

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

**WHEREAS,** tribal members Wallace, Jr. and Dolita Bourke have come before the Tribal Council and requested approval from the Tribal Council to convert their present land assignment, fully described in Appendix A attached hereto and incorporated herein, to a homesite lease for the purpose of securing financing; and

**WHEREAS,** it may be necessary to encumber the leasehold interest to secure the financing on the home.

**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 Wallace Jr. and Dolita Bourke, 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;
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 Wallace Jr. and Dolita Bourke 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 Wallace Jr. and Dolita Bourke 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 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 22, 1997 adopted by a vote of seven 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), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (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).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council