



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

**(Approving Memorandum of Agreement with U.S. Indian Health Service for Construction of Water and Sewer Services for Scattered Homes, Project PH09-D99)**

**WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS,** the U.S. Indian Health Service desires to enter into a Memorandum of Agreement with the White Mountain Apache Tribe to construct water and sewer services for scattered new or like-new homes at a total estimated cost of \$400,000.00 (PH09-D99), The Indian Health Service is contributing all project funding through "Housing" funds; and

**WHEREAS,** upon completion of such service by the Indian Health Service, the water and sewer connections will be transferred to the Tribe or individual home owner as appropriate; and


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


**WHEREAS,** the Tribal Council finds that the Memorandum of Agreement is in the best interests of the Tribe and should be approved.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Memorandum of Agreement to construct water and sewer services for scattered homes, including the waiver of damages for rights-of-way, as attached and incorporated by this reference, is hereby approved.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on February 4, 2009, duly adopted by a vote of TEN 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), (f), (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