



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

**(Authorizing a Lease Agreement with the Arizona Department of
Transportation for the Flying V Maintenance Yard)**


- WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe, and to make agreements for the lease of lands of the Fort Apache Indian Reservation; and
- WHEREAS,** the Lease Agreement with the Arizona Department of Transportation ("ADOT") for the premises known as the Flying V Maintenance Yard ("Flying V") expired June 30, 2006; and
- WHEREAS,** the legal description for the Premises, known as Flying V, is attached hereto and incorporated by this reference; and
- WHEREAS,** ADOT desires to extend the Lease Agreement for an additional term of twenty-five years; and
- WHEREAS,** staff did attempt to negotiate two provisions: (1) locating an Arizona Department of Public Safety substation on the Premises for the purposes of providing more timely highway patrol in the area of the Salt River Canyon; and (2) locating an area on the Premises for storing ash or cinders for de-icing roadways; and
- WHEREAS,** ADOT declined both provisions because ADOT does not have departmental jurisdiction over AZ DPS and storing of additional de-icing materials would be the prerogative of the Tribe; and
- WHEREAS,** ADOT, however, would have no objection to either an AZ DPS substation or storing de-icing materials on the Premises; and
- WHEREAS,** the White Mountain Apache Tribal Transportation Committee supports ADOT's lease of Flying V for an additional twenty-five year term, to expire on August 31, 2031, and shall include provisions for a fair rental value and employment preference for members of the White Mountain Apache Tribe pursuant to the Tribal Employment Rights Ordinance; and
- WHEREAS,** the Tribal Council finds that a Lease Agreement for Flying V to be in the best interests of the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. A revised Lease Agreement between ADOT and the Tribe is hereby authorized and approved for the premises known as Flying V, as described in the legal description attached hereto and incorporated by this reference.
2. Said Lease Agreement shall include provisions for a new term of twenty-five years, a fair rental value and employment preference for members of the White Mountain Apache Tribe pursuant to the Tribal Employment Rights Ordinance.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to negotiate and execute any and all documents necessary to effectuate the intent of this Resolution, subject to review by the Tribe's Legal Department and Realty Office.

The foregoing resolution was on March 15, 2007 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, Sections 1 (a), (b), (h), (i), (s), (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).


ACTING Chairman of the Tribal Council


Secretary of the Tribal Council

DESCRIPTION FOR FLYING V MAINTENANCE CAMP

That portion of the Fort Apache Indian Reservation lying within unsurveyed Township 6 North, Range 19 East, Gila and Salt River Meridian, Gila County, Arizona, described as follows:

BEGINNING at a point on the existing northwesterly right of way line of U. S. Highway 60 (GLOBE - SHOW LOW HIGHWAY), being 100.00 feet Left of and at right angle to the centerline of said U.S. Highway 60 P.O.S.T. Station 1313+82, as shown on Survey for Project FLYING V Mtc. Yd., by Field Surveyor McAllester, printed July 5, 2006;

thence North $65^{\circ}22'28''$ West 495.00 feet;

thence South $22^{\circ}58'30''$ West 394.00 feet;

thence South $52^{\circ}59'38''$ East 495.00 feet to said existing northwesterly right of way line of U.S. Highway 60;

thence along said existing northwesterly right of way line, North $24^{\circ}36'36''$ East 500.00 feet to the POINT OF BEGINNING.

218,273 square feet, more or less.

PROJECT: F-026-1
60 GI 000 H0888 01R

SECTION: Fort Apache Indian Reservation

PARCEL: MC 7-6

CR 7/11/06

Field surveyor:
McAllester
Computer operator:
McAllester
Reference:

Scale 1" to 110 ft
200.0 ft
International feet

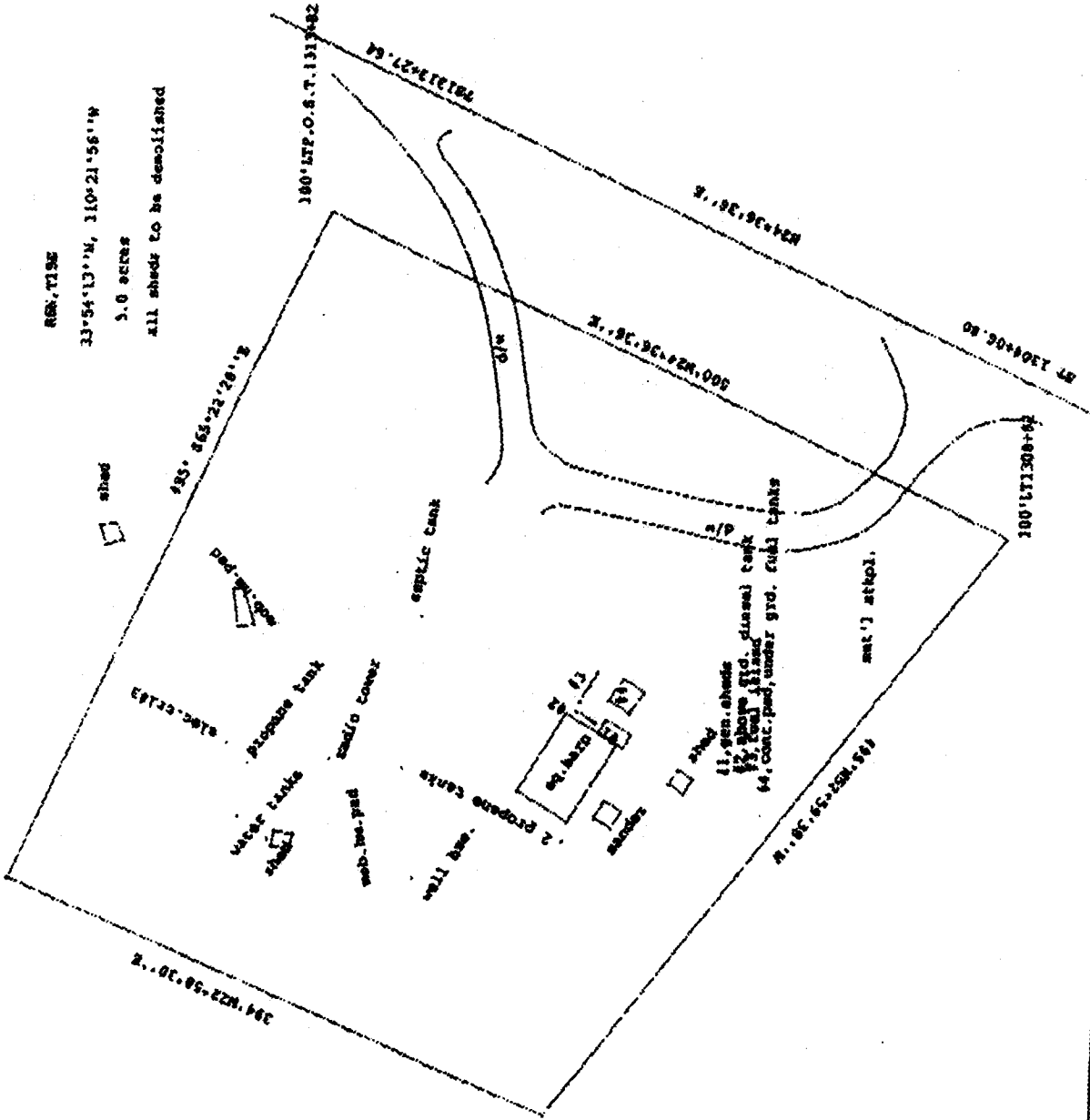
Site: Not selected, System: Projection from data collector
Zone: Zone from data collector, Datum: (WGS 84)
Project: Flying V Mtc. Yd
International Feet Template

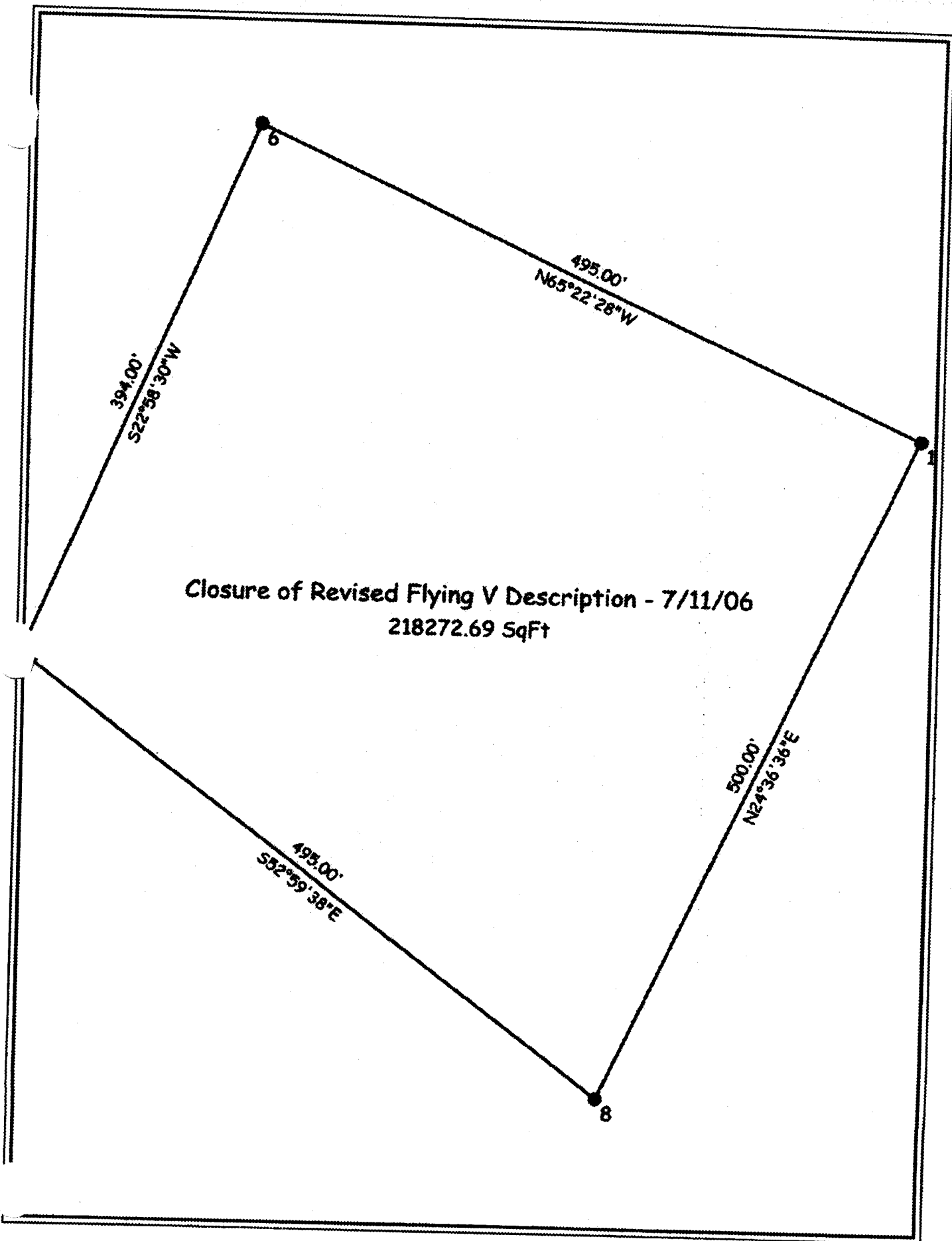
Pilot Scale: 1" to 110 ft
Printed on 07/05/2006, at 2:54:30 PM

Printed from Trimble Geomatics Office



0°00'00"





Closure of Revised Flying V Description - 7/11/06
218272.69 SqFt

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[[Traverse: Closure of Revised Flying V Description - 7/11/06 Area: 218272.69SqFt 5.01Acres Distance Factor: 1.000000000]]

Point	Type	Bearing	Horiz Dist	Radius	Arc Length	Northing	Easting	Description
1	Lin					10000.000	10000.000	P.O.B. on NW R/W
		N65°22'28"W	495.000					
6		S22°58'30"W	394.000			10206.260	9550.020	
7		S52°59'38"E	495.000			9843.514	9396.230	
8		N24°36'36"E	500.000			9545.573	9791.523	
9						10000.155	9999.743	