

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

WHEREAS, in the event that the Development Enterprise is named the successful bidder of the Canyon Day Irrigation Project, it will be required to furnish a performance bond as a condition precedent to the contract, and

WHEREAS, the White Mountain Apache Development Enterprise 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 if the White Mountain Apache Development Enterprise fulfills its obligations under these contracts, the indemnification provided by this resolution will not result in any loss to the White Mountain Apache Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman of the Tribe is hereby authorized to act for and on behalf of the White Mountain Apache Tribe in executing indemnification agreements for the purpose of performance bonds in connection with the award of the Canyon Day Irrigation Project No. 07-01-02582.

BE IT FURTHER RESOLVED by the Tribal Council that the Development Enterprise is authorized to initiate and sign all necessary documents to effectuate the award of this contract.

BE IT FURTHER RESOLVED by the Tribal Council that said indemnification agreement does not constitute a waiver of the sovereign immunity of the White Mountain Apache Tribe for any purpose.

The foregoing resolution was on March 02, 1983 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 (i) 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).

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FORT APACHE INDIAN
AGENCY
WHITESIVER

ACTION

Rene Johnson
Chairman of the Tribal Council

Mary C. Goodfield
Secretary of the Tribal Council