



Resolution No. 08-2005-218

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

WHEREAS, the Indian Health Service ("I H S") desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe in furtherance of I H S Project No. PH 05-D05 to provide facilities for water quality improvements on the Fort Apache Indian Reservation; and

WHEREAS, upon completion of Project No. PH 05-D05 by the IHS, the sanitation facilities will be transferred to the Tribe or individual home owners as appropriate; and

WHEREAS, such facilities are needed for the Fort Apache Indian Reservation and benefits derived from such facilities will far offset any damages that may occur from the land utilized.


WHEREAS, the Tribal Council finds the I H S Project No. PH 05-D05 is in the best interests of the Tribe and its members.

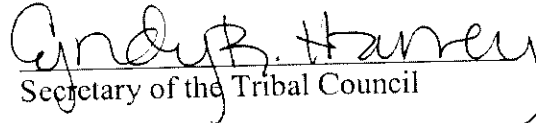
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves of a Memorandum of Agreement for sanitation facilities, including the waiver of damages for rights-of-way.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Chairman to enter into such Memorandum of Agreement.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairman, is hereby authorized to negotiate and execute any and all documents necessary to effectuate the intent of this Resolution, subject to review by the Tribe's Legal Department.

The foregoing resolution was on August 3, 2005, duly adopted by a vote of EIGHT for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (h), (i), (j), (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