

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

WHEREAS, Tribal Member Jesse Johnson presently resides in a manufactured home in Hondah Homesites Lot 21 Section B and she has requested a water hookup from the Indian Health Service almost one and a half years ago following the purchase of her manufactured mobile home; and

WHEREAS, Ms. Johnson was advised that she must receive Tribal Council approval for the hookup and for her request for a homesite lease; and

WHEREAS, Franklin Quintero from the Tribal Planning Office has visited her homesite and has determined that Ms. Johnson's home is a mobile home and presumably prohibited by previous Tribal Council resolution from being established in the Hondah Homesite Section B area; and

WHEREAS, Mr. Quintero has appraised the physical condition of the home as very good and of recent construction and suggested that it could be a candidate for a special exemption, particularly in view of other mobile homes in the Hondah Homesites Section B which have recently located there without Tribal Council approval; and

WHEREAS, it is recommended by the Tribal Council Planning Department that an exemption be considered for Jesse Johnson's home based on the condition of her home and limited to her homesite with the notation that the home would not be entitled to an exemption if it were located in Hondah Homesites Section A, which has a stricter prohibition against manufactured or mobile homes; and

WHEREAS, the Tribal Council concludes that based upon the recommendation of the Planning Department and the particular circumstances and condition of Ms. Johnson's home that permission should be granted so that she can obtain a IHS water hookup to her manufactured home.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants a one time exemption to Jesse Johnson to retain her homesite location in Hondah Homesites Section B for her manufactured home and further approve a IHS water hookup to said home.

BE IT FURTHER RESOLVED by the Tribal Council that the granting of this exemption in this particular case does not indicate a departure from the council's previous restrictions that no mobile homes be permitted in the Hondah Homesite A or B area.

Resolution No. 10-97-315

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorized a 25 year lease, with an automatic 25-year renew, for the premises described as Hondah Homesites Lot 21 Section B for tribal member Jesse Johnson pursuant to the following conditions:

1. The premises shall not be re-leased or rented with Tribal Council permission in the form of a resolution;
2. Boundaries of the leased premises shall not exceed the original Hondah Homesite lot;
3. Any new addition or construction on the premises must be approved by the Tribal Engineering Department;
4. The Tribal Council must approved the removal of any trees on the property. The Lessee 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 is 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;


Resolution No. 10-97-315

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 October 8, 1997 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 IV, Section 1 (a), (h), (i), (m), (n), (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).



Chairman of the Tribal Council



Secretary of the Tribal Council