



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

(Authorizing Assignment and Lease of Certain Land in McNary to the White Mountain Apache Housing Authority for Construction of a Community Center and 20 Housing Units Pursuant to Project AZ 16-70)

- 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 Executive Director of the White Mountain Apache Housing Authority ("Housing Authority") did this day request an assignment and lease of certain land in the McNary community area for the purpose of construction of a community center and twenty housing units; and
- WHEREAS**, the Housing Authority, as the Tribally Designated Housing Entity of the Tribe, is responsible for carrying out the Indian Housing Plans of the Tribe, and undertaking the development and operation of housing, pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 ("NAHASDA");
- WHEREAS**, the Housing Authority, in furtherance of its approved IPH, as adopted and amended to date under NAHASDA, has applied for an allocation of tax credits from the Arizona Department of Housing, which will permit the Housing Authority to cause new construction of twenty rental dwelling units, comprising a new housing project, known as Project No. AZ 16-70 ("Project"); and
- WHEREAS**, the Housing Authority has selected two sites within the McNary Community and has obtained Tribal Land Board approval for the sites, which is more particularly described as set forth in Exhibit A, as attached and incorporated by this reference ("Project Leasehold Property"); and
- WHEREAS**, in connection with the Tax Credit program, as administered to ADOH under the applicable provisions of Section 42 of the Internal Revenue Code of 1986, as amended, it is necessary for the Housing Authority to sublease the Project Leasehold Property to an Arizona limited partnership to be known and identified as WMAHA Rehabilitation Limited Partnership ("Tax Credit Partnership"), within which the Housing Authority will act as General Partner; and
- WHEREAS**, the Tribal Council, as the duly empowered and authorized governing body of the Tribe, finds it to be in the best interest of the Tribe to: (1) permit and authorize a new Lease for the twenty rental dwelling units, and (2) permit and authorize the sublease of the Project Leasehold Property from the Housing Authority to the Tax Credit Partnership.

Resolution No. 10-2007-400

WHEREAS, upon review of the request, the Tribal Council finds that the assignment of the land described herein to be in the best interest of the McNary community and the Tribe; and

WHEREAS, the Tribal Council further finds that a lease between the Housing Authority as lessee and the Tribe should be approved for the purposes described herein, and that the lessee should be provided further authority to encumber the property with individual loan leasehold mortgages.

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

1. A new Lease for twenty rental dwelling units, known as Project AZ 16-70, is hereby approved for the White Mountain Apache Housing Authority for a term of 25 years, with an automatic 25-year renewal period.
2. The Housing Authority is hereby authorized to sublease the Project Leasehold Property to the Tax Credit Partnership.


BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Housing Authority as Lessee is hereby further authorized to encumber the property with leasehold mortgages as may be required.

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-Chairwoman or other duly authorized representative, to execute any and all documents necessary to approve a lease and leasehold mortgages and encumber the property accordingly.

The foregoing resolution was on October 10, 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), (b), (c), (h), (m), (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

LAND OFFICE

OCTOBER 05, 2007

LEGAL DESCRIPTION: MCNARY COMMUNITY BUILDING

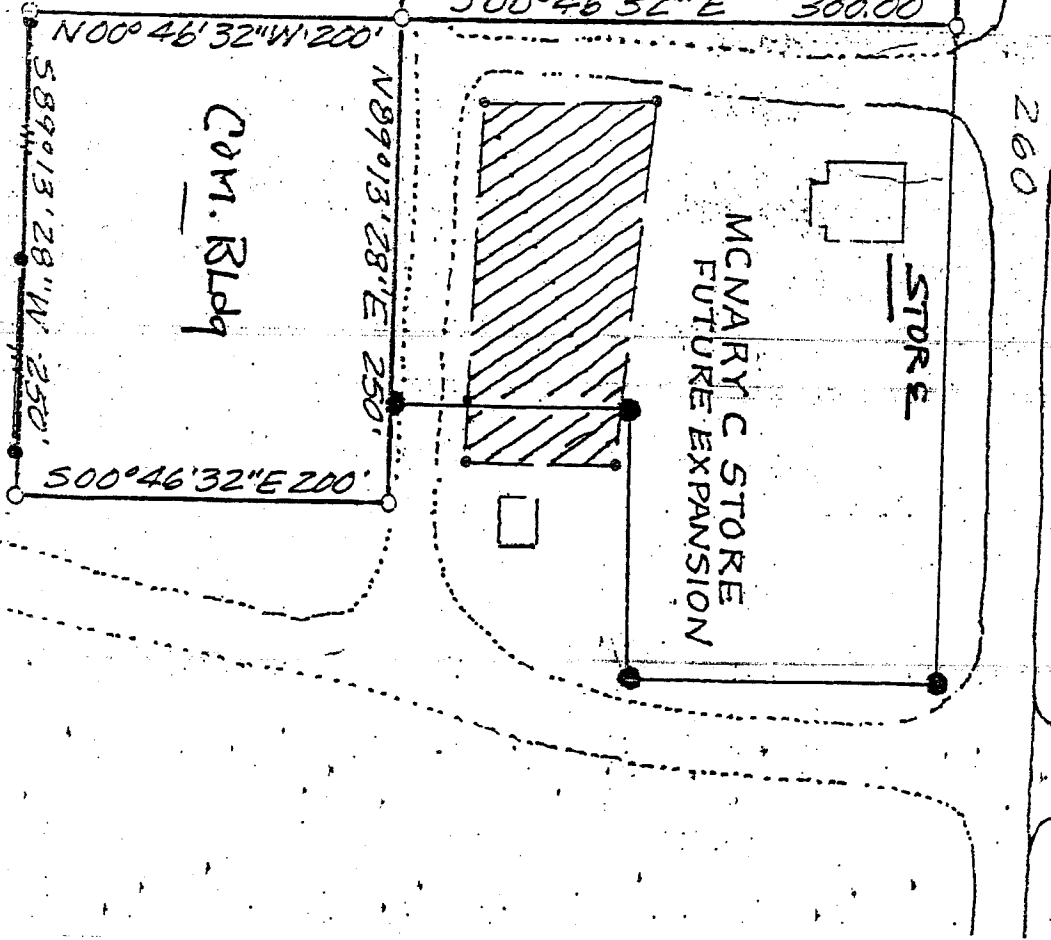
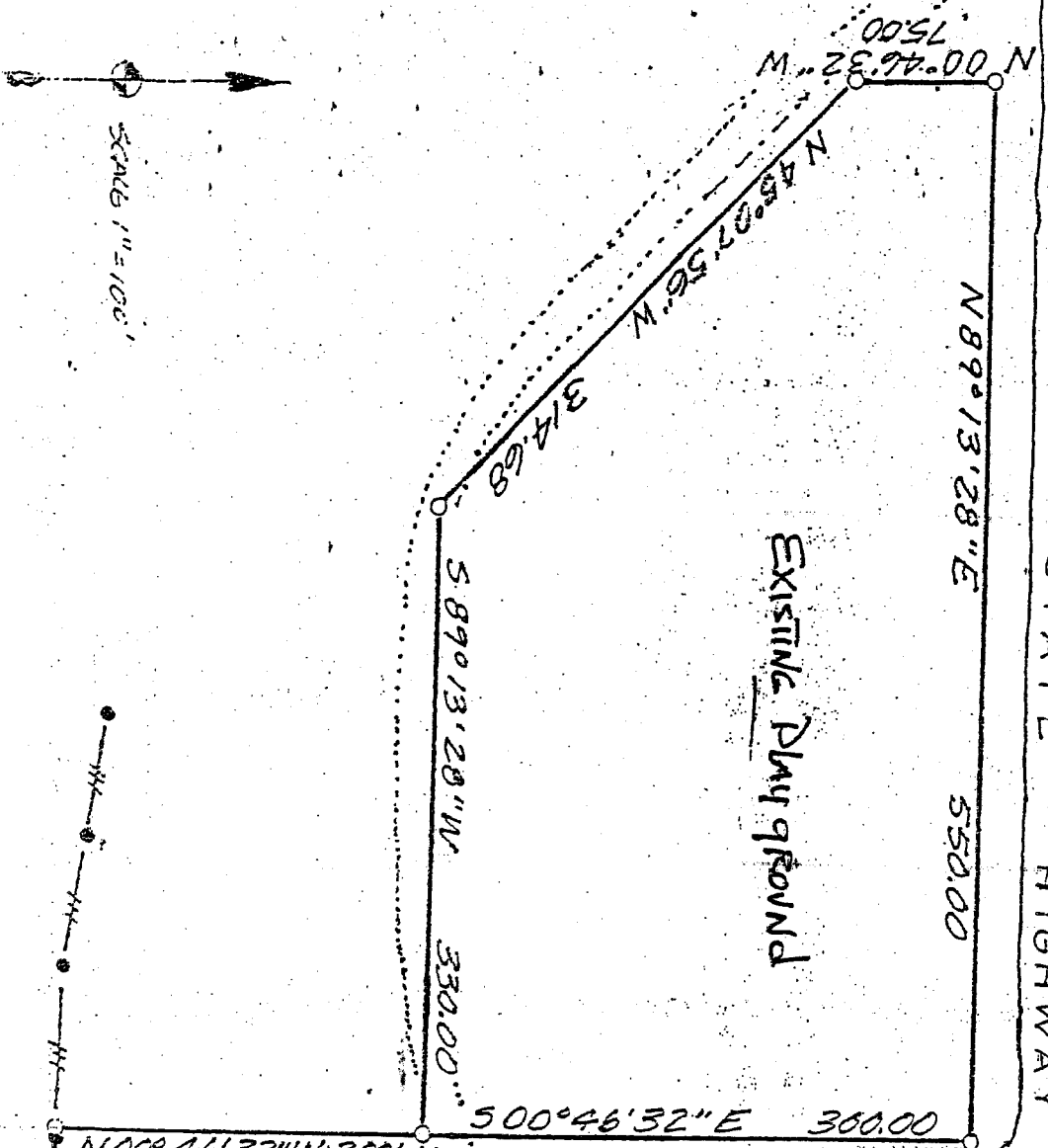
A CERTAIN PARCEL OF LAND SITUATED IN THE TOWN OF MCNARY,
WITHIN THE NORTHEAST $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 08 NORTH,
RANGE 24 EAST, GILA AND SALT RIVER BASIN AND MERIDIAN, ON THE
FORT APACHE INDIAN RESERVATION, APACHE COUNTY, STATE OF
ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A BRASS LOCATED AT THE NORTHWEST CORNER OF
SECTION 19 T08N, R24E, AND RUNNING;

THENCE S 08 30'03" E FOR A DISTANCE OF 3313.28 FEET;
THENCE N 86 29'46" E FOR A DISTANCE OF 799.55 FEET;
THENCE S 89 13'28" W FOR A DISTANCE OF 50.00 FEET;
THENCE S 00 46'32" E FOR A DISTANCE OF 380.00 FEET TO THE POINT OF
BEGINNING;

THENCE N 89 13'28" E FOR A DISTANCE OF 250.00 FEET;
THENCE S 00 46'32" E FOR A DISTANCE OF 200.00 FEET;
THENCE S 89 13'28" W FOR A DISTANCE OF 250.00 FEET;
THENCE N 00 46'32" W FOR A DISTANCE OF 200.00 FEET TO THE POINT
OF BEGINNING.

CONTAINING 1.10 ACRES MORE OR LESS.



SAN MILL

east

LAND OFFICE

MAY 04, 2007

LEGAL DESCRIPTION : MCNARY PARCEL II

A CERTAIN PARCEL OF LAND SITUATED IN THE TOWN OF MCNARY, WITHIN THE EAST HALF OF SECTION 19, TOWNSHIP 08 NORTH, RANGE 24 EAST, GILA AND SALT RIVER BASIN AND MERIDIAN, ON THE FORT APACHE INDIAN RESERVATION, APACHE COUNTY, STATE OF ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A BRASS CAP LOCATED AT THE NORTHWEST CORNER OF SECTION 19, T08N, R24E AND RUNNING;

THENCE S 64 26'54"E FOR A DISTANCE OF 3710.93 FEET TO THE POINT OF BEGINNING;

THENCE S 74 06'46"E FOR A DISTANCE OF 659.01 FEET;
THENCE S 06 16'20" W FOR A DISTANCE OF 470.91 FEET;
THENCE N 75 41'52" W FOR A DISTANCE OF 203.96 FEET;
THENCE S 25 36'43"W FOR A DISTANCE OF 140.00 FEET;
THENCE S 64 23' 17" E FOR A DISTANCE OF 200.00 FEET;
THENCE S 25 36'43" W FOR A DISTANCE OF 341.26 FEET;
THENCE S 88 02'51"W FOR A DISTANCE OF 615.30 FEET;
THENCE N 01 57' 09"W FOR A DISTANCE OF 204.45 FEET;
THENCE N 88 02'51"E FOR A DISTANCE OF 180.00 FEET;
THENCE N 01 57'09"W FOR A DISTANCE OF 768.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.51 ACRES MORE OR LESS.

LAND OFFICE

APRIL 18, 2007

LEGAL DESCRIPTION: MCNARY APACHE-DAWN PARCEL

West Side (10 units)

A CERTAIN PARCEL OF LAND SITUATED IN THE TOWN OF MCNARY, WITHIN THE WEST HALF OF SECTION 24, TOWNSHIP 08 NORTH, RANGE 23 EAST, GILA AND SALT RIVER BASIN AND MERIDIAN, ON THE FORT APACHE INDIAN RESERVATION, NAVAJO COUNTY, STATE OF ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

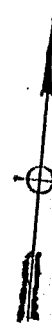
COMMENCING AT A BRASS CAP LOCATED AT THE NORTHEAST CORNER OF SECTION 24, T8N, R23E AND RUNNING;

THENCE S 36 18'46" W FOR A DISTANCE OF 2887.13 FEET TO THE POINT OF BEGINNING;

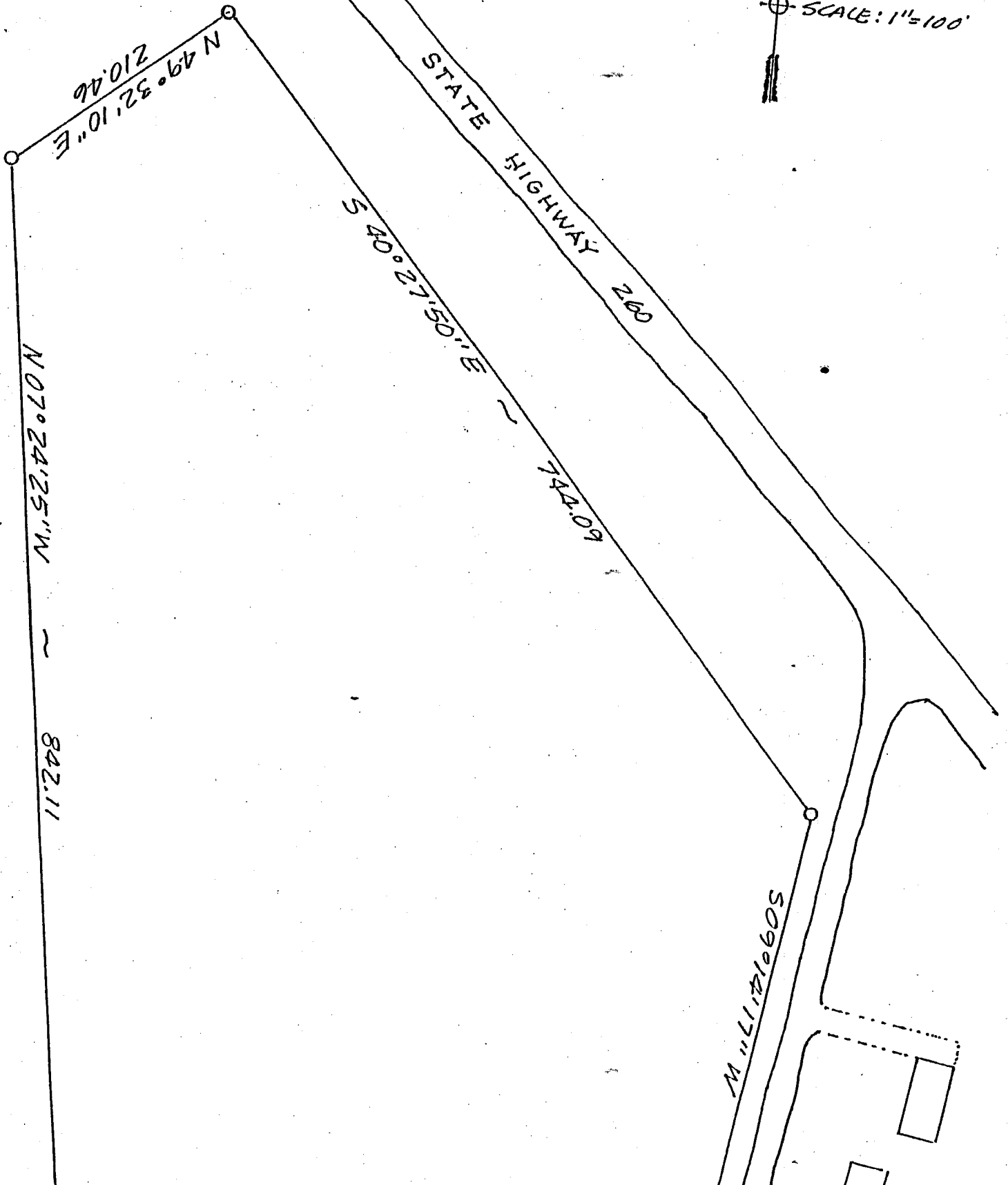
THENCE S 09 14'17" W FOR A DISTANCE OF 488.00 FEET;
THENCE N 80 45'43" W FOR A DISTANCE OF 464.50 FEET;
THENCE N 07 24'25" W FOR A DISTANCE OF 842.11 FEET;
THENCE N 49 32'10" E FOR A DISTANCE OF 210.46 FEET;
THENCE S 40 27'50" E FOR A DISTANCE OF 744.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.03 ACRES MORE OR LESS.

(west side)

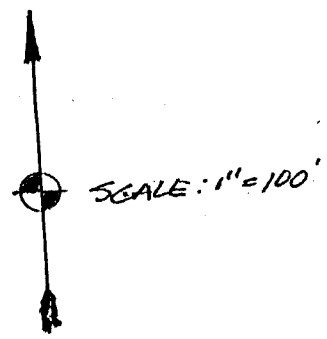


SCALE: 1"=100'

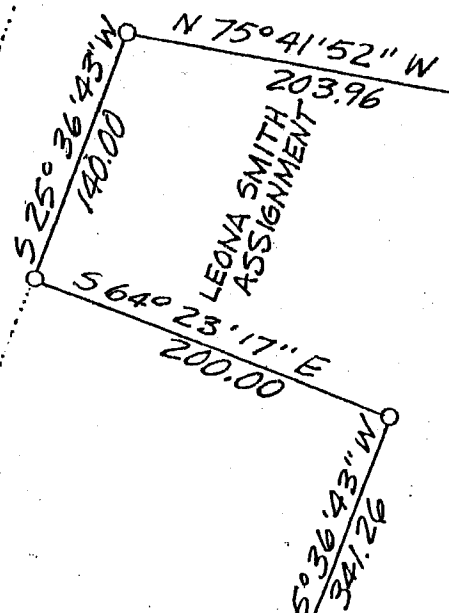


S45T Mc NARY
AZ-16-70

REVISED
5-10-07



EAST McNARY
~~APACHE DAWN~~ PARCEL II



7109" W
204.45