

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

8-23-96
J
for 8/26/96

WHEREAS, Tribal Member Holyan Lee has come before the Tribal Council this date and renewed his request to buy and remove all residual products or by-products from the Whiteriver and Cibecue mill sites, such as shavings, bark, new sawdust, old sawdust and slabs and hogged products; and

WHEREAS, J.R. Hall Trucking, Inc. has the existing mill refuse purchase agreement and said agreement provides for a 90-day termination thereof without cause or for any reason; and

WHEREAS, Tribal Member Holyan Lee is requesting that the Tribal Council terminate J.R. Hall Trucking, Inc.'s contract under that provision under the auspices of Tribal preference; and

WHEREAS, Mr. Lee represents to the Tribal Council that he has the means to purchase all mill refuse that he is requesting and to otherwise perform the terms of the contract; and

WHEREAS, further Mr. Lee represents to the Council that he will pay the same price as J.R. Hall Trucking, Inc.'s contract for refuse materials at the Cibecue and Whiteriver mills; and

WHEREAS, the Tribal Council concurs with Mr. Lee's request for the reasons stated.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby gives notice of the termination of the mill refuse purchase agreement between the White Mountain Apache Tribe d/b/a Fort Apache Timber Company and J.R. Hall & Sons Trucking for the purchase and removal of shavings from Whiteriver, bark from Whiteriver and Cibecue Mills, new sawdust from Whiteriver and Cibecue Mills, old sawdust and slabs from Whiteriver and Cibecue Mills and hogged products from the Whiteriver Remanufacturing Plant; said 90-days to commence the effective date of this resolution, August 7, 1996.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby directs FATCO General Manager Carl Alsup to execute a mill refuse purchase agreement with Tribal Member Holyan Lee as described herein, said contract to require that Mr. Lee pay the same price as the current contract price for the above described mill refuse.

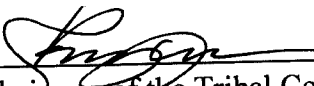
BE IT FURTHER RESOLVED by the Tribal Council that notice of termination of J.R. Hall & Sons Trucking contract with the Fort Apache Timber Company for mill refuse shall commence August 7, 1996 and be effective 90 days therefrom unless terminated earlier by mutual agreement or by consent or actions of J.R. Hall & Sons Trucking, Inc.


The foregoing resolution was on August 7, 1996, duly adopted by a vote of ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1(a), (b), (i), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

AUG 26 1996

**FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA**


Chairman of the Tribal Council


Secretary of the Tribal Council