



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

**(Approving Revolving Note and Third Amendment to Credit Agreement between Wells Fargo Bank, N.A. and the White Mountain Apache Tribe)**

- WHEREAS,** pursuant to Resolution No. 08-2006-263, the White Mountain Apache Tribe entered into a credit agreement (the "Agreement") with Wells Fargo Bank (the "Bank") on or about August 04, 2006; and
- WHEREAS,** the Agreement was last modified by the Second Amendment to the Credit Agreement made pursuant to Resolution No. 03-2007-046; and
- WHEREAS,** in order to meet the financial requirements of the Tribe, the Bank proposes that the Tribe enter into a Revolving Note (the "Note") with provisions that modify credit availability under the terms of the Note over a period of time, as follows:
- A. Term and Credit Availability. Credit availability under the terms of the Note shall be modified and extended to August 01, 2008, with the following commitment and maturity levels:
    - (i) \$3,500,000 August 1, 2007 through October 31, 2007;
    - (ii) \$4,500,000 November 1, 2007 through February 29, 2008;
    - (iii) \$2,500,000 March 1, 2008 through August 1, 2008; and
- WHEREAS,** the Controller and Treasurer recommend that the Credit Agreement be modified by a Third Amendment, including the terms expressed herein; and
- WHEREAS,** all other terms and conditions of the underlying Agreement will remain in full force and effect, including a limited waiver of sovereign immunity originally provided pursuant to Resolution No. 01-00-19; and
- WHEREAS,** the Revolving Note and Third Amendment have been reviewed by the Controller, the Treasurer, the Budget and Finance Committee, and the Tribal Attorney, who finds that the Agreement will continue to allow the Tribe to use funds under the Revolving Line of Credit for the purposes of addressing the Tribe's daily cash flow requirements; and
- WHEREAS,** the Tribal Council finds that the Revolving Note and the Third Amendment are in the best interests of the Tribe; and
- WHEREAS,** given the urgency of the Tribe's financing requirements, the Tribal Council further finds that an emergency expenditure needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council

**Resolution No. 07-2007-287**

personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait not longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

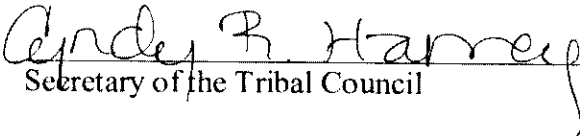
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that:

1. The Revolving Note and the Third Amendment between Wells Fargo Bank, N.A. and the White Mountain Apache Tribe, is hereby approved, and shall include, but not be limited to, the following terms:
  - A. Term and Credit Availability. Credit availability under the terms of the Note shall be modified and extended to August 01, 2008, with the following commitment and maturity levels:
    - (i) \$3,500,000 August 1, 2007 through October 31, 2007;
    - (ii) \$4,500,000 November 1, 2007 through February 29, 2008;
    - (iii) \$2,500,000 March 1, 2008 through August 1, 2008; and
2. All other terms and conditions of the underlying Agreement shall remain in full force and effect, including a limited waiver of sovereign immunity as originally provided pursuant to Resolution No. 01-00-19.
3. The Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all document necessary to effectuate the intent of this Resolution, subject to review by the Tribe's Legal Department, and Budget and Finance Committee

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the Tribe's financing requirements, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

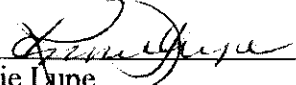
The foregoing resolution was on July 26, 2007, duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the 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).

  
\_\_\_\_\_  
Chairman of the Tribal Council

  
\_\_\_\_\_  
Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 07-2007-287 initiated the 26th day of July 2007.

Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

  
\_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman

7/26/07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

\_\_\_\_\_  
Margaret Baha-Walker  
Vice Chairwoman

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
TCS Initials

\_\_\_\_\_  
Evangeline Gatewood  
District I Council Member

\_\_\_\_\_  
Date Signed

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TCS Initials

  
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Lefe Altaha  
District II Council Member

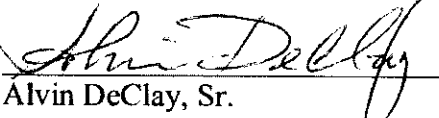
7-26-07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

  
\_\_\_\_\_  
Victoria Brewer  
District II Council Member

7-26-07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

  
\_\_\_\_\_  
Alvin DeClay, Sr.  
District III Council Member

07-26-07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

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Kirk Massey, Sr.  
District III Council Member

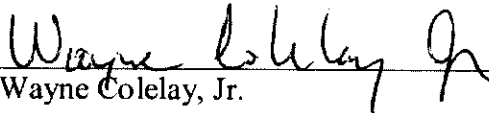
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Date Signed

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TCS Initials

  
\_\_\_\_\_  
Noland Clay  
District IV Council Member


7/26/07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

  
\_\_\_\_\_  
Wayne Colelay, Jr.  
District IV Council Member

7-26-07  
\_\_\_\_\_  
Date Signed

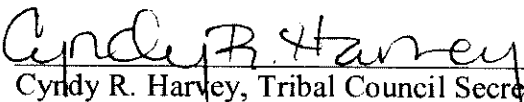
CM TCS Initials

  
\_\_\_\_\_  
Reno Johnson, Sr.  
District IV Council Member

7.26-07  
\_\_\_\_\_  
Date Signed

CM TCS Initials

ATTEST:

  
\_\_\_\_\_  
Cyndy R. Harvey, Tribal Council Secretary

7.26.07  
\_\_\_\_\_  
Date Signed