

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Purchase of Certificates of Purchase for the Bekins Mining Claims)

RESOLUTION NO. 13-179

1 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that "[i]t shall be the policy**
2 **of the Tohono O'odham Nation to seek the return to the Tohono O'odham Nation of**
3 **lands and natural resources, including mineral and water rights, within or adjacent**
4 **to the Tohono O'odham Nation, or which originally were a part of the historic**
5 **Papagueria" (Constitution of the Tohono O'odham Nation, Article XVI, Section 9); and**

6 **WHEREAS, Ramona Bekins owns 39 patented mining claims known collectively as the Bekins**
7 **Mining Claims located in the Sells District, including both surface and subsurface**
8 **rights, totaling 713.55 acres, which is shown on the attached map; and**

9 **WHEREAS, the Nation wishes to acquire the property, to be held in trust by the United States of**
10 **America for the benefit of the Nation under the authority of 25 U.S.C. § 465 and 25**
11 **C.F.R. Part 151; and**

12 **WHEREAS, the Bekins Mining Claims currently owe delinquent property taxes to Pima County and**
13 **at the Nation's request, Pima County agreed to partially abate the interest and**
14 **penalties owed in the amount of approximately \$130,000.00; and**

15 **WHEREAS, the partial abatement brought the property in line with its market value of**
16 **\$215,000.00; and**

17 **WHEREAS, the Agricultural and Natural Resources Committee and Budget and Finance**
18 **Committee have reviewed the transaction and recommends approval by the**
19 **Legislative Council.**

20 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it:**

- 21 **1. Authorizes the purchase of Certificates of Purchase for the Bekins Mining Claims**
22 **from Pima County and authorizes the Chairperson of the Nation to execute all**
23 **documents reasonably necessary to accomplish this transaction.**
- 24 **2. Approves the purchase price of \$219,088.81 for the Certificates of Purchase and the**
25 **payment of additional fees not to exceed \$1,000.00, to be paid from the Nation's**
26 **Land Acquisition Fund.**
- 27 **3. Authorizes the initiation of a foreclosure action against Ramona Bekins.**
- 28 **4. Authorizes and directs the Chairperson of the Nation to request that the United**
29 **States Secretary of the Interior approve the conveyance from the Nation to the**
30 **United States and promptly take the property into trust for the Tohono O'odham**

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Nation, and authorizes and directs the Chairperson of the Nation to execute any documents reasonably necessary to convey the property to the United States in trust for the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST Day of MAY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (i)(3) 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



Timothy Joaquin, Legislative Chairman

24 day of May, 2013

ATTEST:

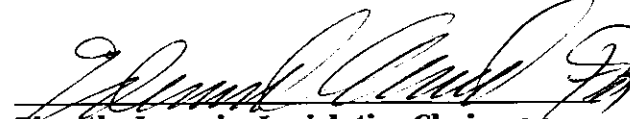


Evonne Wilson, Legislative Secretary

24 day of May, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 24 day of May, 2013 at 4:44 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



Timothy Joaquin, Legislative Chairman

APPROVED

on the 28 day of May, 2013

DISAPPROVED

at 10:37 o'clock, A.M.



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

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Returned to the Legislative Secretary on the 28 day of

May, 2013, at 10:55 o'clock, a.M.


Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE PURCHASE OF CERTIFICATES OF PURCHASE FOR THE BEKINS MINING CLAIMS

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILMAN FREDERICK JOSE

DATE: MAY 21, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ()	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta)(<i>Present</i>)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER (Diana Manuel)	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			X
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (<i>Absent</i>) (Kimberly Mull) (<i>Present</i>)	237.85	X			
	2. MARIA ACKERMAN ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,780.60	-0-	-0-	[01]