

SQUAXIN ISLAND TRIBE

RESOLUTION NO. 95 - 89

OF THE

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Indian Reservation by authority of the Constitution and By-Laws 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, under the Constitution and By-laws of the Tribe, the Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members; **and**

WHEREAS, the Squaxin Island Tribal Council is empowered under the Constitution to "manage, lease, permit, sell or otherwise deal with tribally owned lands, tribally owned interests in lands, provided that tribally owned lands held in trust by the United States shall not be sold or encumbered unless authorized by the General Council"; **and**

WHEREAS, the Squaxin Island Tribe is the sole owner of the property here-inafter described on the attached Exhibit "A"; **and**

WHEREAS, the Washington State Department of Transportation has requested to acquire, by easement, a ten foot strip along the north boundary of this parcel for the purpose of construction of a left turn lane, illumination and full movement access and right out only access.

WHEREAS, this proposed transaction, by easement, shall not diminish the jurisdictional powers of the Squaxin Island Tribe over the land and people of the Squaxin Island Reservation.

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council does hereby approve the conveyance, by easement, to the Washington State Department of Transportation, that portion of the Southwest quarter of the Southeast quarter of Section 18, Township 19' North, Range 3 West, W.M., as described on the attached Exhibit "A".

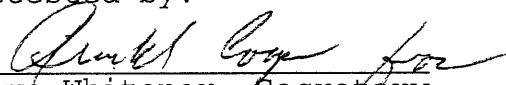
C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at a meeting of the Squaxin Island Tribal Council, held on this 12th day of October, 1995, at which a quorum was present and was passed by a vote of 3 for, and 0 against with 0 abstentions.

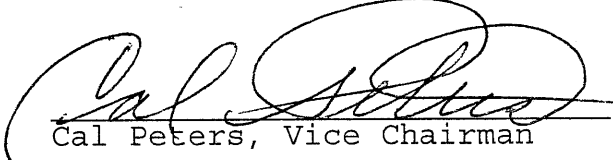


David Lopeman, Chairman

Attested by:



Dave Whitener, Secretary



Cal Peters, Vice Chairman

EXHIBIT A

That portion of the following described property lying within a ten foot strip being Southerly of, parallel with and contiguous to the existing right of way line of SR101, SR108 Interchange

That portion of the Southwest quarter of the Southeast quarter of Section 18, Township 19 North, Range 3 West, W.M.; described as follows:

Beginning at the Southeast corner of said Southwest quarter of the Southeast quarter; thence North along the East line of said subdivision 560 feet; thence West parallel with the South line of said subdivision 224 feet, more or less, to the Southerly right of way line of Primary State Highway No. 9-D; thence Southwesterly along said right of way line 158 feet; thence South parallel with the East line of said subdivision 505 feet, more or less, to the South line of said subdivision; thence East along said South line 382 feet, more or less, to the Point of Beginning.

Situate in Mason County, Washington.

The specific details concerning all of which are to be found within that certain map of definite location now of record and on file in the Office of the Secretary of Transportation at Olympia, and bearing date of approval of September 26, 1983 and revised.

COPY

APPLICATION FOR RIGHT OF WAY

Washington State Department of Transportation hereby makes application pursuant to the Act of February 5, 1948 (62 Stat. 17, 18; 25 USC 323-328), and in accordance with Departmental Regulations 25 CFR 161, as amended, for Right of Way easement for that project known as SR8, M.P. 11.85 RT Vic., Squaxin Island Casing.

The location of said right of way and its extent are more particularly shown and delineated on the accompanying map which has been prepared in compliance with 25 CFR 161.8, and by this reference is made a part hereof.

Department of Transportation agrees to comply with the following stipulations in the event the right of way herein applied for is granted.

- (a) To construct and maintain the right-of-way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to 25 CFR 161.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the right of way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of construction to the extent compatible with the purpose for which the right of way was granted.

Copy

- (e) To clear and keep the lands within the right of way to the extent compatible with the purpose of the right of way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during construction and maintenance of the project.
- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the right of way.
- (g) To do everything reasonably within its power to prevent and suppress fires on or near the lands to be occupied under the right of way.
- (h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that interest the works constructed, maintained, or operated under the right of way.
- (i) That upon revocation or termination of the right of way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.
- (j) To at all times keep the Secretary informed of its address, and in case of the address of its principal place of business and of the names and addresses of its principal officers.
- (k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right of way is granted.

COPY

Applicant	Department of Transportation
Title	M. R. Leitch, Manager Department of Transportation Olympic Region

CURVE DATA

P.I. STATION	Δ	R	T	L
LL 428+88.35	5° 59' 52" Rt.	4974.95	260.63	520.78
LL 441+25.17	23° 30' 31" Rt.	1148.00	238.87	471.03
LR 429+50.00	6° 00' 00" Rt.	2000.00	104.82	209.44
LR 440+21.32	23° 30' 31" Rt.	1100.00	228.89	451.33
K 15+16.08	66° 18' 52" Rt.	400.00	261.33	462.96
0° 2+29.24	19° 00' 00" Lt.	500.00	83.67	165.81
S-EW 3+00.00	22° 43' 41" Rt.	800.00	160.79	317.34
EW-N 2+50.00 (R/W)	31° 27' 47" Lt.	500.00	140.84	274.57
EW-N 8+29.64 (R/W)	29° 22' 05" Rt.	572.91	150.13	293.66
EW-N 11+23.30 (R/W)	5° 43' 47" Rt.	3000.02	150.13	300.01

T.19N. R.3W. W.M.

NOTE: For Right of Way back See SR 108, Mason County Secondary Road Project No. 5, undated plan.

LIMIT OF PLAN

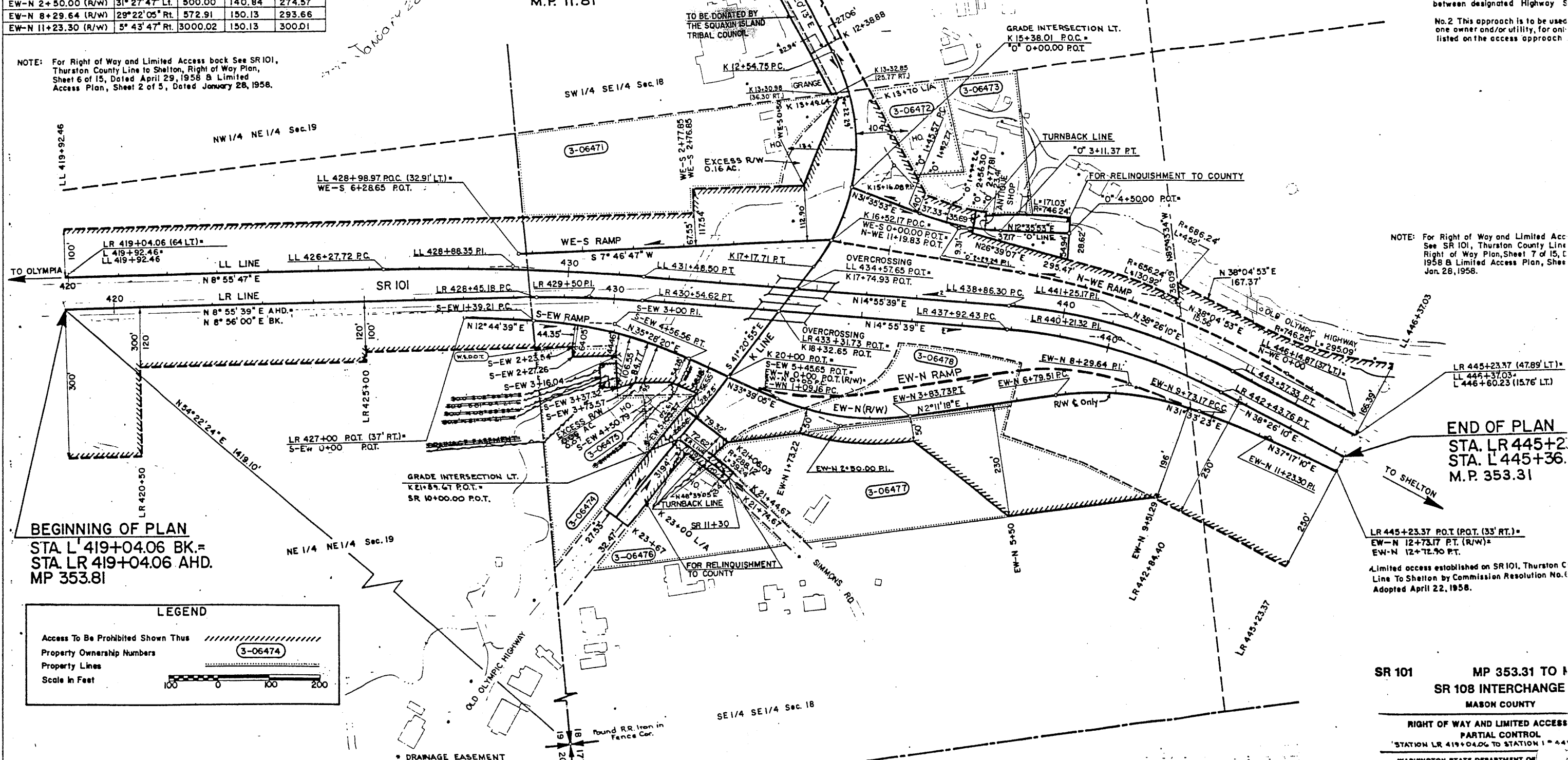
STA. SR 108 K 10+50.00 AHD. =
STA. SR 108 94+50.00 BK.
M.P. 11.81

REGION NO.	STATE	FEDERAL AID PR.
10	WASH.	F-101 ()

ACCESS NOTES:
Type A approach is an off and on legal manner not to exceed sole purpose of serving a single use at a point satisfactory to between designated Highway 5
No. 2 This approach is to be used one owner and/or utility, for on-listed on the access approach

NOTE: For Right of Way and Limited Access back See SR 101, Thurston County Line to Shelton, Right of Way Plan, Sheet 6 of 15, Dated April 29, 1958 & Limited Access Plan, Sheet 2 of 5, Dated January 28, 1958.

NOTE: For Right of Way and Limited Access back See SR 101, Thurston County Line Right of Way Plan, Sheet 7 of 15, Dated April 29, 1958 & Limited Access Plan, Sheet 2 of 5, Dated January 28, 1958.



DATE	BY	REVISION
7/23	W. J. B. / J. B. / J. B.	1. PREPARED
7/23	W. J. B. / J. B. / J. B.	2. CHECKED
7/23	W. J. B. / J. B. / J. B.	3. APPROVED

DATE	BY	REVISION
7/23	W. J. B. / J. B. / J. B.	1. PREPARED
7/23	W. J. B. / J. B. / J. B.	2. CHECKED
7/23	W. J. B. / J. B. / J. B.	3. APPROVED

BEGINNING OF PLAN
STA. L 419+04.06 BK. =
STA. LR 419+04.06 AHD.
MP 353.81

END OF PLAN
STA. LR 445+2.
STA. L 445+36.
M.P. 353.31

LEGEND

- Access To Be Prohibited Shown Thus
- Property Ownership Numbers
- Property Lines
- Scale in Feet

PARCEL NO.	NAME	TOTAL AREA	TAKE	LT. REMAINDER	RT. EASEMENTS	STATION ON ROADWAY	TYPE
3-06478	WHITENER	1.13 AC.	1.13 AC.				
3-06477	KRUGER	3.21 AC.	1.33 AC.		1.88 AC.		
3-06476	KRUGER	0.98 AC.	ACCESS ONLY			SR 11+20 RT.	A
3-06475	MOORE	0.14 AC.	ACCESS ONLY			K 21+44 RT.	A-2
3-06474	WHITENER	1.46 AC.	0.04 AC.	1.39 AC.		K 21+44 RT.	A-2
3-06473	KRISE & AVERY	1.07 AC.	ACCESS ONLY				
3-06472	CLARY	0.51 AC.	ACCESS ONLY				
3-06471	SHULTZ	2.37 AC.	ACCESS ONLY				

SR 101 MP 353.31 TO SR 108 INTERCHANGE
MASON COUNTY

RIGHT OF WAY AND LIMITED ACCESS
PARTIAL CONTROL
STATION LR 419+04.06 TO STATION L 445+36
WASHINGTON STATE DEPARTMENT OF
OLYMPIA, WASHINGTON

DUANE BERENTSON

PROJECT DEVELOPMENT APPROVED 8/1/58
ENGINEER SHEET 2 OF 2

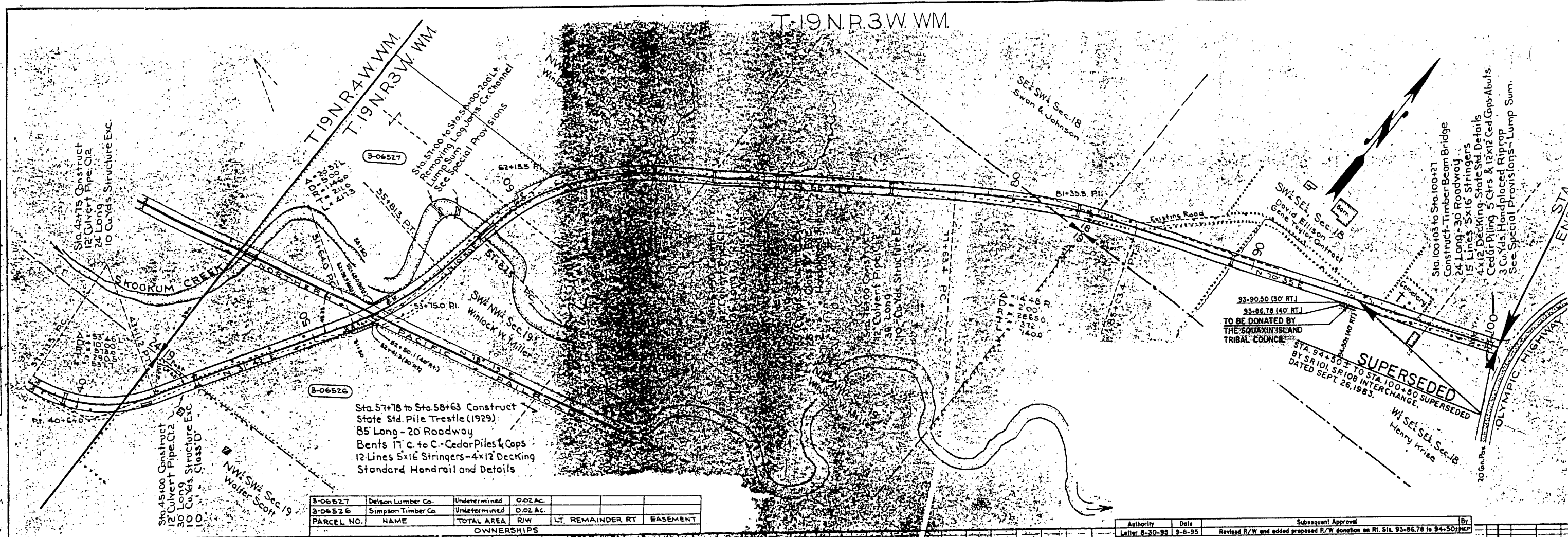
DATE	BY	REVISION	APP. / SIGNATURE
8-30-95	W. J. B.	Revised R/W and added proposed R/W donation on Rt. Sta. K 10+50 to K 13+32.85	WEP
4-11-86	W. J. B.	Rev. Turnback Line from Sta. K 10+50 to K 13+32.85	SAT
1-23-84	W. J. B.	Revised R/W & LIA & noted excess R/W on Rt. Sta. K 10+50 to K 13+32.85	RLS

SR 101 & SR 108 Interchange
Thurston County
SR 108 Interchange
Sheet 2 of 2

T-19 N. R. 3 W. WM.

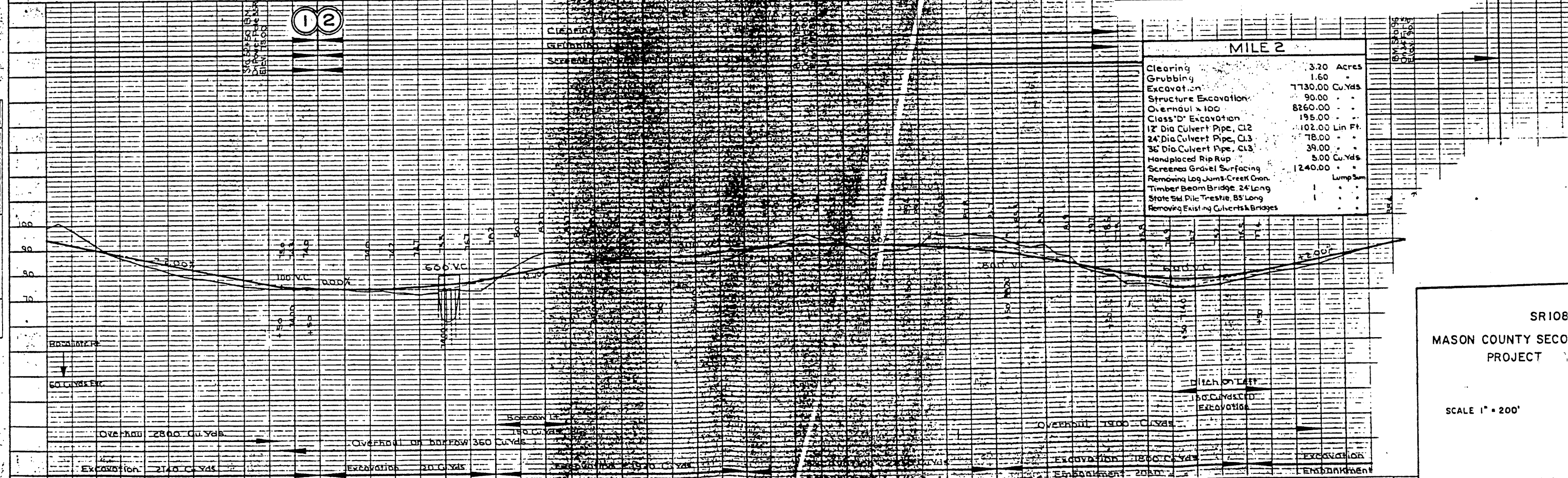
PLAN	DATE	BY	CHKD.
PLANNING	11-17-95	J. J. ...	J. J. ...
DESIGN	11-17-95	J. J. ...	J. J. ...
CONSTRUCTION	11-17-95	J. J. ...	J. J. ...

PROFILE	DATE	BY	CHKD.
PLANNING	11-17-95	J. J. ...	J. J. ...
DESIGN	11-17-95	J. J. ...	J. J. ...
CONSTRUCTION	11-17-95	J. J. ...	J. J. ...



PARCEL NO.	NAME	TOTAL AREA	R/W	LT. REMAINDER	RT	EASEMENT
3-06527	Delson Lumber Co.	Undetermined	0.02 AC.			
3-06526	Simpson Timber Co.	Undetermined	0.02 AC.			

Authority	Date	Subsequent Approval	By
Letter 8-30-95	9-8-95	Revised R/W and added proposed R/W donation on Rt. Sta. 93+86.78 to 94+50.12	



MILE 2	
Clearing	3.20 Acres
Grubbing	1.60
Excavation	7730.00 Cu.Yds
Structure Excavation	90.00
Overhaul x 100	8260.00
Class 'D' Excavation	195.00
12" Dia Culvert Pipe, C12	102.00 Lin Ft.
24" Dia Culvert Pipe, C13	78.00
36" Dia Culvert Pipe, C13	39.00
Handplaced Riprap	5.00 Cu.Yds
Screened Gravel Surfacing	1240.00
Removing Log Jumps-Creek Crn.	Lump Sum
Timber Beam Bridge 24' Long	1
State Std Pile Trestle 85' Long	1
Removing Existing Culverts & Bridges	

SR108
MASON COUNTY SECO
PROJECT

SCALE 1" = 200'

CERTIFICATE

I, Clifford E. Mansfield, do hereby certify that I am the Acting Assistant Secretary of Environmental and Engineering Service Center, appointed by authority of the Secretary of Transportation of the State of Washington, hereinafter designated as the "State"; that Clifford E. Mansfield who subscribed the accompanying affidavit, is the Acting State Design Engineer of the Department of Transportation; that the surveys on the said highways as accurately represented on these maps, were made under the authority of the State by virtue of Chapter 53, Session Laws of 1937, to construct said highways upon the location shown on sheet 2 of 2 sheets of the map titled "SR 101, SR 108 Interchange" approved September 26, 1983; that a section of said highway as represented on this map is a net distance of 282.85 feet, beginning at Highway Engineer's Station SR 108 K 10+50.00 P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., and ending at Highway Engineer's Station SR 108 K 13+32.85 P.O.T. located in SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M.; and ending at Highway Engineer's Station SR 108 K 13+32.85 P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., and ending at Highway Engineer's Station SR 108 K 13+32.85 P.O.T. located in SE 1/4 SE 1/4 of Township 19 North, Range 3 West, W.M.; and shown on sheet 2 of 2 sheets of the map titled "SR 108, Mason County Secondary Road Project No. 5", undated; that a portion of said highway as represented on this map is a net distance of 59.5 feet, beginning at Highway Engineer's Station 93+90.50 P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., and ending at Highway Engineer's Station 94+50± P.O.T. located in SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M.; and that said maps to be filed for approval of the Secretary of the Interior in order that the applicant may obtain the benefits of "Title 25, United States Code, Part 161". I further certify that the highway right of way herein described is desired for highway purposes.

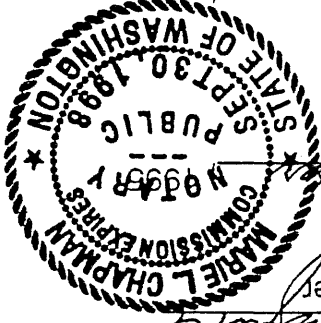
STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION

Clifford E. Mansfield
Acting Assistant Secretary of Environmental
and Engineering Service Center

ENGINEER'S AFFIDAVIT

Clifford E. Mansfield, being first duly sworn deposes and says that he is the Acting State Design Engineer for the Washington State Department of Transportation, hereinafter designated as the "Applicant"; that the survey of "SR 101, SR 108 Interchange" in Mason County, Washington, a net distance of 282.85 feet, beginning at Highway Engineer's Station SR 108 K 10+50.00 P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., and ending at Highway Engineer's Station SR 108 K 13+32.85 P.O.T. located in SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M.; and the survey of "SR 108, Mason County Secondary Road Project No. 5", in Mason County, Washington, a net distance of 59.5 feet, beginning at Highway Engineer's Station 93+90.50 P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., and ending at Highway Engineer's Station 94+50± P.O.T. located in SE 1/4 SE 1/4 of Section 18, Township 19 North, Range 3 West, W.M., was made by him or under his direction as the Acting State Design Engineer of the "applicant" and under his authority, and that said survey is accurately represented on these maps.

STATE OF WASHINGTON)
)
County of Thurston)



Clifford E. Mansfield
Acting State Design Engineer

SUBSCRIBED AND SWORN TO before me this 25th day of September

Mabel Chapman
Notary Public in and for the

State of Washington, residing at
Olympia, Wash.