

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Purchase and Sale Agreement Between the Thomas & Chachita Peterson
Family Trust UA Dated November 29, 2005 and the Tohono O'odham Nation)**

RESOLUTION NO. 09-096

1 **WHEREAS, the Tohono O'odham Nation ("Nation") has a policy of consolidating lands within the**
2 **Nation into tribal ownership, as stated in the Constitution of the Tohono O'odham**
3 **Nation, Article XVI, Section 9, and seeks to do this by acquiring patented and**
4 **unpatented mining claims located within its boundaries; and**

5 **WHEREAS, the Thomas & Chachita Peterson Family Trust UA Dated November 29, 2005 owns two**
6 **(2) patented mining claims known commonly and collectively as the Logan City**
7 **Townsite (the "Property") located in the Sells District, including both surface and**
8 **subsurface rights, totaling approximately forty (40) acres, which Property is more**
9 **particularly described in Exhibit "A" attached to the Purchase and Sale Agreement**
10 **("Purchase Agreement") attached hereto; and**

11 **WHEREAS, the Nation wishes to acquire the Property and to ultimately have it be held in trust**
12 **by the United States of America ("United States") for the benefit of the Nation under**
13 **the authority of 25 U.S.C. § 465 and 25 C.F.R. Part 151, and has agreed to pay a total**
14 **purchase price of thirty thousand dollars (\$30,000.00); and**

15 **WHEREAS, if the transaction does not close within ten (10) months of the date of the Purchase**
16 **Agreement, either party may cancel the Purchase Agreement by giving written notice**
17 **to the other party; and**

18 **WHEREAS, the Natural Resources Committee and the Budget and Finance Committee of the**
19 **Legislative Council, and the Sells District Council, have reviewed the transaction and**
20 **recommend approval by the Legislative Council.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 22 **1. Approves the Purchase Agreement substantially in the form attached hereto,**
23 **and authorizes and directs the Chairman of the Nation to execute the Purchase**
24 **Agreement and any and all other documents reasonably necessary to**
25 **accomplish this transaction.**
- 26 **2. Approves the purchase price of thirty thousand dollars (\$30,000.00) and the**
27 **payment of additional costs related to a possible survey, escrow and closing fees**
28 **up to a limit of nine thousand dollars (\$9,000), for a total projected cost not to**
29 **exceed thirty-nine thousand dollars (\$39,000.00), to be paid from the Nation's**

RESOLUTION NO. 09-096

(Approving a Purchase and Sale Agreement Between the Thomas & Chachita Peterson Family Trust UA Dated November 29, 2005 and the Tohono O'odham Nation)

Page 2 of 3

1
2
3
4
5
6
7
8
9
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

Land Acquisition Fund.

- 3. Authorizes and directs the Chairman of the Nation to request that the United States Secretary of the Interior approve the conveyance from the Nation to the United States and promptly take the Property into trust for the Tohono O'odham Nation, and authorizes and directs the Chairman of the Nation to execute any documents reasonably necessary to convey the property to the United States in trust for the Nation.**

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 24TH Day of FEBRUARY, 2009 at a meeting at which a quorum was present with a vote of 2,335.3 FOR; -0- AGAINST; -0- NOT VOTING; and 199.2 [07] ABSENT, pursuant to the powers vested in the Council by Section 1(f) of Article VI 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

Felicia Nunez for
Verlon M. Jose, Legislative Chairman

25th day of *February*, 2009

ATTEST:

Lucille Lopez for

Lucille Lopez, Acting Legislative Secretary

27 day of *February*, 2009.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 25th day of February, 2009 at 1:29 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

Felicia Nunez for
Verlon M. Jose, Legislative Chairman

RESOLUTION NO. 09-096

**(Approving a Purchase and Sale Agreement Between the Thomas & Chachita Peterson Family Trust UA
Dated November 29, 2005 and the Tohono O'odham Nation)**

Page 3 of 3

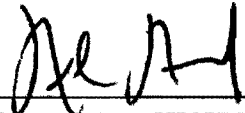
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44
- 45
- 46

APPROVED

on the 26th day of February, 2009

DISAPPROVED

at 9:05 o'clock, A.M.



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

Returned to the Legislative Secretary on the 26 day of

January, 2009, at 9:00 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE THOMAS & CHACHITA PETERSON FAMILY TRUST UA DATED NOVEMBER 29, 2005 AND THE TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN KIMBERLY LISTO

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: FEBRUARY 24, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			X
GU VO 199.2	1. GRACE MANUEL ()	99.60				X
	2. RAYMOND VICTOR ()	99.60				X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			X
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			X
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ ()	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (Fredrick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,335.3	-0-	-0-	199.2 [07]

****PASSED VOTES**