

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Renegotiated Fair Market Value Consideration for
El Paso Ajo Rights-of Way)

RES. NO. 09-89

1 WHEREAS, the El Paso Natural Gas Company ("El Paso") did on
2 October 17, 1977, receive a Grant of Easement for
3 Rights-of-Way for a term of twenty years for natural gas
4 pipelines running through the Sif Oidak and Hickiwan
5 Districts, which grant provides for the renegotiation of
6 the original fair market value of \$140,800 after ten
7 years in order to make adjustment for any increase
8 thereof during the first ten years of the term; and

9 WHEREAS, representatives of El Paso did meet with representatives
10 of the Sif Oidak and Hickiwan Districts, of the Natural
11 Resources Committee and the Executive Office, and did in
12 good faith negotiate an adjustment of the fair market
13 value, and have recommended an increase thereof of
14 \$95,000 in said value, which represents a negotiated
15 adjustment of the original fair market value for the
16 ten year period between a Consumer Price Index
17 adjustment of 87.17% and a Producers Price Index
18 adjustment of 58.63%; and

19 WHEREAS, the Legislative Council approves the recommended
20 adjustment.

21 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legisla-
22 tive Council approves of the recommended increase in the
23 fair market value for the Grant of Easement for Rights-
24 of-Way and the payment by El Paso of the sum of
25 \$95,000, and does hereby authorize and direct
26 distribution of said sum, as follows:

- 27 1. One-half thereof, or \$47,500 to the Tohono O'odham
28 Nation;
- 29 2. the balance, or \$47,500 divided as follows:
 - 30 a) 59.2%, or \$28,120.00 to the Sif Oidak District,
 - 31 b) 40.8% or \$19,380.00 to the Hickiwan District.

32

The foregoing Resolution was passed by the Tohono O'odham Council on the 6th. day of January, 1989 at a meeting at which a quorum was present with a vote of 1,126.0 for; 101.0 against; 413.0 not voting; and 01 absent, pursuant to the powers vested in the Council by Section 1 (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

Harriet Toro
Harriet Toro, Legislative Chairperson

9th day of January, 1989.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

9th day of January, 1989.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of Jan, 1989, at 4:56 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

Harriet Toro
Harriet Toro, Legislative Chairperson

APPROVED) on the 12th day of January, 1989,

DISAPPROVED) at 8:26 o'clock, A.M.

Enos J. Francisco, Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 12th day of January, 1989, at 9:09 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

MOVED: Willard Juan, Sr.

SUBJECT: Approving renegotiated

SECOND: Joseph Juan

Fair Market Value Consideration

DATE: January 06, 1989

for El Paso Ajo Rights-of Way

RESOLUTION #09-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 169.0	1. Harriet Toro ()	84.5	X			
	2. Rosita Ruiz (Rosemary Lopez)	84.5	X			
HICKIWAN 128.0	1. Lloyd Francisco (Eleanor Santos)	64.0	X			
	2. Henry Ramon (Billy Manuel)	64.0	X			X
GU VO 117.0	1. Cross Antone (Juan Joe Cipriano)	58.5	X			
	2. Virgil Lewis (Roy Montana)	58.5		X		
SAN LUCY 85.0	1. John Reno ()	42.5		X		
	2. Max Jose (Dewey Ortega)	42.5			X	
PISINEMO 116.0	1. Edward Manuel (Alex Antone)	58.0			X	
	2. Johnson Jose ()	58.0			X	
GU ACHI 158.0	1. Fernando Joaquin ()	79.0	X			
	2. Percy Lopez ()	79.0	X			
BABOQUIVARI 241.0	1. Joann Garcia (Frances Miguel)	120.5	X			
	2. Kenneth Chico, Sr. ()	120.5	X			
SAN XAVIER 126.0	1. Tony Felix (Carmelita Mattias)	63.0			X	
	2. Eugene Enis (Michael Rios)	63.0			X	
SCHUK TOAK 105.0	1. Joseph Juan (Frances Francisco)	52.5	X			
	2. Julia Carrillo (JoAnn Francisco)	52.5	X			
SELLS 257.0	1. Fred Stevens ()	128.5			X	
	2. Andrew Patricio (Daniel Lopez)	128.5	X			
SIF OIDAK 138.0	1. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
	2. Nicholas Jose (Letitia Garcia)	69.0	X			
TOTAL		1,640.0	1,126.0	101.0	413.0	01