



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

**(Rescinding Resolution No. 07-2008-145)**

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) 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,** Margaret Cook had come before the Tribal Council to request ownership of the house located at Hondah Homesites Lot 16, which she had been renting from the White Mountain Apache Community Development Corporation (CDC); and
- WHEREAS,** The Tribal Council by Resolution No. 07-2008-145 had given ownership of the house No. A-16 Hondah Homesites to Mrs. Cook; and
- WHEREAS,** The Tribal Council was not fully advised of the functions of CDC and the circumstances surrounding the rightful ownership of the premises; and
- WHEREAS,** CDC, through its Board Member Cline Griggs and Executive Director Mary Jo Pyhel came before the Tribal Council on September 18, 2008 and advised the Tribal Council that ownership of the house belonged to CDC and the CDC Board had not approved the transfer of said property CDC is prohibited by its Articles of Incorporation and it's 501(c)(3) status to dispose of any CDC property to an individual; and
- WHEREAS,** The Articles of Incorporation for the White Mountain Apache Community Development Corporation (CDC) provide at Article VI (12) that no part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officer, or other private persons; and
- WHEREAS,** pursuant to Resolution No. 02-95-029 (attached), the Tribe assigned nine lots to CDC for the purpose of moving cabins from Hawley Lake to be used as CDC rentals at Hondah Homesites; and
- WHEREAS,** the house located at Hondah Homesites Lot A-16 was donated to CDC and moved from Hawley Lake and renovated for a CDC rental; and
- WHEREAS,** attached to this resolution is a letter from CDC's accountant which sets forth the requirements for disposing of a non-profit's assets and the consequences for improperly disposing of assets; and
- WHEREAS,** having been fully advised of the ownership of the premises, the Tribal Council concurs that the matter should be referred back to CDC and the resolution granting ownership to Mrs. Cook must be rescinded.

**Resolution No. 06-2009-186**

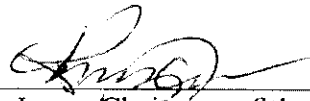
**WHEREAS,** in the interest of equity, the Tribal Council of the White Mountain Apache Tribe wishes to waive the approximately \$6,000 in past due rent and late fees that Margaret Cook has incurred in the past year.

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

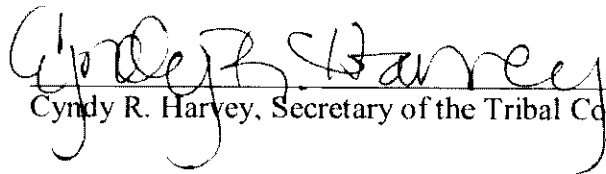
1. It recognizes CDC is the legal owner of the premises located at Hondah Homesites A-16.
2. Resolution No. 07-2008-145 is hereby rescinded.
3. CDC waive the approximately \$6,000 in past due rent and late fees incurred by Margaret Cook as a result of Resolution 07-2008-145.
4. It hereby directs the White Mountain Apache Community Development Corporation to meet with Mrs. Cook and arrange to make the necessary repairs to the premises.

**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 June 24, 2009 duly adopted by a vote of FOUR for and TWO against and ONE abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (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).



\_\_\_\_\_  
Ronnie Lupe, Chairman of the Tribal Council



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