

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

**WHEREAS,** the White Mountain Apache Tribal Council, on October 10, 2000, adopted Resolution No. 10-2000-297, authorizing the Tribal Chairman to enter into a Lease arrangement with the United States Postal Service (Service) providing rent abatement for the Service in exchange for its payment of all rehabilitation expenses required for restoration of the old Fort Apache Post Office; and

**WHEREAS,** the Tribal Council understands that the Service refused to sign the initial lease agreement because its Law Department wished to amend some of the terms which it did not have a chance to review prior to finalization; and

**WHEREAS,** the White Mountain Apache Tribe has since negotiated new lease terms with the Service, resulting in the Lease now presented to the Tribal Council; and

**WHEREAS,** the Tribal Council understands that the following conditions are contained in the Lease with Service:

1. The Service will utilize 1,227 square feet of the Fort Apache Post Office;
2. The Lease term is for an initial fixed term of 25 years, with an option to renew for an additional 25 years which the Service can terminate in separate five year increments;
3. The Service will pay its rent through rent abatement until the \$200,871 it advanced for improvements and rehabilitation made to the Post Office are satisfied or until it fails to exercise any of its renewal options;
4. Once the advanced amount of \$200,871 is satisfied through rent abatement, the Service shall pay rent according to the then prevailing fair market rent as established through the terms of the Lease;
5. Should the Lessors (the Tribe and the Bureau of Indian Affairs) breach the terms of the Lease, the Tribe is required to reimburse the Service for any amount of the advanced \$200,871 unresolved through the rent abatement process;
6. The Lessors shall be responsible to maintain and insure the common areas of the structure;
7. The Lessors and Service agree that the structure was rehabilitated and improved in accordance with the Secretary of Interior's Standards and Guidelines for Historic Preservation;
8. The Lessors and Service agree that the Service and its contractors and subcontractors are responsible for the structures and equipment installed and altered during the rehabilitation, for the term of any warranties and

workmanship and product; and

**WHEREAS,** the Service funded improvements to the Fort Apache Post Office are in accordance with the 1993 Master Plan for the Fort Apache Historic Park which calls for the restoration of the Fort Apache/Theodore Roosevelt compound to serve the White Mountain Apache community; and

**WHEREAS,** the improvements to the Fort Apache Post Office have enhanced postal service available to the East Fork, 7-Mile, Fort Apache and Canyon Day communities while contributing to the beautification and revitalization of Fort Apache Historic Park through its 1993 Master Plan; and

**WHEREAS,** the Tribal Council has considered the attached lease and finds that it is in proper order to serve the interests of the White Mountain Apache Tribe and its members.

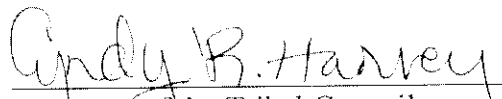
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the terms of the attached lease between the White Mountain Apache Tribe and the Bureau of Indian Affairs, as Lessors, and the United States Postal Service as Lessee for use of the Fort Apache Post Office.

**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 his authorized designee, to sign any and all documents necessary to carry out the intent of this Resolution.

The foregoing resolution was on February 25, 2003 duly adopted by a vote of FIVE 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), (h), (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).

ACTING

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council