



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Transfer of BIA Buildings T1 and 111 to the White Mountain Apache Tribe Land Operations Department)

- WHEREAS**, the act of November 29, 1990, 104 Stat. 4666 (25 U.S.C 5321 and 5327) authorizes the Secretary of the Interior, upon request of any Indian Tribe, band or group, to convey thereto title of any Federally-owned buildings, improvements, facilities and land situated on Federal land, if such property is no longer needed for the administration of Indian Affairs upon certain conditions; and
- WHEREAS**, the Bureau of Indian Affairs ("BIA"), Fort Apache Agency, owns buildings T1 and 111 located at 1302 South Industrial Road, Whiteriver, AZ within the Land Operations Department yard; and
- WHEREAS**, Land Operations currently utilizes buildings T1 and 111 for heavy equipment maintenance/repair and Rangeland Management program; and
- WHEREAS**, the BIA no longer has a need for buildings T1 and 111; and
- WHEREAS**, the BIA has completed a Comprehensive Lead Based Paint and Asbestos Survey, Phase I Environmental Site Assessment and Building Condition Assessment for buildings T1 and 111 and determined that no recognized environmental conditions exist, neither lead based paint nor asbestos were detected, and no significant deficiencies exist for either building although unsatisfactory conditions were observed; and
- WHEREAS**, the BIA does not have funding to repair unsatisfactory conditions prior to transfer and is only able to transfer buildings T1 and 111 "as is" or may otherwise proceed with demolition; and
- WHEREAS**, the Tribe currently has a crucial need for buildings for its various programs and departments and Land Operations currently conducts program operations out of T1 and 111.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests the BIA Fort Apache Agency to transfer buildings T1 and 111 to the White Mountain Apache Tribe for program ownership and use by the Land Operations Department.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 08-2017-187

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on AUGUST 16, 2017 duly adopted by a vote of NINE for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

8-29-17

Date



Doreen T. Numkena, Tribal Secretary

8/29/2017

Date