

Resolution No. 04-2005-106

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

(Approving right-of-way to the Bureau of Indian Affairs on McNary Community Route 10 in order to complete the 2002 BIA Construction Project #27)

WHEREAS, on March 4, 1999 the White Mountain Apache Tribal Council passed Resolution 03-99-49 which provided the Bureau of Indian Affairs Branch of Roads a listing of priorities in road construction; and

WHEREAS, the Tribe selected community streets as one of their highest priority for construction and that these areas be surveyed and designed and ready for use when funds become available; and

WHEREAS, McNary Community Route 10 was selected for BIA Construction Project #27 for 2002; and

WHEREAS, the Bureau of Indian Affairs Transportation Department has requested the need to obtain additional right of way to complete Construction Project #27; and

WHEREAS, additional right of way is requested for 30 feet in width and 450 feet in length; and

WHEREAS, the Tribal Council approves the additional right of way contingent upon compliance with 25 CFR Part 169 and on Tribal Project Plan and Review approval.

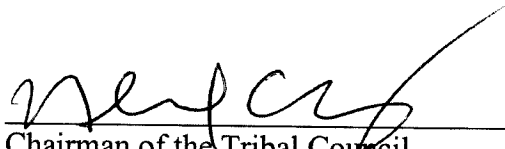
NOW, THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. Right-of-way is hereby approved and provided to the Bureau of Indian Affairs for an area of 30 feet in width and 450 feet in length on McNary Community Route 10 in order to complete the 2002 BIA Construction Project #27, subject to an agreement that provides a legal description of the right-of-way.
2. The right-of-way provided to the BIA is subject to compliance with 25 C.F.R. Part 169 and Tribal Project Plan and Review approval.
3. The Chairman, or in his absence the Vice-Chairman is hereby authorized to execute any and all documents necessary to effectuate the intent of this resolution.

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4. The BIA is directed to report to the Council upon the successful completion of Construction Project #27.

The foregoing resolution was on April 13, 2005, duly adopted by a vote of NINE 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), (c), (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).



ACTING Chairman of the Tribal Council



Secretary of the Tribal Council