



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

(Authorizing New Lease to Housing Authority for Project AZ 16-38)

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 Housing Authority is the Tribally designated Housing Entity of the Tribe pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 ("NAHASDA") and is responsible for carrying out the Indian Housing Plan (IHP) under NAHASDA; and

WHEREAS, the Housing Authority, in furtherance of its approved IHP has applied for an allocation of Tax Credits ("Tax Credits") from the Arizona Department of Housing ("ADOH"), which will permit the Housing Authority to cause the rehabilitation of twenty (20) dwelling units, comprising a portion of its previously developed housing project, known as Project No. AZ 16-38 ("Project"); and

WHEREAS, the Housing Authority has selected and approved the twenty (20) dwelling units within the Project to be rehabilitated, which dwelling units are located upon certain of the existing leasehold property of the Housing Authority, as more particularly described and set forth in Exhibit A attached hereto and incorporated herein ("Project Leasehold Property"); and

WHEREAS, in conjunction with the Tax Credit program as administered to ADOH under applicable provisions of Section 42 of the Internal Revenue Code of 1986, as amended, it is necessary for the Housing Authority to sublease portions of the Project Leasehold Property to an Arizona limited partnership to be known and identified as WMAHA Limited Partnership #5 ("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, believes it to be in the best interest of the Tribe to adopt this Resolution: (1) to permit and authorize an updated, new Lease for the Project; and (2) to permit and authorize the sublease of the twenty (20) dwelling sites within the Project Leasehold Property from the Housing Authority to the Tax Credit Partnership.

BE IT RESOLVED that the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a new and updated Lease for the Project known as Project AZ 16-38 and is hereby approved for the White Mountain Apache Housing Authority for a term of twenty five (25) years, with an automatic 25 year renewal period.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Housing Authority to sublease the twenty (20) dwelling sites within the Project Leasehold Property to the Tax Credit Partnership.


Resolution No. 01-2010-05

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby cancels the previous Lease No. HFA86-1638 issued to the Housing Authority on April 23, 1986 for the site referenced hereto.

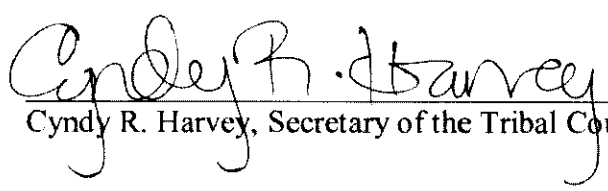
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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.

The foregoing resolution was on January 8, 2010 duly adopted by a vote of EIGHT for and ZERO against with 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), (h), (i), (j), (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