

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

- WHEREAS, the Apache Peak Day Lodge Water Infrastructural Project (Sunrise Recreational Area), a jointly-funded project between the White Mountain Apache Tribe and the Economic Development Administration (EDA Project 07-01-02619; date of grant agreement September 30, 1982), has now been satisfactorily constructed, given final inspection (Mater Engineering, Corvallis, Oregon), and is operational; and
- WHEREAS, said project (\$459,500. from the Economic Development Administration and \$459,500 from the White Mountain Apache Tribe) incurred a contractor (LaMadera) dispute under the contract, which specifies binding arbitration procedures; and
- WHEREAS, said arbitration has been satisfactorily resolved with the contractor awarded \$8,900 out of a requested \$40,000; with said \$8,900 to be paid by the White Mountain Apache Tribe, together with legal costs of \$4,870, with all but \$2,260.25 apparently eligible for federal grant share consideration; and
- WHEREAS, the White Mountain Apache Tribal Attorney has indicated that with said arbitration award, no further legal liability can be incurred by the White Mountain Apache Tribe under said project; and
- WHEREAS, said project (EDA No. 07-01-02619) is now fully operational and serving the requirements of the Apache Peak Day Lodge at Sunrise Recreation Area; and
- WHEREAS, final project retention by the Economic Development Administration (\$53,377.20) can be released by the Economic Development Administration (subject to final federal review) for payment to the White Mountain Apache Tribe.

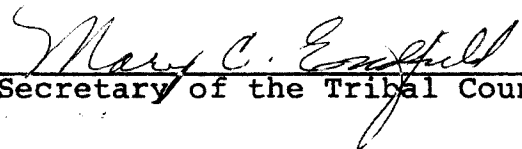
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts the EDA Project 07-01-02619 as complete and accepts full responsibility for its intended and satisfactory operation.

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council that the Chairman of the White Mountain Apache Tribe or, in his absence, the Vice-Chairman,

is hereby authorized to transact all closeout procedures with the Economic Development Administration pursuant to this project.

The foregoing resolution was on June 25, 1985, 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 (b) and (i) of the Amended Constitution and Bylaws 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)


Chairman of the Tribal Council


Secretary of the Tribal Council

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