

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Amendments to the Sublease with the San Xavier
Development Authority)**

RESOLUTION NO. 98-348

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4 **WHEREAS, the Nation entered into a sublease with the San Xavier Development**
5 **Authority ("SXDA") on February 6, 1983, for the lease of land located**
6 **within the San Xavier Industrial Park for the purpose of constructing**
7 **and operating the Nation's gaming facility then known as Papago**
8 **Bingo; and**

9 **WHEREAS, the sublease was approved by both the Nation and the Secretary of the**
10 **Interior; and**

11 **WHEREAS, after executing the sublease, the Nation's Chairman and the Legislative**
12 **Council's Commerce and Budget and Finance Committees negotiated**
13 **amendments to the sublease with the SXDA to accommodate the**
14 **expanded gaming operation the Nation now conducts on the premises**
15 **and to increase the rental payment to the SXDA; and**

16 **WHEREAS, by Resolutions Nos. 93-335 and 94-151, the Legislative Council approved**
17 **the amendments to the sublease; and**

18 **WHEREAS, the sublease authorized the Nation to assign all of its right, title and**
19 **interest in the sublease to the Tohono O'odham Gaming Authority,**
20 **which the Nation did on March 31, 1995; and**

21 **WHEREAS, the SXDA and the Gaming Authority subsequently negotiated and**
22 **executed an amendment to the sublease in or about March 1996 to**
23 **include two additional parcels of land under the sublease (the "1996**
24 **Amendment"); and**

25
26 **WHEREAS, the 1996 Amendment has not been approved by the Legislative Council**
27 **or by the Secretary of the Interior or his designee; and**

28 **WHEREAS, the original term of the sublease expired on August 31, 1998, and the**

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Gaming Authority exercised its rights under the sublease to extend its term for a period of fifteen years commencing on September 1, 1998, by executing a Lease Renewal Agreement with the SXDA.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Pursuant to Section 5(d)(6) of the Tohono O'odham Gaming Authority Charter, the Legislative Council hereby approves the terms of the 1996 Amendment to the sublease between the Gaming Authority and the SXDA, as set forth in Exhibit A to the Lease Renewal Agreement that is attached to this Resolution.**
- 2. The Legislative Council also approves the Lease Renewal Agreement, to the extent such approval is required under Section 5(d)(6) of the Tohono O'odham Gaming Authority Charter.**

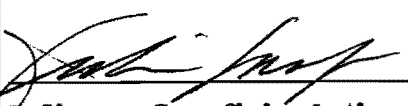
The foregoing Resolution was passed by the Tohono O'odham Council on the 01ST day of SEPTEMBER 1998 at a meeting at which a quorum was present with a vote of 1.927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1(f) of Article VI of the Constitution 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



Dennis Ramon, Legislative Chairman
3rd day of September, 1998

ATTEST:



Julianna Saraficio, Acting Legislative Secretary
1ST day of September, 1998.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 3rd day of September, 19 98 at 8:50 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



Dennis Ramon, Legislative Chairman

APPROVED

on the 4th day of September, 19 98

DISAPPROVED

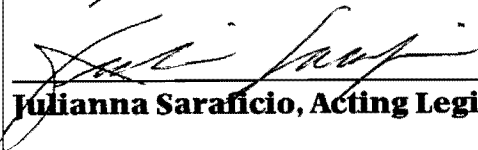
at 5:25 o'clock, P.M.



**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 8th day of

September, 19 98, at 8:30 o'clock, A.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AMENDMENTS TO THE SUBLEASE WITH THE SAN XAVIER DEVELOPMENT AUTHORITY

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: SEPTEMBER 01, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. ** (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0	X			
SELLS 322.0	1. DENNIS E. JOSE ()	161.0	X			
	2. EVELYN JUAN ()	161.0	X			
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,927.0	-0-	-0-	[01]

**PASSED VOTES