Naa’biki’yati’ Committee approves NDOT general warranty deed

WINDOW ROCK—Legislation No. 0255-13 was approved by the Naa’biki’yati Committee by a vote of 12-0 on Sept. 26, 2013.

Paulson Chaco, Navajo Division of Transportation director, said the legislation’s passage was a good move for the Navajo Nation.

Chaco said, “We are moving quickly to take this land into trust for the benefit of the Navajo Nation.”

The land exchange process was a true demonstration of government-to-government relations, he said, and that the land in Tse Bonito, N.M. will also benefit the Navajo Nation with the potential for economic development.

A parcel of exchanged land adjacent to State Route 264 remains open for development.

Sponsored by delegate Walter Phelps (Bird Springs, Cameron, Coalmine Canyon, Leupp, Tolani Lake), the legislation approved and authorized Navajo Nation President Ben Shelly to sign the general warranty deed for 85.68 acres of land in Tse Bonito, to be held in trust for the Navajo Nation, pursuant to Public Law 93-531 and Public Law 96-305.

To expedite the process for converting the land into trust, NDOT is utilizing the authorities of the Navajo Hopi Land Commission.

Phelps explained the land was exchanged with the state of New Mexico.

“NDOT acquired that land and the land is fee simple land right now,” Phelps said. “We’re in the process of taking the land into trust, using the Navajo Hopi Relocation Act, as amended.”

On Nov. 27, 2012, the Indian Affairs Committee of the New Mexico Legislature convened at the State Capitol for a land exchange signing ceremony between the Navajo Nation and the New Mexico State Land Office.

NDOT purchased 3.6 acres of land in Silver City, which was exchanged with the NMSLO for 85.6 acres of land in Tse Bonito. Both parcels of land were valued at $200,000.

Initiating this land exchange process in March 2011 was N.M. Senator John Pinto’s Senate Memorial 45, which requested the NMSLO to begin studying the land exchange with the Navajo Nation.

The memorial stated, “It may be in the best interests of the Navajo Nation to own the...
Council delegate Walter Phelps sponsored the legislation. Joining him during the presentation was NDOT director Paulson Chaco and DOJ attorney Karis Begay. (Photo by Rick Abasta)

Left, delegate Leonard Tsosie said the Navajo Hopi Land Commission’s plans to charge NDOT rent in the amount of $25,000 per year was a “double shakedown.” Right, Delegate Dwight Witherspoon disagreed and said the Commission’s efforts would save the Navajo Nation over $2.5 million in the long run. (Photo by Rick Abasta)

Resources and Development Chairwoman Katherine Benally disagreed with rental provisions in the legislation and said NDOT would be getting double charged, although they originally purchased the land that was exchanged with the state of New Mexico. (Photo by Rick Abasta)