



WHITE MOUNTAIN APACHE TRIBE

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

Resolution No. 01-2013-26

(Delegate Lease Authority to Tribal Realty Office)

WHEREAS, the Tribal Realty Office (“Realty”), a subdivision of the Legal Department, is responsible for preparing, reviewing and ensuring that leases and other agreements between the Tribe and other organizations are properly carried out and entered into; and

WHEREAS, often, Realty is put in a difficult situation because authority has not been directly delegated to the Department to authorize lease agreements on behalf of the Tribe; and

WHEREAS, in order to facilitate the process and improve Tribal business operations, the Legal Department requests that the Tribal Council consider delegating authority to the Realty Office to prepare, negotiate and enter into leases on behalf of the Tribe that do not have major consequences associated with them; and

WHEREAS, the Realty Program Manager regularly reveals lease renewals and other short term and low impact leases that should not require Council approval. This includes leases with anywhere from 0 to 30 days notice requirements for abandoning the agreements; and

WHEREAS, the Tribal Council agrees with the Legal Department’s assessment and finds it in the best interest of the Tribe to delegate to the Realty Office the authority to bind the Tribe using best management practices and discretion in determining what leases should require notification and formal authorization by the Council.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Realty Office to use its discretion and determine when it is in the Tribe’s best interest to formally address and notify the Council regarding leases and when it would be reasonable to bind the Tribe to an agreement that may have a short notification for termination, a renewal of a lease agreement in good standing, or other non-controversial leases.

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.

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.

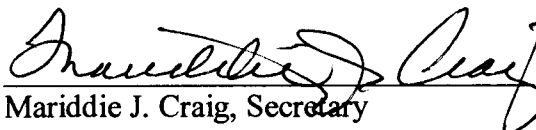
The foregoing resolution was on January 30, 2013 duly adopted by a vote of EIGHT for and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (i), (k), (s), (t) and (u) of the Tribal Constitution, ratified 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).



Ronnie Lupe, Chairman

7/2/13

Date



Mariddie J. Craig, Secretary

07/01/2013

Date