Real Prop. Mgmt.
310 - Hopi
Acq. & Disp.

AUG 24 1966

Honorable J. Lester Allen
Mayor of Winslow
Winslow, Arizona

Dear Mayor Allen:

The property which Arizona Title Insurance and Trust Company, Phoenix, Arizona, as trustee for Jack Ross Enterprises, proposes to convey to the United States of America in trust for the Hopi Indian Tribe of Arizona, is described as follows:

> E½NE¼ Sec. 21, W½NW¼ and SE¼NW¼ Sec. 22, all in T. 19 N., R. 15 E., Gila and Salt River Base and meridian, Navajo and Coconino Counties, Arizona, containing 200 acres, more or less.

The Preliminary Title Report prepared by Arizona Title Insurance and Trust Company incident to the issuance of a Title Insurance Policy on the above-described property, lists certain encumbrances which would interfere with the quiet enjoyment of the property by the Indians for whom it is being acquired and are unacceptable to us. These encumbrances are listed as Exceptions 1, 3 and 4 in the report and are as follows:

1. 1966 taxes, a lien not yet payable.

3. Rights of the Santa Fe Pacific Railroad Company, a corporation, to prospect for, mine and remove the mineral estate and to use so much of the surface of said land as shall be necessary incident to mining, drilling, etc., as more fully set out and reserved in Deed from Santa Fe Pacific Railroad Company, a corporation, to Cleman's Cattle Company, recorded November 21, 1947, in Book 71 of Deeds, Pages 506-508, records of Coconino County, Arizona (Section 21).

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4. The rights of Santa Fe Pacific Railroad Company, a corporation, or its successors or assigns, or The Atchison, Topeka and Santa Fe Railway Company, or its successors or assigns, or any railroad company at least a majority of whose stock it owns, to appropriate rights-of-way and rights incident thereto, incident to the operation of railways, as reserved in Deed from Santa Fe Pacific Railroad Company to Cleman's Cattle Company, recorded November 21, 1947, in Book 71 of Deeds, pages 506-508, records of Coconino County, Arizona, (Section 21).

Unless the reservations listed as Exceptions 3 and 4 above are removed by a quit-claim deed from the Santa Fe to the title holder, there would be no security in the owner as to the tenure of his ownership. Accordingly, it is requested that the necessary action be taken to remove these encumbrances from the land and delete them as exceptions in the Preliminary Title Report and the Title Insurance Policy to be issued incident thereto.

As to Exceptions 1, Taxes, it is requested that the 1966 taxes for the period beginning January 1, 1966, to and including the date of closing (date of deed recordation), be computed and this amount deposited with this office by the grantor at the time of closing for payment of said taxes when they become due.

With the taking of the action indicated above, title to the involved property will then be acceptable to this office.

Sincerely yours,

(sgd.) W. Wade Head

Area Director

SHernandez:cd 8/24/66