



Resolution No. 08-2006-283

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

(Approval of Authority to Purchase a Rolling Stock for FATCO)

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, the Tribal Council has determined that the sawmill rolling stock of forklift and loader equipment are nearly 20 years old, are well past their economic lives, and are mechanically unreliable; and

WHEREAS, the Tribal Council agrees with FATCO management that such equipment requires replacement; overhaul, or acquisition of new equipment to alleviate excessive maintenance expense and to avoid loss of production; and

WHEREAS, the FATCO management has obtained approval from Lehigh Capital Access to finance the purchase of four (4) forklifts, one Yard Boss, and one (1) 4 WD Toyota Pick-up in the amount of \$455,170.00 at the rate of 7.49% over seven (7) years as well as the purchase of loaders and yard equipment in the amount of \$95,495.00 at the rate of 7.95% over ten (10) years; and


WHEREAS, the Tribal Council finds that the financing and purchase of the rolling stock required by FATCO is in the best interests of FATCO, timber sales and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

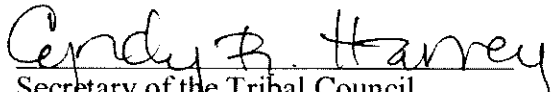
1. Acquisition of the rolling stock described herein, engine blocks and pick-up on behalf of FATCO, in the amount of Five Hundred Fifty Thousand Six Hundred Seventy Five Dollars (\$550,675.00), is hereby approved.
2. The financing package offered by Lehigh Capital Access for the purchase of rolling stock by FATCO as described hereunder is hereby approved, which shall be in the form of a written agreement and subject to review by the Tribe's Legal Department.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence the Vice-Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on August 24, 2006, duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (h), (i), (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