

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

- WHEREAS**, by previous Resolution No. 04-2001-112, the Tribal Council granted the Arizona Department of Transportation (ADOT) a Temporary Construction Easement for approximately 50,000 square feet, for the purpose of constructing road improvements in the vicinity of milepost 295 on Highway 60 in the Salt River Canyon; and
- WHEREAS**, in order to adequately construct the necessary improvements, an additional Temporary Construction Easement is required for approximately 6,000 square feet of tribal land, as outlined in Exhibit B attached hereto; and
- WHEREAS**, the Tribal Council has discussed and reviewed the attached documents and believes it would be in the best interest of the Tribe to grant ADOT's requests for an additional Temporary Construction Easement; and
- WHEREAS**, construction will commence immediately upon receipt of a signed White Mountain Apache Tribal Resolution, and ADOT agrees to enforce and comply with all Tribal laws.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby grants a Temporary Construction Easement to the Arizona Department of Transportation (ADOT), for an area of tribal land identified in Exhibit B attached hereto, for approximately 6,000 square feet, located in the vicinity of milepost 295 on Highway 60 in the Salt River Canyon.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that this Temporary Construction Easement is granted in consideration of the terms and conditions set forth in Exhibit B and the condition set forth above, with the understanding that the temporary construction easement will be terminated upon completion of the project.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that compensation of the Temporary Construction Easement shall be waived in lieu of the mutual benefits of the Tribe and the traveling public.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that nothing in this Resolution shall be construed to constitute a waiver of the Tribe's sovereign immunity for any purpose, nor as a diminution of the Tribe jurisdiction over the subject matter of the Temporary Construction Easement lands as described

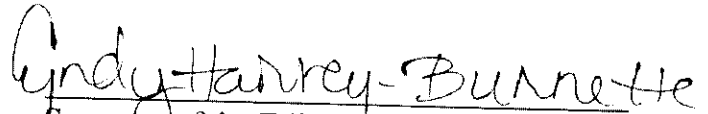
herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it authorizes the Tribal Chairman, or in his absence the Vice Chairman or other duly authorized representative, to execute any and all documents necessary to carry out the intent of this resolution.

The foregoing resolution was on July 30, 2001 duly adopted by a vote of FIVE 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), (h), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

FORT APACHE INDIAN RESERVATION

