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

(Authority for White Mountain Apache Housing Authority to Encumber the Ben Gay Project with a Leasehold Mortgage)

- WHEREAS, the Tribal Council previously passed Resolution No. 78-194, endorsing and supporting the White Mountain Apache Housing Authority in Project No. AZ 16-29, 50 Elderly Housing Units, also known as the "Ben Gay Project", in its effort to secure bond financing for new housing within the reservation; and
- WHEREAS, a Lease, as attached and incorporated by this reference, by and between the White Mountain Apache Tribe, as Lessor, and the Mortgagor, as Lessee, was executed on or about September 27, 2004, and filed with the Bureau of Indian Affairs (BIA) Land Titles and Record Office in Albuquerque, New Mexico on October 13, 2004, as file No. 607-085-04; and
- WHEREAS, the Lease pertains to certain real property situated in the County of Navajo, State of Arizona, and located upon and within the Fort Apache Indian Reservation; and
- WHEREAS, pursuant to Section 5 of the Lease, the approval of the Tribal Council is required in order to encumber the AZ 16-29 also known as the "Ben Gay 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 and grants authority to the White Mountain Apache Housing Authority as Lessee, to encumber the Ben Gay Project with Leasehold Mortgage, as defined in the Lease set forth.
- 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 (Ben Bay Project) accordingly.

Resolution No. <u>06-2005-159</u>

The foregoing resolution was on <u>June 13,2005</u>, duly adopted by a vote of <u>SIX</u> for and <u>ZERO</u> against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, Act of June 18, 1934 (48 Stat. 984).

Chairman of the Tribal Council

Secretary of the Tribal Council

Resolution No. <u>06-2005-159</u>

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. <u>06-2005-159</u> dated the 13th day of June 2005.

Dallas Massey, Sr.,

Tribal Chairman

WHITE MOUNTAIN APACHE TRIBE

Frank J. Endfield, Jr.

Vice Chairman

WHITE MOUNTAIN APACHE TRIBE

Jacob Henry

District I Council Member

WHITE MOUNTAIN APACHE TRIBE

Ronnie Lupe

District I Council Member

WHITE MOUNTAIN APACHE TRIBE

District II Council Member

WHITE MOUNTAIN APACHE TRIBE

Phoebe Nez

District II Council Member

WHITE MOUNTAIN APACHE TRIBE

Margaret Baha-Walker

District III Council Member

WHITE MOUNTAIN APACHE TRIBE

Alvin DeClay, Sr.

District III Council Member

WHITE MOUNTAIN APACHE TRIBE

Noland Clay

District IV Council Member

WHITE MOUNTAIN APACHE TRIBE

Mariddie J. Craig

District IV Council Member

WHITE MOUNTAIN APACHE TRIBE

Reno Johnson, Sr.

District IV Council Member

WHITE MOUNTAIN APACHE TRIBE

ATTEST:

Cyndy R. Harvey, Tribal Council Secretary

WHITE MOUNTAIN APACHE TRIBE