

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Utility Authority Right-of-Way, Ten (10) Sites
Designated As Temporary Near Black Mountain, San Xavier Community,
San Xavier District, Tohono O'odham Nation)**

RESOLUTION NO. 98-462

WHEREAS, by Resolution No. 08-70 the Nation established the Papago Tribal Utility Authority, now known as Tohono O'odham Utility Authority (TOUA), for purposes of constructing, maintaining and operating various utility systems within the Nation to be owned wholly by the Nation; and

WHEREAS, the Tohono O'odham Legislative Council on 10 December 1990 did pass Resolution No. 447-90 (Amending the Restated Plan of Operation of the Tohono O'odham Utility Authority) which requires the Authority to submit for prior review and approval of the Legislative Council and each affected District any proposed utility easement; and

WHEREAS, TOUA requests permission for a Right-of-Way extending the Electric, Water/Wastewater System and Associated Utilities to Ten (10) Sites designated as Temporary for use while Home Renovations take place, San Xavier Community, San Xavier District, Tohono O'odham Nation; and

WHEREAS, TOUA has respectfully submitted all documents and pertinent information (attached hereto and incorporated herein by reference) for uses consistent with the authorized purposes of TOUA; and

WHEREAS, the San Xavier District has determined that the location of the requested Right-of-Way is not in conflict with any land use plans adopted by the San Xavier Community, San Xavier District and approved by the Tohono O'odham Legislative Council; and

WHEREAS, the new utility extensions will be of substantial benefit to the San Xavier Community, San Xavier District, the Tohono O'odham Nation and their respective members; and

WHEREAS, the San Xavier District Council approved the requested Right-of Way by

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(Approving Tohono O'odham Utility Authority Right-of-Way, Ten (10) Sites Designated As Temporary Near Black Mountain, San Xavier Community, San Xavier District, Tohono O'odham Nation)

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its Resolution No. SXDC 10-98-14.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby approve the Right-of-Way as requested by TOUA to extend the Electric, Water/Wastewater System & Associated Utilities to the Ten (10) Sites designated as Temporary for use while Home Renovations take place for the location and construction by TOUA or its authorized subsidiaries for uses consistent with the authorized purposes of TOUA.

The foregoing Resolution was passed by the Tohono O'odham Council on the 02ND day of NOVEMBER, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Section 2 (d) 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).

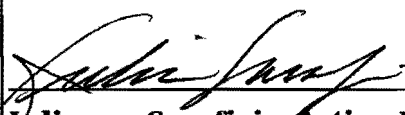
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

6th day of November, 19 98

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

2nd day of November, 19 98.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 6th day of November, 19 98 at 4:50 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.

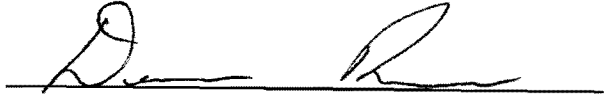
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

APPROVED

on the 09 day of November, 1998

DISAPPROVED

at 1:00 o'clock, P.M.



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

Returned to the Legislative Secretary on the 9th day of

November, 1998, at 3:48 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM UTILITY AUTHORITY RIGHT-OF-WAY, TEN (10) SITES DESIGNATED AS TEMPORARY NEAR BLACK MOUNTAIN, SAN XAVIER COMMUNITY, SAN XAVIER DISTRICT, TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILMAN AMBROSE ENCINAS

DATE: NOVEMBER 02, 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			X
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			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			X
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			X
	2. ALEX J. RAMON ()	95.0	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			X
	2. EVELYN JUAN ()	161.0	X			
SIF Oidak 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,927.0	-0-	-0-	[06]

****PASSED VOTES**