

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

WHEREAS, tribal members, John and Neva Cosen, have come before the Tribal Council and requested approval from the Tribal Council for a homesite lease for the purpose of securing financing to purchase an existing home; and

WHEREAS, the home is currently held by tribal member, Bernalyn Cosen, daughter of John and Neva Cosen, who also currently holds the leasehold rights and the leasehold premises; and

WHEREAS, John and Neva Cosen have agreed to assume the loan balance owed by Bernalyn Cosen in order to purchase the home; and

WHEREAS, the Tribal Council is advised that the Tribal Revolving Credit Program has approved financing for John and Neva Cosen, and a homesite lease is required by Section 21(3)2 of the Declaration of Policies and Plan of Operation of the Revolving Credit Program, approved by the Tribal Council on July 22, 1975; and

WHEREAS, it is necessary to encumber the leasehold interest to secure the financing through the Revolving Credit Program; and

WHEREAS, after due consideration, the Tribal Council concludes that permission should be granted to tribal members John and Neva Cosen, for a homesite lease pursuant to conditions set forth herein.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves a 25 year lease, with an automatic 25 year renewal, for the premises described in Appendix A to tribal members John and Neva Cosen, pursuant to the following conditions:

1. The premises shall not be re-leased or rented without Tribal Council permission in the form of a resolution;
2. Boundaries of the leased premises shall not exceed the original the original land assignment described herein;
3. Any new addition or construction on the premises must be approved by the Tribal Engineering Department;
4. The Tribal Council must approve the removal of any trees on the property. The Lessees 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;

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5. Said premises shall be used for residential purposes only and no purpose that would injure reputation or be in violation of law;
6. No horses or other livestock shall be permitted to be on the premises without the consent of the Tribal Council;
7. Lessee shall, at Lessee'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;
8. The Lessee shall not encumber, assign, or transfer ownership of the premises without the written consent of the Tribe in the form of a Tribal Council resolution;
9. No commercial business are allowed to take place on the premises, such as auto repair, nurseries, junk yards, or any other wholesale or retail business that would detract from a residential appearance;
10. Lessee shall obtain certification that water and septic/sewer facilities are available from the Tribe or IHS;
11. 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.

BE IT FURTHER RESOLVED by the Tribal Council that violation of any of the foregoing conditions shall make this authorization for a lease null and void.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants authority to John and Neva Cosen to encumber the premises for the purpose of securing a loan through the Tribal Revolving Credit Program or other financial institution through the HUD 184, Veterans Administration Home Loan Program, or Rural Housing Service of USDA Rural Development.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the permission granted herein to encumber the premises shall expire after 180 days, and if John and Neva Cosen have not obtained financing within that time period, they must return to the Tribal Council to request permission to encumber the premises.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the approval granted in this resolution is contingent upon tribal member, Bernalyn Cosen, relinquishing her land assignment for the above described premises, and the completion of the home sale and financing within the 180 days of the date of this resolution.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that authorization for the homesite lease requested is for the specific lot identified herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, or in his absence, the Vice Chairman, to execute any and all documents necessary to carry out the intent of this resolution.

The foregoing resolution was on August 8, 1997 adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (e), (f), (h), (i), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

RECEIVED

AUG 13 1997
FEDERAL INDIAN AGEN-
WHITE RIVER, ARIZONA


Chairman of the Tribal Council


Secretary of the Tribal Council