

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

**WHEREAS,** the Tribal Council has been advised of the interest of Northland Pioneer College to develop a new educational facility in Whiteriver; and

**WHEREAS,** the Tribe has negotiated with Northland Pioneer College officials to develop a lease document for the development of the new college campus; and

**WHEREAS,** in conjunction with the negotiations the Tribe has secured an area of land acceptable to the Tribe and to NPC for the campus site and authorized NPC officials to complete phase one and phase two environmental assessments of the location; and

**WHEREAS,** on completion of the assessments and the lease negotiations the documentation is in place for approval by the Tribal Council of the lease terms; and

**WHEREAS,** the lease would be in substantially similar form to that attached herein provided that it will add the additional language to Article 1, *Leased Premises*, to note that the Tribe warrants that the land between the leased premises and the state highway right of way will be kept clear of any development except for the placement of any structures, whether temporary or permanent, as may be mutually agreed by the parties; and

**WHEREAS,** the lease agreement would require a limited waiver of the Tribe's sovereign immunity for the sole purpose of preserving the right, if needed, to enforce the lease terms through Tribal Court action and potential subsequent federal court review; and

**WHEREAS,** the Tribal Council strongly supports efforts to improve secondary educational opportunities within the reservation and looks forward to a good working relationship with Northland Pioneer College and anticipates the development of curriculum at the site which will attend to the needs of the Tribal membership.

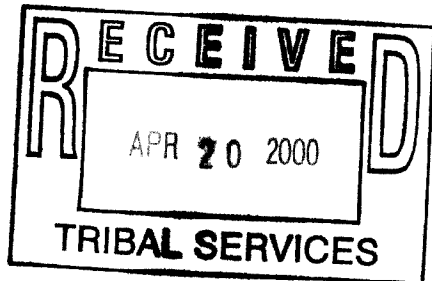
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it approves the leasehold document between the Tribe and Navajo Community College, a.k.a. Northland Pioneer College for a college campus and building located in Whiteriver subject to the modifications and conditions set forth above.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the limited waiver of the Tribe's sovereign immunity from suit as set forth in the attached document, for the limited purpose of enforcing the lease terms.

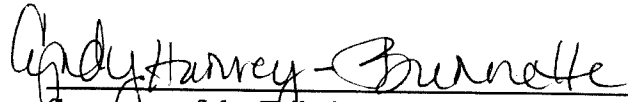
**Resolution No. 04-2000-102**

**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 documents necessary to carry out the intent of this resolution.

The foregoing resolution was on April 7, 2000 duly adopted by a vote of six 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), (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).



  
Chairman of the Tribal Council

  
Secretary of the Tribal Council