

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

WHEREAS, for the past two years the Tribe has been negotiating the lease of the McNary townsite with the Southwest Forest Industries, Inc., and

WHEREAS, in conjunction with the operation of the sawmill the said Southwest Forest Industries, Inc. operates and maintains a railroad, and

WHEREAS, Southwest Forest Industries, Inc. desires a right of way from the Tribe of the land where the railroad is located.

BE IT RESOLVED that the Chairman and/or the Superintendent is authorized to execute a right of way agreement with the Southwest Forest Industries, Inc. for a period of 25 years, said right of way covering approximately 35 miles in length of land and approximately 150 feet in width. The Plot of said land being on file in the office of the Superintendent of the Fort Apache Indian Agency, Whiteriver, Arizona, to which reference is hereby made.

BE IT FURTHER RESOLVED that the said Southwest Forest Industries, Inc. pay as rental for said land 20 cents per thousand board feet of all lumber hauled by said railroad company from the Apache National Forest.

BE IT FURTHER RESOLVED that said right of way agreement provide that all track and ties, at the end of 25 years shall revert and become the property of the White Mountain Apaches.

BE IT FURTHER RESOLVED that the said Southwest Forest Industries, Inc. shall not be charged for logs that emanate from the Fort Apache Indian Reservation.

BE IT FURTHER RESOLVED that if the said right of way agreement provide that should Southwest Forest Industries, Inc. use the railroad for any other purpose than hauling logs, that the Chairman and Superintendent be authorized to negotiate a reasonable fee to be paid the Tribe for such business.

BE IT FURTHER RESOLVED that said right of way agreement shall be coterminous with the McNary townsite lease and if one of the agreements is terminated, the other will automatically terminate.

The foregoing resolution was on December 2, 1964 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 (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).

Received in Superintendent's Office

DEC 10 1964

(Date)

Lester Oline  
Chairman of the Tribal Council

Mary C. Goodell  
Secretary of the Tribal Council

Resolution No. 64-136