

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

WHEREAS, on December 6, 1962 by Resolution No. 62-123 the Council, among other things, authorized the Chairman and Secretary to enter into a contract with the Jensen Brothers for the furnishing of lumber to the Fort Apache Wholesale Lumber Company Planing Mill for a period not to exceed one year or until the new sawmill is in production or until terminated by mutual agreement between the Tribe and the Jensen Brothers, whichever was sooner, and

WHEREAS, said contract was never consumated, and

WHEREAS, on December 5, 1962 the Jensen Brothers had orally agreed with the Tribal Chairman that he would have the Peterson Sawmill in Production within thirty (30) days, and

WHEREAS, the said Jensen Brothers are attempting to renege on said oral agreement, and

WHEREAS, it is imperative to the Tribe that the Peterson Sawmill be operated in order to supply sufficient lumber to the Tribal Planing Mill, and

WHEREAS, Hal Butler, the Tribal Sales Manager, has volunteered to negotiate a contract with some other logger and sawmill operator, and

WHEREAS, in order to negotiate a contract it will be necessary that the Tribe obligate a certain amount of timber to be harvested by said operator.

BE IT RESOLVED that Hal Butler is authorized to negotiate a timber and sawmill contract with any legitimate, financially sound logger and sawmill operator.

BE IT FURTHER RESOLVED that the Chairman and Secretary of the Tribe are authorized to enter into a contract with said operator paying the sum of \$38.45 per thousand board feet of sawed lumber delivered to the Tribal Planing Mill at Whiteriver, Arizona.

BE IT FURTHER RESOLVED that the Chairman and Secretary are further authorized to contract for the logging and sawing of not to exceed twelve million board feet of timber, said lumber to be completely sawed and delivered within fourteen months from the date hercof; however, with the further stipulation that no less than 800,000 board feet per month is sawed and delivered, weather permitting.

BE IT FURTHER RESOLVED that as one of the conditions of the timber allotment contract, the operator is to put into good working condition, the old Peterson Sawmill and be producing within three weeks from the date of signing of the said anticipatory contract.

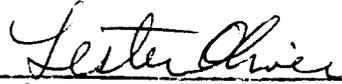
BE IT FURTHER RESOLVED that the Tribal Chairman and Secretary in said contract are hereby authorized to permit the new operator to deck logs at the Peterson Sawmill site and adjacent areas and to further authorize said operator to have the right of ingress and egress to and from the Peterson Sawmill and the further right to have joint use of the slab pit with Eldon Stratton.

BE IT FURTHER RESOLVED that Mr. Hal Butler is authorized and directed to insure that the terms of the above contract are complied with and to make weekly reports of the operator's progress to the Tribal Chairman, Superintendent and Tribal Attorney.

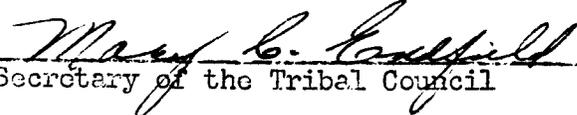
BE IT FURTHER RESOLVED that the Tribal Chairman and Secretary are authorized to insist that any penalty provisions necessary to guarantee performance of the contract by the operator are made conditions of the said contract.

BE IT FURTHER RESOLVED that all pertinent parts of Resolution No. 62-24 and 62-123 that are in conflict with this resolution, are hereby rescinded.

The foregoing resolution was on December 27, 1962 duly adopted by a vote of 10 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 (i) 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

Received in Superintendent's Office

DEC 27

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(Date)

Resolution No. 62-131