

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

WHEREAS, Tribal Resolution No. 83-343 regarding Continental Telephone's Right-of-Way for the following sites:

Cibecue Ridge, Repeater site;  
Cibecue Passive Receiver Site;  
Cibecue Carrier Site,

inadvertently omitted reference to the Right-of-Way fee and Right-of-Way damages, and

WHEREAS, the Right-of-Ways are in the best interests of the White Mountain Apache Tribe and will facilitate telephone system improvements at no additional cost to the residents of Cibecue, and

WHEREAS, the Tribal Council concludes that fees should be waived for the grant of Right-of-Way (s) to the Continental Telephone Company, but that the wisdom of waiving the fee should be reviewed on an annual basis; and further, that damage claims should not be waived, and

WHEREAS, the Tribal Council concludes Resolution No. 83-343 should be amended accordingly.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Resolution No. 83-343 is amended as follows:

1. In accordance with CFR 25, Section 169.12, consideration for the Right-of-Way grant is hereby waived, but will be reviewed annually.
2. In accordance with CFR 25m Section 169.13 and 169.14 Continental Telephone will be required to pay all damages incident to the survey or the Right-of-Ways or incident to the construction or maintenance of the facility for which the Right-of-Way is granted.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 84-343 shall remain in full force and effect.

The foregoing resolution was on May 02, 1984 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).

RECEIVED  
MAY 07 1984

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, ARIZ.

ACTING   
Chairman of the Tribal Council

  
Secretary of the Tribal Council