

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

WHEREAS, the Southwest Lumber Mills, Inc. owns certain rights by virtue of a timber contract with the White Mountain Apache Tribe of the Fort Apache Indian Reservation approved by the Assistant Secretary on February 25, 1918, such contract being modified by supplemental agreement approved by the Assistant Secretary January 13, 1938, said supplemental agreement being further modified by an agreement approved by the Assistant Secretary November 29, 1945 and,

WHEREAS, said Southwest Lumber Mills, Inc. is also operating under the Maverick Lake Logging Unit Contract which grants the company until March 31, 1970 to cut and remove all timber, and said rights under the timber contract as modified by said supplemental agreement grants to the company the right to sue such reservation lands as might be necessary in the conduct of logging operations under said contract and grants to the company the right to erect or construct such buildings, structures and appurtenances as might be necessary or advisable in connection with carrying out operations under said contract, with the understanding that the company is allowed one year after the termination of said contract within which to remove its property from reservation lands and that upon its failure to so remove its properties, said properties shall belong to and title thereto shall become vested in the White Mountain Apache Tribe and,

WHEREAS, the company desires to cause to be constructed and installed a supplemental fire protection system, consisting of a four hundred thousand gallon reservoir and connected pipelines and appurtenances on lands which it has the right to use, and

WHEREAS, the company has entered into a lease agreement with Fire Protection Engineering Company of San Francisco, California, whereby the Fire Protection Engineering Company will construct and install said supplemental fire protection system for the use and benefit of the Southwest Lumber Mills, Inc. and in order to grant to the Fire Protection Engineering Company the right to so construct said facilities on tribal lands, it is necessary for the Southwest Lumber Mills, Inc. to execute a partial assignment of its right to the use of tribal lands to Fire Protection Engineering Company;

NOW THEREFORE BE IT RESOLVED by the Council of the White Mountain Apache Tribe that, that certain partial assignment from Southwest Lumber Mills, Inc. to Fire Protection Engineering Company dated October 20, 1949 be approved and the Vice-Chairman and the Secretary of the Tribal Council are hereby authorized to approve in writing said partial assignment on behalf of the White Mountain Apache Tribe. This approval is made expressly subject to obtaining consent in writing from the Maryland Casualty Company, surety on the timber contract held by the Southwest Lumber Mills, Inc.

The foregoing resolution was on November 30, 1940 duly adopted by a vote of 6 for and 1 against, by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article VI, Section 1 (e) of the Constitution and By-Laws of the Tribe, ratified by the Tribe on August 15, 1938 and approved by the Secretary of the Interior on August 28, 1938 pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 964).


Vice-Chairman of the Tribal Council


Secretary of the Tribal Council

Recommended:

Sgd) M. D. HOLTZ

M. D. Holtz, Superintendent