial purpose" means and includes, but is not limited to, philanthropic, political, patriotic and charitable purposes.

"Person" means a person, firm, association, copartnership, joint venture, corporation, or any entity, public or private in nature.

"Sound-amplifying equipment" means any machine or device for the reproduction or amplification of the human voice, music or any other sound, but shall not include standard automobile radios or other sound-reproducing devices when used or heard only by the occupants of the vehicle in which installed, nor any warning or alerting devices on authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

"Sound truck" means any motor vehicle, or any other vehicle or conveyance regardless of motive power, whether in motion or stationary, having mounted

thereon, attached thereto or carrying any sound-amplifying equipment, excepting trucks or other vehicles of any public agency or public utility when in use by such public agency or public utility. (Ord. 1043 § 2, 1997)

8.40.030 Exemptions.

A. Noise created by and emanating from equipment operated in the public interest or for emergency or safety purposes is specifically exempt from the provisions of this chapter. Such equipment includes, but is not limited to, sirens, street sweepers, spray rigs, garbage trucks, or public utility equipment.

B. Noise created by and emanating during the conduct and operation of any public event, whether commercial or noncommercial in nature, which has been authorized by permit lawfully issued by the city, is specifically excluded from the restrictions of this chapter.

C. Noise created by and emanating during the conduct of religious services is specifically excluded from the restrictions of this chapter. Such noise includes, but is not limited to, music, chimes, bells and carillon.

D. Noise created by and emanating during the conduct of any authorized school activity upon school grounds; authorized activities being conducted in public parks, public playgrounds and/or public or private school grounds is specifically excluded from the restrictions of this chapter. (Ord. 1043 § 7, 1997)

8.40.040 General noise regulations.

A. Construction Noise. It is unlawful to create and emit noise from equipment operated during construction activities, whether on private property or within the public right of way between the hours of seven p.m. of one day and seven a.m. of the following day, and at any time on Sunday. Emergency construction activities or emergency repairs resulting from an unforeseen occurrence are specifically exempt from the provisions of this chapter. Such equipment includes, but is not limited to, trucks, road graders, tractors, power saws, power drills, and generators.

B. Residential Noise. It is unlawful to create and emit noise created or generated within or adjacent to residential property which is necessary and normally associated with residential living between the hours of nine p.m. of one day and seven a.m. of the following day. Residential noise includes, but is not limited to, noise created by power mowers, leaf blowers, trimmers, home appliances, home workshops, personal vehicle repairs and maintenance, and home construction projects.

C. Recreational Noise. It is unlawful to create and emit noise from motorized or mechanical equipment or devices used in sporting, recreational and hobby activities between the hours of nine p.m. of one day and seven a.m. of the following day. The operation of such equipment or devices shall not be performed within three hundred (300) feet of residential uses. Recreational noise includes, but is not limited to, noise created by motor-equipped minibikes, go-carts, motorcycles operating off public rights-of-way, drag races, model planes and cars.

D. Unnecessary/Unnatural/Unusual Noise. It is unlawful for any person to make or cause, or permit to be made or caused, upon any public or private property, or upon any public street, road, lane, alley or thoroughfare, any unnecessary, unnatural or unusual noise. Unnecessary, unnatural or unusual noises include, but are not limited to, those sounds created by means of human voice or animal outcry, or by any other means or methods which are so annoying, or which are so harsh or prolonged, as to be injurious to the health, peace and comfort of any reasonable

person of normal sensitiveness residing in the area.

E. Agricultural Noise. It is unlawful to emit noise from cannon simulators between the hours of midnight and six a.m., unless a permit is issued by the director of community development. The permit shall be subject to following terms and conditions:

1. Cannon shall be set at the lowest charge setting.
2. There shall be no more than one cannon for every twenty (20) acres.

In the event ten or more written complaints are received, staff shall contact the farmers in an attempt to reduce the impacts from the cannons. If no resolution can be achieved, the farming committee shall be convened to determine a solution. (Ord. 1047 § 1, 1998; Ord. 1043 § 6, 1997)

8.40.050 General noise standards.

The standard which shall be considered in determining whether a violation of the provisions of this code exists shall include, but shall not be limited to, the following:

- A. The volume and intensity of the noise;
- B. The number of persons affected by the noise;
- C. The volume and intensity of the background noise, if any;
- D. The use and zoning of the area within which the noise emanates;
- E. The time of the day or night the noise occurs;
- F. Whether the nature of the noise is usual or unusual;
- G. The proximity of the noise to residential sleeping facilities;
- H. The density of the inhabitation of the area within which the noise emanates;
- I. Whether the origin of the noise is natural or unnatural;
- J. The duration of the noise;
- K. Whether the noise is recurrent, intermittent or constant;
- L. Whether the noise is produced by a commercial or a noncommercial activity.

(Ord. 1043 § 8, 1997)

8.40.060 Amplified sound.

A. While recognizing that the use of sound-amplifying equipment is protected by the constitutional rights of freedom of speech and assembly, the city council nevertheless feels obligated to reasonably regulate the use of sound-amplifying equipment in order to protect the correlative constitutional rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise.

B. It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound-amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses or lectures, or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalks, park, place or public property without first filing a registration statement and obtaining approval thereof as set forth in this chapter, except that the provisions of this section shall not apply to sound-amplification systems installed on church buildings for emission of the sound of chimes, bells, carillon or music when used in conjunction with religious services.

C. Registration Statements Filing. Every user of sound-amplifying equipment shall file a registration statement with the city manager, using a form to be furnished by that officer, three days prior to the date on which the sound-amplifying equipment is intended to be used, which statement shall contain the following

information:

1. The name, address and telephone number of both the owner and the user of the sound-amplifying equipment;
2. The location at which the sound-amplifying equipment will be placed, and the license registration number if a sound truck is to be used;
3. A description of the purpose for which the sound-amplification equipment will be used, including a statement as to whether the purpose is commercial or noncommercial;
4. The exact dates and hours of the proposed operation;
5. A general description of the sound-amplifying equipment, including power output and the approximate distance for which sound from the equipment will be audible;
6. A statement of public liability insurance coverage, including the name of the insurance carrier, policy limits and expiration date of policy;
7. License number and name of the licensee of the San Jacinto business.

D. **Registration Statements-Approval.** The city manager shall return to the applicant within twenty-four (24) hours an approved certified copy of the registration statement unless he or she finds that:

1. The conditions of the motor vehicle movement are such that in the opinion of the chief of police use of the equipment would constitute a detriment to traffic safety; or
2. The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or
3. The registration statement required reveals that the applicant would violate the provisions set forth in subsection B of this section or any other provisions of this code.

E. **Registration Statements-Disapproval.** In the event the registration statement is disapproved, the city manager shall endorse upon the statement his or her reasons for disapproval and return it within twenty-four (24) hours to the applicant. (Ord. 1043 § 9, 1997)

8.40.070 Sound-amplifying equipment—Use.

The commercial and noncommercial use of sound-amplifying equipment shall be subject to the following regulations:

- A. The only sounds permitted shall be music or human speech, or both.
- B. Hours of operation of sound equipment shall be between eight a.m. and ten p.m. Operation before eight a.m. or after ten p.m. is permitted only at the location of a public event or affair of general public interest or as otherwise permitted by the sound-amplification permit.
- C. Sound-amplification systems shall not be operated within three hundred fifty (350) feet of hospitals, schools, churches, courthouses, public libraries or mortuaries when the same are in use, unless otherwise permitted by the sound-amplification permit.
- D. No operating sound truck shall traverse any one block in the city more than four times in any one calendar day.
- E. Amplified human speech and music shall not be unreasonably loud, raucous, jarring or disturbing to persons of normal sensitiveness within the area of audibility, nor louder than permitted in subsection F and G of this section.
- F. When the sound truck is in motion the volume of sound shall be controlled so that it will not be audible for a distance in excess of four hundred fifty (450) feet

from its source, provided that when the sound truck is stopped by traffic, the sound-amplifying equipment shall not be operated for longer than one minute at such stop.

G. In all cases where sound-amplifying equipment remains at one location or when the sound truck is not in motion, the volume of sound shall not be audible for a distance in excess of three hundred fifty (350) feet from the periphery of the attendant audience, unless otherwise authorized specifically in the sound-amplification permit for public gatherings.

H. No loudspeaker equipment mounted on sound trucks in motion shall be operated unless the axis of the center of the equipment used shall be parallel to the direction of travel of the sound truck; provided, however, that any sound reproducing equipment may be so placed upon the sound truck as to not vary more than fifteen (15) degrees either side of the radial; nondirectional type of loudspeakers may be used on the sound trucks either alone or in conjunction with sound-reproducing equipment placed within fifteen (15) degrees of the centerline of the direction of travel. (Ord. 1043 § 12, 1997)

8.40.080 Appeals.

Any person aggrieved by disapproval of a registration statement may appeal by filing a written notice of appeal with the city clerk within five days of receipt by the applicant of disapproval of the registration statement. The city council shall hold a hearing within ten days after the filing of the notice of appeal, at which hearing the applicant and any other interested persons shall have the right to present evidence as to the facts upon which the city manager based the refusal to issue the requested permit, and any other facts which may aid the city council in determining whether this chapter has been violated, whereupon the council may sustain the action of the city manager in refusing to issue the requested permit or may order that such permit be issued forthwith. The city council shall not vary or depart from any of the substantive provisions of this chapter. (Ord. 1043 § 10, 1997)

8.40.090 Fees.

Prior to the issuance of the registration statement, a fee in an amount to be fixed by the city council by resolution shall be paid to the city, if the loudspeaker or sound-amplifying equipment is to be used for commercial purposes. No fees shall be required for the operation of a loud-speaker or sound-amplifying equipment for noncommercial purposes. (Ord. 1043 § 11, 1997)

8.40.100 Violation—Penalty.

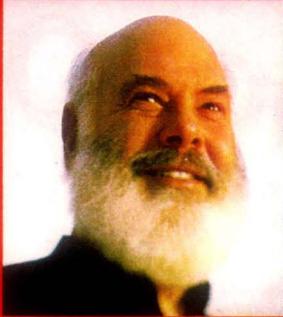
Any person violating or failing to comply with any of the provisions of this chapter shall be guilty of an infraction and upon conviction thereof shall be punishable by:

- A. A fine not exceeding fifty dollars (\$50.00) for the first violation;
- B. A fine not exceeding one hundred dollars (\$100.00) for the second violation within one year;
- C. A fine not exceeding two hundred fifty dollars (\$250.00) each additional violation within one year. (Ord. 1043 § 3, 1997)

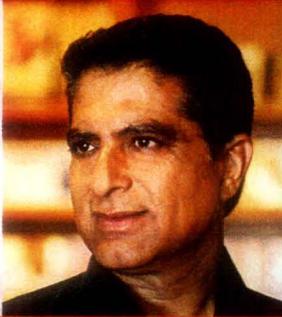
8.40.110 Violations—Additional remedies—Injunctions.

As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provision of this chapter, which operation or maintenance causes discomfort or annoyance to reasonable persons of normal

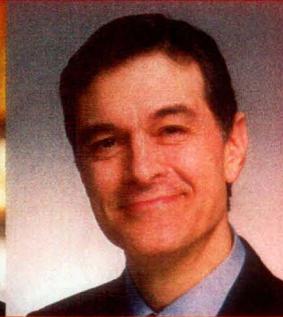
sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed, and is declared to be, a public nuisance and may be subject to abatement by an injunction issued by a court of competent jurisdiction. (Ord. 1043 § 4, 1997)



Andrew Weil, MD



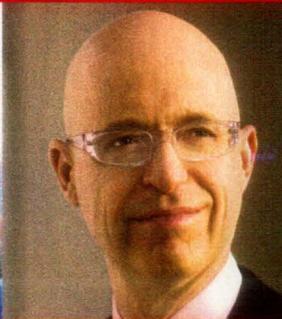
Deepak Chopra



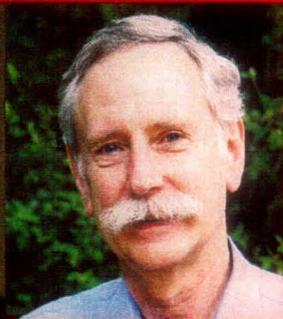
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says Jarup, who adds there's no evidence that people become habituated to a noisy sleeping environment.

“Long-term exposure to environmental noise, especially at night, causes chronic disturbance of the natural sleep pattern—even if you don't wake up completely,” says Babisch of the German Federal Environmental Agency. “Studies in sleep labs have proved that persons exposed to this type of noise show increased levels of the stress hormones adrenalin and noradrenalin. These hormones regulate metabolic functions that affect risk factors such as the blood fat level and blood sugar level.”

Babisch adds that these reactions occur even in people who consider themselves inured to noise and don't report disturbed sleep. “There is no 100 percent noise habituation. The ears don't switch off when we sleep. The brain still registers the information about what's going on around us.”

NEUROSIS, HYSTERIA, ANXIETY, stress, nausea, aggression, argumentativeness and social conflict—these are just a few of the emotional problems linked to uncontrolled noise. And while noise may not cause mental illness, it's believed to worsen disorders like depression and anxiety. According to a 2004 study published in the *British Medical Journal*, people living near the Schiphol Airport in Amsterdam, the Netherlands, were more likely to need sleep medication, take pills for heart disease and report poor general health.

Noise may not make kids dumb, but it does make it hard for them to learn. The Road Traffic and Aircraft Noise Exposure and Children's Cognition and Health (RANCH) project is a multinational study designed to assess the relationships among road and aircraft traffic noise and reading comprehension. Included in its 2006 findings are data from more than 2,000 kids ages 9 and 10, enrolled in 89 schools near airports in three European cities. The verdict: A direct relationship exists between aircraft noise exposure at schools and problems with reading comprehension, even after the investigators account for socio-demographic factors known to interact with reading comprehension.

“Most of the long-term effects of chronic noise are detrimental to attention, learning and concentration,” says Lorraine Maxwell, associate professor of design and environmental analysis at Cornell University in Ithaca, New York.

“These are psychological and learning

effects,” according to Maxwell, not hearing problems.

She and her colleagues have also studied the effects on learning of road and air traffic, and the difficulties caused by noise in daycare centres and schools. “We know that very young kids in daycare learn to screen noise so they can stay on task,” she says. “But they can get too good at this. By the time some of them are in elementary school, they've learned how not to pay attention to the classroom instruction.”

Maxwell adds that noise is highly detrimental to kids when they're trying to focus on a task that happens to be difficult for them, like a math skill, for example. Noise is also a disaster for children with learning disabilities or for whom the classroom language isn't their native tongue.

“It takes too much energy to pay attention in a noisy environment,” explains Maxwell. “As adults, we can usually call ourselves back to attention when it's important, but children who learn this pattern at a very young age don't do that.”

THE MARCH 5, 1907, EDITION OF THE *New York Times* ran a story about a meeting of The Society for the Suppression of Unnecessary Noise, an organization dedicated to “an aggressive campaign against the useless and nerve-racking noises of the street.” The Society reported progress in getting automobile owners to avoid driving past churches, hospitals and schools. If drivers couldn't avoid these institutions, they were asked to do two things: reduce their speed and refrain from using the horn. At about the same time in Boston, Massachusetts, hurdy-gurdy players were required to tune their instruments at least once a year.

The gentlepeople of The Society for the Suppression of Unnecessary Noise would be disheartened by the situation today. But to the NPC's Les Bloomberg, things are looking up. “One reason for my optimism about noise pollution is that it's hard to imagine it getting worse,” he says. “For 50 years, people with means have moved to suburbs to escape noise. But that option doesn't work anymore. Now we take the noise with us to the suburbs, and suburban noise levels have increased.”

Bloomberg cites the usual suspectsome of the stuff that made Peter D'Epiric life miserable: leaf blowers, lawn mowers, nearby highways, air-conditioning units and booming car stereo systems.



The German Federal Environmental Agency's Babisch thinks new technologies can help turn down the volume. "Technological advances have caused some noise sources to quiet down," he says. "Cars and aircraft are less noisy than they once were, and countless noise barriers have been erected. But this is compensated for by the increased volume of traffic, so overall noise exposure hasn't changed much."

Babisch believes additional technological advances will be necessary to keep us from getting stuck in the present moment, noise-wise. Acoustical engineers are finding ways to reduce noise in hospitals, prisons and schools. Solutions range from the simple—carpeting—to the novel—antibacterial fibreglass, which absorbs the noise created by ventilation systems, hospital equipment and human speech. Road surfaces are constantly refined to reduce the amount of noise that bounces off nearby homes.

Worried that a snoring spouse may shorten your lifespan? Consider popping in some earplugs at night. There's no evidence yet that you'll live longer, but at least you'll sleep better. (For more technological fixes to noise pollution, see "Soft machines" on p. 46.)

Technological fixes aren't the only way to control noise. Legislation helps. A pub-noise crackdown is underway in the UK, while lawmakers in Brevard County, Florida, in the U.S. have enacted a law to force drivers to keep car stereos turned down. More than 600 citations were issued in accordance with similar legislation in the city of Melbourne, Australia, in 2007.

[The European Federation for Transport and Environment suggests a number of measures municipalities should adopt to get a better grip on noise, including reducing city traffic by offering park-and-ride lots and pedestrian-only areas, replacing old stone pavements and brushed concrete with sound-absorbing surfaces and using small roundabouts and interactive speed-restriction signs to slow traffic instead of speed bumps and traffic obstacles, which can increase traffic noise.]

NOISE FREE AMERICA WANTS EACH state in the U.S. to declare noise "a dangerous form of pollution" and adopt a noise code. The proposed code would ban gasoline-powered leaf blowers, car alarms and

loud exhaust pipes. The code would outline fines for the owners of barking dogs, set time frames for construction work and garbage collection and establish a rule stating that electronically amplified sound coming from a car can't be audible more than 10 feet from the vehicle. Other provisions include limits on the use of power equipment, Jet Skis, dirt bikes, snowmobiles, sirens and train horns.

More colourful is the approach of activists in Thailand protesting the noise around Suvarnabhumi Airport near Bangkok. On several occasions in the past 18 months, they threatened to release bunches of balloons to disrupt air traffic in protest against the noise between 9 p.m. and 7 a.m. Last February, they made good on their

We don't care about our neighbours. We don't know our neighbours." As a result, we don't necessarily care if we keep them awake at night or disrupt their quiet summer afternoons.]

His solution? Throw a party or start a carpool. Bloomberg says you're less likely to offend a neighbour if you drive each other's children to school each day. Bloomberg tells the story of a former neighbour who was a musician and liked to give boisterous parties. "I'm sure he broke our local Montpelier, Vermont, noise ordinances on many occasions. But he invited me to the parties! Problem solved." If the party continued after he went home and stayed loud, it only took a phone call to get the music turned down. "We were friends.

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CLANG



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promise, costing the airport more than \$500,000 in compensation to airlines for the ensuing delays. That's above and beyond the earplugs and sleeping pills airport officials have been providing area residents since Suvarnabhumi opened. When faced with the possibility that neighbours would launch homemade rockets along with the balloons, however, civil authorities began negotiations for financial compensation of people living near the airport.

Bloomberg's solution is even more radical than balloons, bans and rockets. "The individualistic solution to the noise problem—moving to the suburbs—is no longer working. Now we need a more collective or community-oriented solution, because one person's noise trumps everyone else's quiet. We need to create community and interdependence."

[Citing local governments (noisy trash pick-up) and businesses (noisy trucks), Bloomberg says it's easy to pollute when you're anonymous. "In many places, our sense of community has broken down.

He borrowed my ladder; I had some of his tools. We were interdependent."

While passionate about fighting noise pollution, Bloomberg also observes that silence really isn't found in human communities. "You need to go to a cave or a federal wilderness area for silence," he says. "A totally silent human community would be a poor human community."

He tells of a day a few years ago when a family of former neighbours returned for a visit. "We had little kids running around the yards of three families who had come out to see them, yelling and laughing. But we weren't imposing on anyone because we were all out there visiting. We made a small footprint of noise," he says, a footprint of happy human voices.

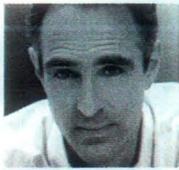
Which is further evidence, if we needed it, that peace and quiet begin at home.

MARY DESMOND PINKOWISH is a health writer living the quiet life in Larchmont, New York. **URSULA SAUTTER** is a freelance journalist living in Bonn, Germany.



BEYOND WORDS

Often, simply being there is what really matters.



DAVID SERVAN-SCHREIBER

THE LOVE WE BEAR FOR OUR NEAREST AND DEAREST IS repeatedly put to the test. Tested further than we thought possible. Yet it's at these extreme moments that love rescues us from the most desperate situations. ¶ I was once privileged to hear the story of a woman who'd experienced this. Sylvia had been terribly worried about her son Paul's mental health. He used to pace around his room at night like a caged animal, and was constantly irritable. When she suggested he see a doctor, he threatened to punch her. At 22, he finally consented to see

a psychiatrist, who said he was having psychotic episodes.

Terrified, and fighting back her maternal instincts, she decided to have him committed to a psychiatric unit against his will. Paul was so angry he cut off all contact. He was discharged after only a week in the hospital, even though his condition hadn't improved. He then went to live in the South of France, in Aix en Provence, moving around from one place to another. The only news Sylvia heard was through some of Paul's childhood friends he contacted through the internet.

They at least reassured her that her son was still alive. But every morning, she woke up with her stomach in knots: What would become of him?

After six months of this nightmare, she decided to let Paul know she'd be in Aix on his birthday and would wait for him in front of the Mirabeau fountain. She wanted to wish him a happy birthday, she said; she

wasn't expecting anything from him, just wanted to see him, even from a distance.

On Paul's birthday, she waited for hours, sitting on a stone in front of the fountain, staring at every passerby who looked anything like her son. And then, turning around, she caught sight of him: bearded, dirty and terribly thin.

He walked past her without looking up, muttering as though he were talking to himself: "Why have you come? I hate you. I never want to see you again." She was crushed, managing only to call out, "Happy birthday!" before he disappeared. Still, he'd come. That was the last she saw of him for another year. Over the following months, she clung to that slim hope: *at least he'd come...*

In therapy years later, as she recalled what happened at the Mirabeau fountain, Sylvia couldn't hold back her pain. She'd lost all confidence during that period, barely managing to keep herself together

by learning to push the pain away. Her grief, held in check for so long, was released with the help of her therapist and she was able to rediscover and tend the hidden wound.

And then, as one session went on, another memory arose, of her son four years later. He'd finally agreed to get help and take lithium, which made him much more stable. He was living a normal life again, and was able to talk to his mother about what had happened during that time.

She particularly recalled him saying to her, "You know, Mum, when I was in Aix and my mind was so messed up, the one thing in my life I had to hold onto was the knowledge that whatever happened, you'd always be there for me." And she had been. Always. Even when there was nothing she could do to help, she'd given the only proof of love she could give: being there for him.

This is what psychology professor Sheldon Cohen of Carnegie Mellon University in Pittsburgh, Pennsylvania, found when he studied the effect of family visits on hospital patients: The presence of loved ones—whether they knew what to say or not—assisted recovery. Just being there was what mattered. Well beyond words.

DAVID SERVAN-SCHREIBER is a psychiatry professor in France and the U.S., and the author of *Healing without Freud or Prozac*.

ILLUSTRATION: MARC KOLLE; PHOTOGRAPH: DAVID SERVAN-SCHREIBER

transportation planning • traffic engineering
 environmental engineering • parking studies

LETTER OF TRANSMITTAL

TO: CITY OF SAN JACINTO DATE: June 10, 2008
595 S. San Jacinto Avenue JOB NO.: 0328-2008-03
San Jacinto, CA 92583 SUBJECT: City of San Jacinto Engineering and
Additional Traffic Survey

ATTN: Mr. Eric Skaugset

WE ARE FORWARDING: By Messenger By Email
By Blueprinter By Fedex

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<input type="checkbox"/> Signature	<input type="checkbox"/> Revised	<input type="checkbox"/> Additions
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<input type="checkbox"/> File	<input type="checkbox"/> Released	<input type="checkbox"/> Corrections

REMARKS:
 Attached is the City of San Jacinto Engineering and Additional Traffic Survey. If you have any questions please call me at (949) 474-0809.

BY: 
 Gene Kim, E.I.T.
 Engineer

COPIES TO:

June 10, 2008

Mr. Eric Skaugset
CITY OF SAN JACINTO
595 S. San Jacinto Avenue
San Jacinto, CA 92583

Subject: City of San Jacinto Engineering and Additional Traffic Survey

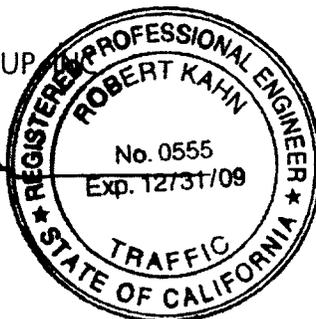
Dear Mr. Skaugset:

RK ENGINEERING GROUP, INC. (RK) is pleased to provide this Engineering and Traffic Survey for two (2) roadway segments within the City of San Jacinto. This report incorporates the speed surveys, traffic counts, roadway evaluations, and the accident analysis that was utilized to make recommendations for the two (2) roadway segments within the City of San Jacinto. This report summarizes our data collection, methodology, analysis, findings, and recommendations with respect to speed limit recommendations within the City of San Jacinto.

RK appreciates this opportunity to work with the City of San Jacinto on this important project. If you have any questions or if we can be of further assistance, please do not hesitate to call us at (949) 474-0809.

Sincerely,
RK ENGINEERING GROUP


Robert Kahn, P.E.
Principal




Gene Kim, E.I.T.
Engineer

Attachments

**CITY OF SAN JACINTO
ADDITIONAL ENGINEERING AND TRAFFIC SURVEYS
San Jacinto, California**

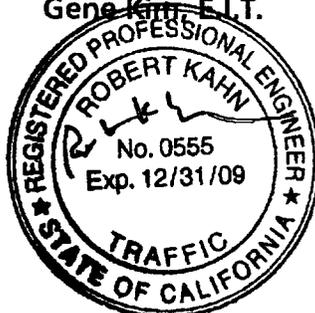
Prepared for:

CITY OF SAN JACINTO
595 S. San Jacinto Avenue
San Jacinto, CA 92583

Prepared by:

RK ENGINEERING GROUP, INC.
3991 MacArthur Boulevard, Suite 310
Newport Beach, CA 92660

**Robert Kahn, P.E.
Gene Kim, E.I.T.**



June 10, 2008

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1.0 Introduction

This report contains the speed surveys for two (2) roadway segments within the City of San Jacinto (see Exhibit A). The two (2) roadway segments identified by the City of San Jacinto for speed zone evaluation are listed in Table 1. For each roadway segment, information was collected on existing roadway characteristics, speed characteristics, traffic volumes, and approximately 32 months of traffic accident data. Statistical analysis of travel speeds and accidents was performed as part of this study.

Based on applicable sections in the California Vehicle Code and the CA MUTCD 2006 Edition and the anticipated changes recommended by the California Traffic Control Devices Committee speed limits for each roadway section are recommended. Appendix G contains the City of San Jacinto General Plan Circulation Element.

This report contains an introduction to speed survey requirements, analysis of existing roadway conditions, speed characteristics, accidents, and recommended speed limits at each location.

[Setting speed limits through engineering and traffic studies results in better and safer speed limits. Speed limits set lower than what is appropriate result in flagrant violations by a large majority of drivers, create disrespect for speed limits, lead to a large variation in speeds, and are more hazardous than appropriately set speed limits. A speed limit set lower than justified results in many drivers violating the posted speed limits. On the other hand, the more aggressive drivers choose to drive 10 miles per hour or more over the speed limit. The result is a greater variation in speed and a higher average speed than if the speed limit was properly set. Variation in speed itself is a significant hazard, and when this is combined with a higher average speed, the result is more accidents.]

It should be noted that the speed survey for the City of San Jacinto has taken into account the pending amendment of the Caltrans CA MUTCD 2006 Section 2B.13 which states:

["When a speed limit is to be posted, it should be within 10 km/h or 5 mph of the 85th percentile speed of the free-flowing traffic.] The speed limit may be further reduced by 10 km/h or 5 mph, if unusual conditions not readily apparent to drivers exist, as long as it is in compliance with the CVC Section 22358.5. If used, a one time 10 km/h or 5 mph reduction shall be documented in writing. The final speed limit shall not be less the 50th percentile." This segment is provided in Appendix I.

A properly set speed limit will encourage the speeding driver to slow down and obey, or nearly obey, the speed limit, and will encourage the slower driver to keep up with traffic. The end result is vehicles traveling at an appropriate speed and with a minimum of speed variation.

Two important characteristics are achieved by proper speed zones:

1. Motorists will be advised as to a realistic and safe travel speed; and
2. Law enforcement personnel will have an effective tool with which to differentiate between reasonable and unreasonable speeds.

2.0 Summary of Findings

2.1 Survey Methodology

1. As described in the California Vehicle Code regarding how to set speed limits, data was collected on the existing characteristics of the available roadway segments in the City of San Jacinto.
2. All applicable roadways were surveyed to determine existing roadway characteristics and surrounding land uses.
3. Existing travel speeds on the applicable roadway locations were obtained with the radar speed survey. A minimum of 100 speed observations were recorded at each survey location.
4. Speed observation data were statistically calculated to determine average speed, 85th percentile speed, and 10-mile per hour percentile speed.
5. Three-year (2005, 2006, 2007 and part of 2008) accident data was tabulated for each roadway segment for consideration in the speed limit recommendations.

2.2 Speed Zone Recommendations

1. Based on a review of roadway segment survey data available in Appendix B, speed zone recommendations were made on each of the applicable roadway segments. These recommendations are graphically displayed in Exhibit B. Table 1 summarizes the speed zone survey information.
2. With adoption of the recommended speed limits, the City of San Jacinto Police Department will be able to enforce the posted speed limits by the use of radar equipment.

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3.0 Speed Limits

This traffic engineering analysis includes: (a) results of field inventories including radar samplings of speeds, (b) data analysis, and (c) recommended applicable speed limits. With adoption of the recommended speed limits, the City of San Jacinto Police Department will be able to enforce the posted speed limits by the use of radar equipment. Under State law, speed surveys must be conducted every five years to use radar enforcement.

The California Vehicle Code is specific in its mandate for the performance of engineering and traffic surveys in regard to speed limits. In particular, Chapter 7 of the State Vehicle Code provides that "prima facie" speed limits established under Sections 22352, 22354, 22357, 22358, 22358.3 may not be enforced by radar unless the speed limit has been justified by an engineering and traffic survey within the last five years. All local agencies must conduct engineering and traffic surveys to provide the following:

1. Raise State dictated "prima facie" limits above 25 miles per hour.
2. Lower the otherwise permitted maximum speed of 65 miles per hour.
3. Enforce speed limits by the use of radar equipment.

Section 22350 is the basis of all speed zone legislation in that it states, "No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent..." considering external conditions such as road conditions, weather, and other traffic. Secondly, the Vehicle Code has established certain "prima facie" speed limits (Section 22352), which may not be exceeded unless the operator of a motor vehicle can prove that it is safe to do so under the Basic Speed Law. Specifically, these prima facie limits are:

1. 15 miles per hour in traversing a railroad grade crossing;

2. 15 miles per hour in an alley;
3. 15 miles per hour at an uncontrolled intersection with restricted sight distances;
4. 25 miles per hour in business or residence districts;
5. 25 miles per hour in school zones when children are present; and
6. 25 miles per hour when passing a senior center.

The local agency may reduce the standard 25 mile-per-hour school speed zones between 20 and 15 miles per hour, if justified by an engineering and traffic study (Section 22358.4), but in no event may it be raised above 25 miles per hour. Additionally, the local agency may raise speed limits in business and residence districts to 30, 35, 40, 45, 50, 55, 60 or 65 miles per hour, if justified by an engineering and traffic survey.

RK has based the recommended posted speed limits on the pending amendment of the Caltrans CA MUTCD 2006 Section 2B.13 which states: "When a speed limit is to be posted, it should be within 10 km/h or 5 mph of the 85th-percentile speed of the free-flowing traffic. The speed limit may be further reduced by 10 km/h or 5 mph, if unusual conditions not readily apparent to drivers exist, as long as it is in compliance with the CVC Section 22358.5. If used, a one time 10 km/h or 5 mph reduction shall be documented in writing. The final speed limit shall not be less the 50th percentile." This segment is provided in Appendix I.

Finally, all other speed limits are set by an engineering and traffic study which determines the "reasonable and prudent" speeds at which the majority of drivers traverse a given street.

4.0 Data Collection

This section discusses the survey methodology for the collection of data on existing roadway characteristics, travel speed surveys, and accident experiences. Exhibit A illustrates the two (2) roadway locations required for review in this study. Speed study traffic conditions forms have been prepared for each available survey location and are included in Appendix B. As previously mentioned, not all segments specified in the scope of work were possible to analyze due to road construction. RK will revisit the remaining 3 segments at a later date.

4.1 Roadway Characteristics

Visual inspection of each roadway survey location was performed. Based on the visual survey, speed study traffic conditions forms were completed for data entries such as the number of travel lanes, type of median, existing posted speed limit, and the types of surrounding land uses. Other special conditions inventoried include notations of horizontal and vertical curves, school crosswalks, and school speed zones.

Total curb-to-curb width was also measured and recorded at each speed survey location. Existing two-way daily traffic counts were obtained for RK in September 2007. Traffic count worksheets are provided in Appendix C.

The predominant land use adjacent to the roadway by travel direction was identified. The surrounding uses were identified by the predominant or significant types of uses defining the character and intensity of development along the roadway. Adjacent land uses have direct access if driveways serving the use intersect with the roadway and the land use directly fronts onto the roadway. Land uses not having direct access include those uses with rear or side yards facing the roadway with access from secondary or parallel roadways. The number of

driveways intersecting the roadway is defined as an approximate average distance between driveways along the road segment.

4.2 Travel Speed Survey Data

Radar speed surveys were conducted at the available segments required in this study within the City of San Jacinto. Principles for survey methods utilized in this engineering survey followed the procedures set out by the CA MUTCD 2006 Edition. An excerpt of the applicable section of the CA MUTCD 2006 is available in Appendix H.

The CA MUTCD 2006 Edition sets forth the basic procedural steps in conducting an "engineering and traffic survey." This method is designed for use on all City and County through-highways, arterials, and collector streets.

Surveys were conducted during off-peak hours so that free-flow conditions would allow motorists to drive at a self-determined "safe speed." An unmarked vehicle was employed as the survey vehicle, with the radar device situated inconspicuously. The vehicle was located along a straight roadway segment, far enough away from signals, stop signs, major intersections, or roadway obstruction so that motorists were traveling at a free-flow velocity before passing the sampling vehicle.

The samples were recorded in one (1) mile per hour increments. On two-way streets, samples in both directions were obtained. Care was also taken to include a representative proportion of trucks and buses. Generally, each survey contained approximately 100 samples. Speed zone statistical summary sheets for each location are provided in Appendix D of this report. Also, the radar speed meter certification sheets are included in Appendix E.

4.3 Statistical Analysis

The field data were analyzed with a number of calculations performed by computer. Statistical calculations included the average speed, 85th percentile (or critical) speed, 10-mile per pace speed, percentage of vehicles in the 10-mile per hour speed and 50th percentile speed. These terms are defined as follows:

Average Speed

The average or arithmetic mean speed character^{istics}the speed observations in a single number, and is calculated by dividing the summation of all observed speeds by the number of observations.

85th Percentile Speed

The 85th percentile speed is the speed at or below which 85 percent of the vehicles traveled. It is the single most important measure used to determine what speed limits should be posted.

10-Mile Per Hour Pace Speed

The 10-mile per hour pace speed is the 10-mile per hour range within which the largest number of observations fall. Typically, 70 percent of the vehicles are contained in this range, with 15% above and 15% below. A properly set speed limit will maximize the percent of vehicles in the 10-mile per hour pace speed. One symptom of an inappropriate speed limit is a lower percentage than normal in the 10-mile per hour pace speed.

4.4 Accident History

Accident data for the three-year period (2005, 2006, 2007 and parts of 2008) along each of the survey segments and intersections ^{were} ~~were~~ also tabulated and reviewed. Accidents that occurred in the intersections were proportionally allocated to each approach leg segment of the intersection. Accident data is included in Appendix F.

~~to each approach leg segment of the intersection. Accident data is included in Appendix F.~~

The accident rates which were calculated for each roadway segment were compared to the average rates expected for similar facilities throughout California. Caltrans, in conjunction with the Federal Highway Administration, published *2004 Collision Data on California State Highways*, and this publication was used to determine whether the accident rates in The City of San Jacinto were above average.

5.0 Speed Limit Recommendations

Speed limits are generally established at the nearest 5-mile per hour level to the 85th percentile, but generally not lower than the limit of the 10-mile per hour pace speed. According to the CA MUTCD 2006 Edition (Appendix H):

Experience has shown that speed limits should be established at or below the 85th percentile speed. The speed chosen for speed zoning should be in 5-mile per hour increments and should normally be selected at a value nearest below the 85th percentile speed.

In general, the 85th percentile will dictate the speed limit to be established pursuant to the reasoning that most drivers are "reasonable and prudent." Speed limit selections resulting from this survey and analysis thus follow the above guideline. Recommended speed limits are for both directions of travel.

The primary selected speed limits were then considered in relation to roadway characteristics, accident experience, and nearby development on each respective roadway segment. Some of these characteristics may warrant a deviation from the 85th percentile. These characteristics include:

1. Higher than average accident histories.
2. Hazardous physical features of the roadway that are not readily apparent to the driver. These hazards include cross gutters, poor sight distance, and close spacing of controlled intersections.
3. Compatibility and continuity with speed zones of adjacent cities and/or adjacent reaches of the same street within The City of San Jacinto.

It is important to note that the Vehicle Code by Section 22358.5 emphasizes that only hazards not readily apparent to the driver necessitate a downward speed zoning. It has been determined that the Basic Speed Law "...is sufficient regulation as to such conditions." These characteristics were considered along with the 85th percentile speed and accident experience in making recommended speed zone changes.

It should also be noted that the speed survey for the City of San Jacinto has taken into account the pending amendment of the Caltrans CA MUTCD 2006 Section 2B.13 which states: "When a speed limit is to be posted, it should be within 10 km/h or 5 mph of the 85th-percentile speed of the free-flowing traffic. The speed limit may be further reduced by 10 km/h or 5 mph, if unusual conditions not readily apparent to drivers exist, as long as it is in compliance with the CVC Section 22358.5. If used, a one time 10 km/h or 5 mph reduction shall be documented in writing. The final speed limit shall not be less the 50th percentile." This segment is provided in Appendix I.

Table 1 contains a listing of survey locations with their calculated critical (or 85th percentile) speed, 10-mile per hour pace speed, and the recommended speed limit. Speed limit recommendations are graphically displayed in Exhibit B, and are described below:

Lake Park Drive

Segment 1: Lake Park Drive is a secondary street with a curb to curb width that varies from 48 feet to 65 feet between Ramona Expressway and Soboba Road. The posted speed limit in portions of this segment is 35 mph. The recommended speed limit for this segment is 40 mph due to the 85th percentile.

Soboba Road

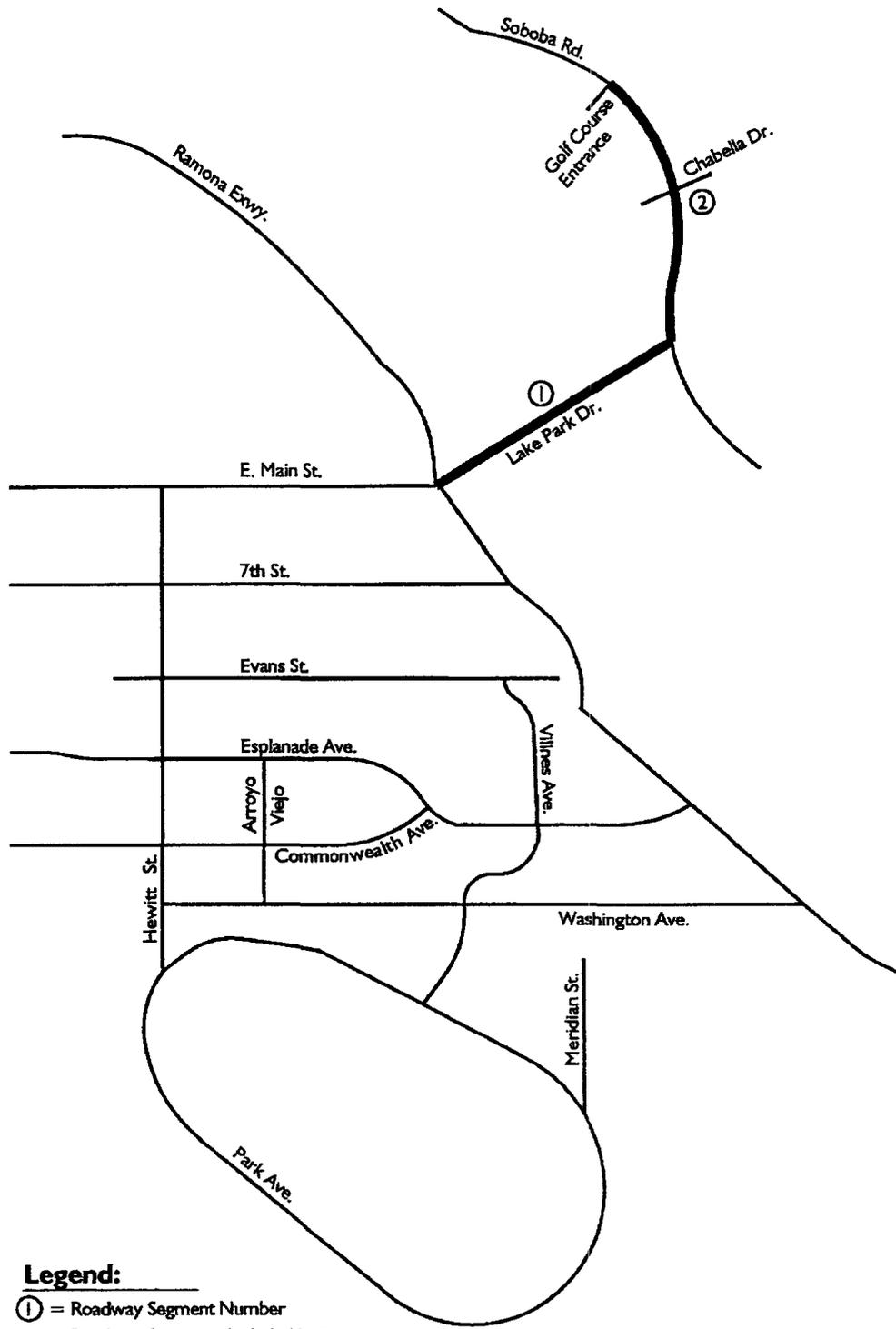
Segment 2: Soboba Road is a secondary street with a curb to curb width that varies from between 34 feet to 46 feet between Lake Park Drive and the Golf Course

Entrance. The posted speed limit in portions of this segment is 40 mph. The speed limit for this segment due to the 85th percentile is 45 mph.

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Exhibits

Exhibit A Location Map



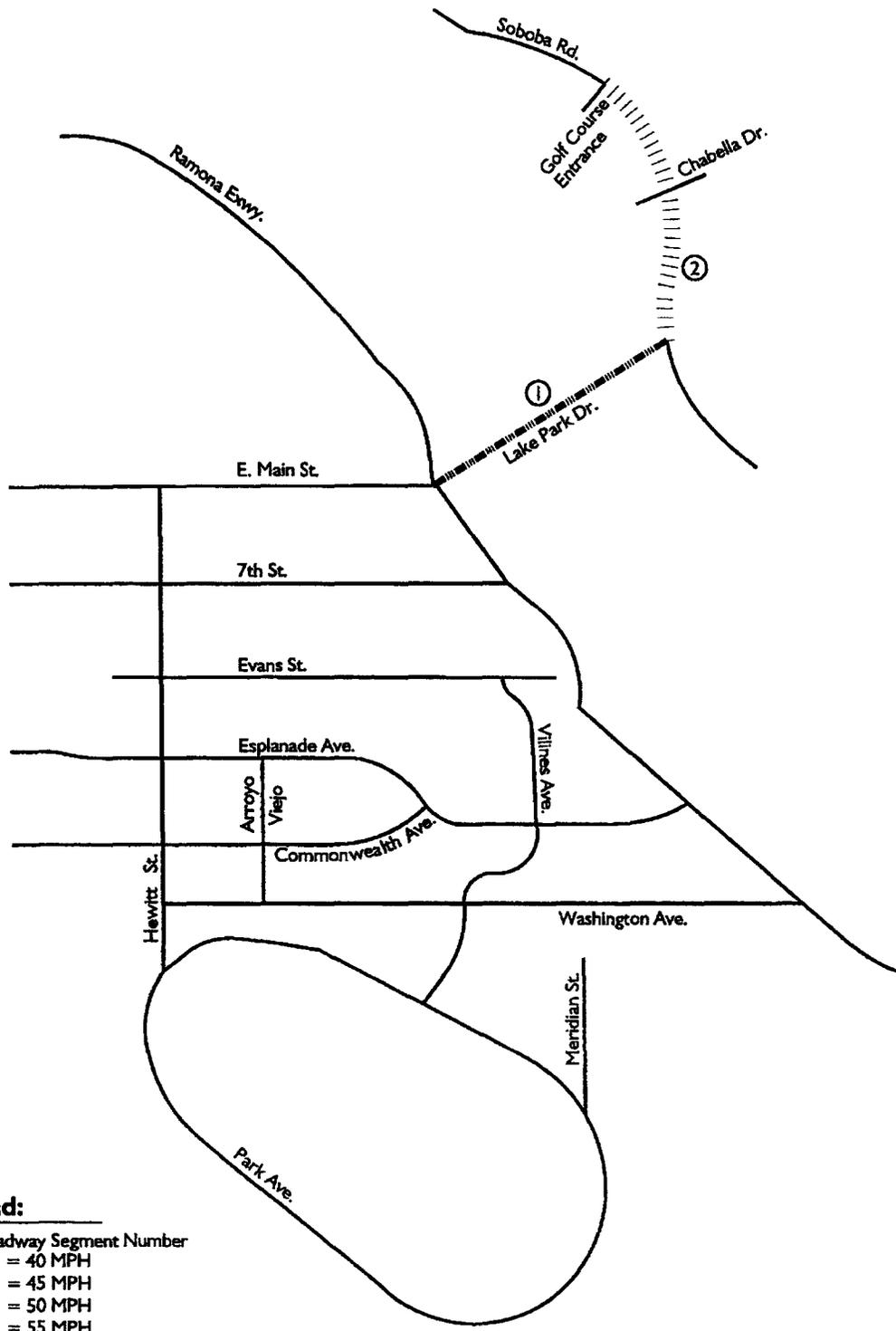
Legend:

① = Roadway Segment Number

— = Roadway Segments Included In Study



Exhibit B Recommended Speed Zones



- Legend:**
- ① = Roadway Segment Number
 - = 40 MPH
 - ||||| = 45 MPH
 - = 50 MPH
 - = 55 MPH



Tables

Table 1
Speed Survey Summary

Loc. No.	Roadway Segment	Existing Speed Limit	Recommended Speed Limit ¹ (MPH)	85th Percentile Speed (MPH)	50th Percentile Speed (MPH)	10 mph Pace Speed (MPH)	Percent Within 10 MPH Pace	Reason for Change
1	Lake Park Drive: Ramona Expressway to Soboba Road	35	40	43	36	32-41	65%	85th Percentile Speed
2	Soboba Road: Lake Park Drive to Golf Course Entrance	40	45	52	45	41-50	62%	85th Percentile Speed

¹ Bold indicates a change in speed limit.

Appendices

Appendix A

Proposed Agreement



TRI LAKE
CONSULTANTS, INC.
MUNICIPAL ENGINEERS

RED FILE

JOB NO: 0328-2008-03

BUDGET PAGE: Bm

SP. INSTRUCTIONS

FACSIMILE TRANSMITTAL SHEET

TO:

Bob

FROM:

Eric S.

COMPANY:

RK Engr

DATE:

4/30/08

FAX NUMBER:

949 474 0902

TOTAL NO. OF PAGES INCLUDING COVER:

3

PHONE NUMBER:

REGARDING:

Speed Survey Proposal

FOR YOUR INFORMATION FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE

NOTES/COMMENTS

Authorized proposal, for your records

EAS

MAILING: P.O. BOX 606 / PERRIS, CA 92570
OFFICE: 170 WILKERSON, SUITE D / PERRIS, CA 92572
PHONE: 951-943-6504 / FAX: 951-943-8416

51 001



transportation planning • traffic engineering
environmental engineering • parking studies

WORK AUTHORIZATION

TO: Mr. Eric Skaugset
CITY OF SAN JACINTO
595 S. San Jacinto Avenue
San Jacinto, CA 92583

FROM: Mr. Robert Kahn, P.E.
RK ENGINEERING GROUP, INC.
3991 MacArthur Blvd, Suite 310
Newport Beach, CA 92660

DATE: April 18, 2008

JOB NO: 0328-2008-03

Subject: Additional Engineering Traffic Surveys for City of San Jacinto

Contract/Authorization to Proceed on preparing engineering and traffic surveys for the following two (2) streets in the City of San Jacinto.

- Lake Park Drive between Soboba Road and Ramona Expressway
- Soboba Road from Lake Park Drive to Chabela

RK will obtain radar speed surveys traffic counts , accident data and conduct a field review to determine existing conditions for these roadway segments. Based upon the engineering traffic survey, RK will recommend speed limits for these roadways.

We can begin working on your project when we receive your authorization for a fixed cost amount of \$2,000. This fee is based upon analysis of the Original Site Plan received by RK from the Client at the time RK initiates the work. Should the original Site Plan received by RK be modified (per the Client or their respective associates) after the work is initiated by RK, then RK will require a change Order and budget modification to accommodate changes before completing the work.

Your authorization, in the form of a signed copy of this work authorization will be necessary for us to initiate this work. If an expanded scope of work is required, RK will provide an additional proposal for that work. Billing rates for this job will be based upon the attached Exhibit A. **Payments are due within 30 days of invoice date. After signing this work authorization, please keep a copy for your files and return the original to our office even if you issue your own contract.**

In the event that a lawsuit is brought for the enforcement of any of the terms of this agreement, the prevailing party should be entitled to attorney fees and costs in addition to any damages. This agreement can be terminated by either party based upon a written request to terminate the work. The client will pay RK for all work completed prior to the determination of the work.

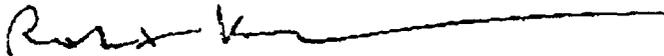
3991 macarthur boulevard, suite 310
newport beach, california 92660
tel 949.474.0809 fax 949.474.0902
http://www.rkengineer.com

Mr. Eric Scaugset
CITY OF SAN JACINTO
April 18, 2008
Page 2

The Client agrees to limit the Design Professional's liability to the Client and to all construction Contractors and Subcontractors on the project, due to the Design Professional's negligent acts, errors, or omissions, such that the total aggregate liability of the Design Professional to all those named shall not exceed \$50,000 or the Design Professional's total fee for services rendered on this project, whichever is greater.

If you have any questions, please call me at (949) 474-0809.

Sincerely,
RK ENGINEERING GROUP, INC.

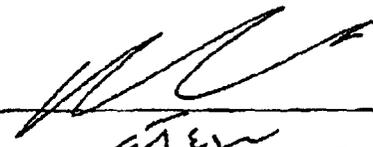


Robert Kahn, P.E.
Principal

Registered Civil Engineer 20285
Registered Traffic Engineer 0555

Attachment

CONTRACT APPROVAL:

Approved by: 
Title: _____
Firm: CITY OF SAN JACINTO
Date: 4/30/2008

Appendix B

Speed Study Traffic Conditions
Forms by Location

CITY OF SAN JACINTO

SPEED STUDY TRAFFIC CONDITIONS FORM

for 32 months?

ROADWAY: Lake Park Drive	LOC. NO. 1	DATE: 05/22/2008
LIMITS: b/t Soboba Road and Ramona Expressway	JOB NO.: 0328-08-03	
DIRECTION OF TRAVEL: EB	EB	WB
A. Roadway Characteristics		
1. Total Curb to Curb Street width (feet)	Varies	
2. Number of through travel lanes by direction	1	1
3. Painted Median	Y	Y
4. Raised Median	N	N
5. On-street parking	N	N
6. Posted speed limit (mph)	35	35
7. Surrounding land uses	Golf Course	Residential, Senior Housing
8. Does surrounding land use have direct access	N	Y
9. Frequency of driveways	Infrequent	Infrequent
10. Curb and gutter present	Y	Y
11. Sidewalks present	N	N
12. Street illumination midblock	N	Y
13. Street illumination at intersections	?	- ?
14. Two-way daily traffic volume (ADT)	15,019	-
15. Length of segment (miles)	0.75	-
B. Speed Characteristics		
1. 85th percentile speed (mph)	43	-
2. Average speed (mph)	37.2 ?	-
3. 50th percentile speed (mph)	38	-
4. Range of speeds (mph)	27-52 ?	-
5. 10 mile per hour pace speed (mph)	32-41	-
6. Percent in 10 miles per hour pace	65%	-
C. Accident Analysis for preceding 3 years		
1. Number of fatal accidents	-	-
2. Number of injury accidents	-	-
3. Number of property damage only accidents	-	-
4. Total number of accidents	2	-
5. Fatal accident rate per MVMT	-	-
6. Injury accident rate per MVMT	-	-
7. Property damage only accident rate per MVMT	-	-
8. Total accident rate per MVMT	-	-
9. Is accident rate abnormally high?	N	-
D. Other Special Conditions		
1. Crosswalk		-
2. School Crosswalk		-
3. Vertical Curves		-
4. Horizontal Curves		-
5. School Speed Zone		-
6. Other		-
E. Recommended speed limit (mph)	40	
MVMT = million vehicle miles of travel		

on 1/2

Prepared By: _____ Reviewed By: _____

CITY OF SAN JACINTO

SPEED STUDY TRAFFIC CONDITIONS FORM

ROADWAY: Soboba Road	LOC. NO. 2	DATE: 05/22/2008
LIMITS: b/t Lake Park Drive to Golf Course Entrance	JOB NO.: 0328-08-03	
DIRECTION OF TRAVEL: NB	NB	SB
A. Roadway Characteristics		
1. Total Curb to Curb Street width (feet)	Varies	
2. Number of through travel lanes by direction	1	1
3. Painted Median	N ?	N ?
4. Raised Median	N	N
5. On-street parking	N	N
6. Posted speed limit (mph)	40	40
7. Surrounding land uses	Rural	Golf Course
8. Does surrounding land use have direct access	N	N
9. Frequency of driveways	Infrequent ?	Infrequent 2
10. Curb and gutter present	N	Y
11. Sidewalks present	N	Y
12. Street illumination midblock	N	Y
13. Street illumination at intersections		
14. Two-way daily traffic volume (ADT)	6,036	-
15. Length of segment (miles)	0.72	-
B. Speed Characteristics		
1. 85th percentile speed (mph)	52	-
2. Average speed (mph)	45.4	-
3. 50th percentile speed (mph)	45	-
4. Range of speeds (mph)	31-62	-
5. 10 mile per hour pace speed (mph)	41-50	-
6. Percent in 10 miles per hour pace	62%	-
C. Accident Analysis for preceding 3 years		
1. Number of fatal accidents	-	-
2. Number of injury accidents	-	-
3. Number of property damage only accidents	-	-
4. Total number of accidents	4	-
5. Fatal accident rate per MVMT	-	-
6. Injury accident rate per MVMT	-	-
7. Property damage only accident rate per MVMT	-	-
8. Total accident rate per MVMT	-	-
9. Is accident rate abnormally high?	N	
D. Other Special Conditions		
1. Crosswalk		-
2. School Crosswalk		-
3. Vertical Curves		-
4. Horizontal Curves		-
5. School Speed Zone		-
6. Other		-
E. Recommended speed limit (mph)	45	
MVMT = million vehicle miles of travel		

Time Frame

Prepared By: _____ Reviewed By: _____

Appendix C

Traffic Count Sheets

Volumes for: Thursday, May 08, 2008

City: San Jacinto

Project #: 08-3121-001

Location: Lake Park Dr btwn Soboba Rd & Ramona Expy

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB							
10:00	28	70			12:00	86	97									
10:15	31	43			12:15	82	100									
10:30	35	49			12:30	86	109									
10:45	25	119	42	204	12:45	112	366	97	403							
11:00	14	46			13:00	99	105									
11:15	20	42			13:15	108	89									
11:30	18	42			13:30	110	113									
11:45	22	74	42	172	13:45	95	412	99	406							
12:00	13	58			14:00	91	120									
12:15	15	22			14:15	110	110									
12:30	9	16			14:30	98	121									
12:45	6	43	22	118	14:45	91	390	101	452							
13:00	12	19			15:00	104	133									
13:15	9	17			15:15	109	111									
13:30	11	18			15:30	114	143									
13:45	8	40	17	71	15:45	111	438	120	507							
14:00	9	23			16:00	98	153									
14:15	14	19			16:15	95	155									
14:30	25	21			16:30	103	151									
14:45	31	79	29	92	16:45	107	403	130	589							
15:00	47	31			17:00	124	144									
15:15	35	28			17:15	105	137									
15:30	50	31			17:30	96	140									
15:45	64	196	45	135	17:45	120	445	118	539							
16:00	54	38			18:00	104	150									
16:15	84	52			18:15	123	109									
16:30	92	60			18:30	111	109									
16:45	105	335	63	213	18:45	126	464	130	498							
17:00	98	72			19:00	125	94									
17:15	123	82			19:15	81	93									
17:30	136	93			19:30	84	104									
17:45	138	495	106	353	19:45	89	379	96	387							
18:00	158	87			20:00	95	65									
18:15	102	75			20:15	71	68									
18:30	128	113			20:30	90	86									
18:45	106	494	79	354	20:45	71	327	66	285							
19:00	102	77			21:00	70	60									
19:15	79	65			21:15	73	61									
19:30	133	84			21:30	74	78									
19:45	92	406	63	289	21:45	69	286	67	266							
20:00	103	83			22:00	59	130									
20:15	81	84			22:15	50	123									
20:30	78	73			22:30	61	82									
20:45	74	336	73	313	22:45	79	249	87	422							
21:00	101	78			23:00	50	68									
21:15	99	91			23:15	64	62									
21:30	112	89			23:30	36	64									
21:45	84	396	89	347	23:45	42	192	46	240							
Total Vol.	3013	2661			5674	4351	4994		9345							
					Daily Totals											
					NB		SB		EB		WB		Combined			
					7364		7655						15019			
					AM					PM						
Split %					53.1%		46.9%		37.8%		46.6%		53.4%		62.2%	
Peak Hour					07:15		11:45		07:15		18:15		16:00		16:15	
Volume					555		395		923		485		589		1009	
P.H.F.					0.88		0.91		0.94		0.96		0.95		0.94	

Volumes for: Thursday, May 08, 2008

City: San Jacinto

Project #: 08-3121-002

Location: Soboba Rd from Lake Park Dr to Chabela

AM Period	NB	SB	EB	WB	PM Period	NB	SB	EB	WB			
00:00			18	31	12:00			22	22			
00:15			13	30	12:15			40	30			
00:30			12	31	12:30			34	29			
00:45			7	50	23	115	165	35	131	27	108	239
01:00			10	14	13:00			57	22			
01:15			8	14	13:15			26	25			
01:30			16	30	13:30			48	20			
01:45			6	40	13	71	111	41	172	20	87	259
02:00			4	19	14:00			56	23			
02:15			4	11	14:15			46	36			
02:30			4	15	14:30			53	22			
02:45			2	14	30	75	89	51	206	26	107	313
03:00			8	25	15:00			64	36			
03:15			3	27	15:15			60	24			
03:30			3	17	15:30			76	23			
03:45			1	15	20	89	104	66	266	27	110	376
04:00			7	24	16:00			81	30			
04:15			3	20	16:15			94	31			
04:30			4	14	16:30			85	32			
04:45			2	16	22	80	96	67	327	35	128	455
05:00			7	29	17:00			84	41			
05:15			7	19	17:15			92	28			
05:30			11	45	17:30			69	36			
05:45			12	37	43	136	173	72	317	29	134	451
06:00			10	23	18:00			65	35			
06:15			11	49	18:15			48	43			
06:30			23	61	18:30			45	52			
06:45			21	65	54	187	252	63	221	39	169	390
07:00			14	68	19:00			44	40			
07:15			28	61	19:15			32	40			
07:30			24	77	19:30			34	41			
07:45			35	101	57	263	364	44	154	30	151	305
08:00			33	67	20:00			36	41			
08:15			33	46	20:15			23	32			
08:30			40	42	20:30			33	29			
08:45			29	135	30	185	320	18	110	15	117	227
09:00			30	36	21:00			25	27			
09:15			32	25	21:15			32	31			
09:30			34	28	21:30			21	19			
09:45			31	127	32	121	248	21	99	26	103	202
10:00			30	31	22:00			21	36			
10:15			15	28	22:15			30	61			
10:30			20	32	22:30			22	40			
10:45			14	79	22	113	192	14	87	26	163	250
11:00			15	49	23:00			13	33			
11:15			14	40	23:15			19	40			
11:30			11	46	23:30			18	62			
11:45			13	53	41	176	229	19	69	22	157	226

Total Vol. 732 1611 **2343** 2159 1534 **3693**

Daily Totals				
NB	SB	EB	WB	Combined
		2891	3145	6036

Split %	AM			PM		
	31.2%	68.8%	38.8%	58.5%	41.5%	61.2%
Peak Hour	07:45	07:00	07:15	16:15	18:15	16:15
Volume	141	263	382	330	174	469
P.H.F.	0.88	0.85	0.95	0.88	0.84	0.94

Appendix D

Statistical Summary Sheets

Spot Speed Study

Prepared by: Southland Car Counters

City of San Jacinto

Prepared by National Data & Surveying Services

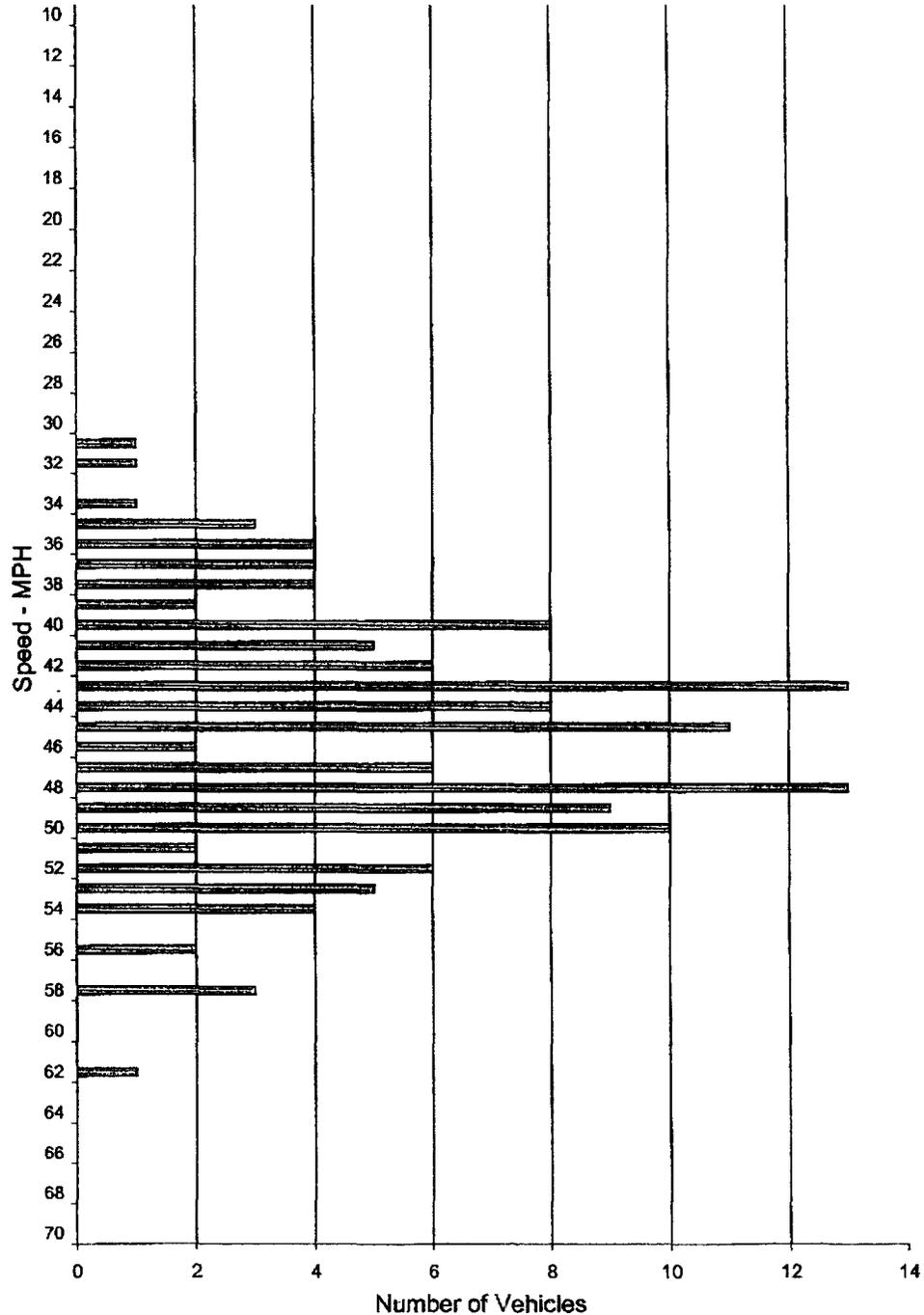
DATE: 5/1/2008
DAY: Thursday

Location: Soboba Rd Btwn Lake Park Dr & Chabela
Posted Speed: MPH

Project #: 08-3117-002

North/South Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	1
32	1
33	
34	1
35	3
36	4
37	4
38	4
39	2
40	8
41	5
42	6
43	13
44	8
45	11
46	2
47	6
48	13
49	9
50	10
51	2
52	6
53	5
54	4
55	
56	2
57	
58	3
59	
60	
61	
62	1
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS										
Class	Count	Average Speed	Range	50th Percentile	85th Percentile	10 MPH Pace	# In Pace	Percent In Pace	# / % Below Pace	# / % Above Pace
ALL	134	45.4	31 - 62	45 mph	52 mph	41 - 50	83	62%	20% / 28	18% / 23

Spot Speed Study

Prepared by: Southland Car Counters

City of San Jacinto

Prepared by National Data & Surveying Services

Location: Lake Park Dr Btwn Soboba Rd & Ramona Expwy.

DATE: 5/1/2008

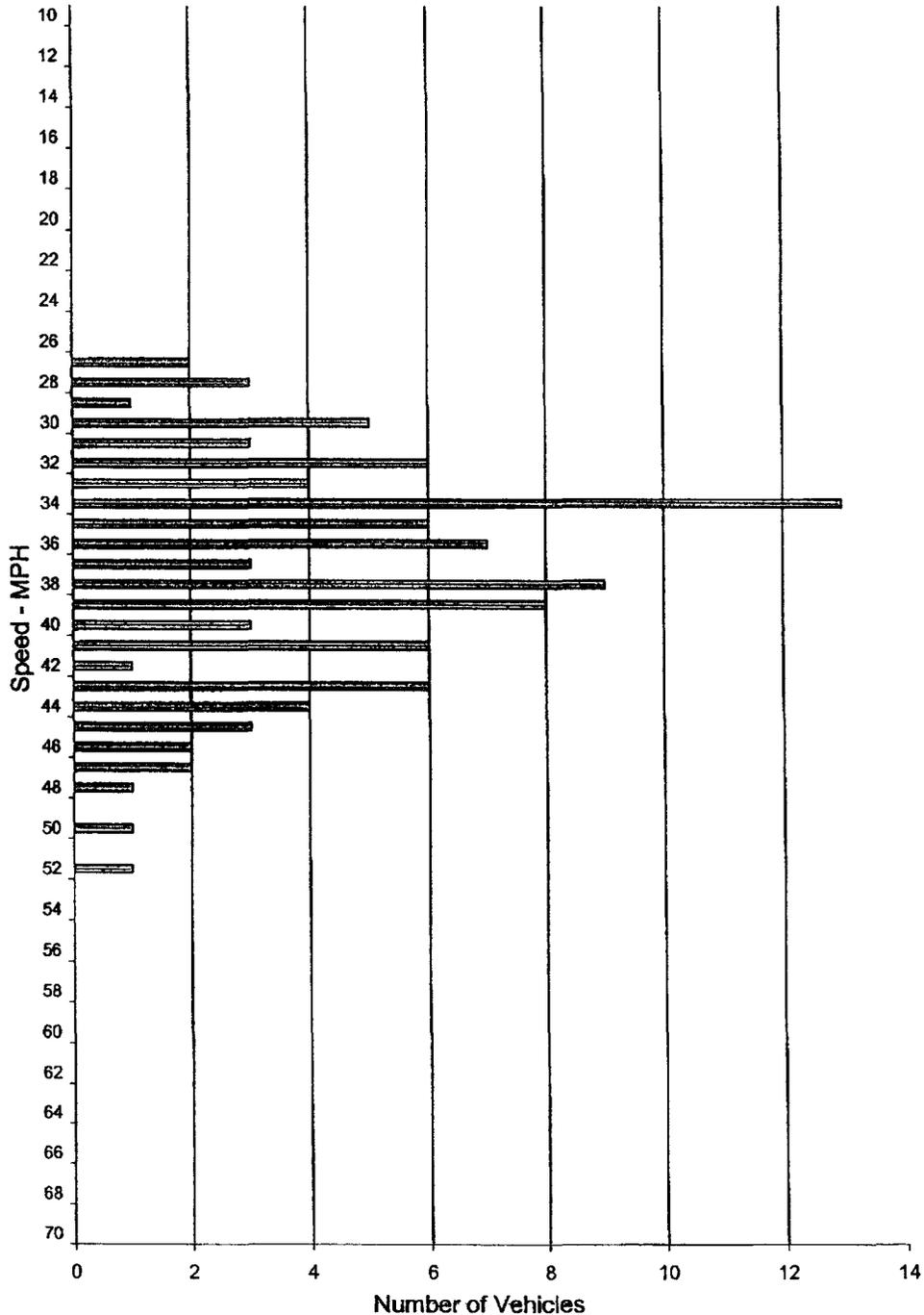
DAY: Thursday

Posted Speed: MPH

Project #: 08-3117-001

East/West Spot Speeds

Speed mph	ALL Vehicles
<=10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	2
28	3
29	1
30	5
31	3
32	6
33	4
34	13
35	6
36	7
37	3
38	9
39	8
40	3
41	6
42	1
43	6
44	4
45	3
46	2
47	2
48	1
49	
50	1
51	
52	1
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
>=70	



SPEED PARAMETERS										
Class	Count	Average Speed	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	# / % Below Pace	# / % Above Pace
ALL	100	37.2	27 - 52	36 mph	43 mph	32 - 41	65	65%	14% / 14	21% / 21

Appendix E

Radar Speed Meter Certification

SOUTHLAND CAR COUNTERS
SPEED SURVEY CERTIFICATIONS

CERTIFICATE OF COMPLETION FOR
RADAR
BASED SPEED AND MEASURING

THIS CERTIFICATE CONFIRMS THAT DOUGLAS L. E. HICKS OF SOUTHLAND CAR COUNTERS SUCCESSFULLY COMPLETED FOUR HOURS OF TRAINING, FIELD EVALUATIONS AND TESTING IN THE USE AND APPLICATION OF RADAR BASED TECHNOLOGY FOR DETERMINING SPEEDS AND MEASUREMENTS.

THIS ORIGINAL DOCUMENT CERTIFIES THAT -

1. I, STEVE CHAUNCEY AM CERTIFIED BY P.O.S.T. AS A RADAR INSTRUCTOR AND LASER OPERATOR AND HAVE INSTRUCTED THE SAME SINCE 1991.

2. TRAINING WAS PRESENTED IN ACCORDANCE WITH N.H.T.S.A. AND P.O.S.T. GUIDELINES FOR RADAR USAGE.

3. TRAINING WAS PROVIDED TO INCLUDE TRAFFIC AND ENGINEERING SURVEYS, CASE LAW, APPLICATIONS PER 40800VC, TEST AND SET UP, ENFORCEMENT TECHNIQUES, CONFIRMATION OF READINGS OBTAINED, VISUAL SPEED ESTIMATIONS, MANUFACTURERS SPECIFICATIONS, COURTROOM PREP AND TESTIMONY, MAINTENANCE AND OPERATIONS OF THE INSTRUMENT. THIS CONSISTED OF CLASSROOM AND FIELD APPLICATIONS WITH SUBSEQUENT TESTING TO DEMONSTRATE COMPETENCY.

CERTIFIED THIS FOURTH DAY OF MARCH, 2000



STEVE CHAUNCEY

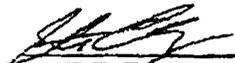
**CERTIFICATE OF COMPLETION FOR
RADAR
BASED SPEED AND MEASURING**

THIS CERTIFICATE CONFIRMS THAT DARREN L. MORELAND OF SOUTHLAND CAR COUNTERS SUCCESSFULLY COMPLETED FOUR HOURS OF TRAINING, FIELD EVALUATIONS AND TESTING IN THE USE AND APPLICATION OF RADAR BASED TECHNOLOGY FOR DETERMINING SPEEDS AND MEASUREMENTS.

THIS ORIGINAL DOCUMENT CERTIFIES THAT -

1. I, STEVE CHAUNCEY AM CERTIFIED BY P.O.S.T. AS A RADAR INSTRUCTOR AND LASER OPERATOR AND HAVE INSTRUCTED THE SAME SINCE 1991.
2. TRAINING WAS PRESENTED IN ACCORDANCE WITH N.H.T.S.A. AND P.O.S.T. GUIDELINES FOR RADAR USAGE.
3. TRAINING WAS PROVIDED TO INCLUDE TRAFFIC AND ENGINEERING SURVEYS, CASE LAW, APPLICATIONS PER 40800VC, TEST AND SET UP, ENFORCEMENT TECHNIQUES, CONFIRMATION OF READINGS OBTAINED, VISUAL SPEED ESTIMATIONS, MANUFACTURERS SPECIFICATIONS, COURTROOM PREP AND TESTIMONY, MAINTENANCE AND OPERATIONS OF THE INSTRUMENT. THIS CONSISTED OF CLASSROOM AND FIELD APPLICATIONS WITH SUBSEQUENT TESTING TO DEMONSTRATE COMPETENCY.

CERTIFIED THIS FOURTH DAY OF MARCH, 2000



STEVE CHAUNCEY

CERTIFICATE OF COMPLETION FOR
RADAR
BASED SPEED AND MEASURING

THIS CERTIFICATE CONFIRMS THAT ROGER FISKE OF SOUTHLAND CAR COUNTERS SUCCESSFULLY COMPLETED FOUR HOURS OF TRAINING, FIELD EVALUATIONS AND TESTING IN THE USE AND APPLICATION OF RADAR BASED TECHNOLOGY FOR DETERMINING SPEEDS AND MEASUREMENTS.

THIS ORIGINAL DOCUMENT CERTIFIES THAT -

1. I, STEVE CHAUNCEY AM CERTIFIED BY P.O.S.T. AS A RADAR INSTRUCTOR AND LASER OPERATOR AND HAVE INSTRUCTED THE SAME SINCE 1991.
2. TRAINING WAS PRESENTED IN ACCORDANCE WITH N.H.T.S.A. AND P.O.S.T. GUIDELINES FOR RADAR USAGE.
3. TRAINING WAS PROVIDED TO INCLUDE TRAFFIC AND ENGINEERING SURVEYS, CASE LAW, APPLICATIONS PER 40800VC, TEST AND SET UP, ENFORCEMENT TECHNIQUES, CONFIRMATION OF READINGS OBTAINED, VISUAL SPEED ESTIMATIONS, MANUFACTURERS SPECIFICATIONS, COURTROOM PREP AND TESTIMONY, MAINTENANCE AND OPERATIONS OF THE INSTRUMENT. THIS CONSISTED OF CLASSROOM AND FIELD APPLICATIONS WITH SUBSEQUENT TESTING TO DEMONSTRATE COMPETENCY.

CERTIFIED THIS FOURTH DAY OF MARCH, 2000



STEVE CHAUNCEY

CERTIFICATE OF TRAINING

To whom it may concern:

Steve South

has completed a basic instruction course in
the use and operation of Doppler Traffic Radar.

Type of unit(s) trained on:

Tomcat

Signed

Ronald J. Simmons

Date

8-29-96

PROGRESSIVE ELECTRONICS

WARRENSBURG, ILLINOIS

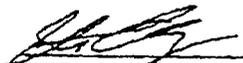
CERTIFICATE OF COMPLETION FOR
RADAR
BASED SPEED AND MEASURING

THIS CERTIFICATE CONFIRMS THAT DARREN L. MORELAND OF SOUTHLAND CAR COUNTERS SUCCESSFULLY COMPLETED FOUR HOURS OF TRAINING, FIELD EVALUATIONS AND TESTING IN THE USE AND APPLICATION OF RADAR BASED TECHNOLOGY FOR DETERMINING SPEEDS AND MEASUREMENTS.

THIS ORIGINAL DOCUMENT CERTIFIES THAT -

1. I, STEVE CHAUNCEY AM CERTIFIED BY P.O.S.T. AS A RADAR INSTRUCTOR AND LASER OPERATOR AND HAVE INSTRUCTED THE SAME SINCE 1991.
2. TRAINING WAS PRESENTED IN ACCORDANCE WITH N.H.T.S.A. AND P.O.S.T. GUIDELINES FOR RADAR USAGE.
3. TRAINING WAS PROVIDED TO INCLUDE TRAFFIC AND ENGINEERING SURVEYS, CASE LAW, APPLICATIONS PER 40800VC, TEST AND SET UP, ENFORCEMENT TECHNIQUES, CONFIRMATION OF READINGS OBTAINED, VISUAL SPEED ESTIMATIONS, MANUFACTURERS SPECIFICATIONS, COURTROOM PREP AND TESTIMONY, MAINTENANCE AND OPERATIONS OF THE INSTRUMENT THIS CONSISTED OF CLASSROOM AND FIELD APPLICATIONS WITH SUBSEQUENT TESTING TO DEMONSTRATE COMPETENCY.

CERTIFIED THIS FOURTH DAY OF MARCH, 2000



STEVE CHAUNCEY

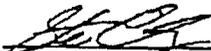
**CERTIFICATE OF COMPLETION FOR
RADAR
BASED SPEED AND MEASURING**

THIS CERTIFICATE CONFIRMS THAT ROGER FISKE OF SOUTHLAND CAR COUNTERS SUCCESSFULLY COMPLETED FOUR HOURS OF TRAINING, FIELD EVALUATIONS AND TESTING IN THE USE AND APPLICATION OF RADAR BASED TECHNOLOGY FOR DETERMINING SPEEDS AND MEASUREMENTS.

THIS ORIGINAL DOCUMENT CERTIFIES THAT -

1. I, STEVE CHAUNCEY AM CERTIFIED BY P.O.S.T. AS A RADAR INSTRUCTOR AND LASER OPERATOR AND HAVE INSTRUCTED THE SAME SINCE 1991.
2. TRAINING WAS PRESENTED IN ACCORDANCE WITH N.H.T.S.A. AND P.O.S.T. GUIDELINES FOR RADAR USAGE.
3. TRAINING WAS PROVIDED TO INCLUDE TRAFFIC AND ENGINEERING SURVEYS, CASE LAW, APPLICATIONS PER 40800VC, TEST AND SET UP, ENFORCEMENT TECHNIQUES, CONFIRMATION OF READINGS OBTAINED, VISUAL SPEED ESTIMATIONS, MANUFACTURERS SPECIFICATIONS, COURTROOM PREP AND TESTIMONY, MAINTENANCE AND OPERATIONS OF THE INSTRUMENT. THIS CONSISTED OF CLASSROOM AND FIELD APPLICATIONS WITH SUBSEQUENT TESTING TO DEMONSTRATE COMPETENCY.

CERTIFIED THIS FOURTH DAY OF MARCH, 2000



STEVE CHAUNCEY

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model TCP-101 a
Doppler Traffic Radar Serial No. TC 201 Operating Frequency K Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 6-2-05

Robert Friesen
Signed



RHF Inc.

Radar Repair

16902 Keats Cir., Westminster, CA 92683

R.H.F. Inc.

16302 Keats Cr., Westminster, California 92683 (714) 848-9367 Fed.ID# 35-0548466

Work Order: 45243

RECERTIFICATION

SOUTHLAND CAR COUNTERS,
ORANGE, CA

Calibration date: 06/02/05

MODEL: TOMCAT
BAND: K
SERIAL: IND # TC201
ANT #
ANT #

OSCILLATOR TESTS

OSC. FREQ. #1 10.0 MHZ #2 4.43 MHZ
XMTR. FREQ. ANT.#1 24.150 Ghz ANT #2 Ghz

TUNING FORK CALIBRATION:

SERIAL # 00.0 MPH BAND HZ
SERIAL # 00.0 MPH BAND HZ

SYSTEM CHECKS

TUNING FORK TEST: 35.0 MPH 65.0 MPH

CLEAN CONTACTS:

PERFORMANCE TESTS:

POWER CORD	CASE	SCREWS
CONNECTORS	SWITCHES	LOCK OPERATION
XMTR. HOLD	XMTR. VOLTAGE	L.V. IND.
DISPLAYS	LAMPS	SQUELCH
AUDIO	VOL. CONTROL	
RFI. DETECTOR		

Tested by FB

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model K-15 a
Doppler Traffic Radar Serial No. 1662 Operating Frequency X Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 6-26-03 Robert Friesen
Signed



RHF Inc.

Radar Repair

16202 Keats Cir., Westminster, CA 92683

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model Tarmac a
Doppler Traffic Radar Serial No. TC201 Operating Frequency K Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 5-2-03 Robert Friesen
Signed



RHF Inc.

Radar Repair
16902 Keats Cir., Westminster, CA 92683

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model K-15 a
Doppler Traffic Radar Serial No. 466 Operating Frequency X Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 6-26-03 Robert Friesen
Signed



RHF Inc.

Radar Repair
16902 Keats Cir., Westminster, CA 92683

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model K-15 a
Doppler Traffic Radar Serial No. 466 Operating Frequency X Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 6-26-03 Robert Friesen
Signed



RHF Inc.

Radar Repair

16202 Keats Cir., Westminster, CA 92683

Tuning Fork

Certificate of Accuracy

This is to certify that on 6-26-01 tuning fork Serial No. 12053
was tested and found to oscillate at 2010 cycles per second. Such
oscillation causes a doppler radar operating in the X band to read 55 mph.
When operated over the temperature of -22F to +140F no correction is required.



RHF Inc.

Radar Repair

16202 Keats Cir., Westminster, CA 92683

Robert Friesen
Signed

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model K-15 a
Doppler Traffic Radar Serial No. 1662 Operating Frequency X Band.
The aforesaid radar meets and exceeds all manufacturer's specifications.

Date: 6-26-03

Robert Friese
Signed



RHF Inc.

Radar Repair

16202 Keats Cr., Westminster, CA 92683

Tuning Fork

Certificate of Accuracy

This is to certify that on 6-26-01 tuning fork Serial No. 12053
was tested and found to oscillate at 2040 cycles per second. Such
oscillation causes a doppler radar operating in the X band to read 65 mph.

When operated over the temperature of -22F to +140F no correction is required.



RHF Inc.

Radar Repair

16202 Keats Cr., Westminster, CA 92683

Robert Friese
Signed

PROGRESSIVE ELECTRONICS

WARRENSBURG, ILLINOIS

RADAR SPEED METER
CERTIFICATE OF ACCURACY

Model ImmCat
Manufacturer Progressive Electronics
Computer No. 201
Antenna No. _____
Antenna No. _____

The above Radar Speed Meter has been checked for accuracy from
10 Mph to 200 Mph within plus or minus 1 Mph.

Property of Southland Car Counters
Date 1-29-02
Signed Ronald S. Simmons

PROGRESSIVE ELECTRONICS

WARRENSBURG, ILLINOIS

TUNING FORK
CERTIFICATE OF ACCURACY

Serial No. 481 Band K
Oscillating Frequency 3600 Hertz
Calibration Signal 50 MPH

Property of Southland Car Counters
Date 1-29-02
Signed Ronald S. Simmons

Certificate of Calibration

This is to certify that all applicable test and measurements have been made on Model Buwanala
Doppler Traffic Radar/Sensor No. B80377 Operating Frequency K band
The aforesaid radar meets and exceeds all manufacturer's specifications

Date

7-5-05

Robert J. [Signature]

Signed



RHF Inc.

Radar Repair

16802 Keats Cr., Westminster, CA 92683

R.H.F. Inc.

16202 Keats Cr., Westminster, California 92683 (714) 848-9367 Fed.ID# 13-0548466

Work Order: 45476

RECERTIFICATION

FIELD DATA SERVICES, SCS
BEVERLY HILLS, CA

Calibration date: 07/05/05

MODEL: BUSHNELL
BAND: K
SERIAL: IND # B00317
ANT #
ANT #

OSCILLATOR TESTS

OSC. FREQ. #1 #2
MTR. FREQ. ANT.#1 24.110 Ghz ANT #2 Ghz

TUNING FORK CALIBRATION:

SERIAL # 00.0 MPH BAND HZ
SERIAL # 00.0 MPH BAND HZ

SYSTEM CHECKS

TUNING FORK TEST: 35.0 MPH 65.0 MPH

CLEAN CONTACTS:

PERFORMANCE TESTS:

CASE SCREWS
SKITCHES DISPLAYS

Tested by FB

NO. 45475
07/05/05

R.H.R. Inc.

14202 Kears Ct., Westminster, California 92683 (714) 849-9367 Fed. ID# 33-0548466

INVOICE

Billing Address:

FIELD DATA SERVICES, SCS
18370 WINDSIRE BLVD STE 209
BEVERLY HILLS, CA 90211
ROGER C. FISKE, PRESIDENT

Customer:

FIELD DATA SERVICES, SCS
18370 WINDSIRE BLVD STE 209
BEVERLY HILLS, CA 90211
ROGER C. FISKE, PRESIDENT

Serial No. 890517

Model No. 805821

Comments: NO NOTE ENCLOSED

Request:

WORK PERFORMED: Recertification

Part number	Description	No. of units	\$/unit	Cost \$
None				
Labor	Recertification			
	Recertified Radar system			
	Checked operation of equipment			
	Checked range and sensitivity			
	Cleaned radar operation			
	Tested in test chamber			
	Labor Total	0.00	50.00	0.00

Labor Total	0.00
Parts Total	0.00
Sales Tax @ 7.75%	0.00
Recertification	50.00
Shipping & handling	0.00
TOTAL	50.00

All payments are due on the 15th day of the month following the month of service.
Please make payment to R.H.R. Inc.

Technician: RB

Work completed: 07/05/05

Invoice printed: 07/05/05

Handwritten signature and date: RB 7/7/05

Appendix F

Three Year Accident Data

Primary Rd SOB BAR D Distance (ft) 4224 Direction Secondary Rd LAKE PARK DR NCIC 9655 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City UNINCORP. County RIVERSIDE Population 9 Rpt Dist Beat 003 Type 3 CalTrans Dist Badge 16585 Collision Date 20050127 Time 2120 Day THU
 Primary Collision Factor WRONG SIDE Violation 21460A Collision Type SIDESWIPE Severity PDO # Killed 0 # Injured 0 Tow Away? N Process Date 20050604
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run MSDMNR Motor Veh Involved With OTHER MV Lighting DARK - ST LTS Ped Action Cntrl Dev NT PRS/FCTR Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 998 IMP UNK IMP UNK OPPOS LN N D 2200 - 3 N - B -
 2 DRVR 38 M H HNBD PROC ST S A 0800 CHEVR 2002 - 3 N - M G

Primary Rd SOB BAR D Distance (ft) 2640 Direction E Secondary Rd LAKE PARK DR NCIC 9655 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City UNINCORP. County RIVERSIDE Population 9 Rpt Dist Beat 003 Type 3 CalTrans Dist Badge 13873 Collision Date 20050310 Time 0547 Day THU
 Primary Collision Factor IMPROP TURN Violation 22107 Collision Type HIT OBJECT Severity INJURY # Killed 0 # Injured 1 Tow Away? Y Process Date 20050525
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With FIXED OBJ Lighting DUSK/DAWN Ped Action Cntrl Dev NT PRS/FCTR Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 22 M O HNBD OTHER W A 0100 TOYOT 1996 - 3 N - H - DRVR OTH VIS 22 M 1 H 0

Primary Rd SOB BAR D Distance (ft) 2112 Direction E Secondary Rd LAKE PARK DR NCIC 9655 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City UNINCORP. County RIVERSIDE Population 9 Rpt Dist Beat 003 Type 3 CalTrans Dist Badge 013889 Collision Date 20050320 Time 2115 Day SUN
 Primary Collision Factor DRVR ALCDRG Violation 23152A Collision Type REAR END Severity PDO # Killed 0 # Injured 0 Tow Away? N Process Date 20050610
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DARK - NO ST LTS Ped Action Cntrl Dev NT PRS/FCTR Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 29 M H HBD-UI PROC ST E A 0700 JEEP 1988 - 3 A 22350 - P G PASS 32 M 3 P G 0
 2 DRVR 28 M H HNBD SLOWING W A 0700 CADIL 2004 - 3 N - M G PASS 38 M 3 M G 0
 PASS 10 M 4 P G 0
 PASS 23 M 6 P G 0

Primary Rd SOB BAR D Distance (ft) 29 Direction S Secondary Rd LAKE PARK NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920A Beat 1172 Type CalTrans Dist Badge 3616 Collision Date 20050414 Time 0122 Day THU
 Primary Collision Factor DRVR ALCDRG Violation 23152A Collision Type REAR END Severity INJURY # Killed 0 # Injured 1 Tow Away? Y Process Date 20050808
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DARK - NO ST LTS Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 58 M H HBD-UI PROC ST N A 0000 TOYOT 2005 - - A 22350 - M - DRVR COMP PN 44 M 1 - M 3
 2 DRVR 44 M W STOPPED N A 0000 CHEVR 1990 - - N - M -

Primary Rd SOB BAR D Distance (ft) 2112 Direction E Secondary Rd LAKE PARK DR NCIC 9655 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City UNINCORP. County RIVERSIDE Population 9 Rpt Dist Beat 003 Type 3 CalTrans Dist Badge 12817 Collision Date 20050703 Time 0945 Day SUN
 Primary Collision Factor UNSAFE SPEED Violation 22350 Collision Type REAR END Severity INJURY # Killed 0 # Injured 3 Tow Away? N Process Date 20051027
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DARK - NO ST LTS Ped Action Cntrl Dev NT PRS/FCTR Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 36 M H HBD-UI PROC ST E D 2200 GMC 2000 - 3 G - M G PASS 46 M 3 M G 0
 2 DRVR 47 F B HNBD STOPPED E A 0100 NISSA 2005 - 3 G - M G PASS 53 F 4 M G 0
 DRVR COMP PN 47 F 1 M G 0
 PASS COMP PN 46 F 3 M G 0
 PASS COMP PN 47 F 4 P G 0

Primary Rd SOB BAR D Distance (ft) 1 Direction Secondary Rd LAKE PARK DR NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920E Beat 074 Type CalTrans Dist Badge 3022 Collision Date 20050716 Time 2330 Day SAT
 Primary Collision Factor TOO CLOSE Violation 21703 Collision Type REAR END Severity PDO # Killed 0 # Injured 0 Tow Away? N Process Date 20051122
 Weather1 CLEAR Weather2 Rdw Surface DRY Rdw Cond1 NO UNUSL CND Rdw Cond2 Spec Cond 0
 Hit and Run MSDMNR Motor Veh Involved With OTHER MV Lighting DARK - ST LTS Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type Age Sex Race Sobriety1 Sobriety2 Move Pre Coll Dir SW Veh CHP Veh Make Year Sp Info OAF1 Viol OAF2 Safety Equip Role Ext of Inj Age Sex Seat Pos Safety Equip Ejected
 1F DRVR 998 F W IMP UNK IMP UNK PROC ST N A 0100 TOYOT 2000 - 3 A 20002A - - M G
 2 DRVR 40 M W UNK STOPPED N D 2200 CHEVR 2002 - 3 N - M G

Primary Rd SOBOBA RD		Distance (ft) 7920	Direction E	Secondary Rd LAKE PARK DR	NCIC 9655	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City UNINCORP.		County RIVERSIDE	Population 9	Rpt Dist	Beat 003	Type 3	CalTrans Dist	Badge 17399	Collision Date 20050914	Time 0300 Day WED									
Primary Collision Factor IMPROP TURN		Violation 22107	Collision Type HIT OBJECT	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20060128	Spec Cond 0										
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With FIXED OBJ	Lighting DARK - ST LTS	Ped Action			Cntl Dev NT PRS/FCTR	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 32	Sex M	Race H	Sobriety1 HBD-NUI	Sobriety2	Move Pre Coll Dir UNS TURN W D	Veh CHP 2200	Veh Make DODGE	Year 2000	Sp Info - 3 N	OAF1 Viol -	OAF2 Safety Equip M G	Role	Ext of Inj	Age 37	Sex M	Seat Pos 3	Safety Equip G -	Ejected 0
Primary Rd SOBOBA RD		Distance (ft) 1	Direction	Secondary Rd LAKE PARK DR	NCIC 3314	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist	Beat 173	Type	CalTrans Dist	Badge 3645	Collision Date 20051029	Time 0344 Day SAT									
Primary Collision Factor STOP SGNISIG		Violation 22450A	Collision Type BROADSIDE	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20060304	Spec Cond 0										
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With OTHER MV	Lighting DARK - NO ST LTS	Ped Action			Cntl Dev FUNCTNG	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 39	Sex F	Race H	Sobriety1 HNBD	Sobriety2	Move Pre Coll Dir PROC ST E A	Veh CHP 0000	Veh Make TOYOT	Year 1993	Sp Info - C N	OAF1 Viol -	OAF2 Safety Equip G -	Role PASS	Ext of Inj	Age 37	Sex M	Seat Pos 3	Safety Equip G -	Ejected 0
2	DRVR 57	M	A	HNBD		LFT TURN W A	0000	NISSA	2000	- C N	-	G -	PASS		57	F	3	G -	0
Primary Rd SOBOBA RD		Distance (ft) 7920	Direction W	Secondary Rd CHABELA DR	NCIC 9655	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City UNINCORP.		County RIVERSIDE	Population 9	Rpt Dist	Beat 003	Type 3	CalTrans Dist	Badge 012408	Collision Date 20051101	Time 0715 Day TUE									
Primary Collision Factor IMPROP TURN		Violation 22107	Collision Type HIT OBJECT	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20060318	Spec Cond 0										
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With FIXED OBJ	Lighting DAYLIGHT	Ped Action			Cntl Dev NT PRS/FCTR	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 54	Sex M	Race W	Sobriety1 HNBD	Sobriety2	Move Pre Coll Dir UNS TURN E A	Veh CHP 0100	Veh Make CHEVR	Year 2005	Sp Info - 3 N	OAF1 Viol -	OAF2 Safety Equip M G	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
Primary Rd SOBOBA RD		Distance (ft) 4224	Direction E	Secondary Rd LAKE PARK DR	NCIC 9655	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City UNINCORP.		County RIVERSIDE	Population 9	Rpt Dist	Beat 003	Type 3	CalTrans Dist	Badge 16442	Collision Date 20060101	Time 0225 Day SUN									
Primary Collision Factor IMPROP TURN		Violation 22107	Collision Type HIT OBJECT	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20060504	Spec Cond 0										
Weather1 CLOUDY		Weather2	Rdwy Surface WET	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	Lighting DARK - ST LTS	Ped Action			Cntl Dev NT PRS/FCTR	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 26	Sex M	Race H	Sobriety1 HBD-NUI	Sobriety2	Move Pre Coll Dir UNS TURN E D	Veh CHP 2200	Veh Make CHEVR	Year 2005	Sp Info - 3 N	OAF1 Viol -	OAF2 Safety Equip M G	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
Primary Rd SOBOBA RD		Distance (ft) 14	Direction S	Secondary Rd LAKE PARK DR	NCIC 9655	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City UNINCORP.		County RIVERSIDE	Population 9	Rpt Dist	Beat 003	Type 3	CalTrans Dist	Badge 15611	Collision Date 20060117	Time 1831 Day TUE									
Primary Collision Factor DRVR ALC/DRG		Violation 23152A	Collision Type SIDESWIPE	Severity PDO	# Killed 0	# Injured 0	Tow Away? N	Process Date 20060531	Spec Cond 0										
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run MSDMNR		Motor Veh Involved With OTHER MV	Lighting DARK - ST LTS	Ped Action			Cntl Dev FUNCTNG	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 33	Sex M	Race H	Sobriety1 HBD-UI	Sobriety2	Move Pre Coll Dir RGT TURN N D	Veh CHP 2200	Veh Make CHEVR	Year 2000	Sp Info - 3 A 22107	OAF1 Viol -	OAF2 Safety Equip M G	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
	DRVR 37	F	B	HNBD		STOPPED W A	0100	SUZUK	2006	- 3 N	-	M G	PASS		56	F	3	M G	0
Primary Rd SOBOBA RD		Distance (ft) 3696	Direction W	Secondary Rd CHABELA	NCIC 3314	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy									
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist 920D	Beat 175	Type	CalTrans Dist	Badge 3645	Collision Date 20060211	Time 2315 Day SAT									
Primary Collision Factor IMPROP TURN		Violation 22107	Collision Type OVERTURNED	Severity INJURY	# Killed 0	# Injured 1	Tow Away? Y	Process Date 20060616	Spec Cond 0										
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With NON-CLSN	Lighting DARK - NO ST LTS	Ped Action			Cntl Dev FUNCTNG	Loc Type	Ramp/Int										
PARTY INFO						VICTIM INFO													
Party Type 1F	Age 73	Sex M	Race A	Sobriety1 HNBD	Sobriety2	Move Pre Coll Dir PROC ST W A	Veh CHP 0000	Veh Make CHEVR	Year 1995	Sp Info - D N	OAF1 Viol -	OAF2 Safety Equip G -	Role DRVR OTH VIS	Ext of Inj	Age 73	Sex M	Seat Pos 1	Safety Equip G -	Ejected 0

Primary Rd	SOBOBA RD	Distance (ft)	5280	Direction	E	Secondary Rd	LAKE PARK DR	NCIC	9655	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	UNINCORP.	County	RIVERSIDE	Population	9	Rpt Dist	Beat 003	Type	3	CalTrans Dist		Badge	12775	Collision Date	20060304	Time	0640	Day	SAT			
Primary Collision Factor	DRVR ALC DRG	Violation	23152A	Collision Type	HIT OBJECT	Severity	INJURY	# Killed	0	# Injured	1	Tow Away?	Y	Process Date	20060710	Spec Cond	0					
Weather1	CLEAR	Weather2		Rdwy Surface	DRY	Rdwy Cond1	NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	FIXED OBJ	Lighting	DAYLIGHT	Ped Action		Cntnl Dev	NT PRS/FCTR	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR	24	M	O	HBD-UI	UNS TURN	W D	2200	CHEVR	2005	-	3	A	22107	M H	DRVR	OTH VIS	24	M	1	M H	0
Primary Rd	SOBOBA RD	Distance (ft)	0	Direction		Secondary Rd	CHABELLA RD	NCIC	3314	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	SAN JACINTO	County	RIVERSIDE	Population	4	Rpt Dist	920D	Beat		Type		CalTrans Dist		Badge	3616	Collision Date	20060318	Time	0414	Day	SAT	
Primary Collision Factor	NOT STATED	Violation		Collision Type	OVERTURNED	Severity	PDO	# Killed	0	# Injured	0	Tow Away?	Y	Process Date	20060717	Spec Cond	0					
Weather1	CLOUDY	Weather2		Rdwy Surface	WET	Rdwy Cond1	LOOSE MATRL	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	NON-CLSN	Lighting	DARK - NO ST LTS	Ped Action		Cntnl Dev	NT PRS/FCTR	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1	DRVR	40	M	A	HNBD	SLOWING	W A	0100	TOYOT	2004	-	3	K		M C							
Primary Rd	SOBOBA RD	Distance (ft)	2640	Direction	W	Secondary Rd	CHABELA DR	NCIC	9655	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	UNINCORP.	County	RIVERSIDE	Population	9	Rpt Dist	Beat 003	Type	3	CalTrans Dist		Badge	9175	Collision Date	20060413	Time	1118	Day	THU			
Primary Collision Factor	IMPROP TURN	Violation	22107	Collision Type	BROADSIDE	Severity	PDO	# Killed	0	# Injured	0	Tow Away?	N	Process Date	20060721	Spec Cond	0					
Weather1	CLEAR	Weather2		Rdwy Surface	DRY	Rdwy Cond1	NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	OTHER MV	Lighting	DAYLIGHT	Ped Action		Cntnl Dev	NT PRS/FCTR	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR	20	M	H	HNBD	LFT TURN	S A	0100	FORD	1994	-	3	A	22108	L G	PASS		50	F	3	A G	0
2	DRVR	52	F	W	HNBD	PASSING	W A	0100	HONDA	2003	-	3	N		M G	PASS		73	F	3	M G	0
Primary Rd	SOBOBA RD	Distance (ft)	1747	Direction	W	Secondary Rd	LAKE PARK DR	NCIC	3314	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	SAN JACINTO	County	RIVERSIDE	Population	4	Rpt Dist	920I	Beat	072	Type		CalTrans Dist		Badge	3654	Collision Date	20060731	Time	2210	Day	MON	
Primary Collision Factor	IMPROP TURN	Violation	22107	Collision Type	OVERTURNED	Severity	PDO	# Killed	0	# Injured	0	Tow Away?	Y	Process Date	20060624	Spec Cond	0					
Weather1	CLEAR	Weather2		Rdwy Surface	DRY	Rdwy Cond1	NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	NON-CLSN	Lighting	DAYLIGHT	Ped Action		Cntnl Dev	NT PRS/FCTR	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR	23	M	W	HNBD	RAN OFF RD	E D	2200	DODGE	2005	-	3	F		M G	PASS		19	M	3	M G	0
Primary Rd	SOBOBA RD	Distance (ft)	324	Direction	S	Secondary Rd	CHABELA DR	NCIC	3314	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	SAN JACINTO	County	RIVERSIDE	Population	4	Rpt Dist	920I	Beat	072	Type		CalTrans Dist		Badge	3654	Collision Date	20060731	Time	2210	Day	MON	
Primary Collision Factor	UNSAFE SPEED	Violation	22350	Collision Type	HIT OBJECT	Severity	PDO	# Killed	0	# Injured	0	Tow Away?	Y	Process Date	20061127	Spec Cond	0					
Weather1	CLOUDY	Weather2		Rdwy Surface	DRY	Rdwy Cond1	NO UNUSL CND	Rdwy Cond2														
Hit and Run		Motor Veh Involved With	FIXED OBJ	Lighting	DARK - ST LTS	Ped Action		Cntnl Dev	NT PRS/FCTR	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR	53	M	B	HNBD	PROC ST	S D	2200	FORD	1989	-	3	N		P G							
Primary Rd	SOBOBA RD	Distance (ft)	1	Direction		Secondary Rd	LAKE PARK DR	NCIC	3314	State Hwy?	N	Route		Postmile Prefix		Postmile		Side of Hwy				
City	SAN JACINTO	County	RIVERSIDE	Population	4	Rpt Dist	920I	Beat	072	Type		CalTrans Dist		Badge	3645	Collision Date	20061117	Time	0127	Day	FRI	
Primary Collision Factor	STOP SGN SIG	Violation	22450A	Collision Type	BROADSIDE	Severity	PDO	# Killed	0	# Injured	0	Tow Away?	N	Process Date	20070313	Spec Cond	0					
Weather1	CLEAR	Weather2		Rdwy Surface	DRY	Rdwy Cond1	NO UNUSL CND	Rdwy Cond2														
Hit and Run	MSDMNR	Motor Veh Involved With	OTHER MV	Lighting	DARK - NO ST LTS	Ped Action		Cntnl Dev	FUNCTNG	Loc Type		Ramp/Int										
PARTY INFO										VICTIM INFO												
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR	22	M	O	HNBD	PROC ST	E A	0100	CHEVR	1977	-	3	N		A G							
2	DRVR	44	F	H	HNBD	LFT TURN	N A	0100	DAEWO	2001	-	3	N		M G							

Primary Rd **SOBOBA RD** Distance (ft) **6970** Direction **W** Secondary Rd **CHABELA DR** NCIC **9655** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **UNINCORP.** County **RIVERSIDE** Population **9** Rpt Dist **Beat 003** Type **3** CalTrans Dist Badge **11376** Collision Date **20061125** Time **0110** Day **SAT**
 Primary Collision Factor **DRVR ALC|DRG** Violation **23152A** Collision Type **HEAD-ON** Severity **INJURY** # Killed **0** # Injured **3** Tow Away? **Y** Process Date **20070310**
 Weather1 **CLEAR** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run Motor Veh Involved With **OTHER MV** Lighting **DARK - NO ST LTS** Ped Action Cntrl Dev **NT PRS/FCTR** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	40	M	H	HBD-UI		PROC ST	E	D		2200	CHEVR	2003		-	3	A	21460A	N	M	G				
2	DRVR	64	M	H	HNBD		PROC ST	W	D		2200	TOYOT	1979		-	3	N		A	G					

Primary Rd **SOBOBA RD** Distance (ft) **84** Direction **E** Secondary Rd **LAKE PARK DR** NCIC **3314** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **SAN JACINTO** County **RIVERSIDE** Population **4** Rpt Dist **9201** Beat **172** Type **3** CalTrans Dist Badge **3645** Collision Date **20061229** Time **1934** Day **FRI**
 Primary Collision Factor **DRVR ALC|DRG** Violation **23152A** Collision Type **BROADSIDE** Severity **INJURY** # Killed **0** # Injured **1** Tow Away? **Y** Process Date **20070416**
 Weather1 **CLEAR** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run Motor Veh Involved With Lighting **DARK - NO ST LTS** Ped Action Cntrl Dev **FUNCTNG** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	41	M	H	HBD-UI		RGT TURN	E	A		0100	FORD	1984		-	3	A	21460A	-	M	B				
2	DRVR	58	M	H	HNBD		SLOWING	W	A		0100	CHEVR	2001		-	3	N		M	G					

Primary Rd **SOBOBA RD** Distance (ft) **6336** Direction **W** Secondary Rd **CHABELA DR** NCIC **9655** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **UNINCORP.** County **RIVERSIDE** Population **9** Rpt Dist **Beat 003** Type **3** CalTrans Dist Badge **013889** Collision Date **20070119** Time **1615** Day **FRI**
 Primary Collision Factor **IMPROP TURN** Violation **22107** Collision Type **OVERTURNED** Severity **INJURY** # Killed **0** # Injured **1** Tow Away? **Y** Process Date **20070519**
 Weather1 **CLEAR** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run Motor Veh Involved With **NON-CLSN** Lighting **DAYLIGHT** Ped Action Cntrl Dev **NT PRS/FCTR** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	44	F	B	HNBD		UNS TURN	W	A		0100	HONDA	2000		-	3	N		L	G					

Primary Rd **SOBOBA RD** Distance (ft) **1584** Direction **W** Secondary Rd **CHABELA DR** NCIC **9655** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **UNINCORP.** County **RIVERSIDE** Population **9** Rpt Dist **Beat 003** Type **3** CalTrans Dist Badge **013889** Collision Date **20070329** Time **2000** Day **THU**
 Primary Collision Factor **DRVR ALC|DRG** Violation **23152A** Collision Type **OVERTURNED** Severity **INJURY** # Killed **0** # Injured **1** Tow Away? **Y** Process Date **20070730**
 Weather1 **CLEAR** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run Motor Veh Involved With **NON-CLSN** Lighting **DARK - NO ST LTS** Ped Action Cntrl Dev **NT PRS/FCTR** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	39	M	W	HBD-UI		UNS TURN	W	A		0100	FORD	1995		-	3	A	22107	-	M	G				

Primary Rd **SOBOBA RD** Distance (ft) **1** Direction **W** Secondary Rd **LAKE PARK DR** NCIC **3300** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **SAN JACINTO** County **RIVERSIDE** Population **4** Rpt Dist **9201** Beat **072** Type **3** CalTrans Dist Badge **3731** Collision Date **20070814** Time **2221** Day **TUE**
 Primary Collision Factor **DRVR ALC|DRG** Violation **23152A** Collision Type **HEAD-ON** Severity **INJURY** # Killed **0** # Injured **1** Tow Away? **Y** Process Date **20080126**
 Weather1 **CLOUDY** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run **MSDMNR** Motor Veh Involved With **OTHER MV** Lighting **DARK - ST LTS** Ped Action Cntrl Dev **FUNCTNG** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	17	M	O	HBD-UI		PROC ST	E	D		2200	CHEVR	2001		-	3	A	22450A	-	M	G				
2	DRVR	51	F	W	HNBD		LFT TURN	W	D		2200	NISSA	1998		-	3	N		L	G					
3	DRVR	46	M	W	HNBD		STOPPED	N	A		0100	FORD	2006		-	3	N		M	G					

Primary Rd **SOBOBA RD** Distance (ft) **80** Direction **E** Secondary Rd **CHABELA DR** NCIC **9655** State Hwy? **N** Route Postmile Prefix Postmile Side of Hwy
 City **UNINCORP.** County **RIVERSIDE** Population **9** Rpt Dist **Beat 003** Type **3** CalTrans Dist Badge **016607** Collision Date **20070913** Time **0500** Day **THU**
 Primary Collision Factor **DRVR ALC|DRG** Violation **23152A** Collision Type **OVERTURNED** Severity **INJURY** # Killed **0** # Injured **1** Tow Away? **Y** Process Date **20080219**
 Weather1 **CLEAR** Weather2 Rdw Surface **DRY** Rdw Cond1 **NO UNUSL CND** Rdw Cond2 Spec Cond **0**
 Hit and Run Motor Veh Involved With **NON-CLSN** Lighting **DUSK/DAWN** Ped Action Cntrl Dev **NT PRS/FCTR** Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party	Type	Age	Sex	Race	Sobriety1	Sobriety2	Move	Pre Coll	Dir	SW	Veh	CHP	Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR	49	M	W	DRUG		UNS TURN	W	C		0200	KAWAS	2007		-	3	A	22107	-	P	W				

Primary Rd LAKE .K DR Distance (ft) 1 Direction Secondary Rd RAMONA EXPWY NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920F Beat 172 Type CalTrans Dist Badge 3650 Collision Date 20050204 Time 1539 Day FRI
 Primary Collision Factor UNSAFE SPEED Violation 22350 Collision Type BROADSIDE Severity PDO # Killed 0 # Injured 0 Tow Away? Y Process Date 20050613
 Weather 1 CLEAR Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DAYLIGHT Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR 25	M	H	IMP UNK	IMP UNK	RGT TURN	N	A	0100	TOYOT	1991	- 3	N	-	M	H				
2	DRVR 47	M	W	HNBD		STOPPED	S	A	0100	HONDA	1999	- 3	N	-	M	G				

Primary Rd RAMONA EXPWY Distance (ft) 1 Direction Secondary Rd LAKE PARK NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920I Beat 072 Type CalTrans Dist Badge 3616 Collision Date 20050423 Time 0603 Day SAT
 Primary Collision Factor STOP SGNJSIG Violation 21453A Collision Type BROADSIDE Severity INJURY # Killed 0 # Injured 1 Tow Away? Y Process Date 20051214
 Weather 1 FOG Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DARK - NO ST LTS Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected			
1F	DRVR 41	M	H	HNBD		PROC ST	W	-	0000	FORD	2001	- -	N	-	L	-							
2	DRVR 54	M	H	HNBD		PROC ST	N	-	0000	FORD	2004	- -	N	-	L	-			DRVR COMP PN 54	1	L	G	0
3	DRVR 22	M	W	HNBD		STOPPED	S	-	0000	FORD	2002	- -	N	-	M	-							

Primary Rd SOBOBA RD Distance (ft) 1 Direction Secondary Rd LAKE PARK DR NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920E Beat 074 Type CalTrans Dist Badge 3022 Collision Date 20050716 Time 2330 Day SAT
 Primary Collision Factor TOO CLOSE Violation 21703 Collision Type REAR END Severity PDO # Killed 0 # Injured 0 Tow Away? N Process Date 20051122
 Weather 1 CLEAR Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run MSDMNR Motor Veh Involved With OTHER MV Lighting DARK - ST LTS Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected
1F	DRVR 998	F	W	IMP UNK	IMP UNK	PROC ST	N	A	0100	TOYOT	2000	- 3	A	20002A	-	-				
2	DRVR 19	M	W	HNBD		STOPPED	N	D	2200	CHEVR	2002	- 3	N	-	M	G				

Primary Rd SOBOBA RD Distance (ft) 1 Direction Secondary Rd LAKE PARK DR NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 3201 Beat 173 Type CalTrans Dist Badge 3645 Collision Date 20051029 Time 0344 Day SAT
 Primary Collision Factor STOP SGNJSIG Violation 22450A Collision Type BROADSIDE Severity PDO # Killed 0 # Injured 0 Tow Away? Y Process Date 20060304
 Weather 1 CLEAR Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DARK - NO ST LTS Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR 39	F	H	HNBD		PROC ST	E	A	0000	TOYOT	1993	- C	N	-	G	-			PASS	37	M	3	G	-	0
2	DRVR 57	M	A	HNBD		LFT TURN	W	A	0000	NISSA	2000	- C	N	-	G	-			PASS	57	F	3	G	-	0

Primary Rd LAKE PARK DR Distance (ft) 75 Direction W Secondary Rd SOBOBA RD NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920I Beat M030 Type CalTrans Dist Badge 3039 Collision Date 20060105 Time 1600 Day THU
 Primary Collision Factor UNSAFE SPEED Violation 22350 Collision Type SIDESWIPE Severity INJURY # Killed 0 # Injured 2 Tow Away? Y Process Date 20060531
 Weather 1 CLEAR Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With OTHER MV Lighting DAYLIGHT Ped Action Cntrl Dev FNCTNG Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR 31	M	H	HNBD		RGT TURN	W	A	0100	FORD	2000	- 3	A	21650	-	L	G								
2	DRVR 41	M	H	HNBD		PROC ST	E	D	2200	CHEVR	2005	- 3	N	-	M	G			DRVR COMP PN 41	M	1	M	G	0	
																			PASS SEVERE	40	F	1	M	G	0
																			PASS	9	F	6	M	G	0

Primary Rd LAKE PARK DR Distance (ft) 414 Direction E Secondary Rd SOBOBA RD NCIC 3314 State Hwy? N Route Postmile Prefix Postmile Side of Hwy
 City SAN JACINTO County RIVERSIDE Population 4 Rpt Dist 920E Beat 074 Type CalTrans Dist Badge 3022 Collision Date 20060905 Time 2315 Day TUE
 Primary Collision Factor PED VIOL Violation 21956 Collision Type AUTO/PED Severity FATAL # Killed 1 # Injured 0 Tow Away? Y Process Date 20070621
 Weather 1 CLEAR Weather 2 Rdwy Surface DRY Rdwy Cond1 NO UNUSL CND Rdwy Cond2 Spec Cond 0
 Hit and Run Motor Veh Involved With PED Lighting DARK - ST LTS Ped Action IN RD, SHLDR Cntrl Dev NT PRS/FCTR Loc Type Ramp/Int

PARTY INFO

VICTIM INFO

Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected	
1F	DRVR 54	F	W	HNBD	DRUG	PROC ST	N	A	6000	-	-	-	-	-	PED KILLED	54	F	0	P	-	0
2	DRVR 48	M	H	HNBD	DRUG		E	A	0100	NISSA	2003	- 3	N	-	M	G					

Primary Rd LAKE PARK DR		Distance (ft) 961	Direction N	Secondary Rd RAMONA EXPWY	NCIC 3314	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy																
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist	Beat	Type	CalTrans Dist	Badge 3665	Collision Date 20061024	Time 0436 Day TUE																
Primary Collision Factor IMPROP TURN		Violation 22107	Collision Type SIDESWIPE	Severity INJURY	# Killed 0	# Injured 1	Tow Away? N	Process Date 20070321	Spec Cond 0																	
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2																					
Hit and Run FELONY		Motor Veh Involved With PED	Lighting DARK - ST LTS	Ped Action IN RD, SHLDR	Cntrl Dev NT PRS/FCR	Loc Type	Ramp/Int																			
PARTY INFO																										
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre	Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR	998		IMP UNK	IMP UNK	PROC ST	S	-	0000	-	-	-	N	-	-	-	-	-	-	-	-					
2	OTHR	998		HNBD	OTHER	S	-	0000	CHEVR	1992	-	-	K	-	-	QTHR	COMP PN	51	F	9	-	3				
3	PED	51	F	H	HNBD	OTHER	-	-	0000	-	-	-	-	-	-	-	-	-	-	-	-	-				
Primary Rd SOBOBA RD		Distance (ft) 1	Direction	Secondary Rd LAKE PARK DR	NCIC 3314	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy																
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist 9201	Beat 172	Type	CalTrans Dist	Badge 3645	Collision Date 20061117	Time 0127 Day FRI																
Primary Collision Factor STOP SGN SIG		Violation 22450A	Collision Type BROADSIDE	Severity PDO	# Killed 0	# Injured 0	Tow Away? N	Process Date 20070313	Spec Cond 0																	
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2																					
Hit and Run MSDMNR		Motor Veh Involved With OTHER MV	Lighting DARK - NO ST LTS	Ped Action	Cntrl Dev FNCTNG	Loc Type	Ramp/Int																			
PARTY INFO																										
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre	Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR	22	M	O	HNBD	PROC ST	E	A	0100	CHEVR	1977	-	3	N	-	A	G									
2	DRVR	44	F	H	HNBD	LFT TURN	N	A	0100	DAEWO	2001	-	3	N	-	M	G									
Primary Rd LAKE PARK DR		Distance (ft) 200	Direction E	Secondary Rd RAMONA EXPWY	NCIC 3314	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy																
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist 920F	Beat 173	Type	CalTrans Dist	Badge 3092	Collision Date 20061215	Time 1730 Day FRI																
Primary Collision Factor UNSAFE SPEED		Violation 22350	Collision Type REAR END	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20070416	Spec Cond 0																	
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2																					
Hit and Run		Motor Veh Involved With OTHER MV	Lighting DUSK/DAWN	Ped Action	Cntrl Dev FNCTNG	Loc Type	Ramp/Int																			
PARTY INFO																										
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre	Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR	81	F	W		PROC ST	W	A	0100	VOLKS	1999	-	3	G	-	L	B									
2	DRVR	47	M	W		STOPPED	W	D	2200	DODGE	2005	-	3	N	-	M	B									
Primary Rd RAMONA EXPWY		Distance (ft) 1	Direction	Secondary Rd LAKE PARK	NCIC 3300	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy																
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist	Beat 9201	Type	CalTrans Dist	Badge 4338	Collision Date 20070605	Time 1640 Day TUE																
Primary Collision Factor STOP SGN SIG		Violation 21453A	Collision Type BROADSIDE	Severity PDO	# Killed 0	# Injured 0	Tow Away? Y	Process Date 20071106	Spec Cond 0																	
Weather1 CLEAR		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2																					
Hit and Run		Motor Veh Involved With OTHER MV	Lighting DAYLIGHT	Ped Action	Cntrl Dev FNCTNG	Loc Type	Ramp/Int																			
PARTY INFO																										
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre	Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR	26	M	W	HNBD	PROC ST	N	-	-00	FORD	1998	-	1	F	-	M	G									
2	DRVR	60	M	W	HNBD	PROC ST	E	-	-00	FORD	2002	-	-	-	-	M	G									
Primary Rd SOBOBA RD		Distance (ft) 1	Direction	Secondary Rd LAKE PARK DR	NCIC 3300	State Hwy? N	Route	Postmile Prefix	Postmile	Side of Hwy																
City SAN JACINTO		County RIVERSIDE	Population 4	Rpt Dist 9201	Beat 072	Type	CalTrans Dist	Badge 3731	Collision Date 20070814	Time 2221 Day TUE																
Primary Collision Factor DRVR ALC DRG		Violation 23152A	Collision Type HEAD-ON	Severity INJURY	# Killed 0	# Injured 1	Tow Away? Y	Process Date 20080126	Spec Cond 0																	
Weather1 CLOUDY		Weather2	Rdwy Surface DRY	Rdwy Cond1 NO UNUSL CND	Rdwy Cond2																					
Hit and Run MSDMNR		Motor Veh Involved With OTHER MV	Lighting DARK - ST LTS	Ped Action	Cntrl Dev FNCTNG	Loc Type	Ramp/Int																			
PARTY INFO																										
Party Type	Age	Sex	Race	Sobriety1	Sobriety2	Move Pre	Coll Dir	SW Veh	CHP Veh	Make	Year	Sp Info	OAF1 Viol	OAF2 Safety Equip	Role	Ext of Inj	Age	Sex	Seat Pos	Safety Equip	Ejected					
1F	DRVR	17	M	O	HBD-UI	PROC ST	E	D	2200	CHEVR	2001	-	3	A	22450A	-	M	G	DRVR	COMP PN	51	F	1	L	G	0
2	DRVR	51	F	W	HNBD	LFT TURN	W	D	2200	NISSA	1998	-	3	N	-	L	G									
3	DRVR	46	M	W	HNBD	STOPPED	N	A	0100	FORD	2006	-	3	N	-	M	G									

Section 2B.13 Speed Limit Sign (R2-1)

Standard:

After an engineering study has been made in accordance with established traffic engineering practices, the Speed Limit (R2-1) sign (see Figure 2B-1) shall display the limit established by law, ordinance, regulation, or as adopted by the authorized agency. The speed limits shown shall be in multiples of 10 km/h or 5 mph.

Guidance:

At least once every 5 years, States and local agencies should reevaluate non-statutory speed limits on segments of their roadways that have undergone a significant change in roadway characteristics or surrounding land use since the last review.

No more than three speed limits should be displayed on any one Speed Limit sign or assembly.

When a speed limit is to be posted, it should be ~~within~~ established at the nearest 10 km/h or 5 mph increment of the 85th-percentile speed of free-flowing traffic.

Option:

The posted speed may be reduced by 10 km/h (5 mph) from the nearest 10 km/h or 5 mph increment of the 85th-percentile speed, where engineering study indicates the need for a reduction in speed to match existing conditions with the traffic safety needs of the community.

Support:

An example of the application of this speed limit criteria is as follows:

- If the 85th percentile speed in a speed survey was 60 km/h (37 mph), then the speed limit would be posted at 35 mph or optionally reduced to 30 mph. However,
- If the 85th percentile speed in a speed survey was 61 km/h (38 mph), then the speed limit would be posted at 40 mph or optionally reduced to 35 mph.

This method of establishing posted speed limits applies to all engineering and traffic surveys (E&TS) performed after May 20, 2004. This section, as amended for use in California, does not apply to E&TS performed prior to May 20, 2004.

Examples:

- An Engineering and Traffic Survey (E&TS) performed on April 6, 1999 due for renewal on April 6, 2004 (5 years) would be performed per Chapter 8 of the 1996 Caltrans Traffic Manual, which was the applicable guidance at the time. This would then be due for renewal on April 6, 2009 using the California MUTCD criteria.
- However, if conditions of the E&TS and the applicable enforcement agency, its personnel and equipment meet provisions of CVC 40802.c.2.B.I, the E&TS could have been extended two additional years (for a total of 7 years). In this case, the posted speed limit(s) remain(s) enforceable for the seven-year period and would then be due for renewal on April 6, 2006 and would be renewed using California MUTCD criteria.
- Further, if at the end of the seven years, a registered engineer evaluates the highway section and determines that no significant changes in roadway or traffic conditions have occurred (see CVC 40802.c.2.B.II), the engineer could extend the E&TS for three additional years (for a total of 10 years). Renewal of the extended E&TS would then be deferred to April 6, 2009 and at that time performed with California MUTCD criteria.

Option:

Other factors that may be considered when establishing speed limits are the following:

- A. Road characteristics, shoulder condition, grade, alignment, and sight distance;
- B. The pace speed;
- C. Roadside development and environment;
- D. Parking practices and pedestrian activity; and
- E. Reported crash experience for at least a 12-month period.

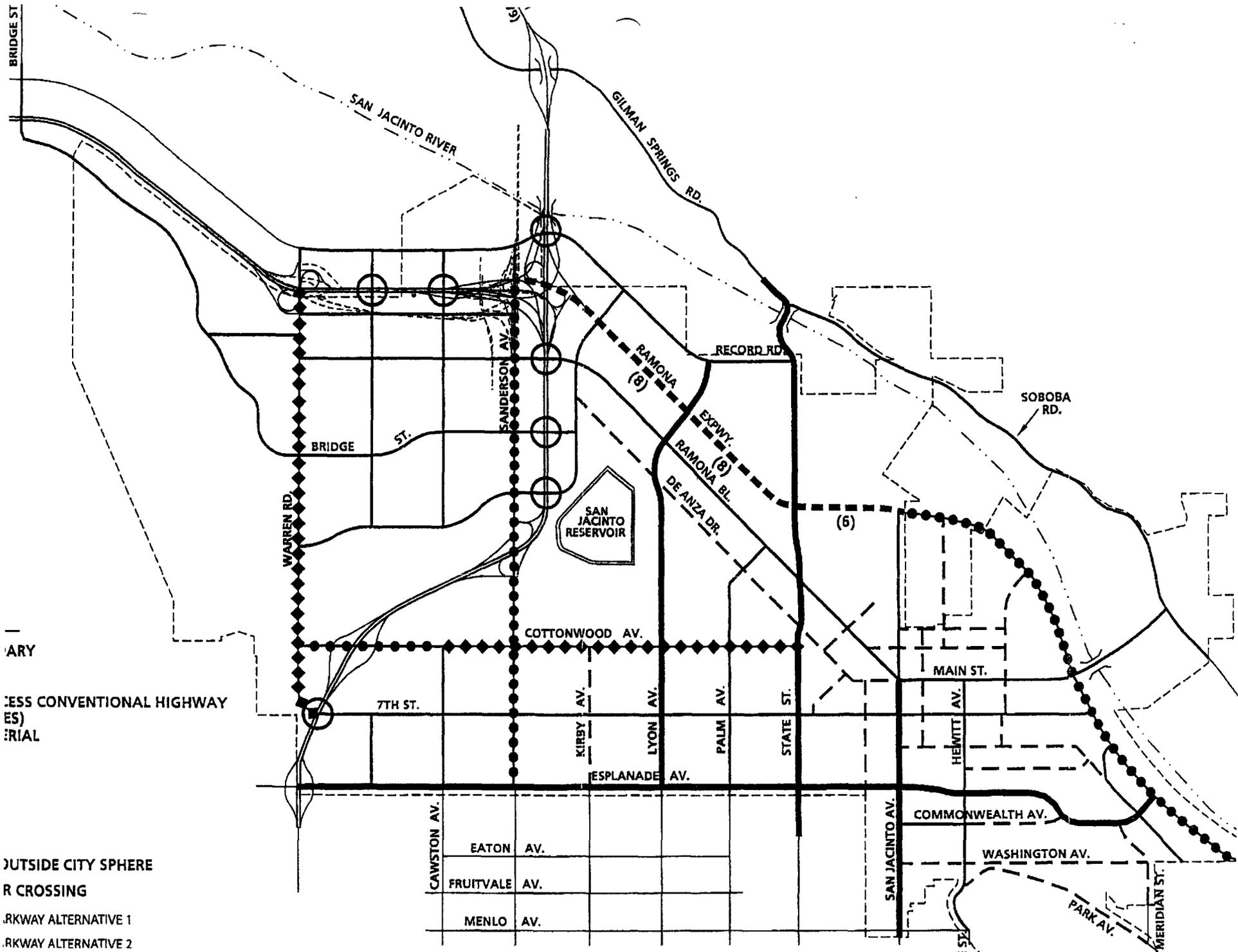
Two types of Speed Limit signs may be used: one to designate passenger car speeds, including any nighttime information or minimum speed limit that might apply; and the other to show any special speed limits for trucks and other vehicles.

A changeable message sign that changes the speed limit for traffic and ambient conditions may be installed provided that the appropriate speed limit is shown at the proper times.

A changeable message sign that displays to approaching drivers the speed at which they are traveling may be installed in conjunction with a Speed Limit sign.

Appendix G

City of San Jacinto
General Plan Circulation Element



— BOUNDARY
 — LESS CONVENTIONAL HIGHWAY (ES)
 — SERIAL

— OUTSIDE CITY SPHERE
 — R CROSSING

— HIGHWAY ALTERNATIVE 1
 — HIGHWAY ALTERNATIVE 2

Appendix H

CA MUTCD 2006 Edition

33

From: Kevin Vest (KVEST@riversidesheriff.org)
To: noahdjnanny@yahoo.com
Date: Wednesday, November 28, 2007 10:50:15 AM
Subject: Re: TASIN

Patty,

What we get is not up to me....it is up to the tribe. Last year we requested two trailers and 6 pole displays and got none. The city purchased the new radar trailer that you have seen in use. It is either the one you gave us information on or another that has the same abilities. It generates counts and tracks speeds as well as displaying messages. I dont think requesting two trailers is necessary as we already have one and they didnt go for two last time. They are about \$20,000 each, so I dont want to price us out of getting anything if it is too high. The pole displays, have the ability to display vehicle speeds and generate counts as well. They are \$4,000 each. Some would be placed on Soboba and others on Lake Park and left there all of the time if the TASIN grant is approved.

I am writing three different requests that will be submitted individually by the city. Last year, we (SJPD Traffic) wrote one large one that consisted of 2 radar trailers and 6 pole displays. That came to about \$70,000 and we got nothing. By submitting individual requests this year, I hope to avoid the "we dont have that much to give, so they get nothing" approach. They may be seen as a request of \$20,000 (radar trailer), \$20,000 (pole displays) and maybe \$40,000 (traffic truck) instead of one of \$80,000.

I have no idea if this will work or not, because we never get any feedback as to why things are approved or rejected by the tribe. I am willing to attached letters of support from citizens for these concepts and have already contacted the Mayor so he can start talking to the tribal committee.

We will see...

KV

>>> Patty Mayne < > 11/28/2007 10:29 AM >>>

Thanks for the info. A couple of questions. Could we get two radar trailers, one for Soboba and one for Lake Park? Also, that info I sent a long time ago about radar that has computerized printouts of traffic speeds, volume, time of day stats would be helpful in determining when to put out officers etc. Would you like that info again? Also, are these requests going to be lumped in with other requests or will they stand alone? The lady in charge in Riverside, said there was a way to be more successful and I can give you that info too, if you want it.

Thanks again,
Patty

----- Original Message -----

From: Kevin Vest < >
To:
Sent: Wednesday, November 28, 2007 8:42:54 AM
Subject: TASIN

Patty,

In the Press Enterprise today there was a story about the TASIN committee being able to distribute 4.8 million this year. We will be submitted three different grant requests. One for another radar trailer, one for pole speed displays, and a third for a Traffic truck (to tow the trailers around as well as our checkpoint trailer and motorcycles).

Cross your fingers.....

Lt. K. Vest

Be a better sports nut! Let your teams follow you
with Yahoo Mobile. Try it now.

Indian Gaming Impact Mitigation

Since California approved casino style gaming on Indian Reservations, the growth of this entertainment venue has been exponential. Locally, this growth has been seen on the Soboba Band of Luiseno Indians Reservation located east of the City of San Jacinto. This gaming venue now provides casino gaming and live entertainment ranging from lounge to arena-sized events. The frequency of events has grown in line with their popularity resulting in sometimes thousands of visitors to the San Jacinto Valley on any given weekend.

Unfortunately, with the growth of these events, the impact on those living around the venue has also increased. The police department frequently receives calls for service regarding traffic congestion on the roads leading to the Soboba Reservation in addition to individual complaints from residents. How many of you can forget the great Turkey give-a-way of November 2006? Tragically, several fatal traffic collisions and numerous injury collisions have been directly associated with people going to or coming from casino operations. The San Jacinto Police Department Traffic Services Officers have worked very hard at trying to prevent these tragedies from occurring, however they cannot work this area exclusively to the detriment of the entire city.

As part of the approval process for permitting Indian gaming in California, tribes that operate casino's are required to submit a portion of their revenue to the State of California to mitigate their impact on the surrounding communities (Senate Bill 621). In 2004, the San Jacinto Police Department received funding to add one traffic officer to the force to address traffic problems at night. Unfortunately, this funding was not continued into the future after the first year. The San Jacinto City Council concurred with this need and has continued to fund this position to the present time and into the future.

Last year, the Police Department submitted a gaming impact grant request in the amount of \$90,000. These funds were requested so that we could purchase two speed awareness trailers (commonly called radar trailers) that would display a vehicle's speed as it approached the trailer to promote speed limit compliance on the part of motorists. In addition, the trailers have message capability, which could be used to advise motorists of traffic problems, collisions, or detours when needed. In addition several solar-powered, pole-mounted, speed awareness displays were requested. These devices would be permanently mounted on the three roadways (Ramona Expressway, Lake Park Drive, and Soboba Rd) leading to the gaming venue. Unfortunately, none of these grant concepts were funded.

This year, the San Jacinto Police Department has revised these grant concepts and will again be submitting request for a speed awareness trailer and pole-mounted displays. In addition, another grant concept will be submitted requesting the purchase of a heavy duty pickup truck to be used by Traffic Services to deploy radar trailers and our DUI Checkpoint Trailer. In addition, this vehicle

would be the response vehicle use for traffic investigators responding to fatal traffic collisions.

I sincerely hope that this year's grant requests are approved and funded as submitted. Although generally effective, deploying traffic enforcement officers to address gaming related traffic problems is counter productive when a cost-effective engineering solution is ready apparent.

1.0 INTRODUCTION

The Riverside County Transportation Department ("Transportation Department") requires that the traffic and circulation impacts of proposed development projects, General Plan Amendments, and Specific Plans be analyzed. The traffic impacts of proposed developments are to be analyzed through the preparation of a Traffic Impact Analysis (TIA) prepared in conformance with Transportation Department requirements. The Traffic Impact Analysis must be prepared, signed and sealed by a Traffic Engineer or a Civil Engineer registered in the State of California, qualified to practice traffic engineering ("Engineer"). This Traffic Impact Analysis Preparation Guide identifies the required format and methodology that is generally required to be utilized in the study preparation, subject to the review and approval of the Transportation Department.

2.0 PURPOSE

The Traffic Impact Analysis is to be prepared to assess the following:

- **Tracts, Plot Plans, Public Use Permits, Conditional Use Permits, etc.:** Will the Level of Service required by the General Plan be maintained at all affected intersections with the addition of traffic from the proposed project? If not, what mitigation measures will be necessary in order to provide the required Level of Service? If mitigation measures are necessary, are they feasible to implement? Will the project deteriorate traffic operations or safety?
- **General Plan Amendments and Specific Plans:** Will the ultimate circulation system planned for the area be able to provide the required Level of Service, even with the additional traffic impact of the proposed land use changes? If not, what will be required in order to provide the required Level of Service?

3.0 TRAFFIC IMPACT ANALYSIS EXEMPTIONS

Certain types of projects, because of their size, nature, or location, are exempt from the requirement of preparing a TIA. The types of projects that are generally exempt from preparing a TIA are described in Exhibit A.

The Transportation Department, at its discretion, may require that a TIA be prepared for any development, regardless of size, if there are concerns over safety, operational issues, or if located in an area heavily impacted by traffic.

4.0 COORDINATION WITH TRANSPORTATION DEPARTMENT

In order to streamline the TIA preparation and review process, the Engineer shall solicit input and approval for the Transportation Department prior to the preparation and submittal of a draft document. A TIA "Project Scoping Form", attached as Exhibit B, shall be prepared by the Engineer and submitted to the Transportation Department for approval prior to the preparation of a draft TIA. The Project Scoping Form provides for agreement of the following key points before initiating the TIA:

8.0 FUTURE TRAFFIC FORECASTS

8.1 Background Traffic for Tracts, Plot Plans, Use Cases and Project Phasing

All projects within the study area that have received approvals for development (approved plot plans, approved tentative tracts, approved conditional use permits, etc.) shall be identified, and their traffic generation included as cumulative traffic in the study. Proposed projects in the study area that have been submitted to the County for processing, but not yet approved, may also be included at the discretion of the Transportation Department. The Transportation Department will also specify an ambient growth rate to be applied to existing volumes to account for other general traffic growth in and around the study area.

The traffic from the other approved projects shall be added to the existing traffic plus the ambient growth rate (Analysis Scenario 2) plus the proposed project to determine future projected traffic at "Opening Year" of the project, or any subsequent phase.

8.2 Build-Out Studies for General Plan Amendments and Specific Plans

Traffic projections for Build-out scenarios shall utilize the RCIP traffic model or other approved model. The Engineer shall use the model projections as the basis for determining turning-movement volumes for the required intersection analysis. A manual assignment of the project traffic added to the Build-out traffic may typically be used to determine total future traffic, as approved by the Transportation Department.

Certain large-scale Specific Plans and General Plan Amendments have the potential to create traffic impacts that are significantly greater than the traffic projections used in the RCIP Traffic Model, and which also affect the modeling assumptions. For these projects, the Transportation Department may request that the Build-out analysis utilize the RCIP Traffic Model or other model approved by the Transportation Department to develop more detailed focused model runs in order to determine the projected Build-out traffic. The following are guidelines of projects considered to be significant and subject to the revised modeling requirements:

- 1,500 dwelling units or greater
- 25 acres of commercial or greater
- 150 acres of industrial or greater
- any project producing 15,000 daily trips or greater

10.5 Safety and Operational Analysis

The TIA shall examine existing roadway conditions to determine if safety and/or operational improvements are necessary due to increase in traffic from the project or cumulative projects. The types of improvements to be identified may include, but are not limited to:

- Need for turning lanes
- Intersections needing future sight distance studies
- Parking restrictions
- Measures to reduce cut-through project traffic in adjacent residential areas
- Potential impacts to adjacent schools
- Queue lengths and impacts to adjacent intersections
- Need for signal interconnect systems

10.6 Specific Plan Signalization Analysis

For traffic signals that are found to be warranted within or bordering a Specific Plan, the TIA shall identify, after consultation with the Transportation Department, which of these signals are the responsibility of development within the Specific Plan and which are covered under the County-wide Signal Mitigation Program.

10.7 General Plan Conformance

The TIA shall identify if the roadway system proposed in the Circulation Element of the General Plan is adequate to accommodate traffic from the project, or if changes to the General Plan are proposed as part of the project approval.

10.8 CETAP Conformance

Riverside County, in conjunction with the Riverside County Transportation Commission, is evaluating various major transportation corridors as part of the Community and Environmental Transportation Acceptability Process (CETAP). The TIA shall identify if a project is located adjacent to a potential CETAP corridor. The traffic study preparer shall contract RCTC to determine if the project is impacted by a potential CETAP corridor.

10.9 Regional Funding Mechanisms

Identify if the project is located within an existing Road and Bridge Benefit District (RBBB), Assessment District, or identified in another regional funding mechanism.

10.10 Special Uses

- **Truck Intensive Uses (Conditional Use Permits, Surface Mining Permits, etc.)**

In addition to the standard TIA requirements, or if the standard TIA requirements are waived, projects that are "truck intensive" (distribution centers, surface mining permits, etc.) may be required to submit a study addressing the truck access routes, adequacy of the existing streets to be used (in terms of geometry and structural section), safety issues relating to the truck traffic, and the impacts of the truck traffic on existing residences or businesses.

In addition to the above, General Plan Amendments and Specific Plans shall include the following:

- Specific Plan signalization analysis
- General Plan conformance review
- CETAP conformance review
- Identification of regional funding mechanisms

Projects that involve special uses, such as truck-intensive projects or special events, may also be required to perform additional analysis to determine project impacts.

10.1 Level of Service Analysis

The Riverside County General Plan has established minimum Level of Service standards for developments. These minimums may vary according to the area involved. The Traffic Impact Analysis shall address whether or not the required Levels of Service will be achieved after the proposed project is constructed. Level of Service calculations shall be included with the TIA for all intersections studied. For intersections or roadway links not meeting the required Level of Service, the intersection or roadway link's Level of Service must be recalculated using the proposed mitigation measures to verify that the required Level of Service will be achieved. For sites with heavy truck usage, Passenger Car Equivalent (PCE's) as approved by the Transportation Department shall be utilized in the analysis.

The County's Level of Service standards, as published in the County's General Plan, Chapter 4, are included in the attached Exhibit E.

10.2 Proposed Mitigation Measures

All studies that propose increasing the number of travel lanes on a road or intersection as mitigation measures, either beyond existing conditions or for General Plan conditions beyond what is planned for that level of roadway, shall clearly identify the impacts associated with such a change. Identification of funding mechanisms available to fund the improvements and exhibits showing the lane configuration must be provided in the report.

10.3 Traffic Signal Warrant Analysis

The Engineer shall review intersections within the study area, including the project access points, to determine if signal warrants are met for any of the study year scenarios (existing, opening year with and without project, etc.) The signal warrant analysis shall utilize the Caltrans peak-hour warrants for existing intersections and the Caltrans daily warrant for new intersections. The warrant analysis worksheets shall be included in the study appendices.

10.4 On-site Circulation

The TIA shall examine the proposed on-site circulation for the project and address its adequacy. This includes identifying the desired level of traffic control at project driveways and/or intersections.

- **Special Event Uses**

Special event land uses that do not exhibit typical trip generation characteristics may require unique analysis, including weekend and off-peak scenarios. Examples of such uses would be sports stadiums, racetracks or uses that exhibit substantial traffic peaking associated with special events that are scheduled on a periodic basis. The traffic analysis for such uses shall include a traffic management plan to control traffic impacts associated with the special events. Adequate circulation shall be provided to the site and all impacts shall be alleviated to the maximum extent possible.

11.0 SUBMITTAL REQUIREMENTS AND PROCEDURE

- a) A project scoping form must be submitted for approval prior to preparation of the traffic study. Identification of a Planning case number must be included in order to process the agreement. A Traffic Study Submittal Form, shown as Exhibit G, shall be completed and submitted at the time of scoping along with the appropriate fee.
- b) Upon approval of the scoping agreement and completion of the traffic study report, submit two bound copies of the Traffic Impact Study report to the Transportation Department. Clearly identify the project case number on the cover of the report. Copies of the approved scoping agreement and cumulative projects list as provided by the County shall be included with the copies of the traffic impact study.
- c) If revisions to the Traffic Impact Study are necessary, re-submit two (2) complete bound copies along with a copy of the comments provided by the Transportation Department.

Exhibit D

Traffic Impact Analysis Format

The Traffic Impact Analysis shall generally include the following items, unless waived by the Transportation Department. Required ***Exhibits*** and ***Tables*** are indicated.

I. Introduction

- A. Purpose of the TIA and Study Objectives
- B. Site location and study area (***Exhibit 1***)
- C. Development project identification - Riverside County Case Number and related case numbers, i.e. S.P.A. amendment number, E.I.R. number, etc.
- D. Development project description
 - 1) Project size and description
 - 2) Existing land use and zoning
 - 3) Proposed land use and zoning
 - 4) Site plan of proposed project (reduced) (***Exhibit 2***)
 - 5) Proposed project opening year
 - 6) Any proposed project phasing
 - 7) Indicate if project is within a City Sphere of Influence

II. Area Conditions

- A. Identify Study Area and Intersections
- B. Existing traffic controls and intersection geometrics (***Exhibit 3***) - include descriptions of existing roads (number of lanes, etc.)
- C. Existing traffic volumes - AM and PM peak hour turning movements and roadway links (if required) (***Exhibit 4A - AM and Exhibit 4B -PM***)

Exhibit D continued

- D. Existing delay and Level of Service at study intersections/roadway links (**Table 1**)
- E. Provide copy of General Plan Circulation Element in the project vicinity (**Exhibit 5**)
- F. Indicate if Transit service is available in the area and along which routes

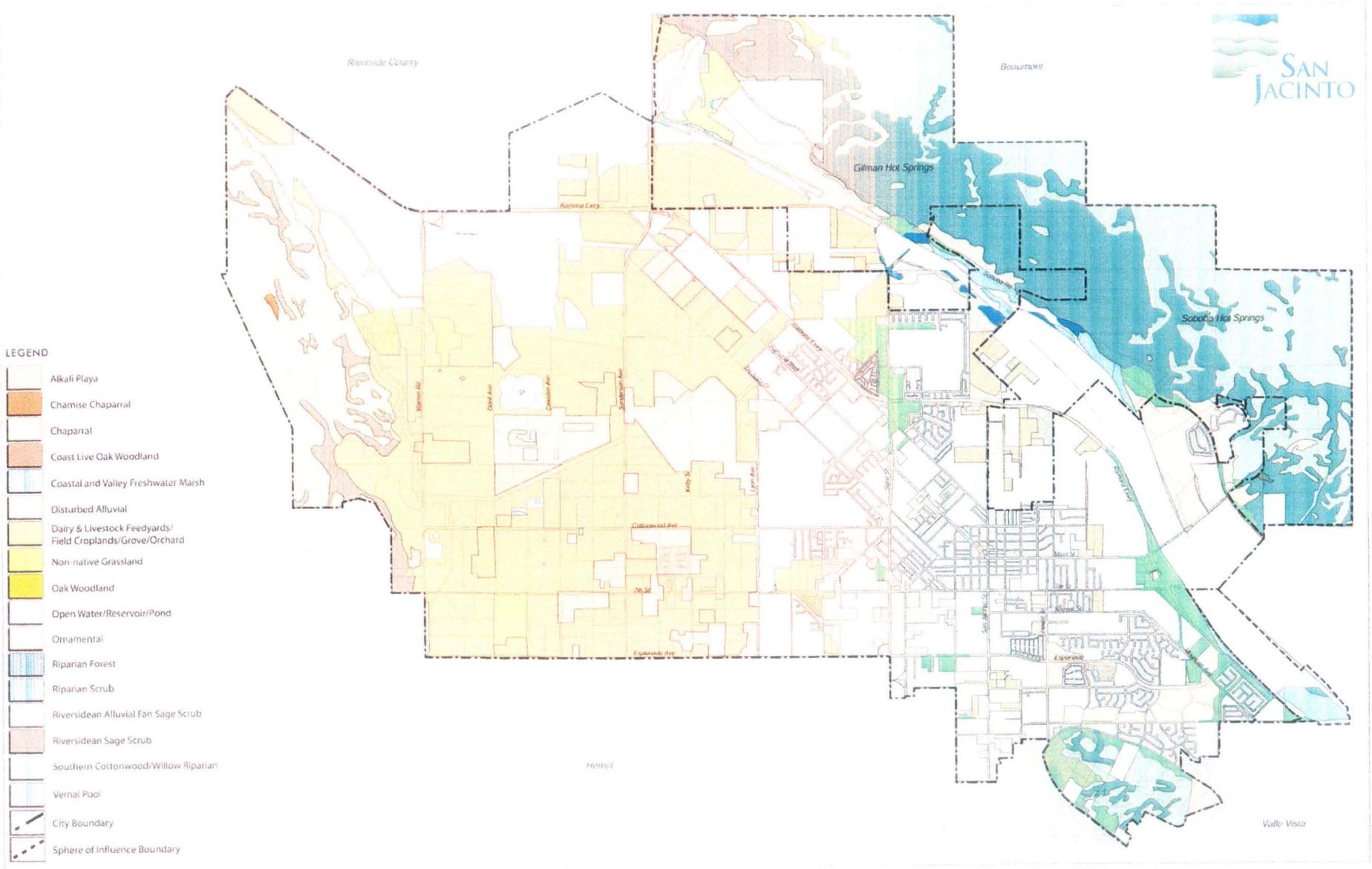
III. Projected Future Traffic

A. Project Traffic and Project Phasing (each study year)

- 1. Ambient growth rate
- 2. Project Trip generation (**Table 2**) - (the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Report. Other sources require prior approval by the Transportation Department)
- 3. Project Trip distribution and assignment (**Exhibit 6**)
- 4. Other factors affecting trip generation (identify any factors used to adjust trip generation, such as pass-by trips, internal trips, or modal choice. Use of any factors require prior approval by the Transportation Department and should be based on accepted traffic engineering documentation such as trip generation manual or other.
- 5. Project peak hour turning movement traffic (**Exhibit 7A & 7B - AM and PM**)
- 6. Project completion or phase completion traffic volumes (**Exhibits 8A and 8B – AM and PM, for project or Phase I completion, 8C and 8D for Phase II, etc.**)

C. Cumulative Traffic (background)

- 1. Ambient growth rate
- 2. Identify location of other approved or proposed development projects (**Exhibit 9**)
- 3. Trip generation from other approved projects (**Table 3**)
- 4. Trip distribution and assignment of other approved development projects (**Exhibits 9A, 9B, etc.**)
- 5. Total background peak hour turning movement volumes (**Exhibits 10A & 10B – AM and PM**)



- LEGEND**
- Alkali Playa
 - Chamise Chaparral
 - Chaparral
 - Coast Live Oak Woodland
 - Coastal and Valley Freshwater Marsh
 - Disturbed Alluvial
 - Dairy & Livestock Feedyards/Field Croplands/Grove/Orchard
 - Non-native Grassland
 - Oak Woodland
 - Open Water/Reservoir/Pond
 - Ornamental
 - Riparian Forest
 - Riparian Scrub
 - Riversidean Alluvial Fan Sage Scrub
 - Riversidean Sage Scrub
 - Southern Cottonwood/Willow Riparian
 - Vernal Pool
 - City Boundary
 - Sphere of Influence Boundary

Source: County of Riverside GIS, City of San Jacinto, USGS

0 1,000 2,000 4,000 Ft

North

Figure RM-3
Vegetation Communities
January 2006

following sensitive or listed plant species are found in one or more of these pools: California Orcutt grass (*Orcuttia californica*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), little mousetail (*Myosurus minimus* ssp. *apus*), spreading navarretia (*Navarretia fossalis*), low navarretia (*N. prostrata*), Orcutt's brodiaea (*Brodiaea orcuttii*), thread-leaved brodiaea (*Brodiaea filifolia*), Parish brittlescale (*Atriplex parishii*), Parish meadowfoam (*Limnanthes gracilis* ssp. *parishii*), San Diego button-celery (*Eryngium aristulatum* var. *parishii*), Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*), San Jacinto Valley crownscale (*Atriplex coronatavar. notatior*), and smooth tarplant (*Hemizonia pungens* ssp. *laevis*) (Sawyer and Keeler-Wolf 1995). The Santa Rosa Plateau fairy shrimp (*Linderiella santarosae*) occurs only in Western Riverside County, which is also the location of the southernmost record for the vernal pool fairy shrimp (*Branchinecta lynchi*) (Eriksen and Belk 1999).

Riparian forest/woodland/scrub. Riparian vegetation, including forest, woodland, and scrub subtypes, is distributed in waterways and drainages throughout much of Western Riverside County, covering approximately 1.2 percent (15,030 acres) of the Plan Area. Southern cottonwood/willow forest makes up the largest proportion of the riparian vegetation in the Plan Area, comprising nearly one-half (6,610 acres) of the acreage. Most of the southern cottonwood/willow forest Vegetation Community occurs along the Santa Ana River drainage from Lake Evans to beyond the Prado Basin, along the San Gorgonio River north of Banning and along Temecula Creek east of Vail Lake. Additional types of riparian vegetation can be found along the San Gorgonio River north of Banning (montane riparian forest), Temescal Canyon Wash and its tributaries (riparian scrub and mulefat scrub), the stream channels within the San Mateo Canyon watershed (riparian forest, southern sycamore/alder riparian woodland and riparian scrub), and Vail Lake (tamarisk scrub).

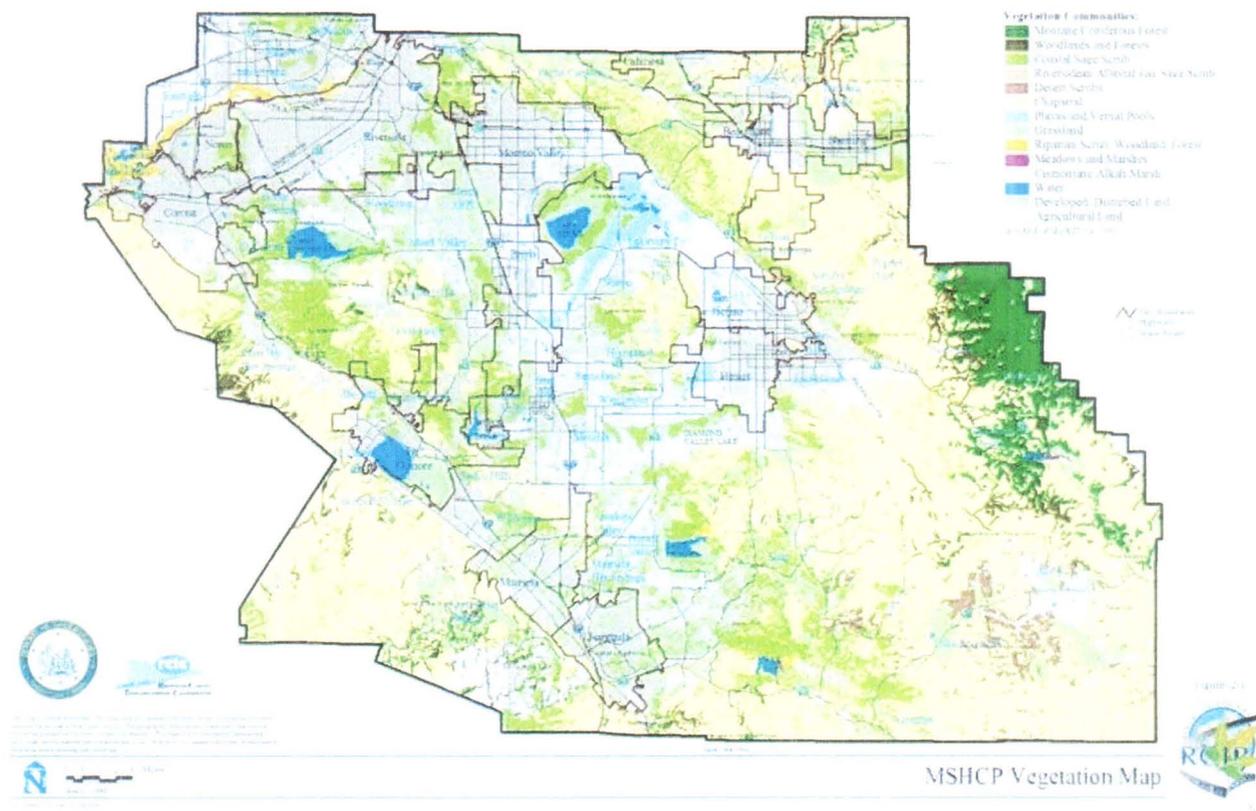
Riparian communities typically consist of one or more deciduous tree species with an assorted understory of shrubs and herbs (Holland and Keil 1995). Depending on community type, a riparian community may be dominated by any of several trees/shrubs, including box elder (*Acer negundo*), big-leaf maple (*A. macrophyllum*), coast live oak (*Q. agrifolia*), white alder (*Alnus rhombifolia*), sycamore (*Platanus racemosa*), Fremont's cottonwood (*Populus fremontii*), California walnut (*Juglans californica*), Mexican elderberry (*Sambucus mexicana*), wild grape (*Vitis girdiana*) giant reed (*Arundo donax*), mulefat (*Baccharis salicifolia*), tamarisk (*Tamarix* spp.), or any of several species of willow (*Salix* spp.). In addition, various understory herbs may be present, such as salt grass (*Distichlis spicata*), wild cucumber (*Marah macrocarpus*), mugwort (*Artemisia douglasiana*), stinging nettle (*Urtica dioica*), and poison oak (*Toxicodendron diversilobum*).

Riversidean alluvial fan sage scrub. Riversidean alluvial fan sage scrub occurs throughout many drainages in the Plan Area and comprises approximately 0.6% (7,940 acres) of the Plan Area. Large acreages of the vegetation occur on the Santa Ana River near Lake Evans in the City of Riverside; along the San Gorgonio River and tributaries near Banning; on the San Jacinto River from the National Forest to the Soboba Indian Reservation; near Temecula along Temecula Creek; the Aguanga area; Bautista Creek south of Hemet; and near Murrieta and Glen Ivy in the Temescal Valley.

Riversidean alluvial fan sage scrub is a Mediterranean shrubland type that occurs in washes and on gently sloping alluvial fans. Alluvial scrub is made up predominantly of drought-deciduous soft-leaved shrubs, but with significant cover of larger perennial species typically found in chaparral (Kirkpatrick and Hutchinson 1977). Scalegroom generally is regarded as an indicator of Riversidean alluvial scrub (Smith 1980; Hanes *et al.* 1989). In addition to scalegroom, alluvial scrub typically is composed of white sage (*Salvia apiana*), redberry (*Rhamnus crocea*), flat-top buckwheat (*Eriogonum fasciculatum*), our lord's candle (*Yucca whipplei*), California croton (*Croton californicus*), cholla (*Opuntia* spp.), tarragon (*Artemisia dracunculoides*), yerba santa (*Eriodictyon* spp.), mule fat (*Baccharis salicifolia*), and mountain-mahogany (*Cercocarpus betuloides*) (Hanes *et al.* 1989; Smith 1980). Annual species composition has not been studied but is probably similar to that found in understories of neighboring shrubland vegetation. Two sensitive annual species are endemic to alluvial scrub vegetation in the Plan Area: slender-horned spine louse (*Dodecahema leptocerus*) and Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*).

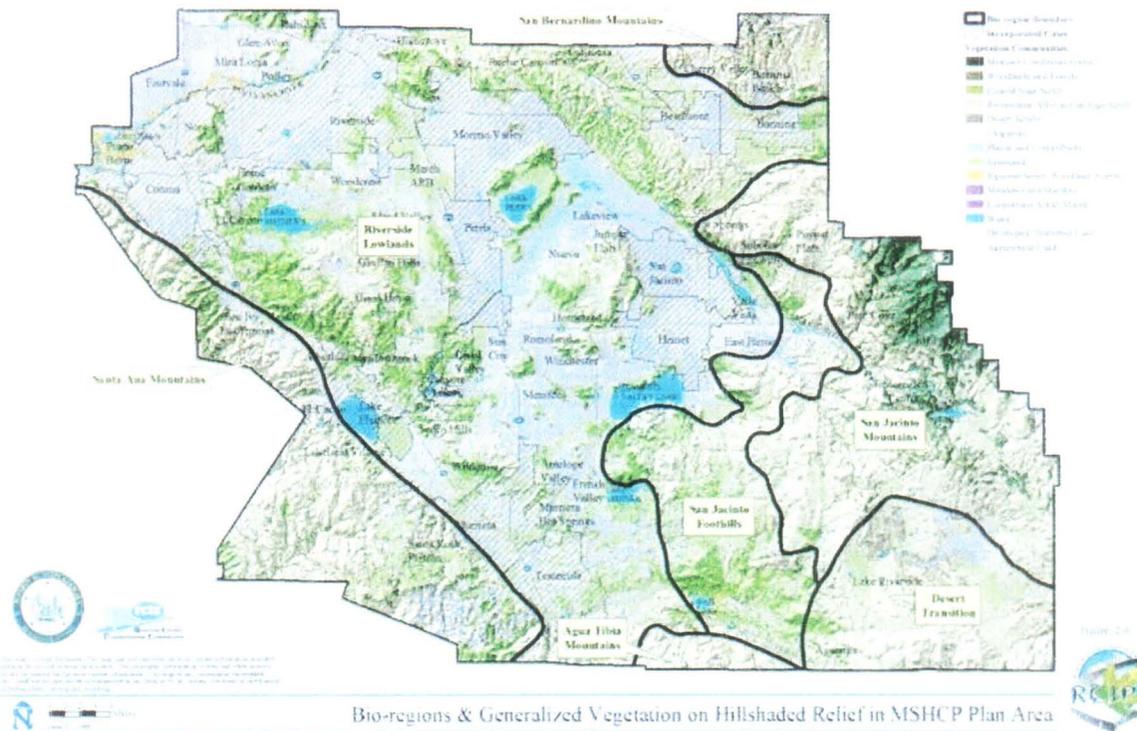
Water. Approximately 1.0% (12,210 acres) of the Plan Area consists of open water. Open water was mapped at Vail Lake, Lake Skinner, Diamond Valley Lake, Lake Perris, Mystic Lake, Canyon Lake, Lake Elsinore, Lee Lake, Lake Mathews, Hemet Lake, portions of the San Jacinto River, and portions of the Santa Ana River, as well as various small ponds, private reservoirs, and portions of stream channels.

Open water typically is unvegetated due to a lack of light penetration. However, open water may contain suspended organisms such as filamentous green algae, phytoplankton (including diatoms), and desmids (Grenfell 1988). Floating plants such as duckweed (*Lemna* spp.), water buttercup (*Ranunculus aquatilis*), and mosquito fern (*Azolla filiculoides*) also may be present (Holland and Keil 1995). Open water includes inland depressions, ponds, lakes,



The MSHCP vegetation map is limited by the timeframe within which the data were assembled as well as the precision of those data. The vegetation map represents conditions at the time the data were assembled, in this case 1991-1995; the current extent and character of Vegetation Communities may differ from that depicted on the MSHCP vegetation map. Published and anecdotal data suggest that ecosystem state transition is occurring within some portions of the Plan Area--in particular, fire suppression has resulted in the conversion of frequently burned chaparral and coastal sage scrub to grassland and in shifts from Ponderosa pine and Jeffrey pine to incense cedar and white fir (Minnich *et al.* 1995; Keeley 1990; Zedler *et al.* 1983). The MSHCP incorporates features to update the vegetation map as new information is obtained, such as the development of a new vegetation map as part of the MSHCP Monitoring Program. The timing and methodology for developing this map is described in *Section 5.3* of this document. This approach is compatible with the criteria-based format of the MSHCP which calls for assembly of 153,000 acres of Additional Reserve Lands from within an approximate 300,000-acre Criteria Area. Reserve Assembly will involve review of a variety of project-specific vegetation data to refine and guide the Reserve Assembly process. This criteria-based format differs somewhat from large-scale NCCPs/HCPs for which a specific reserve boundary is delineated on a map at the time of permit issuance. Under that type of approach, validation of the vegetation map at the landscape level may be more important than under the criteria-based approach selected for this MSHCP. The organizational structure established for the MSHCP, as described in *Section 6.6* of this document, also provides opportunities to incorporate new information during the term of the MSHCP Permit.

Coastal Sage Scrub Habitat Quality Model. As part of the 1995 PSBS/KTU+A work referred to above in the discussion of MSHCP vegetation, PSBS and KTU+A modeled and evaluated variables potentially relevant to the suitability of coastal sage scrub Habitat within the Plan Area for the coastal California gnatcatcher. This is depicted in *Figure 2-2*. A detailed description of the methodology used to develop the model is presented in their report (PSBS and KTU+A 1995). Variables used in the model included elevation, degree of slope, patch size, patch shape, proximity to other coastal sage scrub patches, and adjacent land use. The modeling designated the quality of coastal sage scrub in the Plan Area and suitability for the gnatcatcher as very high, high, moderate, low, or very low. The primary limitations of the model with respect to MSHCP planning are the age and quality of the database used to develop the model. In this regard, the model has the same limitations as the MSHCP vegetation map.



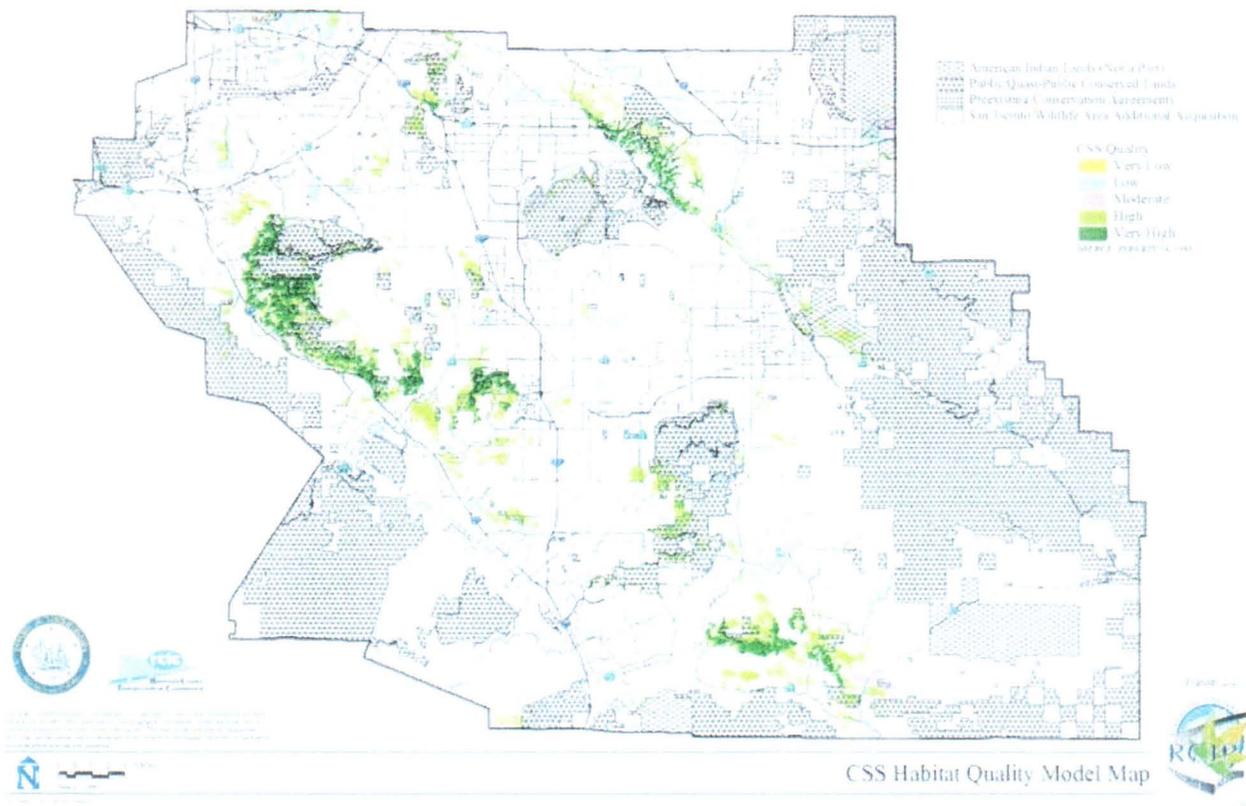
Bio-regions & Generalized Vegetation on Hillshaded Relief in MSHCP Plan Area

2.1.2 Bioregions

The review of databases and literature shows that the existing vegetation database for the Plan Area does not adequately reflect the considerable variety of plant and animal species in Western Riverside County. Grinnell (1993) described biotic or "life" zones for Southern California, but the scale of these life zones is generally too coarse to be useful for analyzing potential biotic variation within the Plan Area. To address this limitation and better depict potential variation within and among species, a biogeographical map (referred to here simply as Bioregions) was created to help describe diversity of Habitats on a regional scale within the Plan Area; this was done under the assumption that regional diversity in conserved areas translates directly into biological and genetic diversity. By ensuring regional representation of species and redundancy of resources, there is some buffer against the effects of natural and anthropogenic catastrophic events, such as wildfires, floods, and disease, on conserved areas.

Using existing information on soils (Soil Conservation Service), elevation (30-meter digital elevation map data [DEM]), topography (hill-shaded DEM mapping), and local expertise, a draft map that roughly demarcates the general Bioregions within the MSHCP Plan Area was drawn. Existing levels of human disturbance (urbanization, intensive agriculture, grazing, etc.) were considered because they have had a substantial effect on the current biota of the Plan Area. While discrete Bioregion boundaries cannot capture the natural continuum or gradient of environmental changes and transitions within the Plan Area, these boundaries roughly represent areas where species turnover and Habitat zone transitions are pronounced in relation to changes in landform and other environmental features. Because continuous climatic maps showing precipitation and air temperature (maximums, minimums, averages) were not available, landform and elevation were used as surrogates for these variables in order to draw the initial map. DUDEK staff and subconsultants knowledgeable about the distribution of plant and animal species in Western Riverside County then fine-tuned the boundaries where elevation and landforms did not accurately reflect changes in species and Habitat distributions. This methodology is similar to the approach used to develop Bioregions for San Diego County. The validity of these Bioregions was initially tested by examining the distribution of vegetation types and sensitive species that fall within them. On the basis of existing data, it was determined that the Bioregions appear to reflect the different suites of species and Vegetation Communities in the Plan Area. Certainly, field studies to confirm or modify these Bioregions would be desirable. As a work in progress, these boundaries are subject to change based on further analyses, scientific study, and input from experts

SJ-Foothills Bioregion - Riversidean sage scrub + xeric chaparral



MSHCP Species Occurrence Database. The University of California, Riverside (UCR) assembled a species occurrence database for use during the MSHCP planning process. This database is accessible at <http://ecoregion.ucr.edu>. The web site is a clearinghouse for biological information for the MSHCP. Occurrence data were compiled from museum records, USFWS data, published and unpublished accounts, environmental impact reports, and field notes of local naturalists. As of August 2001, this database contained over 12,800 records.

The UCR species occurrence database incorporates accuracy and precision codes based on the code guides presented below. For the MSHCP species accounts included in *Section B* of the *MSHCP Reference Document - Volume II* of the MSHCP, precision of the various occurrence data is cited; less valid data are not used to draw conclusions regarding species Conservation. For example, species locations that have low precision are not valid for defining conservation areas.

UCR Species Occurrences Accuracy/Validity Code Guide

Code 1: Location data from voucher specimens in museums and public-trust institutions (data that can be referenced and reviewed directly).

Code 2: Peer-reviewed journal articles, where information on species distribution has been described at an appropriate scale (data that cannot be reviewed directly but have been published and reviewed by experts in the field).

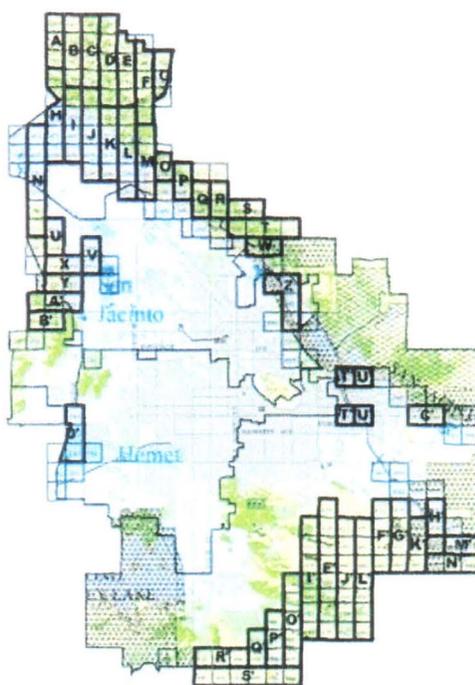
Code 3: Field notes housed at museums and public-trust institutions, collection records of game agencies, technical reports by government agencies, biological sections of environmental (public-reviewed) documents (data from recognized but unpublished [unreferenced] documents).

Code 4: Field notes of local biologists (data from reasonable sources that may need to be documented by subsequent surveys).

Code 5: Incidental observations by interested parties (data from unconfirmed sources including the lay public that need to be documented by subsequent surveys).

- Vegetation Communities:**
- Montane Coniferous Forest
 - Woodlands and Forests
 - Coastal Sage Scrub
 - Riversidean Alluvial Fan Sage Scrub
 - Desert Scrub
 - Chaparral
 - Plains and Scrub Prairie
 - Grassland
 - Riparian Scrub, Woodland, Forest
 - Meadows and Marshes
 - Concretose Alkali Marsh
 - Water
 - Developed, Disturbed Land
 - Agricultural Land
- Source: RCTMA, 2008

- Cell With Unique ID
- Cell Group with Identifier
- American Indian Lands (Not a Part)
- Public Quasi-Public Conserved Lands



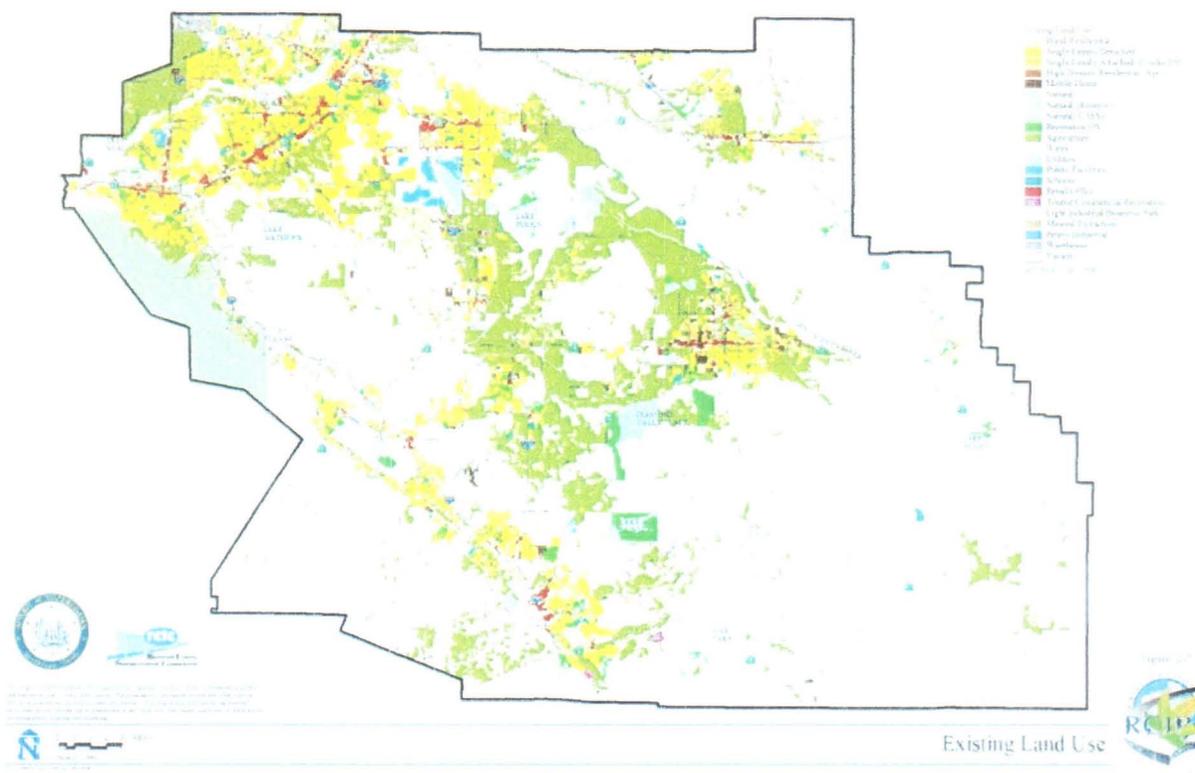
San Jacinto Valley Area Plan With Vegetation, Cells and Cell Groups Keyed to MSHCP Criteria



Scale: 1 inch = 10 miles

San Jacinto Valley Area Plan With Vegetation, Cells and Cell Groups Keyed to MSHCP Criteria



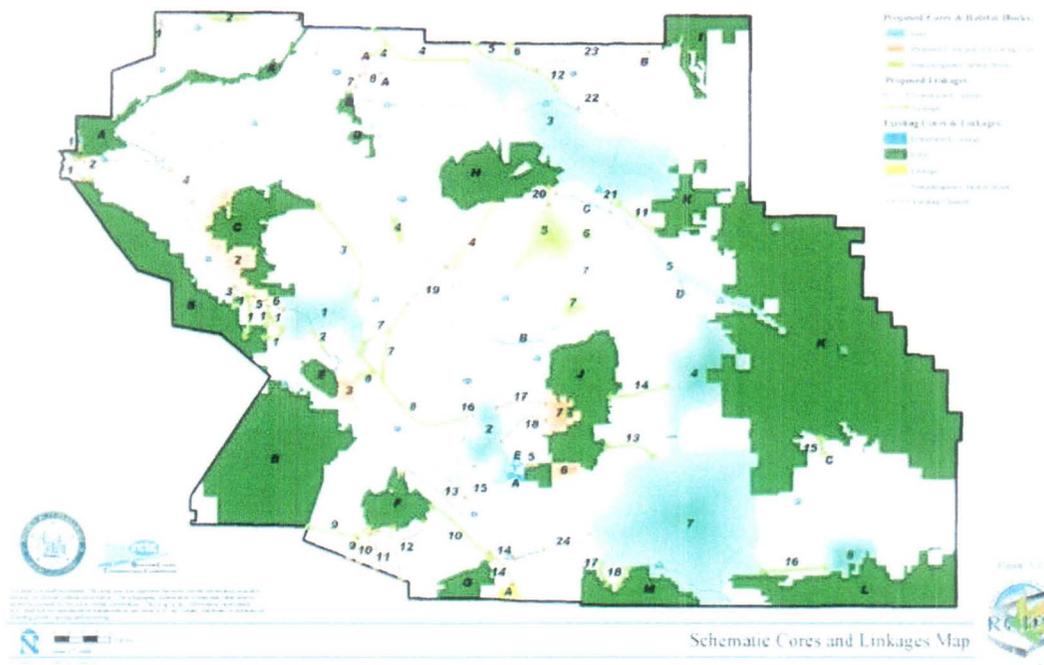


2.2.3 Institutional/Political Framework

The MSHCP Plan Area is composed of the jurisdictional boundaries of 14 Cities as well as unincorporated lands within Western Riverside County. *Table 2-3* provides a breakdown of acreages for the various Jurisdictions within the Plan Area. As shown, unincorporated County lands comprise approximately 78% of the Plan Area with the remaining approximately 22% comprised of incorporated Cities. County and Cities boundaries are depicted in *Figure 2-8*.

TABLE 2-3. LAND DISTRIBUTION BY JURISDICTION

Unincorporated County	988,135 acres (78.5%)*
City of Temecula	16,670 acres (1.3%)
City of Murrieta	18,280 acres (1.5%)
City of Lake Elsinore	24,750 acres (1.9%)
City of Canyon Lake	2,965 acres (< 1%)
City of Corona	22,875 acres (1.8%)
City of Norco	8,550 acres (< 1%)
City of Riverside	50,020 acres (4.0%)
City of Moreno Valley	32,705 acres (2.6%)
City of Perris	20,290 acres (1.6%)
City of Hemet	16,165 acres (1.3%)
City of San Jacinto	16,220 acres (1.3%)



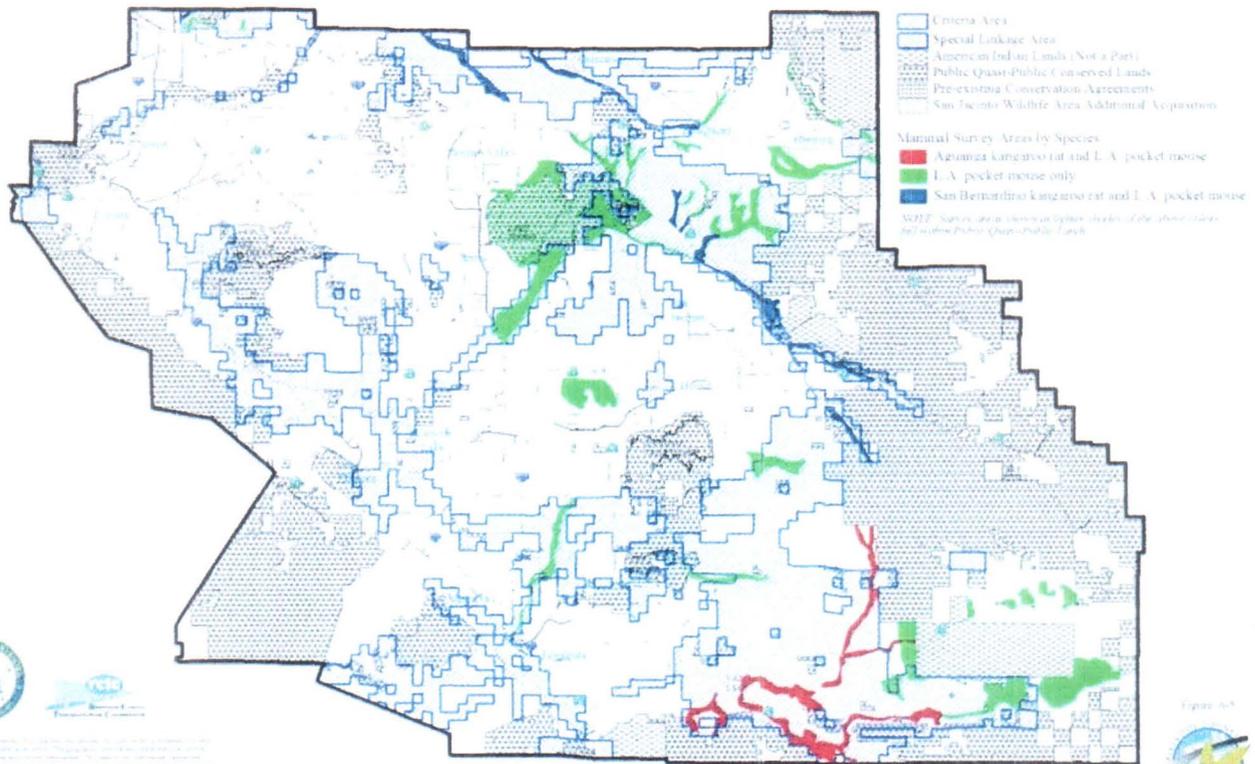
The Cores and Linkages depicted in *Figure 3-2* are based on the Conceptual Reserve Design developed for analytical purposes for the MSHCP. Likewise, the quantitative information presented with each Core or Linkage is based on the Conceptual Reserve Design. As described in *Section 3.2.1* of this document, the Conceptual Reserve Design forms the basis for identifying target conservation acreages and generating quantitative data for the MSHCP biological analyses. The Conceptual Reserve Design is intended to describe one way in which the MSHCP Conservation Area could be configured consistent with MSHCP Criteria; it does not represent the only possible reserve that could be assembled consistent with the MSHCP Criteria. Flexibility is intended to be incorporated in the Reserve Assembly process to enable new information and data to be incorporated as part of the long-term MSHCP implementation process.

The tables in the text discussion present four categories of information for each Core or Linkage: Dimensions, Species, Adjacent Planned Land Uses, and Covered Activities.

1. Dimensional Data. Dimensional data include total acreage, edge, interior, P/A ratio, and distance to nearest Core. For Cores, Non-contiguous Habitat Blocks, and Extensions of Existing Cores, only total area, P/A ratio, and distance to the nearest connected Core are considered. For Linkages and Constrained Linkages, only total area, P/A ratio minimum/maximum widths and lengths are considered.

Total area contained within a Core or Linkage was calculated based on the Conceptual Reserve Design and then was divided into area classified as edge and area classified as interior. To complete this edge analysis, a 250-foot buffer was created outside and adjacent to the Core or Linkage and designated "edge" area, while the remaining area was designated "interior." It is anticipated that these edge areas will incur greater "Edge Effects" due to nearby human activities such as lighting, urban runoff, toxics such as pesticides, or domestic predators. For the sake of simplicity, a 250-foot buffer was used, though in reality Edge Effects may decrease in a complex fashion, depending on species and type of Edge Effect, from the margin to the interior of the Core or Linkage (see *Section 3.1.4* for a more thorough discussion of Edge Effects.). In addition, the extent to which a Core or Linkage is affected by edge varies as a function of the land use surrounding the Core or Linkage. For example, a Rural Mountainous land use designation in areas adjacent to a Linkage would give rise to far fewer Edge Effects than a city land use designation surrounding the Linkage. Land use designations surrounding each Core and Linkage are discussed in the individual Core and Linkage descriptions following the tables. Finally, Edge Effects are also species specific, since different species respond differently to Edge Effects.

The tables also present the distance to nearest connected Core and the perimeter-to-area (P/A) ratio of each Core or Linkage, as appropriate. Once a GIS coverage delineating Cores and Linkages was created, perimeters and areas were computed with GIS in order to determine the P/A ratio. Distance to nearest connected core was identified as the length of each linkage



U.S. Department of the Interior
Bureau of Land Management
San Jacinto Wildlife Area
San Jacinto Wildlife Area Management Plan
Mammal Species Survey Areas with Criteria Area



Mammal Species Survey Areas With Criteria Area



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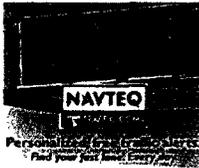
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- Drafts (15)
- Sent
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- Trash [Empty]

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San Bernardino kangaroo rat

Tuesday, January 27, 2009 10:31 AM

From: "Jane_Hendron@fws.gov" <Jane_Hendron@fws.gov>
 To: noahdjranny@yahoo.com
 SBKR_Revised_fch_101708.pdf (957KB)

Hello Patty -

Here is the final critical habitat designation for the San Bernardino kangaroo rat.

(See attached file: SBKR_Revised_fch_101708.pdf)

<http://www.regulations.gov/comp/ent/mail?train=ConnetDetail&id=FWS-R-02-011-1001>

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