

RESOLUTION  
OF THE  
PAPAGO TRIBE

RES. NO. 1266

WHEREAS, the National Science Foundation did file an application for a right-of-way across Papago Tribal land for a public access road from State Highway 86 to a site on Kitt Peak within the Schuk Toak District of the Papago Indian Reservation, Arizona, to construct an observatory and for scientific research and

WHEREAS, the road right-of-way was consented to by the Schuk Toak District Council in their resolution dated March 5, 1958; by the Papago Tribal Council by Resolution No. 981 dated April 4, 1958 and thereafter granted by the Assistant Secretary of the Interior on April 6, 1960, and

WHEREAS, the National Science Foundation now desires to transfer the road right-of-way to Pima County for maintenance and final surfacing during an interim period prior to assigning the right-of-way to the State of Arizona for subsequent maintenance and placement of the road on the Federal-aid Secondary System, subject to the same conditions as stipulated in the present right-of-way with the added provision that the National Science Foundation reserved the right to withdraw the access road from the County or State if it is determined in the best <sup>interest</sup> of the observatory, and

WHEREAS, the Schuk Toak District Council considered the transfer request at a district meeting held August 23, 1962, and passed a resolution concurring with the transfers as proposed, and

NOW, THEREFORE, BE IT RESOLVED, that the Papago Tribal Council concurs with the National Science Foundation's proposal and consents to the transfer of the Public Access Road right-of-way to Pima County with the right in the county to assign said right-of-way to the State of Arizona, and

BE IT FURTHER RESOLVED that the transfers are to be without time limitation and subject to the same conditions as stipulated in the present right-of-way granted to the National Science Foundation, but including a further stipulation that there will be reserved in the National Science Foundation the right to withdraw the said road from either the county or State if it is determined to be in the best interest of the observatory.

On September 14, 1962, the foregoing resolution was duly enacted by the Papago Tribal Council with a vote of 18 for, 0 against, and 2 not voting, during a meeting at which a quorum was present, pursuant to authority vested in the Council by Section 2 (c) of Article V of the Constitution and By-Laws of the Papago Tribe ratified by the Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937, (Stat. 984), pursuant to Section 16 of the Act of June 18, 1934.

THE PAPAGO COUNCIL

BY: Enos J. Francisco  
Enos J. Francisco, Chairman

Claudina R. Chavez  
Claudina R. Chavez, Tribal Secretary

APPROVED: Thomas H. St. Clair  
Thomas H. St. Clair, Superintendent