



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

(Authorizing the revised ATM Services Agreement for the Cibecue Commercial Center)

- 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,** the Tribe's Cibecue Commercial Center had a contract dispute with Automated Financial, LLC, the company which provides automated teller machine ("ATM") services at the Commercial Center; and
- WHEREAS,** the dispute, arising from a contract agreement made with the company in 2007, has caused the Cibecue ATM to be inoperable for more than one year; and
- WHEREAS,** the Commercial Center has negotiated a revised ATM services agreement with Automated Financial to restore services for the term as agreed in the 2007 agreement and to incorporate standards for dispute resolution which are consistent with agreements made by other Tribal enterprises and are limited to enforcement in the White Mountain Apache Tribal Court; and
- WHEREAS,** the Commercial Center agrees to payment of attorney fees which were incurred as a result of the dispute; and
- WHEREAS,** the Commercial Center manager agrees to the terms of the revised agreement and requests approval by the Tribal Council.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the revised ATM Placement and Processing Agreement between the Tribe's Cibecue Commercial Center and Automated Financial, L.L.C., reviewed this date by the Tribal Council, and it agrees to the terms and conditions which the Agreement contains.

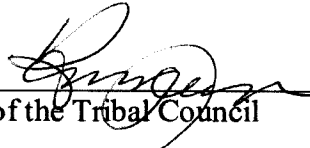
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Cibecue Commercial Center manager or his designee is hereby authorized to execute and submit the agreement.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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.

Resolution No. 10-2009-340

The foregoing resolution was on **OCTOBER 8, 2009** 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), (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