

Amended by 71-115

Resolution No. 71-96

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

WHEREAS, the Arizona Highway Department desires to improve a portion of State Route 273, from State Highway 73 to the Apache National Forest boundary, and

WHEREAS, by virtue of this construction it is necessary that the Arizona Highway Department be granted a right-of-way, and

WHEREAS, the improvement of State Route 273 will be of great benefit to the Sunrise Park Resort Complex.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Chairman and Superintendent are hereby authorized and directed to grant the Arizona Highway Department a right-of-way 200 feet in width for a distance of 5.468 miles, as delineated on the map of definite location, D-1-T-247, on file in the office of the Superintendent, Fort Apache Indian Agency, Whiteriver, Arizona.

BE IT FURTHER RESOLVED that all damages, other than to timber located on the right-of-way, be waived because of the beneficial result to the tribe that will ensue by the improvement of State Route 273.

BE IT FURTHER RESOLVED that the White Mountain Apache Tribe shall retain ownership of all timber on said right-of-way and before any timber is destroyed, the Arizona Highway Department shall contact the Branch of Forestry, Fort Apache Indian Agency.

BE IT FURTHER RESOLVED that the Arizona Highway Department shall fence the right-of-way within twenty five (25) feet of the toe of the fill from station 0+00 to station 56+00, and if at some future date the Arizona Highway Department requests that the fence be moved to the edge of the right-of-way, the tribe and/or the tribal livestock associations agrees to pay the costs for moving said fence.

BE IT FURTHER RESOLVED that Resolution No. 71-83 is hereby rescinded and/or amended as herein provided for.

The foregoing resolution was on July 7, 1971 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 (1) 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 Bensshlyde
Chairman of the Tribal Council

W. Mary G. Eschfeld
Secretary of the Tribal Council

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