



INTERIOR BOARD OF INDIAN APPEALS

Linden Construction Corp. v. Deputy Assistant Secretary - Indian Affairs (Operations)

12 IBIA 145 (01/23/1984)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

LINDEN CONSTRUCTION CORP.,	:	Order Accepting Settlement and
Appellant	:	Dismissing Appeal
	:	
v.	:	
	:	Docket No. IBIA 83-33-A
DEPUTY ASSISTANT SECRETARY--	:	
INDIAN AFFAIRS (OPERATIONS),	:	
Appellee	:	January 23, 1984

On December 8, 1983, the Board of Indian Appeals (Board) received an "Agreement Regarding Reinstatement and Amendment of Lease" and "Supplemental Agreement No. 1 to Lease No. PSL-212" from appellant in this case. The documents constituted a settlement agreement reached between appellant and Michael Dean Chormicle, Thomas Siva, Corinne Siva, and Arthur Walter Diaz, Jr., the Indian lessors of the real property covered by Lease No. PSL-212. This lease had been canceled on March 17, 1983, by appellee's affirmance of an October 22, 1981, decision of the Sacramento Area Director, Bureau of Indian Affairs (BIA).

Because the agreements had not been approved by BIA, the Board forwarded them to the Director of the Palm Springs Field Office, BIA, for consideration. The documents were approved by the Director and returned to the Board on January 19, 1984. 1/

Accordingly, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed on the basis of the settlement reached between the parties, as approved by the Bureau of Indian Affairs.

//original signed
Bernard V. Parrette
Chief Administrative Judge

//original signed
Franklin D. Arness
Administrative Judge

1/ The Board has been informed by the Acting Director of the Palm Springs Field Office that 4 executed copies of the settlement documents were also signed by the Director and were sent to appellant's attorney and the Sacramento Area Office, BIA, on January 13, 1984.