Resolution No. 67-173

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

WHEREAS, on March 1, 1961 the Tribal Council enacted Resolution No. 61-26 requesting the Bureau of Indian Affairs to expedite the construction of the Sand Creek Road, Route No. 54, Project No. FAIR 54-2, and

WHEREAS, the alignment has been surveyed and a right of way map prepared.

BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe grants to the Bureau of Indian Affairs a right of way 80 feet in width for the construction of said road, better known as Hawley Lake Road, commencing at the north end of the Hawley Lake Dam; thence Southwesterly approximately 1.8 miles to the marina area.

BE IT FURTHER RESOLVED that the White Mountain Apache Tribe waives any and all damages which may be sustained as the result of said right of way.

BE IT FURTHER RESOLVED that in accordance with Code of Federal Regulations, Title 25, 162.8 this right of way may be transferred to the State of Arizona for construction on maintenance, or both, at a continuing right of way upon approval of completed plans to be used for construction, and agreed that if said road is ever abandoned for road purposes said right of way shall revert to the Tribe.

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council and/or the Superintendent of the Fort Apache Indian Agency be authorized and directed to execute any documents necessary to effectuate said right of way in accordance with Code of Federal Regulations, Title 25, 161.5.

The foregoing resulution was on December 6, 1967 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).

Fred Bonaschlay Sr.
Acting Chairman of the Tribal Council

Mary C. Endfield
Secretary of the Tribal Council

Received in Superintendent's Office
DEC 14 1967
(Date)