

RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

WHEREAS, Navopache Electric Co-operative, Inc., of Lakeside, Arizona, has requested permission to survey an electric distribution system and telephone line right-of-way across tribal lands of the Fort Apache Indian Reservation, Arizona, and

WHEREAS, said right-of-way will be for the purpose of serving the commercial area C-1 - C-20; residential lots 3 - 131; and well site lots 1 and 2 within the new Hon-Dah Homesite Subdivision, as more particularly shown on map, "HON-DAH HOMESITE AREA," submitted with applicant's letter dated March 25, 1965, and now on file in the office of the Superintendent, Fort Apache Agency, and

WHEREAS, although said right-of-way is proposed to be granted in the name of Navopache Electric Co-operative, Inc., construction of the distribution power line will be on the telephone pole line of Western States Telephone Company under a Joint Use Agreement by and between said Navopache Electric Co-operative, Inc., and Western States Telephone Company, and

WHEREAS, the construction of said electric distribution system and telephone line will be of distinct benefit to the White Mountain Apache Tribe in that public utilities in place will make the Hon-Dah homesite and commercial lots more attractive to potential lessees.

BE IT RESOLVED by the Council of the White Mountain Apache Tribe that we hereby consent to the granting of a formal right-of-way, as indicated herein, to Navopache Electric Co-Operative, Inc., upon filing of an application by said applicant in accordance with 25 CFR 161, subject to the following conditions:

1. The right-of-way shall be for a period of fifty (50) years from the date of this resolution.
2. Compensation for damages is hereby waived since, as indicated above, construction of these improvements will be of benefit to the Tribe.
3. Navopache Electric Co-operative, Inc., shall file with the Superintendent, Fort Apache Agency, a copy of its Joint Use Agreement with Western States Telephone Company, covering the use of this right-of-way, and there shall be included in said Agreement a stipulation that Western States Telephone Company agrees to be bound by all the conditions contained in the formal application of Navopache Electric Co-operative, Inc., for the subject right-of-way.

Received in the Office

MAR 14 1965

BE IT FURTHER RESOLVED that should the ownership of the electrical distribution system and telephone lines ever be changed, this right-of-way agreement is terminated.

BE IT FURTHER RESOLVED that should the Navopache Electric Co-operative, Inc. at any future time fail to maintain its non-profit status, this right-of-way agreement shall likewise terminate.

The foregoing resolution was on April 8, 1965 duly adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984)

Acting

Fred Benschly  
Chairman of the Tribal Council

Mary C. Endell  
Secretary of the Tribal Council