

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Requesting the Secretary of the Interior Immediately Take into Trust Tract 2 of the
Nation's Pending Application for Replacement Lands Under the Gila Bend Indian
Reservation Lands Replacement Act)**

RESOLUTION NO. 10-094

- 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, as amended by Resolution No. 09-397, the Nation**
22 **has requested that the Secretary of the Interior take land into trust under the terms**
23 **of the Gila Bend Indian Reservation Lands Replacement Act; and**
- 24 **WHEREAS, it is in the Nation's best interest to confirm its request that the Secretary of the Interior**
25 **immediately acquire a portion of the Settlement Property in trust on the Nation's**
26 **behalf, and that the Secretary temporarily withhold action on the remaining tracts**
27 **identified in the Nation's fee-to-trust application.**
- 28 **NOW, THEREFORE, BE IT RESOLVED that pursuant to the Gila Bend Indian Reservation Lands**
29 **Replacement Act, the Tohono O'odham Legislative Council requests, without**

RESOLUTION NO. 10-094

(Requesting the Secretary of the Interior Immediately Take into Trust Tract 2 of the Nation's Pending Application for Replacement Lands Under the Gila Bend Indian Reservation Lands Replacement Act)
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
41
42
43
44
45

abandoning the remainder of its application, that the Secretary of the Interior immediately hold in trust for the benefit of the Nation the 53.54 acres of the Settlement Property identified as Parcel 2 in the ALTA/ACSM Land Title Survey located at Tab 2 of the Nation's fee-to-trust application ("Tract 2").

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 12TH Day of MARCH, 2010 at a meeting at which a quorum was present with a vote of 2,501.95 FOR; 93.55 AGAINST; -0- NOT VOTING; and [01] 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

12 day of March, 2010

ATTEST:


Evonne Wilson, Legislative Secretary

12 day of March, 2010.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of March, 2010 at 2:13 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

RESOLUTION NO. 10-094

(Requesting the Secretary of the Interior Immediately Take into Trust Tract 2 of the Nation's Pending Application for Replacement Lands Under the Gila Bend Indian Reservation Lands Replacement Act)
Page 3 of 3

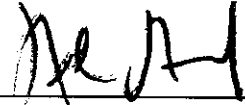
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

APPROVED

on the 12th day of March, 2010

DISAPPROVED

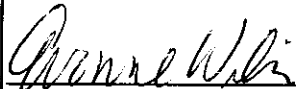
at 2:39 o'clock, P.M.



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

Returned to the Legislative Secretary on the 12 day of

March, 2010, at 2:41 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: REQUESTING THE SECRETARY OF THE INTERIOR IMMEDIATELY TAKE INTO TRUST TRACT 2 OF THE NATION'S PENDING APPLICATION FOR REPLACEMENT LANDS UNDER THE GILA BEND INDIAN RESERVATION LANDS REPLACEMENT ACT

MOVED: COUNCILWOMAN EVELYN JUAN MANUEL

SECOND: COUNCILWOMAN LORRAINE EILER

DATE: MARCH 12, 2010

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 198.7	1. WAVALENE ROMERO (Nicholas Jose)	99.35	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			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	102.35	X			
SAN LUCY 187.1	1. LORRAINE EILER ()	93.55	X			
	2. GLORIA RAMIREZ ()	93.55		X		
PISINEMO 184.5	1. CHESTER ANTONE (Tony Murrietta)	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 (<i>Absent</i>) (Angela Ortiz) (<i>Present</i>)	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			
BABOQUIVARI 324.0	1. FRANCES MIGUEL (Roberta Harvey)	162.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	162.0	X			
TOTAL		2,595.50	2,501.95	93.55	-0-	[01]