

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

WHEREAS, the Tribal Council, by prior Resolution No. 12-90-282, declared a moratorium on the sale of any Hondah homesite home to a tribal member unless said homes were removed by tribal members from the Hondah homesite area; and

WHEREAS, said resolution directed the Community Development Corporation to take control over any homes abandoned at Hondah Homesites and further supported the donation of Hondah homesite homes to the Community Development Corporation; and

WHEREAS, tribal member, Gina (Lee) Webster has come before the Tribal Council this date and requested permission from the Tribal Council to purchase a home from non-members whose leases at the Hondah homesite will soon expire or have expired; and

WHEREAS, the Tribal Council is concerned about future land use in the area, deterioration of the homes, housing shortages for tribal members, and the highest and best use for said Hondah homesite area, and has discussed the advantages and disadvantages of allowing the purchase of Hondah homesite homes whose leases have expired; and

WHEREAS, the tribal Council concludes that certain exceptions should be made to Resolution No. 12-90-282 on a case-by-case basis, and pursuant to certain conditions outlined herein by the Tribal Council; and

WHEREAS, after due consideration to all interests, the tribal Council concludes that permission should be granted to tribal member Gina (Lee) Webster to purchase a home at the Hondah homesite pursuant to the following conditions:

1. No homesite assignment shall be granted for said home;
2. The home shall not be re-released or rented without Tribal Council permission in the form of a resolution;

3. Boundaries of said lots shall not exceed the original leased lot size granted to the original lessee;
4. The purchase of said homes must be negotiated within 90 days of the expiration of the lease, otherwise, said house shall become the property of the Community Development Corporation by donation or abandonment by the current lessee, unless said lessee removes said home prior to the expiration of 90 days.
5. The Legal Department must review any buy/sell agreement between the tribal member purchaser and seller prior to execution of those documents by the buyer and seller;
6. Any new addition or construction on the premises must be approved by the Tribal Engineering Department;
7. The Tribal Council must approve the removal of any trees on the property. The tribal member purchaser shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation and safety acceptable to the Tribe, and all electrical wiring, if and when installed shall conform to underwriters specifications;
8. Said premises shall be used for residential purposes only and no purpose that would injure reputation or be in violation of law.
9. No horses or other livestock shall be permitted to be on the premises without the consent of the Tribal Council;
10. Purchaser must obtain written consent of the Tribal Council prior to demolition or removal of the buildings purchased;
11. Purchaser shall, at purchaser's sole cost and expense, keep and maintain all buildings, structures and other improvements on said premises in good order and repair and the whole thereof in a clean, sanitary, neat and attractive condition;

12. The purchaser shall not encumber, assign, or transfer ownership of the premises without the written consent of the Tribe in the form of a Council resolution; and

WHEREAS, the foregoing conditions shall apply to each and every tribal member purchaser of a Hondah homesite home; and

WHEREAS, any sale of a Hondah homesite home to a tribal member without first obtaining Tribal Council authorization by Tribal Council resolution shall be null and void.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants authority to tribal member Gina (Lee) Webster to purchase a home in the Hondah homesite, financing to be arranged solely at her own expense, subject to the conditions set forth in this resolution in the Whereas section which are reinstated and reaffirmed as if set out in full herein.

BE IT FURTHER RESOLVED by the Tribal Council that any tribal member who wishes to purchase a home at Hondah homesite must first obtain Tribal Council authorization in the form of a Tribal Council resolution, otherwise said sale or purchase shall be null and void.

BE IT FURTHER RESOLVED by the Tribal Council that any tribal member coming before the Tribal Council for permission to purchase a Hondah homesite home must comply with the conditions set forth in this resolution and by being granted said permission by Council resolution expressly agrees to abide by said conditions.


The foregoing resolution was on February 12, 1992, duly adopted by a vote of eight for and zero 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 Bylaws 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).

RECEIVED

MAR - 4 1992

FORT APACHE INDIAN AGENCY
WHITERIVER, ARIZONA


Chairman of the Tribal Council


Secretary of the Tribal Council