



# WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance  
Over the Fort Apache Indian Reservation*

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## **Resolution No. 07-2012-97**

### **( Reaffirming Approval of Hawley Lake Cabin Rental for Mario Minjarez )**

**WHEREAS**, the Tribal Council of the White Mountain Apache Tribe ("Tribe") is entrusted by the Tribe's Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

**WHEREAS**, Mario Minjarez has come before the Tribal Council to request a lease of an abandoned cabin located at Hawley Lake B-162, which has been managed by the White Mountain Apache Community Development Corporation (CDC); and

**WHEREAS**, Mr. Minjarez has a desire to renovate the abandoned cabin at his own expense in exchange for a twenty-five (25) year lease at a rate \$25.00 from the White Mountain Apache Tribe; and

**WHEREAS**, according to the CDC Board Members the ownership of the cabin belongs to CDC and the CDC Board cannot approve the transfer of said property as 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**, Mr. Minjarez was instructed by the CDC Board to present his request to the Tribal Council since Resolution No. 09-1984-306 declared a moratorium on the sale of any Hawley Lake homes to tribal members unless said homes are removed by tribal members from the Hawley Lake area; and

**WHEREAS**, after careful consideration, the Tribal Council finds in the best interest of the Tribe to grant Mario Minjarez a temporary lease for Hawley Lake Cabin B-162.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby grants a temporary lease of Hawley Lake Cabin B-162 to Mario Minjarez with a review of the lease within two years.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.

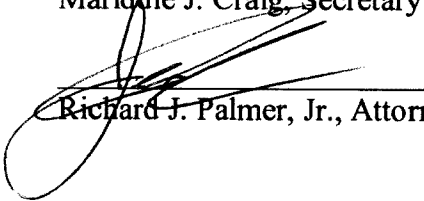
The foregoing resolution was on July 11, 2012 duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (h), (j), (s), (t) and (u) of the Tribal Constitution, ratified by the 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).

  
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Ronnie Lupe, Chairman

7-12-12  
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Date

  
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Mariddie J. Craig, Secretary

July 12, 2012  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Richard J. Palmer, Jr., Attorney

7/12/12  
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Date