

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the White Mountain Apache Tribal Council established the White Mountain Development Enterprises on April 4, 1968, by Resolution No. 68-38, and gave to that Enterprise principal responsibility for undertaking construction projects by contract on and off the Reservation, and

WHEREAS, in fulfilling its responsibilities to the White Mountain Apache Tribe and the Tribal members, the White Mountain Development Enterprises is responsible for providing large scale construction services within and near the White Mountain Apache Indian Reservation, and

WHEREAS, generally, private and governmental entities which award construction projects require that the White Mountain Apache Development Enterprises furnish performance and other bonds as a condition precedent to the award of contracts for such projects, and

WHEREAS, the White Mountain Apache Development Enterprises is a relatively new enterprise, commercial surety or bonding companies are unwilling to provide the necessary bonding unless the White Mountain Apache Tribe agrees to indemnify said companies against possible loss, and

WHEREAS, in providing the indemnification required of bonding companies, the White Mountain Apache Tribe understands that if the White Mountain Development Enterprises fulfills its obligations under these contracts the indemnification provided by this resolution will not result in any loss or expense to the White Mountain Apache Tribe.

BE IT RESOLVED, that the White Mountain Apache Tribal Council, on behalf of the White Mountain Apache Tribe, hereby authorizes the Chairman of the White Mountain Apache Tribal Council to act for and on behalf of the White Mountain Apache Tribe in executing indemnification agreements for the purpose of indemnifying any surety or bonding companies providing performance or other bonds in connection with the bidding and award of construction at the Sunrise Resort Complex in an amount not to exceed \$1,600,000.00 to be undertaken by the White Mountain Development Enterprise.

BE IT FURTHER RESOLVED, that the indemnification and guarantee authorized hereby shall remain in effect until revoked by the White Mountain Apache Tribal Council; provided, however, that any such revocation shall not affect the action of the White Mountain Apache Tribe through its Chairman with respect to any guarantee or performance or other bonds then outstanding pursuant to this resolution.

The foregoing resolution was on April 19, 1976, duly adopted by a vote of 9 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (b) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

ACTING John T. Delaney
Chairman of the Tribal Council

ACTING Marion G. Craig
Secretary of the Tribal Council

Resolution No. 76-56