



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

**(Authorizing a Long Term Retroactive Lease By and Between the
Tribe and White Mountain Apache Housing Authority for Project AZ 16-28)**

- 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,** pursuant to Resolution No 78-117, passed June 13, 1978, a long-term lease was granted to the White Mountain Apache Housing Authority for scattered sites within the Fort Apache Indian Reservation, for construction of 100 Mutual Help units under Project No. Ariz. 16-28; and
- WHEREAS,** the lease for this project was not recorded with the BIA Title Plant and has been misplaced; and
- WHEREAS,** several participants in Project No. AZ 16-28 have paid-off their units and are awaiting their Quit Claim Deeds, Assignment & Release documents from the Housing Authority; and
- WHEREAS,** the White Mountain Apache Housing Authority requests the Tribal Council's approval of a lease, attached hereto, for 100 scattered sites under Project No. AZ 16-28, for a term of 25 years with an automatic 25-year renewal, retroactive to June 13, 1978; and
- WHEREAS,** the Tribal Council has considered this issue carefully and finds that it is in the best interest of the Tribe to approve the lease for 100 scattered sites under Project No. AZ 16-28, for a period of 25 years and to be renewed automatically every 25 years, and the terms of the agreement shall be retroactive to June 13, 1978; and
- WHEREAS,** given the urgency of the request, the Tribal Council further finds that this needs to be considered and made outside of its regularly scheduled meetings; 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 personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) 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.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby agrees to enter into a lease agreement with the White Mountain Apache Housing Authority, the lease attached hereto, for the purpose of supporting 100 scattered dwelling sites identified herein.

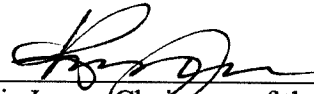
Resolution No. 10-2009- 344

BE IT FURTHER RESOLVED by the Tribal Council that the lease agreement shall apply retroactively dating back to June 13, 1978, for a period of 25 years and an automatic 25 year renewal at the end of the first term.

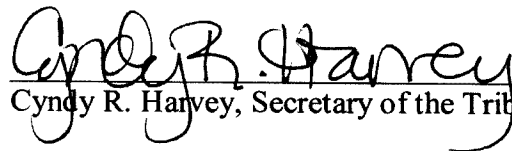
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman 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.

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 document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on October 15, 2009, duly adopted by a vote of SIX 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), (h), (i), (n), (s), (t) and (u) of the Constitution of the Tribe, ratified September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Sec. 16 of the Act of June 18, 1934 (48 Stat. 984).

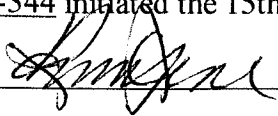
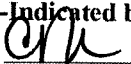


Ronnie Lupe, Chairman of the Tribal Council


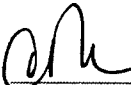


Cyndy R. Harvey, Secretary of the Tribal Council

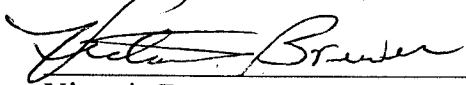
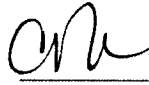
Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 10-2009-344 initiated the 15th day of October 2009. **Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials**

 10/15/09  TCS Initials
Ronnie Lupe
Tribal Chairman
Date Signed

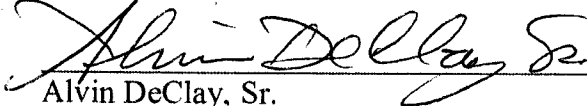
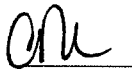
Date Signed _____ TCS Initials
Margaret Baha-Walker
Vice Chairwoman

 10-15-09  TCS Initials
Arnold Beach, Sr.
District I Council Member
Date Signed

Date Signed _____ TCS Initials
Evangeline Gatewood
District I Council Member

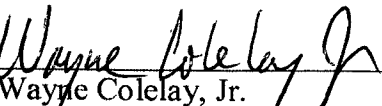

 10/15/09  TCS Initials
Victoria Brewer
District II Council Member
Date Signed

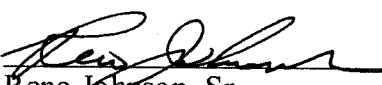
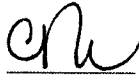
Date Signed _____ TCS Initials
Rubert Lupe, Sr.
District II Council Member

 10/15/09  TCS Initials
Alvin DeClay, Sr.
District III Council Member
Date Signed

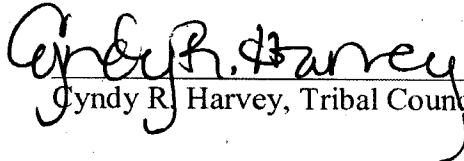
Date Signed _____ TCS Initials
Kirk Massey, Sr.
District III Council Member

Date Signed _____ TCS Initials
Noland Clay
District IV Council Member

 10-15-09  TCS Initials
Wayne Colelay, Jr.
District IV Council Member
Date Signed

 10-15-09  TCS Initials
Reno Johnson, Sr.
District IV Council Member
Date Signed

ATTEST:

 10.21.09
Cyndy R. Harvey, Tribal Council Secretary
Date Signed