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**The Newhall Land And Farming Company and Fernand o Tataviam Band  
of Mission Indians, "Memorandum of Agreement" (2007)**

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") summarizes the terms and conditions of the Agreement for Cultural Enrichment Programs ("Agreement"), effective \_\_\_\_\_, 2007, entered into by and between THE NEWHALL LAND AND FARMING COMPANY, Inc., a California limited partnership ("Newhall"), and the FERNANDEÑO TATAVIAM BAND OF MISSION INDIANS ("Tataviam").

### RECITALS

A. Newhall is the owner and developer of certain real property located in the unincorporated northern portion of Los Angeles County in the Santa Clara River Valley, situated west of the Golden State Freeway/Interstate 5, and south and north of State Route 126. Newhall projects to be developed within this area include, but are not limited to, Newhall Ranch, Entrada, Legacy Village, and the build-out of the Valencia Commerce Center (collectively, "Newhall Projects").

B. The Tataviam is an historic Native American tribe of northern Los Angeles County. The Tataviam includes more than 700 members, the majority of whom live within the Tataviam's traditional homelands of the San Fernando Valley and Santa Clarita Valley described in Exhibit A. Newhall recognizes that the Tataviam is a Native American entity which is aboriginal to the lands described in Exhibit A and whose people have comprised a distinct community from historical times to the present. Newhall also acknowledges that the government of the Tataviam has exercised political authority over the Tataviam people from historical times to the present. The Tataviam is governed by an executive and the Tribal Senate, a nine-member legislative branch. The Tataviam is not presently included on the list of federally recognized tribes, but the Tataviam represents that it previously was recognized by the United States, and such recognition has not been lawfully terminated. For many years the Tataviam has taken an active role in environmental protection, and has registered sacred sites with the National Register of Historic Places in order to prevent destruction of culturally significant sites.

C. The Tataviam desires to further its existing working relationship with Newhall by contracting with Newhall for cultural resource management needs, including tribal monitoring, associated with development of the Newhall Projects. Based upon its experience, its ability to exert influence over tribal members to support Newhall Projects and to mobilize tribal members to serve as Native American consultants/monitors, and the fact that the Newhall Projects lie within the aboriginal territory of the Tataviam, the Tataviam is the most appropriate entity to provide such services for Newhall Projects located within the ancestral boundaries of the Tataviam people. The Native American Heritage Commission recognizes that the Tataviam is an organized Native American tribe, and includes the Tataviam on its Tribal Consultation list compiled pursuant to Government Code section 65352.3.

Under the Agreement, Newhall and the Tataviam have agreed as follows:

1. The recitals set forth above are true in all respects.

2. Newhall will provide funding to the Tataviam for use in the development of cultural enrichment programs associated with the Tataviam.

3. Newhall will convey to the Tataviam ownership of one-acre of land located within the proposed Newhall Ranch Homestead Central Neighborhood Park described in Exhibit B, or an alternative site, for use as a future Native American interpretive/cultural center.

4. Newhall will retain the Tataviam for all monitoring activities associated with grading and development of Newhall Projects.

5. The Tataviam will expend the funding provided by Newhall for cultural enrichment programs, including cultural research, professional consulting, and grant matching related to efforts by the Tataviam to become a federally recognized Native American tribe.

6. The Tataviam will utilize the land conveyed by Newhall to construct an interpretive/cultural center to enhance the activities of the Tataviam, educate the surrounding non-Native community, and allow the Tataviam an opportunity to preserve its rich heritage and culture for future generations.

7. The Tataviam, in its role as Newhall Projects monitor, will provide monitoring and consulting services and will supplement the more general knowledge of scientific experts with its special expertise relating to matters of Native American heritage and interest, and act as a liaison between the Native American community, archaeologists, developers, contractors, and public agencies.

8. The Tataviam will continue to support Newhall, and Newhall will continue to work with the Tataviam, to the maximum extent feasible as Newhall continues to build out the Newhall Projects.

9. In the event of a conflict between this MOA and the Agreement for Cultural Enrichment Programs ("Agreement"), the Agreement shall prevail.

THE NEWHALL LAND AND FARMING COMPANY  
(a California limited partnership)

By: NWHL GP LLC  
Its: General Partner

By: Steve P. Zimmer

Name: Steve P. Zimmer

Its: Exec UP

By: 

Name: Glenw Adlamick

Its: VP

THE FERNANDEÑO TATAVIAM BAND OF  
MISSION INDIANS

By: 

Name: RUDY ORTEGA SR.

Its: TRIBAL PRESIDENT