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

- 11/30/0
- WHEREAS, the Tribal Council previously approved a long-term master lease with the White Mountain Apache Housing Authority for the Apache Dawn Housing Project; and
- WHEREAS, Section 1 of the Lease provides that as and when other Phases of Apache Dawn are ready for development and construction, the parties will enter into an Addendum to Lease to include and incorporate additional leasehold property required for and attributable to such other phases of Apache Dawn; and
- WHEREAS, a portion of Phase III of the Apache Dawn Project is ready for development and construction within the Seven Mile community, consisting of approximately 25 homes, to be funded through the previously approved bond financing; and
- WHEREAS, pursuant to the terms of the Master Lease, the approval of the Tribal Council is required in order to encumber this portion of the Third Phase of the Apache Dawn Project with Individual Loan Leasehold Mortgages, as defined therein.
- BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Addendum to Lease with the White Mountain Apache Housing Authority, attached hereto, for the portion of the Third Phase of the Apache Dawn Project, which consists of approximately 25 homes to be constructed within the community of Seven Mile.
- BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants authority to the White Mountain Apache Housing Authority as Lessee, to encumber this portion of the Third Phase of the Apache Dawn Project with Individual Loan Leasehold Mortgages, as defined in the Master Lease.
- 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 or other duly authorized representative, to execute any and all documents necessary to carry out the terms of the Lease.

The foregoing resolution was on January 24, 2002, duly adopted by a vote of FIVE for, ZERO against, and ONE abstention, by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1(a), (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 Pribal Council

UNITED STATES DEPARTMENT OF THE INTERIOR Bureau of Indian Affairs

ADDENDUM TO LEASE

Lease No. <u>HFA99-1654-01</u>

THIS ADDENDUM TO LEASE, made and entered into this _______day of January, 2002. in Whiteriver, Arizona, by and between the WHITE MOUNTAIN APACHE TRIBE, a federally recognized tribe ("Lessor"), and the WHITE MOUNTAIN APACHE HOUSING AUTHORITY, the tribally designated housing entity of the Lessor ("Lessee"). This Addendum to Lease shall be subject to the approval of the SECRETARY OF THE INTERIOR, or his authorized representative.

RECITALS

Section I of the Lease provides, in substance, that, as and when other Phases of Apache Dawn are ready for development and construction, the Lessor and the Lessee will enter into an Addendum to the Lease to include and incorporate within the Lease the additional leasehold property required for, and attributable to, such other Phases of Apache Dawn.

The Lessor, having been advised by Lessee that it is prepared to commence the development and construction of Phase Three of Apache Dawn, which includes 25 dwelling sites for housing for Members of the White Mountain Apache Tribe within the community of Seven Mile, therefore desires to enter into this Addendum to Lease with the Lessee.

WITNESSETH:

The parties hereto, for the consideration hereinafter mentioned, do covenant and agree as follows:

1. PREMISES. The Lessor hereby leases to the Lessee the following real property situated in the County of Navajo, State of Arizona ("Leased Premises"), described as follows:

See Attached Exhibit "A" attached hereto and incorporated herein ("Legal Description").

The above property, as part of Phase Three as described in the Lease, will comprise 25 dwelling sites for housing for members of the White Mountain Apache Tribe.

- 2. INCORPORATION OF PREMISES WITHIN LEASE. The Leased Premises shall be deemed fully incorporated within and made a part of the Lease in all respects, so that all the terms and conditions of the Lease shall benefit, inure to, and be binding upon, as appropriate, the Leased Premises to the same extent and upon the same terms, as if the Leased Premises were originally designated as part of the Leased Premises within the Lease when it was executed by the Lessor and the Lessee.
- 3. APPROVAL. It is further understood and agreed between the parties hereto that this Addendum to Lease shall be valid and binding only after approval by the Secretary of the Interior, or his authorized representative.

In Witness Whereof, the parties hereto have hereunto set their hands on the date first above written.

	WHITE MOUNTAIN APACHE TRIBE ("Lessor")
	Ву:
Attest:	By:Tribal Chairman
Tribal Council Secretary	
	WHITE MOUNTAIN APACHE HOUSING AUTHORITY ("Lessee")
	By:Victor Velasquez, Executive Director
	rictor velasquez, Executive Director
APPROVED: SECRETARY OF THE INTERIOR	
Superintendent, Fort Apache Agency	Date:
UNITED STATES DEPT OF THE INTERIOR Pursuant to the Authority delegated to the Assist Secretary-Indian Affairs by 209 DM8, 230 DM1, to the Western Regional Director by 3 IAM 4 (Release No. 99-03), and to the Superintendent/Field Representative by 10 BIAM 11, as amended	tant and

by Western Regional Release No. 97-1.