

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

WHEREAS, on March 1, 1961 the Tribal Council enacted Resolution No. 61-26 requesting the Bureau of Indian Affairs to expedite the construction of Sand Creek Road, Route No. 54, Project No. FAIR 54-1.

BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe grants to the Bureau of Indian Affairs a right of way for the construction of the Sand Creek Road, Route 54, better known as the Hawley Lake Road. This right of way being 200 feet wide, beginning at the north end of the Hawley Lake Dam; thence northerly to a junction with State Highway Route 73, approximately 7.5 miles east of McNary townsite.

BE IT FURTHER RESOLVED that in order to expedite the completion of the project authority is hereby granted the Bureau of Indian Affairs to begin construction pending completion of survey and preparation of plans for construction of said route.

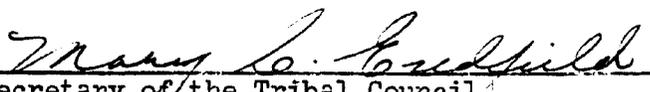
BE IT FURTHER RESOLVED that the White Mountain Apache Tribe waives any and all damages which may be sustained as the result of said right of way.

BE IT FURTHER RESOLVED that in accordance with Code of Federal Regulations, Title 25, 162.8, this right of way can be transferred to the State of Arizona for use as a continuing right of way upon approval of completed plans to be used for construction.

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council and/or the Superintendent of the Fort Apache Indian Agency be authorized and directed to execute any documents necessary to effectuate said right of way in accordance with Code of Federal Regulations, Title 25, 161.5.

The foregoing resolution was on June 15, 1961 duly adopted by a vote of 9 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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council

JUL -3 1961

Mr. F. M. Haverland

Director, Phoenix Area Office

Dear Mr. Haverland:

Resolution No. 61-53 was adopted by the Council of the White Mountain Apache Tribe at a regular meeting June 15, 1961, pursuant to Article V, Section 1 (b) of the Tribe's constitution. Under Section 1 (b) the Tribe has authority to negotiate, make and perform contracts and agreements of every description, not inconsistent with law or the Tribe's constitution. This resolution is not in conflict or inconsistent with law or the Tribe's constitution, therefore not subject to the approval or review of the Secretary of the Interior.

This resolution is an advance request by the Bureau of Indian Affairs for a right of way for the construction of the Sand Creek Road, Route 54 and commonly known as the Hawley Lake Road. This right of way being requested is 200 feet wide and begins at the north end of Hawley Lake, thence northerly to a junction with State Highway Route 73, a distance of 7.5 miles east of McNary townsite.

This resolution waives any and all damages which may be sustained as a result of constructing said road. It further resolves that in accordance with Title 25, CFR 162.8, this right of way can be transferred to the State of Arizona. It further authorizes the Chairman of the Tribal Council and/or the Superintendent of the Fort Apache Indian Agency to execute any and all documents necessary to effectuate said right of way.

Sincerely yours,

757 Albert W. Hawley

Superintendent

Enclosure

AMH:ba