

Kerry Shapiro
kshapiro@jmbm.com

Two Embarcadero Center, 5th Floor
San Francisco, California 94111-3813
(415) 398-8080 (415) 398-5584 Fax
www.jmbm.com

September 22, 2022

VIA EMAIL

Darren Edgington
Environmental Project Manager
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
dedgingt@rivco.org

Re: Robertson's Ready Mix Request for Determination of Vested Rights Application (Hubbs/Harlow Quarry Area) – Supplemental Information

Dear Mr. Edgington:

On behalf of our client, Robertson's Ready Mix ("RRM"), this letter summarizes the supplemental information requested by Riverside County ("County"), regarding issues pertaining to the parcels referenced by the County as "third-party parcels," and the (historic) Brion Parcel. These supplemental documents are being provided to the County in a DropBox link, which is being emailed to the County with this letter.

On June 16, 2022, the County emailed RRM and requested the following:

- "1. Information regarding Robertson's right to mine parcels owned by third parties within the proposed HH VRA [later clarified by the County to mean Robertson's title to the mineral estate of the third-party parcels].
2. Information regarding the non-abandonment of any vested mining rights on the Brion Parcel beginning around 1982."

Following this request, the County met with RRM on June 23, 2022, to clarify that the information regarding RRM's right to mine was RRM's title to the mineral estate of the third-party parcels. In that meeting, the County also agreed to provide RRM information in the County's possession regarding the Brion Parcel. The County provided these files on July 11, 2022 and August 4, 2022.

As a threshold matter, RRM recognizes the length of time needed to provide the supplemental information requested by the County. Following the June 23, 2022 meeting, RRM began compiling the documentation reflecting its rights to the mineral estate of the third-party parcels within the HH VRA. In doing so, RRM recognized that it would be prudent to return to the County Recorder (particularly given the illegibility of certain historical documents in RRM's possession). Because certain documents provided by the County Recorder were either erroneous or unreadable, it required several months to further research and obtain copies of all necessary documents, the last of which were obtained on September 16, 2022.

RRM is providing the County with the following information enclosed with this letter:

Additional Information Relating to "Third-Party Parcels"

1. **Supplemental Parcel Map (9/21/2022) of the HH VRA:** identifying all parcels, and specifically identifying those third-party parcels not owned by RRM.
2. **Appendix A-2 (Supplemental): Vested Right to Mine Third-Party Parcels and RRM's Retained Interest in the Mineral Estate of Third-Party Parcels**, which is a supplemental narrative describing, in additional detail, RRM's interest in the mineral rights of the third-party parcels and thus RRM's right to mine those parcels. RRM notes that after reviewing the hundreds of third-party parcel grant deeds granted by Peacock, that all such "Peacock Parcel" deeds contain the exact same language reserving mineral rights, water rights, and easement rights, which are now owned by RRM.
3. **Supplemental Table A-1: Third-Party Parcels For Which No Vesting Determination Has Been Made**, which provides a chart of the third-party parcels fully outside the S4 boundary, whose surface estate is not owned by RRM, and subject to RRM's RFD, with cross-references to the mineral reservation deeds provided in the Supplemental Exhibits 1.1 – 1.119;
4. **Supplemental Table A-2: Third-Party Parcels Partially Subject to Prior Vesting Determinations**, which provides a chart of third-party parcels which straddle the S4 boundary and are partially vested based on the County's previous determinations, with cross-references to the mineral reservation deeds provided in Supplemental Exhibits 2.1 – 2.9; and for which RRM is seeking a determination that RRM's vested right extends to the portion of the parcels *outside* the S4 boundary and therefore the County did not make a prior vesting determination;
5. **Supplemental Table A-3: Third-Party Parcels With Surface Owned by Third Parties Which Riverside County Has Already Determined Are Vested**, which provides a chart of third-party parcels (third-party surface ownership) fully encompassed within the S4 boundary and which therefore have already been determined by the County

to be vested, with cross-references to the mineral reservation deeds provided in Supplemental Exhibits 3.1 – 3.32;

6. **Supplemental Table A-4: Third-Party Parcels Owned by RRM**, which provides a chart of third-party parcels where both the surface and mineral estate is owned by RRM but which have not been merged, with cross-references to the mineral reservation deeds provided in Supplemental Exhibits 4.1 – 4.59;
7. **Supplemental Table A-5: "Re-Conveyance Parcels" Not Subject to RFD at this Time**, which provides a chart of 20 third-party parcels subject to a potential cloud on title, as described in Appendix A-2. Briefly, RRM is removing these parcels from the current RFD based on the discovery of a partial re-conveyance (which had occurred during the administration of the Harlow estate in the early 1970s) which suggests a potential cloud on title, until such time that RRM can resolve this potential cloud. Furthermore, RRM is providing the revised figures identified below to reflect this change in the HH VRA subject to the current RFD, and now identifies these parcels as "not seeking vesting at this time, but reserved for a future vesting determination";
8. **REVISED Figure B-1.2 [REVISED 9/2022] (2021 HH VRA)**, which has been updated to reflect the updated status of the parcels identified in Supplemental Table A-5 by removing said parcels from the "purple" 2021 HH VRA area;
9. **REVISED Figure B-1.3 [REVISED 9/2022] (Comparison of 1949 and 2021 HH VRA Boundaries)**, which has been updated to reflect the parcels identified in Supplemental Table A-5 by shading those parcels "teal" to reflect that these parcels have had their "Ownership interests modified since original vesting in 1949" and RRM is delaying vesting pending additional title review;
10. **REVISED Figure B-2.7 (2021 Ownership)**, which has been updated to reflect the parcels identified in Supplemental Table A-5 by shading those parcels "gold" to reflect that these parcels have had their "Ownership interests modified since original vesting in 1949" and RRM is delaying vesting pending additional title review;";
11. **REVISED FIGURE B-3.9 [REVISED 9/2022] (HH VRA 1949-1976)**, which has been updated to reflect the parcels identified in Supplemental Table A-5 by shading those parcels a light purple to reflect that these parcels have had their "Ownership interests modified since original vesting in 1949" and RRM is delaying vesting pending additional title review;
12. **REVISED FIGURE B-5.9 [REVISED 9/2022] (1948 Record of Survey with HH VRA)**, which has been modified to reflect the 2021 HH VRA as depicted in the **REVISED Figure B-1.2 (see item 8, above)**.

13. **Supplemental Exhibits 1.1 to 4.66 (Original Parcel Grant Deeds With Applicable Mineral Reservation Owned by RRM)**, the majority of which were previously provided to the County in December 2021 as Exhibit A-11. These deeds have now been separated, supplemented with additional deeds obtained from the County Recorder over the past few months, and labeled to identify each individual third-party parcel, as identified in Supplemental Tables A-1, A-2, A-3, and A-4.

Additional Information Relating to the Brion Parcel:

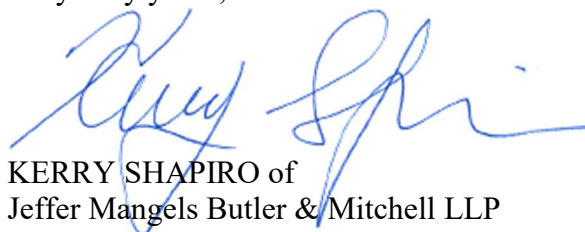
14. A memorandum addressing the Brion Parcel and the law of abandonment for vested mining rights.

Finally, RRM would like to note two items for the County:

- RRM is voluntarily removing 20 parcels from the current RFD, as identified in Supplemental Table A-5, while it continues to resolve a potential cloud on title. RRM expressly reserves the right to seek a vesting determination of these parcels in the future;
- In undertaking this supplemental title review, RRM was reminded that a sliver portion of land within, and along the western boundary of, the S4 area, which has been fully reclaimed and subject to a subsequent use (*i.e.*, golf course) is now within the territorial boundaries of the City of Corona, and thus technically no longer subject to the County's jurisdiction to include within the current RFD process.

If you have any questions regarding this supplemental information, please do not hesitate to contact me.

Very truly yours,



KERRY SHAPIRO of
Jeffer Mangels Butler & Mitchell LLP

Attachments (see DropBox link)

cc: Caroline Monroy, Esq.
Christine Goeyvaerts
Sam Alhadeff, Esq.
Dan Quinley, Esq.