

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Appropriating Funds For Pre-purchase Contingency Costs for Potential Land
Purchase of San Lucy District Replacement Lands)

RESOLUTION NO. 02-233

1 **WHEREAS, the Tohono O'odham Nation and San Lucy District were aggrieved by the actions of**
2 **the U.S. Army Corps of Engineers in the design and construction of Painted Rock Dam**
3 **which resulted in the loss of 9,880 acres of reservation lands which were made**
4 **unsuitable for habitation due to the creation of a flood plain; and**

5 **WHEREAS, the United States Congress passed Public Law 99-503 to provide for replacement**
6 **lands; and**

7 **WHEREAS, the Legislative Council previously appropriated funds in Resolutions No. 01-500 and**
8 **No. 01-578 for the proposed purchase of approximately 1,181 acres of land from the**
9 **Gila Bend Investment Group Limited Partnership as replacement lands; and**

10 **WHEREAS, after a due diligence evaluation of the 1,181 acre parcel, the Nation, at the request of**
11 **San Lucy District, withdrew from the proposed purchase of lands owned by the Gila**
12 **Bend Investment Group Limited Partnership and recovered its escrow funds plus**
13 **interest from that proposed transaction; and**

14 **WHEREAS, San Lucy District is now investigating the purchase of alternative parcels as**
15 **replacement lands, utilizing the services of Vi-ikam Doag Industries and its wholly**
16 **owned subsidiary Kimblewick Land, L.L.C., to identify and research purchase**
17 **possibilities and to place down payment funds into escrow; and**

18 **WHEREAS, funds will be required to perform due diligence studies on any lands which are**
19 **proposed for purchase, such pre-purchase contingency costs to include but not be**
20 **limited to survey costs, environmental survey and report costs, ground water testing,**
21 **archaeological and biological assessment costs, escrow down payment funds, and**
22 **closing costs.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council**
24 **appropriates \$250,000 from the San Lucy Public Law 99-503 account to pay for pre-**
25 **purchase contingency costs and escrow down payment deposits associated with any**
26 **lands which San Lucy District seeks to investigate for possible purchase as**
27 **replacement lands, such funds to be expended under the authority of the San Lucy**
28 **District Chairperson.**

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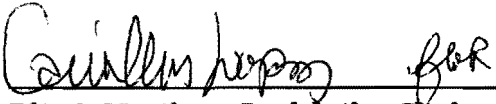
(Appropriating Funds For Pre-purchase Contingency Costs for Potential Land Purchase of San Lucy District Replacement Lands)

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH Day of MAY, 2002 at a meeting at which a quorum was present with a vote of 2,242.8 FOR; -0- AGAINST; -0- NOT VOTING; and 174.7[05] ABSENT, pursuant to the powers vested in the Council by Section 1 (i) of Article VI and Section 9 of Article XVI 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



Rita A. Martinez, Legislative Chairwoman

17th day of May, 2002

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

16th day of May, 2002.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 17th day of May, 2002 at 9:31 o'clock, A. .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



Rita A. Martinez, Legislative Chairwoman

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APPROVED

on the 20 day of May, 2002

DISAPPROVED

at 7:20 o'clock, A.M.

Edward B. Manuel
EDWARD B. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 20th day of

May, 2002, at 11:46 o'clock, A.M.

Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROPRIATING FUNDS FOR PRE-PURCHASE CONTINGENCY COSTS FOR POTENTIAL LAND PURCHASE OF SAN LUCY DISTRICT REPLACEMENT LANDS

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILMAN ALBERT MANUEL

DATE: MAY 16, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15	X			
	2. EMILIO LEWIS (Michael Flores)	94.15	X			
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			X
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35				X
	2. PATRICIA CRUZ (Johnson Jose)	87.35				X
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. CRESCENCIO "TONY" ENCINAS ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	2,242.8	-0-	-0-	174.7 [05]

****PASSED VOTES**