

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a lease of land to the Tohono O'odham Gaming Authority)**

RESOLUTION NO. 96-053

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3 **WHEREAS, by Resolution No. 93-296, the Legislative Council enacted the**
4 **Ordinance for the Regulation of Gaming Activities within the**
5 **Nation, which authorizes the conduct of gaming activities within the**
6 **Nation; and**

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9 **WHEREAS, by Resolution No. 93-311, the Legislative Council adopted the**
10 **Charter of the Tohono O'odham Gaming Authority as the entity of**
11 **the Nation charged with developing, operating and maintaining the**
12 **Nation's gaming facilities; and**

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15 **WHEREAS, pursuant to Section 4(d) of the Charter of the Gaming Authority,**
16 **the Gaming Authority is required to produce the maximum**
17 **economic return to the Nation consistent with the fair and**
18 **reasonable expectations of gaming activity patrons; and**

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22 **WHEREAS, by Resolution No.94-467, the Legislative Council directed the**
23 **Gaming Authority to develop additional class III gaming facilities**
24 **within the Nation taking into account the recommendations of the**
25 **feasibility study; and**
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3 **WHEREAS, the Gaming Authority recommends the location of a gaming facility**
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5 **on the Nation's trust land located within the HICKIWAN District; and**

6 **WHEREAS, pursuant to Section 5(d) (6) of the Charter, the Legislative Council**
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8 **must approve leases or subleases of real property by the Gaming**
9 **Authority; and**

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11 **WHEREAS, the Gaming Authority proposes to lease approximately five acres of**
12 **the Nation's trust land located within the HICKIWAN District for**
13 **purposes of locating a gaming facility thereon, in accordance with**
14 **the terms of the Business Lease attached hereto and incorporated**
15 **herein by reference; and**

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19 **WHEREAS, the Gaming Authority proposes a nominal annual rental for the**
20 **leased premises due to the requirement of Section 7(d) of the**
21 **Charter that the Gaming Authority pay to the Nation as a**
22 **distribution all available cash as the end of each month of**
23 **operation, and that no payment bond be required; and**

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26 **WHEREAS, the Natural Resources Committee recommends approval of the**
27 **Business Lease in the form attached hereto.**
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NOW, THEREFORE, BE IT RESOLVED that:

1. **The above-stated justification for the nominal rental fee and the waiver of the payment bond is hereby accepted.**
2. **The Business Lease in the form attached hereto is hereby approved.**
3. **The Gaming Authority, its employees, agents, representatives, contractors shall comply with all applicable laws of the Nation in the performance of the duties and obligations under the Business Lease and in the construction, operation and maintenance of its gaming facilities.**

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham Nation's officials to wit: the Chairman and any designated official are hereby authorized to negotiate and execute the contract, provided however, that any amendments affecting the funding or funding levels of this contract shall be submitted or further prior approval by this Council.

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The foregoing Resolution was passed by the Tohono O'Odham Council on the 8TH day of FEBRUARY, 1996 at a meeting at which a quorum was present with a vote of 1,876.0 FOR; -0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI Section 1(i) 2(d) and Article XVI Section 1 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).

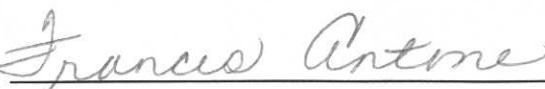
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

12th day of February, 1996

ATTEST:



Frances Antone, Legislative Secretary

12th day of February, 1996

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 12th day of February, 1996 at 4:30 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.

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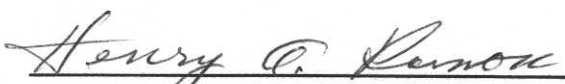
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

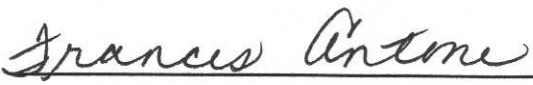

Dennis Ramon, Legislative Chairman

APPROVED on the 13 day of February, 1996

DISAPPROVED at 2:47 o'clock, P.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13th day of
February, 1996, at 5:13 o'clock, P.M.


Frances Antone, Legislative Secretary