

CC: RES  
Jan 4/88

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

WHEREAS, The Tribal Attorney advises the Tribal Council that the Hawley Lake Homeowners Association has filed a lawsuit in the Federal District Court in Phoenix against the Bureau of Indian Affairs and Secretary of the Interior alleging that Bureau officials failed or refused to protect the purported property interests of the Homeowners Association by not forcing the Tribe to renew the leases at Hawley Lake; and

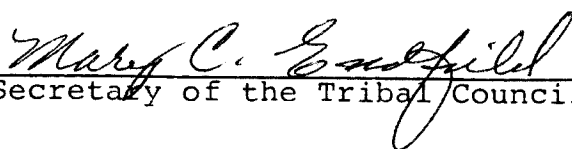
WHEREAS, the Tribal Attorney advised the Council that the White Mountain Apache Tribe is an indispensable party to the proceedings and that the Federal Court lacks jurisdiction to resolve the issues between the Tribe and the Hawley Lake Homeowners Association; and

WHEREAS, the Tribal Council is further advised by the Tribal Attorney that the Tribe should intervene for the purpose of advising the Federal Court that it is the real party in interest and that jurisdiction does not lie in the Federal Court to resolve the contract issues between the Tribe and the Homeowners Association, and to guarantee that its position will be well-represented and protected.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney to intervene in the foregoing litigation styled, Hawley Lake Homeowners Association vs. Secretary of the Interior, et al., now pending in the U.S. District Court for the District of Arizona.

The foregoing resolution was on February 5, 1986, 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,a,e,u) of the Amended Constitution and Bylaws 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