

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

WHEREAS, the Tribal Council is advised that tribal member Leon Metts presently resides on Lot A-82 in the Hondah Homesites and wishes to extend his property to include Lot A-83; and

WHEREAS, Lot A-83 in Hondah Homesites is currently vacant and has not been assigned to any tribal member; and

WHEREAS, Mr. Metts currently has a leasehold interest with mortgage documents for his present Lot A-82, which, in the event of default, will be foreclosed in accordance with Revolving Credit Program procedures; and

WHEREAS, Mr. Metts has also requested that his wife, tribal member Rema (Brown) Metts, be included on his Residential Lease for Lot A-82 and Lot A-83; and

WHEREAS, the Tribal Council has considered this matter and concludes that permission should be granted to Mr. Metts and his spouse, to obtain a separate leasehold interest for Lot A-83 in the Hondah Homesites community, as a separate leasehold interest from his current leasehold on Lot A-82; and

WHEREAS, Mr. and Mrs. Metts will need to maintain the separate and distinct nature of Lot A-83 apart from A-82 in the event of future foreclosure or transfer of Lot A-82.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves a 25-year residential lease, with an automatic 25-year renewal, for the premises described as Hondah Homesites Lot A-83, to tribal members Leon and Rema (Brown) Metts, pursuant to the following conditions:

1. The premises shall not be re-leased or rented without the written consent of the Tribe in the form of a Tribal Council resolution;
2. Boundaries of the leases premises shall not exceed the original land assignment described herein;
3. Any new addition or construction of the premises must be approved by the Tribal Engineering Department;
4. The Tribal Council must approve the removal of any trees on the property. Said premises shall be used for residential purposes only and no purpose that would injure reputation or be in violation of law;
5. No horses or other livestock shall be permitted to be on the premises without the consent of the Tribal Council;
6. Lessee shall, at Lessee's sole cost and expense, keep and maintain all building structures and other improvements on said premises in good order and repair and shall keep the whole thereof in a clean, sanitary, neat and attractive condition;

7. 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;
8. No commercial business is allowed to take place on the premises, which includes, but is not limited to, auto repair, nurseries, junk yards, or any other wholesale or retail business that would detract from a residential appearance;

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.

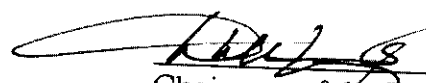
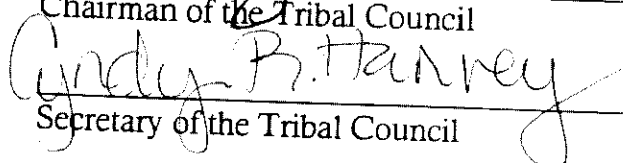
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants approval of a Lease Modification to include Rema (Brown) Metts on the Residential Lease for Lot A-82 in Hondah Homesites.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event of foreclosure of the leasehold interest of Lot A-82, the only portion of the land to be foreclosed will be the dimensions of Lot A-82, and not that of Lot A-83, which will be under separate leasehold and which will be forfeited to the Tribe for reassignment.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the consent granted under this resolution is conditioned upon Mr. Metts maintaining the separate nature of Lot A-83, apart from his present Lot A-82, to preserve the integrity of the mortgage held in Lot A-82, and to make such premises available for future transfer apart from Lot A-83, and to make such conditions a material condition of the lease between Mr. & Mrs. Metts and the Tribe for Lot A-83, and to provide that should Lot A-82 be foreclosed then the lease for Lot A-83 shall be automatically forfeited and the premises will remit to the Tribe.

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

The foregoing resolution was on NOVEMBER 27, 2002, duly adopted for 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), (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 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

WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

LEASE MODIFICATION

LESSEE: Leon Metts

Lease Document No. 607-029-94

It is hereby agreed by and between the White Mountain Apache Tribe (Lessor), and Leon Metts, a tribal member (Lessee), that the Residential Lease entered into on December 10, 1992, for a home site located on Lot 82 in the Hondah Homesites Community, be modified to provide that:

- 1. Leon Metts' spouse, tribal member Rema (Brown) Metts, be included as Lessee.

This Lease Modification does not change any of the Lease terms, conditions, or stipulations, except as specifically set forth herein.

LESSOR:
WHITE MOUNTAIN APACHE TRIBE

LESSEES:

By: _____
Tribal Chairman

By: _____
Leon Metts

DRAFT

By: _____
Rema Metts

STATE OF ARIZONA)
) ss.
COUNTY OF NAVAJO)

Subscribed and Sworn to before me, the undersigned Notary Public, this ____ day of September, 2002, by Leon Metts and Rema (Brown) Metts (Lessees).

My Commission Expires:

NOTARY PUBLIC

APPROVED:
SECRETARY OF THE INTERIOR

By _____

Date: _____

Superintendent, Fort Apache Agency
UNITED STATES DEPARTMENT OF THE INTERIOR
Pursuant to the Authority delegated to the Assistant
Secretary-Indian Affairs by 209 DM 8, 230 DM 1, and
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
by Western Regional Release No. 97-1.