

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Purchase of Certificates of Purchase for the Bekins Mining Claims
and Repealing Resolution No. 13-179, "Authorizing the Purchase of Certificates of
Purchase for the Bekins Mining Claims")**

RESOLUTION NO. 13-180

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 713.055 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 of 713.055 acres at the purchase price of \$219,088.81 for the**
25 **Certificates of Purchase and the payment of additional fees not to exceed**
26 **\$1,000.00, to be paid from the Nation's 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**

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


4 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that Resolution No. 13-179
5 **is repealed.**

6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST Day**
7 **of MAY, 2013 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST;**
8 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI,**
9 **Section 1 (i)(3) and Article XVI Section 9 of the Constitution of the Tohono O'odham Nation,**
10 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
11 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act**
12 **of June 18, 1934 (48 Stat. 984).**

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14 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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16 _____
17 Timothy Joaquin, Legislative Chairman
18 21 day of May, 2013

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20 **ATTEST:**

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22 _____
23 Evonne Wilson, Legislative Secretary
24 21 day of May, 2013.

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26 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham**
27 **Nation on the 21 day of May, 2013 at 5:15 o'clock, P.M.,**
28 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
29 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
30 **submittal.**

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32 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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35 Timothy Joaquin, Legislative Chairman
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APPROVED

on the 22 day of May, 2013

DISAPPROVED

at 4:28 o'clock, P.M.



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

Returned to the Legislative Secretary on the 22 day of

May, 2013, at 4:55 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE PURCHASE OF CERTIFICATES OF PURCHASE FOR THE BEKINS MINING CLAIMS AND REPEALING RESOLUTION NO. 13-179, "AUTHORIZING THE PURCHASE OF CERTIFICATES OF PURCHASE FOR THE BEKINS MINING CLAIMS"

MOVED: COUNCILWOMAN LORRAINE EILER

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

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			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			X
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			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			
	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-	[03]