

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

WHEREAS, Mr. J. E. Donnelly, Right of Way Agent, American Telephone and Telegraph Company, Long Line Department, has applied for a right-of-way for a relay station and road right-of-way on Cooley Mountain, approximately one mile south of Indian Pine, and

WHEREAS, they are willing to pay damages and have submitted a proper right-of-way application to the Bureau of Indian Affairs.

BE IT RESOLVED that the right of way shall be granted for twenty-five (25) years with an option for an additional twenty-five (25) years to American Telephone and Telegraph Company, 74 New Montgomery Street, San Francisco, California. Said right-of-way measures 250 feet by 250 feet (approximately 1.435 acres) and for an access road 33 feet in width and 8,224.33 feet in length as more particularly shown on the description on file in the Superintendent's Office, Fort Apache Indian Agency, Whiteriver, Arizona.

BE IT FURTHER RESOLVED that the annual payment for the right-of-way shall be not less than the appraised value.

BE IT FURTHER RESOLVED that the applicant does stipulate and expressly agrees as follows:

- (a) To construct and maintain the right-of-way in a workmanlike manner.
- (b) To pay promptly all damages, in addition to the deposit made pursuant to Sec. 161.5 (formerly 256.5), determined by the Superintendent to be due the landowners on account of the construction and maintenance of the right-of-way.
- (c) To indemnify the landowners against any liability for damages to life or property arising from the occupancy or use of the lands by the applicant.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of construction.
- (e) That the applicant will not interfere with the use of the lands by or under authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way was granted.

BE IT FURTHER RESOLVED that each ten years, a new appraisal will be provided.

The foregoing resolution was on August 7, 1969 duly adopted by a vote of 9 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 Basaschly*  
ACTING Chairman of the Tribal Council

*Mary C. Goodfield*  
Secretary of the Tribal Council

RECEIVED IN INDIAN AFFAIRS DIVISION

AUG 15 1969

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