

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

WHEREAS, the White Mountain Apache Tribe (herein called the Employer) and the First National Bank of Arizona (herein called the Trustee) entered into a Pension Trust Agreement on October 27, 1965, as amended from time to time; and

WHEREAS, it is the desire of the Tribe as the Employer to amend said agreement in its entirety, effective as of October 1, 1976; and

WHEREAS, the Employer, after much deliberation and consideration, is of the opinion that the method of funding the Retirement Plan should be changed, and that certain other such changes should also be made in the plan in the best interests of the Tribe and Tribal Employees; and

WHEREAS, the Employer believes that the best means to accomplish such changes would be to terminate said agreement and completely restate the terms, provisions and conditions of the plan under a separate, restated Retirement Income Plan, which revision would be substituted in lieu of the retirement plan provisions in the above-described present agreement; and

WHEREAS, the Employer desires to make application for a Group Annuity Contract (hereinafter called the Group Contract), to be issued by Bankers Life Company of Des Moines, Iowa (hereinafter called the Insurer) and to be set forth as a method of funding annuity benefits available under the Restated Retirement Insurance Plan; and

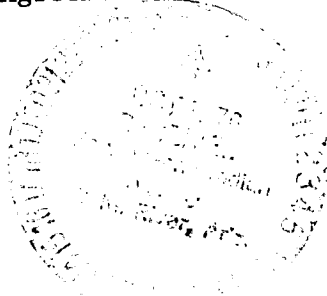
WHEREAS, Article XVI Section 16.01 of the above described present agreement reserves to the Employer the right to terminate said agreement; and

WHEREAS, the Employer now desires to exercise said right to terminate said agreement.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the amendment of its Pension Trust Agreement in its entirety, effective as of October 1, 1976, by terminating said agreement and completely restating the terms and provisions of the Retirement Plan under a separate, restated Retirement Income Plan.

BE IT FURTHER RESOLVED that the Tribal Council authorizes the application for a Group Annuity Contract to be issued by Bankers Life Company of Des Moines, Iowa, for the purpose of funding annuity benefits available under the Restated Retirement Insurance Plan.

BE IT FURTHER RESOLVED that the pension eligibility requirements of the Pension Trust Agreement Retirement Plan remain the same as provided for previously.



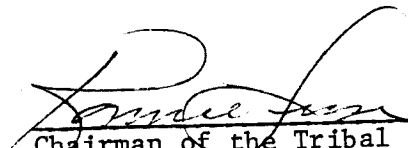
BE IT FURTHER RESOLVED that the Tribal Council hereby instructs the Trustees to surrender all individual insurance policies or annuity contracts held by it pursuant to the agreement, and upon receipt of the cash values of such policies or contracts, to pay to Bankers Life Company said cash values and any dividends accrued on said policies or contracts.

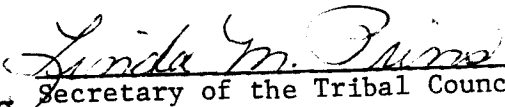
BE IT FURTHER RESOLVED that the Tribal Council instructs the trustees to surrender all monies held in trust in the trust side fund upon the prior approval of the Tribal Pension Committee and to pay said funds to Bankers Life Company.

BE IT FURTHER RESOLVED that pursuant to the Pension Trust Agreement, the Employer hereby gives notice to the trustees that upon payment to the Bankers Life Company of Des Moines, Iowa, the sums referred to hereinabove, the Agreement will terminate.

BE IT FURTHER RESOLVED that the Tribal Council hereby authorizes and directs the Tribal Chairman, upon the review and recommendation of the Tribal Pension Committee, to execute all such documents as may be necessary to carry out the provisions of this Resolution.

The foregoing resolution was on October 15, 1976, duly adopted by a vote of 8 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 (s) 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).


Chairman of the Tribal Council


Acting Secretary of the Tribal Council