

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Resolution No. 09-049, "Requesting the Secretary of the Interior Take
into Trust 134.88 Acres of Land")**

RESOLUTION NO. 09-397

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to administer land**
2 **and to "consult with the Congress of the United States and appropriate federal**
3 **agencies regarding federal activities that affect the Tohono O'odham Nation"**
4 **(Constitution of the Tohono O'odham Nation, Article VI, Section 1(i) and 1(j)); and**

5 **WHEREAS, San Lucy District is a political subdivision of the Tohono O'odham Nation and is**
6 **located on the Gila Bend Indian Reservation, adjacent to Gila Bend, Arizona; and**

7 **WHEREAS, in 1986, the United States Congress enacted the Gila Bend Indian Reservation Lands**
8 **Replacement Act to "facilitate replacement of reservation lands with lands suitable**
9 **for sustained economic use which is not principally farming and do not require**
10 **Federal outlays for construction, and promote the economic self-sufficiency of the**
11 **O'odham Indian people." (Gila Bend Indian Reservation Lands Replacement Act, Pub.**
12 **L. 99-503, subsection 2(4)); and**

13 **WHEREAS, under the terms of the Gila Bend Indian Reservation Lands Replacement Act, the**
14 **Tohono O'odham Nation is authorized to acquire replacement lands that the**
15 **Secretary of the Interior "shall hold in trust for the benefit" of the Nation (Pub. L. 99-**
16 **503, subsection 6(d)); and**

17 **WHEREAS, in 2003, and at the request of San Lucy District, the Nation purchased 134.88 acres of**
18 **contiguous land in unincorporated Maricopa County, situated at the southwest corner**
19 **of 91st Avenue and Northern Avenue, near Glendale and Peoria, Arizona (the**
20 **"Settlement Property") to replace Gila Bend Indian Reservation lands; and**

21 **WHEREAS, pursuant to Resolution No. 09-049, the Nation has requested that the Secretary of the**
22 **Interior take land into trust under the terms of the Gila Bend Indian Reservation**
23 **Lands Replacement Act; and**

24 **WHEREAS, the Department of the Interior recently determined that the Nation's fee-to-trust**
25 **application for the Settlement Property qualifies as a mandatory acquisition under**
26 **the Gila Bend Indian Reservation Lands Replacement Act; and**

27 **WHEREAS, it is in the best interest of the Nation to amend Resolution No. 09-049 to allow the**
28 **Department of the Interior to make its final determination that the Settlement**
29 **Property is a mandatory acquisition and to take the steps necessary to hold the**
30 **Settlement Property in trust on the Nation's behalf.**

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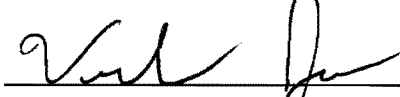
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NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby amends Resolution No. 09-049 to delete the "BE IT FURTHER RESOLVED" clause in its entirety, provided that the remainder of Resolution No. 09-049 shall remain in effect.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's Chairperson, Economic Development Delegation, and Office of the Attorney General to take all necessary actions to carry out the intent of this resolution.


The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 7TH. Day of JULY, 2009 at a meeting at which a quorum was present with a vote of 2,408.4 FOR; -0- AGAINST; 187.1 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI Section 1 (i)&(j) of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman
8 day of July, 2009

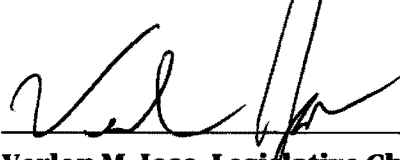
ATTEST:



Evonne Wilson, Legislative Secretary
7 day of July, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 8 day of July, 2009 at 5:25 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

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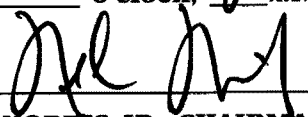
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APPROVED

on the 08 day of July, 2009

DISAPPROVED

at 5:29 o'clock, 8 .M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 8 day of

July, 2009, at 5:43 o'clock, P .M.



Evonne Wilson, Legislative Secretary

ACTION: AMENDING RESOLUTION NO. 09-049, "REQUESTING THE SECRETARY OF THE INTERIOR TAKE INTO TRUST 134.88 ACRES OF LAND"

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN KIMBERLY LISTO

DATE: JULY 08, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	X			X
	2. MARY LOPEZ ()	99.35	X			
SELLS 449.6	1. KIMBERLY LISTO ()	224.80	X			
	2. EVELYN B. JUAN MANUEL ()	224.80	X			
SCHUK TOAK 159.0	1. FRANCES B. CONDE (Fredrick Jose)	79.50	X			
	2. LINDA PARLEY (Agnes Joaquin)	79.50	X			
SAN XAVIER 204.7	1. FELICIA NUÑEZ ()	102.35	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER (Charlotte Cadavas)	93.55			X	X
	2. GLORIA RAMIREZ ()	93.55			X	
PISINEMO 184.5	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	92.25	X			
	2. EDWARD MANUEL (Gerald Fayuant)	92.25	X			
HICKIWAN 174.5	1. MICHELLE ORTEGA ()	87.25	X			
	2. SANDRA ORTEGA ()	87.25	X			
GU VO 206.3	1. GRACE MANUEL ()	103.15	X			
	2. PAMELA ANGHILL (Angela Ortiz)	103.15	X			
GU ACHI 230.1	1. TIMOTHY L. JOAQUIN ()	115.05	X			
	2. CYNTHIA E. MANUEL ()	115.05	X			
CHUKUT KUK 277.0	1. ETHEL GARCIA (Sara Mae Williams)	138.50	X			
	2. VERLON M. JOSE ()	138.50	X			
BABOQIVARI 324.0	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	162.0	X			
	2. FRANCES G. ANTONE ()	162.0	X			