



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving 5 Residential Leases Formerly Held Under the McNary Low Income Housing Tax Credit Project)

WHEREAS, on September 27, 2017, in Resolution No. 09-2017-221, the Tribal Council approved the plans presented by the White Mountain Apache Community Development Corporation (“CDC”) to close out the compliance period under the Mc Nary Low Income Housing Tax Credit project; and

WHEREAS, at that time, the Council authorized residential leases for 15 of the 20 housing units and authorized the CDC to sublease the remaining five units to their tenants pursuant to a master lease; and

WHEREAS, the CDC reports that the remaining five units are now ready for transfer to tenant ownership, thereby requiring approval from the Tribal Council for a residential lease; and

WHEREAS, three of the units require approval of a mortgage to collateralize the remaining purchase amount owed by the tenant to the CDC; and

WHEREAS, the five residential lots, located in Mc Nary, and the lessees are as follows:

Lot 2	Lancione Carroll, lessee
Lot 7	Camery Malone, lessee
Lot 13	Millicent (White) Loftis, lessee
Lot 14	Matthew Hinton Sr., lessee
Lot 18	Victoria Hinton, lessee

WHEREAS, the residential leases will have an initial term of 25 years and then will automatically renew for an additional 25 year term at a rental rate of One Dollar per 25 year term; and

WHEREAS, the CDC agrees to surrender the master lease it currently holds for the five residential lots in order to permit those lots to be leased directly by the Tribe to the qualifying tenants; and

WHEREAS, the Tribal Council has reviewed the lease documents and concurs with the terms.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a residential lease for a period of 25 years, with an automatic renewal of 25 years, at the nominal lease fee of \$1.00 per 25-year period, to the following tribal members for the specified McNary Lots:

Lot 2	Lancione Carroll, lessee
Lot 7	Camery Malone, lessee
Lot 13	Millicent (White) Loftis, lessee
Lot 14	Matthew Hinton Sr., lessee
Lot 18	Victoria Hinton, lessee

Resolution No. 10-2018-233

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it authorizes the lessees to encumber the leasehold premises for the purpose of securing financing to acquire or repair/renovate the home, and to record a leasehold mortgage for the benefit of the CDC, for those units subject to a remaining balance due.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it accepts and approves the CDC's surrender of the Master Lease No. BFA1800424, previously approved in Tribal Council Resolution No. 09-2017-222.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby makes the following declarations for purposes of 25 C.F.R. Part 162:

1. The Tribe has determined that the lease will be for public housing purposes and has negotiated satisfactory compensation and will not require valuation pursuant to 25 CFR §162.320 and 25 CFR §162.326, if applicable, and the Tribe further states that accepting the negotiated compensation and waiving the valuation is in the Tribe's best interest;
2. The Tribe has determined that it is in its best interest to not have compensation reviews and/or adjustments as would otherwise be required under 25 CFR §162.328 as the lease is for public housing purposes.

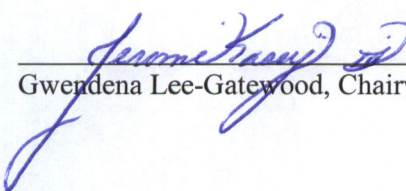
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it requests that the Arizona Department of Housing release the Declaration of Affirmative Land use and Restrictive Covenants Agreement concerning the Project property, recorded with Apache County.

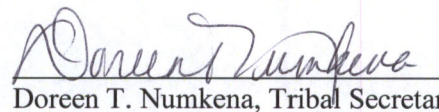
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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 the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **October XX, 2018** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).


Gwendena Lee-Gatewood, Chairwoman 3/10/18 Date


Doreen T. Numkena, Tribal Secretary 10/31/18 Date