NO. 7215
FILED WITH SECRETARY OF STATE
Date Filed 6/30/81
Secretary of State

A.G. CONTRACT NO. 81-1

7-2971
ER-053-1(16)
Country Club Dr. @ Salt River

INTERGOVERNMENTAL AGREEMENT

PARTIES

THIS AGREEMENT, is entered into this 9th day of JAN., 1981, pursuant to A.R.S. 11-951 thru 11-954, as amended, by and between the SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY, acting by and through the Tribal Council, hereinafter called "COMMUNITY," and the STATE OF ARIZONA, acting by and through the Arizona Department of Transportation, hereinafter called "STATE."

STATUTORY AUTHORIZATION

WHEREAS, STATE is empowered by A.R.S. Sec. 28-108 to enter into this Agreement and the Director shall execute this Agreement on STATE's behalf; and

WHEREAS, COMMUNITY has empowered its President to execute this Agreement on its behalf by that certain Resolution of the governing body at a meeting held on JAN. 7th, 1981; and

PURPOSE

WHEREAS, STATE is developing plans for project ER-053-1(16) to construct a new bridge over the Salt River at Country Club Drive; and

WHEREAS, STATE desires to protect said bridge for the continued use and safety of the traveling public; and

WHEREAS, COMMUNITY is the owner of the lands described in Exhibit "A", which is attached hereto and made a part hereof; and

WHEREAS, COMMUNITY has an established plan for development of the Salt River.

METHOD

THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. In their respective endeavors, both parties agree to cooperate to eliminate or minimize, to the greatest extent possible, any future damage caused by flood waters in the Salt River, and particularly to S.R. 87 at the proposed bridge.

2. In the design and construction of the channel under the proposed bridge, STATE shall establish the channel flow line elevation under the bridge at 1180 feet above mean sea level.

3. In any further development or implementation of said development plan for the Salt River COMMUNITY shall give every consideration to the safety and usefulness of the proposed bridge.

4. COMMUNITY shall in no event excavate to a depth below said 1180 feet elevation any sand, rock, gravel or other materials from the area identified as "Protective R/W" on the plans for project ER-053-1(16) and described in Exhibit "A" attached hereto; without first notifying the State through the District I Engineer prior to commencing said work to insure the safety and usefulness of the bridge.

DURATION

This Agreement shall continue in force as long as the proposed bridge shall stand and be used by the traveling public or until this Agreement is superseded by a future agreement between the parties.

All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor, pursuant to A.R.S. Section 38-511.

FILING WITH SECRETARY OF STATE

This Agreement shall become effective the day it is filed with the Secretary of State.

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

ARIZONA DEPARTMENT OF TRANSPORTATION

by W A Ordway
W.A. ORDWAY, Director

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

by Arfette M. Antone

UNITED STATES OF AMERICA
JAMES A. BARBER, Coordinator, SRA

By James A. Barber
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
SALT RIVER AGENCY
ROUTE 1, BOX 117
SCOTTSDALE, ARIZONA 85256

WRL:pa
12-31-80

Salt River
PIMA-MARICOPA INDIAN COMMUNITY
ROUTE 1, BOX 216 / SCOTTSDALE, ARIZONA 85256 / PHONE 949-7234

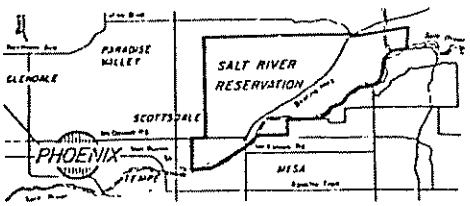
I, LONITA JIM, SECRETARY OF THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY COUNCIL, DO HEREBY CERTIFY THAT THE FOLLOWING IS A TRUE AND CORRECT EXTRACT FROM THE MINUTES OF THE COMMUNITY COUNCIL MEETING HELD JANUARY 7, 1981.

> Alfretta Antone moved to approve authorizing the President or Vice President to sign off on the Intergovernmental Agreement and the right-of-way application for the Country Club Bridge. The Motion was seconded by Leroy Lewis and carried by a vote of 6 for; 0 against; 2 excused (Gene Andreas, Sebastian Juan).

DONE this 9th day of January, 1981, at Salt River Indian Peservation, Scottsdale, Arizona.

Lonita Jim, Secretary

Centennial of the
SALT RIVER INDIAN RESERVATION
June 14, 1879 — June 14, 1979



RECEIVED
AUG 24 1989
ENGINEERING CONSULTANTS SERVICES

DE
ADEC
ADEM
AE 1
AE 2
AE 3
AE 4
ADM
cc: Robinson
cc: Griggs
cc: Langner

Outer Loop / Red Mountain II
Impacts ?

Salt River
PIMA-MARICOPA INDIAN COMMUNITY
ROUTE 1, BOX 216 / SCOTTSDALE, ARIZONA 85256-9722 / PHONE (602) 941-7277

IN REPLY REFER TO: COMMUNITY DEVELOPMENT DEPARTMENT

August 15, 1989

Mr. Dan R. Powell
District I Engineer
Arizona Department of Transportation
2140 West Hilton Avenue
Phoenix, Arizona 85009

Dear Mr. Powell:

The Salt River Pima-Maricopa Indian Community herewith provides notice pursuant to the Intergovernmental Agreement Determination, A. G. Contract No. 81-1, dated January 7, 1981, Section 4 thereof (attached) that the Community intends to implement such activities related to the channelization of the Salt River bed.

Said activities includes survey work, excavation and embankments which shall be undertaken by our Salt River Sand and Rock Company and Public Works Department. Field control and staking will be undertaken by the Community Development Department that will include monitoring of grade elevations for compliance with the IGA prescribed depth of 1180 feet.

Should you have any questions please contact Terrance F. Leonard, Deputy Director, 941-7340.

Sincerely yours,

Alfretta M. Antone

Alfretta M. Antone
Vice-President

AMA:bp

cc: Administration
Buddy Gates
Chuck Gabriel
Wayne Hills
Terrance F. Leonard
File

RECEIVED
AUG 18 1989
DISTRICT 1

7-2971
ER-053-1(16)
Country Club Dr. @
Salt River

EXHIBIT "A"

DESCRIPTION FOR PROTECTIVE AREA

Tract No. 1:

Those portions of Lots 8 and 9 in Section 3 and of Lots 23 and 24 in Section 4, Township 1 North, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona described as follows:

Beginning at the point of intersection of the southerly line of the Salt River Indian Reservation with the section line common to said Sections 3 and 4, which point bears North 0° 59' 23" West 730.07 feet from the quarter corner common to said Sections 3 and 4; thence North 88° 13' 28" West along said southerly line, a distance of 191.41 feet; thence South 45° 15' 32" West continuing along said southerly line, a distance of 268.14 feet to a point hereinafter called "A" for later identification; thence North 29° 48' 46" West 492.74 feet; thence North 23° 11' 14" East 530.17 feet; thence along the arc of a curve to the Left having a radius of 712.96 feet, a distance of 821.27 feet; thence North 42° 48' 46" West 70.00 feet; thence North 51° 35' 51" East 346.91 feet; thence from a Local Tangent Bearing of South 73° 44' 32" East along the arc of a curve to the Right having a radius of 1377.39 feet, a distance of 477.73 feet; thence South 53° 52' 11" East 903.83 feet; thence along the arc of a curve to the Left having a radius of 1487.39 feet, a distance of 568.92 feet to the easterly line of said Lot 8; thence South 0° 14' 15" East along said easterly line of Lot 8 and the easterly line of Lot 9, a distance of 1409.07 feet; thence North 89° 48' 46" West 123.69 feet to said southerly line of the Salt River Indian Reservation; thence along said southerly line the following five (5) courses: (1) North 41° 58' 28" West 33.30 feet; (2) North 2° 47' 28" West 209.68 feet; (3) North 16° 50' 23" West 135.30 feet; (4) North 43° 42' 28" West 320.10 feet; and (5) North 88° 13' 28" West 928.61 feet to the point of beginning.

Tract No. 2:

Those portions of Lots 24, 27 and 29 and of the Southwest quarter of the Northeast quarter (SW¼ NE¼) of Section 4, Township 1 North, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

Beginning at Point "A" as described above; thence along the southerly line of said Salt River Indian Reservation the following six (6) courses: (1) South 45° 15' 32" West 206.98 feet to the TRUE POINT OF BEGINNING; (2) continuing South 45° 15' 32" West 349.68 feet; (3) South 24° 07' 32" West 757.68 feet; (4) South 43° 20' 32" West 329.34 feet; (5) South 48° 48' 32" West 433.62 feet and (6) South 42° 36' 32" West 391.58 feet; thence North 10° 53' 28" West 600.00 feet; thence North 29° 20' 52" East 2061.02 feet; thence South 29° 48' 46" East 290.00 feet; thence North 60° 11' 14" East 100.00 feet; thence South 29° 48' 46" East 498.73 feet to the TRUE POINT OF BEGINNING.

Tracts No. 1 and No. 2 comprise an area of 89.8 acres, more or less.

CM:pa
12-15-80

MESA—PAYSON HIGHWAY
COUNTRY CLUB DRIVE at SALT RIVER
MARICOPA COUNTY

B.I.A. APPLICATION

REVISIONS				PROJECT NO.	ER-053-1(16)
C.O. No.	DATE	BY	DESCRIPTION	DRAWING NO.	D-7-T-776
5099	11-12-80	[illegible]	[illegible]	SHEET NO.	12 OF 18
5717	1-7-81	[illegible]	[illegible]	DRAWN BY	M. R. R
5776	5-5-81	[illegible]	[illegible]	DATE COMP.	9-15-80
5778	11-2-81	[illegible]	[illegible]	SCALE	

THIS SHEET IS A PART OF THE R/W PLANS AS INDICATED BY THE SHEET NUMBER IN THE UPPER RIGHT HAND CORNER; HOWEVER, FOR USE AS AN APPLICATION, THIS SHEET SHALL BECOME THE FIRST SHEET OF THE APPLICATION PLANS.

Application is hereby made for highway right of way of varying width from 264+44.74 to 332+63.86

HIGHWAYS DIVISION

Date: 9/4/80 [signature]
Acting State Engineer

PARCEL NUMBER	DESCRIPTION	AREA REQUIRED GROSS	AREA REQUIRED NET	PROTECTIVE AREA	SHEET NUMBER
7-2971	PT. SEC. 3 & 4, T.1 N. R.5 E. & PT. SEC. 33, T.2 N. R.5 E.	24.6 Ac.	18.4	898 Ac.	1
~~7-2973~~	~~PT. LOT 9, SEC. 4, T.1 N. R.5 E.~~	DELETED	11-12-80		1

TYPE OF R/W REQUIRED

☒ Highway R/W ☒ Protective Area

ENGINEER'S AFFIDAVIT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

W. O. Ford being first duly sworn, deposes and states that he is the Deputy State Engineer for the State of Arizona, that the survey of the highway center line was made and that these plans were prepared from field notes of said survey, and that the right of way is 1.29 miles in length, beginning at Station 264+44.74 and ending at Station 332+63.86, and said right of way is accurately delineated on the plans attached.

[signature]
Deputy State Engineer

Subscribed and sworn to before me this 16 day of September, 1980.

[signature]
Notary Public, My Commission Expires.
Sept 19, 1983

APPLICANT'S CERTIFICATE

I, J. B. Mertz, do hereby certify that I am the Acting State Engineer for the State of Arizona hereinafter designated the applicant, that W. O. Ford who subscribed to the foregoing affidavit is employed by the applicant as Deputy State Engineer and that he was directed by the applicant to survey the location of a highway center line and to prepare these plans; that the location of said center line, 1.29 miles in length beginning at Station 264+44.74 and ending at Station 332+63.86, is accurately represented on these plans; that such survey as represented on these plans has been adopted by the applicant as the definite location of the highway center line and right of way hereby shown, and that these plans have been prepared to be filed for the approval of the Secretary of the Interior or his duly authorized representative as part of the application for said right of way to be granted the applicant, its successors and assigns, with the right to construct, maintain, and repair improvements thereon and thereover, for such purposes, and with the further right in the applicant, its successors and assigns, to transfer this right of way by assignment, grant or otherwise.

Date: _____ By [signature]
Acting State Engineer

MESA - PAYSON HWY.

COUNTRY CLUB DRIVE at SALT RIVER

MARICOPA COUNTY

			CR-093-1(16)
			D-7-T-779
			11 of 16
		BY	rodj
		DATE COMP.	9-15-80
		SCALE	1" = 200'

Par. No.	Owner	Description	Area Required Gross	Area Required Net	PROTECTIVE AREA
T-2971	U.S.A. (Salt River Pima-Maricopa Indian Community)	Pt Sec 33, 4, T.1N R.5E. Pt Sec. 33, T.2N 2.5E	246.6 Ac.	154.6 Ac.	63.8 Ac.
T-2972	U.S.A. (B.L.M.)	Pt Sec. 4, T.1N. 2.5E	37.3 Ac.	33.7 Ac.	
*-M.L.	Gilbert A. Merrill, et al.	Pt Sec 4, T.1N. R5E	9.6 Ac.	8.0 Ac.	
~~T-2973~~	~~Henry and Barbara Gilchard, Simon et al.~~	~~Pt Sec 3, 4, T.1N. R.5E~~	DELETED	11-12-80	

① Gross Area includes 1.6 Ac. Exist D.E.

* Total Area for Parcel T-2972-M.L. 16 49.2 Ac.

SALT RIVER INDIAN RESERVATION

PROTECTIVE AREA PER INTERGOVERNMENTAL AGREEMENT DATED 1-7-81

PROTECTIVE R/W

UNPATENTED LOWER LEHI MINING CLAIM FOR SAND & GRAVEL DEPOSIT BLM SERIAL #A-MC-87269

CONSTR. ℄ CURVE DATA
Δ = 31°00'00" Lt
D = 8°00'00"
R = 716.20'
T = 198.62'
L = 387.50'

LIST OF TANGENTS
① 28.28' N.41°17'31" W.
② 28.28' N.48°42'29" E.
③ 28.28' S.41°17'31" E.
④ 28.28' S.48°42'29" W.

COUNTRY CLUB DR.

Section Line

Exist. R/W

New R/W

Exist. ℄

Exist. D.E.

H. MESA MAINT. CAMP SC052447

DETAIL: NO SCALE

PROTECTIVE AREA PER INTERGOVERNMENTAL AGREEMENT DATED 1-7-81

Public hearing Requirements satisfied 8-10-79

Environmental Impact Statement Requirements satisfied 10-2-79

Approved in accordance with Roadway Plans

DEPUTY STATE ENGINEER DATE

ARIZONA DEPARTMENT OF TRANSPORTATION BOARD
Approved for Right of Way Acquisition in accordance with Resolution Number 80-11-A-48 Dated 9-17-80

J. B. Mertz Acting State Engineer

CHIEF DEPUTY STATE ENGINEER DATE

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

NOTE:
THIS R/W PROJ. IS COVERED

A.G. CONTRACT NO. 81-1

RESOLUTION

Be It Resolved on this 5 day of January, 1981, that I, W.A. Ordway, Director of the Arizona Department of Transportation, have determined that, pursuant to A.R.S. 28-108, it is in the best interests of the State of Arizona for the Department of Transportation, acting by and thru its Highways Division, to enter into an Intergovernmental Agreement with the Salt River Pima-Maricopa Indian Community, acting by and thru its Tribal Council, for the protection of the proposed bridge for S.R. 87 over the Salt River.

Therefore, authorization is hereby given to draft said agreement, which, upon completion, shall be submitted for approval and execution.

W. A. Ordway, Director
Arizona Department of
Transportation

OFFICE OF THE
Attorney General
1801 WEST JEFFERSON STREET
FOURTH FLOOR
PHOENIX, ARIZONA 85007

ROBERT K. CORBIN
ATTORNEY GENERAL

RECEIVED
JUL 15 1981
SALT RIVER AGENCY

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. 81-1, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 7th day of JAN., 1981.

ROBERT K. CORBIN
Attorney General

James R. Redpath

Assistant Attorney General
Transportation Division