

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

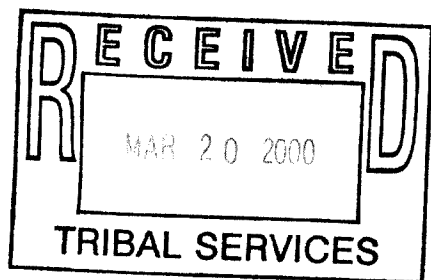
- WHEREAS, the Arizona Department of Transportation (ADOT) has a current right-of-way through the Fort Apache Indian Reservation, along U.S. Highway 60 (Globe-Show Low); and
- WHEREAS, previous Tribal Council Resolution No. 02-92-053 acknowledged the number of serious and fatal accidents which have occurred on a portion of U.S. Highway 60 on the Fort Apache Indian Reservation, known as Hagen Hill; and
- WHEREAS, Resolution No. 02-92-053 further advised the Arizona Department of Transportation (ADOT) of the Tribe's preference for alternative solutions to reduce these dangers and improve traffic flow; and
- WHEREAS, ADOT has submitted an application for a Right of Way easement, without limitation as to term of years, comprising an area of 3.18 acres, which will be used to reconstruct portions of U.S. Highway 60 on the Fort Apache Indian Reservation, known as Hagen Hill; and
- WHEREAS, in consideration for the Right of Way, ADOT is offering a payment to the Tribe in the amount of the appraised value of the premises, which is \$19,700.00, and further advises that other compensation to be considered is the safety to those traveling this portion of U.S. 60; and
- WHEREAS, the Tribe has considered this matter and believes it would be in the best interest of the Tribe to consent to ADOT's request for a Right of Way easement along U.S. 60, known as Hagen Hill; and
- WHEREAS, the Tribal Roads Committee recommends the creation of a Special Escrow Account in which all future revenues from rights-of-way granted across the Fort Apache Indian Reservation be deposited, for future use to be determined by the Tribal Council.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby consents to ADOT's request for a Right of Way easement, without limitation as to term of years, comprising an area of 3.18 acres along U.S. Highway 60 on the Fort Apache Indian Reservation, known as Hagen Hill, for the purpose of reconstructing said roadway to reduce current safety hazards and improve traffic flow, and provided said Right of Way is used for a public roadway.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in consideration for the Right of Way, it hereby accepts ADOT's offer of payment in the amount of \$19,700.00, with further amounts negotiable in the future according to the terms of the Right of Way.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that a Special Escrow Account be created in which all future revenues from rights-of-way granted across the Fort Apache Indian Reservation will be deposited, for use at the discretion of the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the BIA Superintendent to grant the necessary Right of Way documents to ADOT for this portion of U.S. Highway 60, known as Hagen Hill, in the form attached hereto and incorporated herein.

The foregoing resolution was on February 9, 2000, duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1(a), (b), (h), (i), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Frank J. [Signature]
Chairman of the Tribal Council

Cindy Hanrey-Burnette
Secretary of the Tribal Council