

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

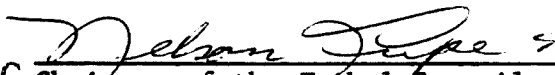
- WHEREAS, the United States of America, acting through the Indian Health Service, Department of Health, Education, and Welfare, under and pursuant to Section 7 (a) (3) of Public Law 86-121 (73 Statute 267), the White Mountain Apache Tribe, hereinafter called the Tribe, acting through the Chairman of the White Mountain Apache Tribal Council, entered into an agreement, executed for the Indian Health Service on March 2, 1973 and for the White Mountain Apache Tribe on March 21, 1973, to provide domestic water-supply and sewage-disposal facilities for ten (10) houses scattered throughout the reservation, and
- WHEREAS, the project called for under that agreement has been completed, and
- WHEREAS, the domestic water-supply and sewage-disposal facilities with their appurtenances, and all materials, supplies and equipment provided for and incorporated in the facilities under that agreement are the property of the United States of America, and
- WHEREAS, the parties desire to provide for and assure the proper and efficient maintenance and operation of these water-supply and sewage-disposal facilities, and
- WHEREAS, under Section 7 (a) (3) of Public Law 86-121, the Indian Health Service, on behalf of the United States of America, is authorized to transfer the completed facilities with or without a money consideration and under such terms and conditions as it judges appropriate, considering contributions made, maintenance responsibilities undertaken, and the special health needs of the Indian people.

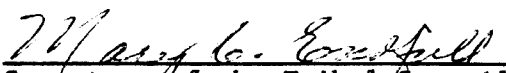
BE IT RESOLVED in accordance with the terms of that agreement, and pursuant to Section 7 (a) (3) of Public Law 86-121.

1. The Indian Health Service hereby transfers, assigns, and conveys to the White Mountain Apache Tribe, through the White Mountain Apache Utility Authority, without charge, and under the terms and conditions set forth in that agreement, all rights, title, and interest of the United States of America in all community facilities and their appurtenances, including all materials, supplies, and equipment provided for and incorporated in such facilities. These facilities include but are not limited to: (a) Water distribution lines consisting of 150 feet of 3-inch line, 200 feet of 2-inch line, and all appurtenances, (b) Sewage service lines from the main to the lot line, (c) Water service lines from the main to the lot line of each house and all appurtenances.

2. The tribe, through the Utility Authority, hereby accepts the transfer of these facilities under the terms and conditions set forth in that agreement and agrees to operate, maintain, and repair these community facilities as the property of the Tribe, and to keep the facilities in effective operating condition.
3. The tribe, through the Utility Authority, agrees to levy and collect service charges sufficient to operate and maintain the systems; and will enforce ordinances governing the proper use of the community facilities.
4. The Indian Health Service hereby transfers, assigns, and conveys to the head of each household, without charge, all of the rights, title, and interest of the United States of America in all individual facilities and appurtenances constructed and installed on his premises, including all materials, supplies and equipment provided for and incorporated in the facilities in accordance with the project summary and memorandum of agreement. These facilities include, but are not limited to: (a) Water and sewer service lines from the lot line to the house (b) Septic tanks and drainfields.
5. The tribe, through the Utility Authority, agrees to enforce appropriate ordinances to assure continued operation, maintenance, and repair of individual facilities belonging to individual homeowners.

The foregoing resolution was on November 5, 1975 duly adopted by a vote of 8 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 Chairman of the Tribal Council

  
Secretary of the Tribal Council

Resolution No. 75-168

