



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

(Authorizing Negotiations with Phillip Hagadorn, President of PRH Foods, Inc., for the Possible Establishment of a Subway Restaurant on the Fort Apache Indian Reservation)

- 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**, Mr. Phillip Hagadorn, President of PRH Foods, Inc., an Arizona corporation, did this day present a request to establish a Subways restaurant on the Fort Apache Indian Reservation; and
- WHEREAS**, PHR Foods, Inc., owns Subways franchises in Pinetop and Show Low, Arizona; and
- WHEREAS**, Mr. Hagadorn noted that a Subway restaurant would provide a healthy food choice alternative; and
- WHEREAS**, the Tribal Council finds that Mr. Hagadorn should submit a proposal that includes his terms and conditions; and
- WHEREAS**, the Tribal Council further finds that the Tribe's Legal Department and Realty Office should review Mr. Hagadorn's proposal and negotiate terms that may be in the Tribe's best interest, and report back to the Tribal Council; and
- WHEREAS**, the Tribal Council, without obligation, agrees to consider any and all terms and conditions proposed by PRH Foods, Inc., subject to (1) review and approval of the proposal by the Tribe's Budget and Finance Committee, and (2) review and action by the Tribal Council as to whether to approve or disapprove the proposal.

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

1. Non-binding negotiations with PHR Foods, Inc., are hereby authorized for the purposes of exploring a preliminary proposal for establishing a Subways restaurant on the Fort Apache Indian Reservation.
2. The Tribe's Legal Department and Realty Office are hereby directed to negotiate terms that may be in the Tribe's best interest, and report back to the Tribal Council upon the conclusion of said negotiation.
3. Any terms and conditions proposed by PRH Foods, Inc., are also subject to review and approval of the Tribe's Budget and Finance Committee, as well as other appropriate Divisions and Departments, and review and action by the Tribal Council, as to whether to approve or disapprove the proposal.

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4. Be it know that this Resolution stands only as an expression of interest in the development of a preliminary proposal for the purposes contemplated herein and has no binding effect whatsoever on the White Mountain Apache Tribe, its officers, agents or employees.

The foregoing resolution was on August 2, 2007, duly adopted by a vote of SEVEN for and ONE 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).



Chairman of the Tribal Council



Secretary of the Tribal Council