

# SQUAXIN ISLAND TRIBE

# RESOLUTION NO. 13-10

## OF THE

## SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and,

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, under the Constitution and the Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of the tribal members, and with protecting and managing the lands and treaty resources and rights of the Tribe; and,

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education, and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and,

**WHEREAS**, under the Constitution and bylaws of the Tribe, the Squaxin Island Tribal Council has the powers and duties to encumber tribal lands, interests in lands, or other tribal assets.

**NOW THEREFORE BE IT RESOLVED,** the Squaxin Island Tribal Council does hereby request the Bureau of Indian Affairs approval of the Mason County Public Works complete application for a survey incident to its request for a perpetual (permanent) Grant of Easement on tribal trust land known as the Kruger Property, parcels 31918-44-00050 and 31918-44-00051, located on tract number 157-T1193 as recorded with the Bureau of Indian Affairs (see attached legal description). The consent is for permission to survey and does not imply permission to construct, mobilizing or initiating construction activities on the subject property.

NOW THEREFORE BE IT FUTHER RESOVLED, the Squaxin Island Tribal Council further authorizes the Chairman and/or the Director of Operations to perform all necessary transactions necessary to grant permission to survey the subject property, including obtaining, as necessary, federal approval, making non-substantive corrections to the documents attached if any, and executing any and all documents necessary to accomplish the same.

#### **CERTIFICATION**

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted during a regular council meeting held on this 14 day of February 2013, and was passed by a vote of  $(\rho \text{ for, and } \bigcirc \text{ against with } \bigcirc \text{ abstentions.}$ 

David Lopeman, Chairman

Attested by:

Pete Kruger, Sr., Secretary

Arnold Cooper, Vice-Chairman

## UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS

## CONSENT OF LANDOWNER TO ACCOMPANY APPLICATION FOR PERMISSION TO MAKE SURVEY ON TRUST AND RESTRICTED INDIAN LAND

Date:

Landowner Name: Squaxin Island Tribe

Allotment No.: 157-T1193

Allotment Description: See attached "Exhibit A"

Easement Description: See attached map

The undersigned owner of said land hereby consents to the **granting of permission to survey only**, as contemplated by the application submitted by <u>Mason County Dept of Public Works</u>. (It is understood that when the right-of-way location is definitely established that the applicant will submit a formal application for the right-of-way in accordance with current laws and regulations). This consent has been negotiated on the following terms and conditions:

Date

Witnesses Signature:

Witnesses Signature:

				EXHIBIT A				
and Legal And Area 157	Description Land Area OLYMPIC PEND PUBLIC DOM	INSULA	T 1193	LTRO PORTLAND, OR	<u>Region</u> NORTHWEST REGIONAL OFFIC	Agency OLYMPIC CE PENINSULA		th
						AGENCY		
lection 18		D3.00W	State WASHINGTON	County MASON	<u>Meridian</u> Willamette	Legal Description	E SE	Acres 4.460
THE QUA (3) HIC THE ALC OLL OF	E WEST TWO-THI ARTER (SE 4) C WEST, W.M., SHWAY COUNTY F S SOUTHEAST CC DNG THE SOUTH DOLYMPIC HIGH LAND HEREBY E	RDS (W 2/ DF SECTION LYING SO COAD NO. 1 DRNER OF S LINETHERE WAY COUNT DESCRIBED;	1 (WHITENER): 3) OF THE SOU EIGHTEEN (18 UUTHERLY OF TH 4010, PARTIC AID SECTION E OF, 471.85 FE Y ROAD NO. 14 THENCE ALONC	JTHEAST QUARTEF 3), TOWNSHIP NI HE SOUTHERLY RI CULARLY DESCRIE EIGHTEEN (18); EET TO THE SOUT 4010 AND THE PC G SAID SOUTHWES	RTION OF THE EAS (SE 4) OF THE INETEEN (19) NOF GHT-OF-WAY LINE BED AS FOLLOWS: THENCE NORTH 86	ST HALF (E <sup>1</sup> / <sub>2</sub> ) OF SOUTHEAST RTH, RANGE THREE E OF OLD OLYMPIC COMMENCING AT 5°06'30" WEST, G'-OF WAY LINE OF NG OF THE TRACT WAY LINE NORTH		
SOU WES SOU	JTH 81 °17'33" ST, 11.94 FEET JTHEASTERLY AL	WEST, 46 , MORE OR ONG SAID	LESS, TO THE CENTERLINE, S	A NORRIS BAR AN E CENTERLINE OF 90 FEET, MORE C	) A NORRIS BAR A ND CAP; THENCE S F LITTLE SKOOKUN OR LESS, TO THE 321 FEET, MORE	SOUTH 81°17'33" 4 CREEK; THENCE		
POJ PAF AUI PEF LIN	INT OF BEGINNI RCEL I OF BOUN DITOR'S FILE N RPETUAL, NON-E NE ADJUSTMENT	NG. SAID DARY LINE O. 175878 XCLUSIVE NO. 98-76	ADJUSTMENT N ADJUSTMENT N 3. PARCEL NO EASEMENT FOR RECORDED OCT	ALSO KNOWN AND NO. 98-76 REV 1 D. 31918 44 000 INGRESS AND EC FOBER 19, 1998,	DESCRIBED AS TH , RECORDED JUNE )70. TOGETHER GRESS AS DESCRIE	HE RESULTING 2 28, 2002, WITH A BED IN BOUNDARY 2 NO. 677050 AND		
INS (WF SOU TOV SOU PAF HAI	STRUMENT RECOF HITENER): ALI JTHEAST QUARTE WNSHIP NINETEE JTHERLY RIGHT- RTICULARLY DES LF (E %) OF TH	RDED AUGUS THAT POR R (SE 4) N (19) NC OF-WAY LI SCRIBED AS RE WEST TW	T 13, 1999, A TION OF THE E OF THE SOUTH ORTH, RANGE TH NE OF OLD OLY FOLLOWS: BH O-THIRDS (W 2	AUDITOR'S FILE EAST HALF (E 4) HEAST QUARTER ( HREE (3) WEST, WMPIC HIGHWAY ( EGINNING AT THE 2/3) OF THE SOU	NO. 1695971. OF THE WEST TW	PARCEL 2 NO-THIRDS OF THE NN EIGHTEEN (18), DUTHERLY OF THE 14010, UER OF THE EAST (SE 4) OF THE		
EAS THE OF- LIN 9" THE LIN	ST ALONG THE W SOUTHEAST QU WAY LINE OF U NE TO A POINT EAST ALONG SP ENCE SOUTHEAST NE OF SAID SEC	VEST LINE DARTER (SE U.S. HIGHW THEREON I AID RIGHT- CERLY ALON CTION EIGH	OF SAID EAST (4) OF THE SC (AY 101; THENC (YING EASTERLY OF-WAY LINE T IG SAID CENTER (TEEN (18); TH	HALF (E %) OF DUTHEAST QUARTE CE NORTHERLY AI Y OF ROAD STATJ TO THE CENTERLI RLINE, 155 FEET HENCE NORTH 86	THE WEST TWO-TH ER (SE <sup>1</sup> 4) TO THE LONG SAID EASTER ION 430+00; THEN INE OF LITTLE SE C, MORE OR LESS	HIRDS (W 2/3) OF E EASTERLY RIGHT- RLY RIGHT-OF-WAY NCE SOUTH 83°06'L KOOKUM CREEK; TO THE SOUTH D5 FEET, MORE OR		
200 ALI SOU TOW FOI	02, AUDITOR'S L THAT PORTION JTHEAST QUARTE WNSHIP NINETEE LLOWS: COMMEN	FILE NO. NOF THE E CR (SE ¼) CN (19), F NCING AT T	1758783. PAR AST HALF (E ) OF THE SOUTHE ANGE THREE (3 THE SOUTHEAST	RCEL NO. 31918 *) OF THE WEST EAST QUARTER (S 3) WEST, W.M., CORNER OF SAIL	TWO-THIRDS (W 2 SE 뉙) OF SECTION PARTICULARLY DE D SECTION EIGHTE	CEL 5 (MOORE): 2/3) OF THE N EIGHTEEN (18),		
RIC 42° CON FEE DES SOU 81°	GHT-OF-WAY LIN <sup>2</sup> 25'07" WEST, NTINUE ALONG S ET TO A NORRIS SCRIBED; THENC JTH 81°17'33" <sup>8</sup> 17'33" WEST.	IE OF OLD ALONG SAI SAID SOUTH S BAR AND SE SOUTH 5 WEST, 46. 11.94 FEE	OLYMPIC HIGH D SOUTHWESTER WESTERLY RIG CAP AND THE I 3°00'30" WEST 15 FEET TO A T. MORE OR LI	WAY COUNTY ROAL RLY RIGHT-OF-WA HT-OF-WAY LINE POINT OF BEGINN F, 137.13 FEET NORRIS BAR AND ESS, TO THE CEN	NO. 14010; THE AY LINE, 138.18 NORTH 43°27'06' NING OF THE TRAC TO A NORRIS BAH O CAP; THENCE CO NTERLINE OF LITT	ENCE NORTH FEET; THENCE 'WEST, 135.03 CT OF LAND HEREBY R AND CAP; THENCE ONTINUE SOUTH FLE SKOOKUM		
OF- THE HIC EW SOU 84	-WAY LINE OF U ENCE EASTERLY CHWAY ENGINEEF LINE SURVEY O JTHEASTERLY TH .77 FEET SOUTH	J.S. HIGHW OR WESTER S'S STATIC DF U.S. HI HEREFROM; HEASTERLY	AY 101 AT A H RLY ALONG SAID ON (HEREINAFTH GHWAY 101, S <sup>T</sup> THENCE NORTHH THEREFROM; TH	POINT THEREON ( O RIGHT-OF- WAY ER REFERRED TO TATE ROUTE 108 ERLY TO A POINT HENCE NORTHERLY	DPPOSITE OF ROAD ( LINE TO A POIN AS HES) S-EW 3- INTERCHANGE AND C OPPOSITE HES S	+37.32 ON THE S- D 106.55 FEET S-EW 3+73.57 AND POSITE HES S-EW		
OPI RIC SOU BEC	POSITE HES S-E GHT-OF-WAY LIN JTHEASTERLY AI GINNING. SAII	EW 5+02.61 NE OF OLD LONG SAID LAND BEI	AND 56.55 FI OLYMPIC HIGHU RIGHT-OF-WAY NG ALSO KNOWN	EET SOUTHEASTER WAY COUNTY ROAL LINE, 182 FEET N AND DESCRIBER V I RECORDED OO	RLY THEREFROM, 7 D NO. 14010; THE F, MORE OR LESS, D AS THE RESULT CTOBER JUNE 28,	TO THE SOUTHERLY		

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#### "Exhibit A"

5.	ctio	n Township	2 Range	State	County	Meridian	Legal Description	1
		THE SOUTHE	EAST QUARTER	(SE 4) OF SECT	ION EIGHTEEN	(18), TOWNSHIP	NINETEEN (19)	
		NORTH, RANG	GE THREE (3)	WEST, W.M., L	YING NORTHERL	Y OF THE NORTH	ERLY RIGHT-OF-WAY	
		LINE OF OLD	D OLYMPIC HIG	HWAY COUNTY RC	AD NO. 14010.	EXCEPTING TH	EREFROM RIGHT-OF-	
		WAY FOR U.S	S. HIGHWAY 10	1 (FORMERLY PR	IMARY STATE H	IGHWAY NO. 9),	AS CONVEYED TO THE	
		STATE OF WA	ASHINGTON IN	DEED RECORDED	UNDER AUDITOR	'S FILE NOS. 1	76381, 190965 AND	
		425058. EX	XCEPTING FROM	ALL THE FOREG	OING, RIGHT-O	F-WAY FOR SIMM	ONS ROAD, COUNTY	
		ROAD NO. 15	5240 AND EXCH	EPTING THEREFRO	M ROAD RIGHTS	-OF-WAY. PARC	EL NOS.	
		31918440005	50 AND 319184	4 00051.				
	19	019.00N	003.00W	WASHINGTON	MASON	Willamette	NE	E NE
		METES AND H	BOUNDS: PARCI	CL 3 (WHITENER)	: A TRACT OF	LAND IN THE N	ORTHEAST QUARTER	
		(NE 4) OF	THE NORTHEAS'	QUARTER (NE 4	) OF SECTION	NINETEEN (19),	TOWNSHIP NINETEEN	
		(19) NORTH,	, RANGE THREE	E (3) WEST, PAF	TICULARLY DES	CRIBED AS FOLL	OWS: BEGINNING AT	

A POINT ON THE NORTH LINE OF SAID SECTION NINETEEN (19), WEST, 7.44 CHAINS FROM THE CORNER COMMON TO SECTIONS SEVENTEEN (17), EIGHTEEN (18), NINETEEN (19) AND TWENTY (20), SAID TOWNSHIP AND RANGE; THENCE WEST ALONG SAID NORTH TINE, 6,65 CHAINS; THENCE SOUTH 16.14 CHAINS, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE PORT BLAKELY MILL CO. RAILROAD; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT- OF-WAY LINE TO A POINT SOUTH 15.31 CHAINS FROM THE POINT OF BEGINNING; THENCE NORTH 15.31 CHAINS, TO THE POINT OF BEGINNING. EXCEPTING THEREFROM RIGHT-OF-WAY FOR OLD OLYMPIC HIGHWAY COUNTY ROAD NO. 14010, EXCEPTING THEREFROM RIGHT-OF-WAY FOR U.S. HIGHWAY 101, AND EXCEPTING THEREFROM ROAD RIGHTS-OF-WAY. PARCEL NO. 31919 11 00060.

#### TOTAL TRACT ACRES:

10.020

14.480

#### Acres