

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

WHEREAS, by Resolution No. 60-90 the Chairman of the White Mountain Apache Tribal Council was authorized to enter into a lease of a certain partial of ground located on the Fort Apache Indian Reservation, and

WHEREAS, said lease provided, among other things, that at the termination thereof all properties which should have become appurtenant to the land would revert to the tribe, and

WHEREAS, the Employment Security Commission has requested that the building being a portable structure not become appurtenant to the realty.

BE IT RESOLVED that Resolution No. 60-90 is amended by eliminating the requirement that at the termination of the lease all properties which shall have become appurtenant to the realty should revert to the tribe.

BE IT FURTHER RESOLVED that the said resolution be amended by eliminating the requirement that the five dollar (\$5.00) monthly rental fee be payable in advance.

The foregoing resolution was on February 1, 1961 duly adopted by a vote of 8 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) of the Amended Constitution and By-Laws 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

FEB 10 1961

Mr. F. M. Haverland

Area Director, Phoenix, Arizona

Dear Mr. Haverland:

The White Mountain Apache Tribal Council approved a lease for a certain partial of ground by Resolution No. 60-90 and was forwarded to the Employment Security Commission of Arizona by letter of January 19, 1961. The Employment Security Commission took exception to two points in the lease which are in apparent conflict with State and Federal regulations under which this Commission operates.

Resolution No. 60-90 stated that the lessee shall pay the sum of \$5.00 monthly in advance and State law prohibits advance payments. The resolution further stated that any buildings or improvements placed upon the land revert to the lessor upon termination. The building to be used as an office by the local representative of the Employment Security Commission is a portable structure and is also State property and the Commission would not be able to allow it to revert to the lessor.

To relieve these two objections Resolution No. 61-14 resolves to amend Resolution No. 60-90 by eliminating the requirement that at the termination of the lease all properties shall have become appurtenant to the realty and revert to the Tribe. This said resolution also eliminates the requirement that the \$5.00 monthly rental be payable in advance.

Resolution No. 61-14 was enacted on February 1, 1961 by the Council of the White Mountain Apache Tribe pursuant to authority vested in Article V, Section (b) of the Tribe's Constitution. Under this authority the Tribe has the power to negotiate, make and perform contracts and agreements of every description, not inconsistent with law or their Constitution. This resolution is not inconsistent

with law or their Constitution, therefore, is not subject to review
or approval by the Secretary of the Interior.

Sincerely yours,

(SIGNED) ALBERT M. HAWLEY
Superintendent