

RESOLUTION OF THE  
ADVISORY COMMITTEE OF THE  
NAVAJO TRIBAL COUNCIL

Authorizing the Chairman of the Navajo Tribal  
Council to Execute an Agreement and Other Papers  
Necessary and Appropriate to Grant Tucson Gas  
& Electric Company a Right-of-Way to be Used  
for an Electrical Transmission Line

WHEREAS:

1. On May 31, 1973, by Resolution ACMY-206-73, the Advisory Committee of the Navajo Tribal Council authorized the Chairman of the Navajo Tribal Council to negotiate a right-of-way contract with Tucson Gas & Electric Company, which contract was to be submitted to the Advisory Committee for approval, and
2. Peter MacDonald, Chairman of the Navajo Tribal Council, has conducted negotiations with Tucson Gas & Electric resulting in the presentation of the agreement attached hereto as Exhibit 1 (together with Exhibits hereto), and
3. As of July 31, 1973, 242 out of the 257 permittees or users affected have agreed by written consent to the construction of the transmission line by Tucson Gas & Electric Company and have received approximately \$110,000.00 therefor in accordance with Tribal policies.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Chairman of the Navajo Tribal Council is hereby authorized to execute the agreement attached as Exhibit 1 (together with Exhibits thereto) for and on behalf of the Navajo Nation.
2. The Chairman of the Navajo Tribal Council is further authorized to execute all other papers and to do all things necessary or appropriate to implement said agreement and the Exhibits thereto, including without limitation of the foregoing, designation of a Tribal representative or representatives to carry out functions contemplated under the agreement in the Exhibits thereto.

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GRANT OF EASEMENT FOR RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS:

That the UNITED STATES OF AMERICA, for and on behalf of the Indian owners of the lands described in Exhibit A hereto, acting by and through the Bureau of Indian Affairs, Department of Interior, Washington, District of Columbia, hereinafter referred to as "Grantor", under authority contained in 10 B.I.A.M. 3.1 and pursuant to the Act of February 5, 1948, (62 Stat. 17, 25 U.S.C. 323-328), and Part 161, Title 25, Code of Federal Regulations, in consideration of Two Hundred Sixty-Nine Thousand Ninety and 50/100 Dollars (\$269,090.50) together with an additional sum of Thirty-eight Thousand Two Hundred Forty-four and 92/100 Dollars (\$38,244.92) for reseeding costs, and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the TUCSON GAS & ELECTRIC COMPANY, a corporation, duly organized and existing by virtue of the laws of the State of Arizona, and authorized to do business in the State of New Mexico; hereinafter referred to as "Grantee", an easement for a right-of-way for the construction, operation and maintenance of a microwave communication station and an electric transmission system including but not limited to towers, buildings, microwave equipment and related facilities, towers for two 345 KV transmission lines, cables, wires, guys and other devices used and useful in the construction or operation of said microwave communication station and transmission lines over, across, in and upon the following described lands situated in the State of New Mexico.