



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing an Amendment to Dishchii'Bikoh Community School Lease to Add 1/3rd of an Acre and Confirming Ownership of the Blue Building)

WHEREAS, Pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe ("Tribe"), *inter alia*, the Tribal Council ("Council") shall exercise the power to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, On June 20, 2001, via Resolution No. 06-2001-179, the Council approved a twenty-five-year land lease with the Cibecue Community Education Board, Inc. ("Cibecue School Board"), which was modified pursuant to Resolution No. 05-2016-104, on May 18, 2016, to include an August 23, 2007, donation of 50.49 acres, more or less, of tribal trust land, from the Cibecue Livestock Association, and restoration of 2.79 acres of land for the water tanks, waterline, and access road to the water tanks for Dishchii'Bikoh Community School ("School"); and

WHEREAS, The Cibecue School Board has come before the Tribal Council with a request to add to the lease an additional one-third acre, more or less, of tribal trust land which includes a building (the "Blue Building"), constructed over 30 years ago by the WMAT JTPA program, and which was donated by JTPA to the School in 1988-89; and

WHEREAS, The Blue Building is now unoccupied, but the School has invested approximately \$15-\$20,000 in improvements its interior; including the addition of two restrooms, a kitchen area, two offices and two large classrooms, the installation of computer networking infrastructure, a stainless steel refrigerator, cabinetry, a commercial stove and exhaust system for the stove, and cupboards, sinks, countertops and similar improvements; and

WHEREAS, The Blue Building is of metal construction with a steel beam structure, corrugated exterior, wood framed with a sheet-rock interior, is approximately 70 ft. long and 40 ft. wide, and has an eight-foot high fence around the perimeter with parking for about six cars; and

WHEREAS, Cibecue Community School respectfully requests that the Tribal Council confirm the School's ownership of the Blue Building and approve an amendment to the June 20, 2001 Lease between the Tribe and the Cibecue School Board to add approximately one third of an acre of land to the lease upon which the Blue Building is located; and

WHEREAS, The School will pay for a survey and legal description of the 1/3 acre of trust land at no expense to the Tribe, and will comply with applicable requirements to process the Lease amendment and to transfer ownership of the Blue Building to the School; and

Resolution No. 07-2019-141

WHEREAS, The School would like to convert the Blue Building to a Career Technical Education (“CTE”) Program Center, with facilities for a automotive, construction and woodworking programs; and

WHEREAS, The Tribal Council has reviewed the School’s plans and finds that authorizing the requested lease amendment will help the School provide important service to the students and community, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes an amendment to the School Lease between the White Mountain Apache Tribe and the Cibecue Community Education Board, Inc., adding the additional one third acre, more or less, upon which the Blue JTPA Building sits, the legal description and survey of which shall be performed by the School at no expense to the Tribe.

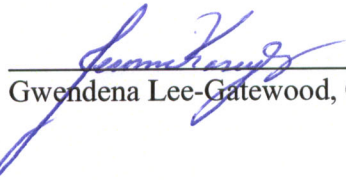
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby confirms that Cibecue Community Education Board Inc., is the owner of the Blue Building and all of the improvements, fixtures, and removable equipment in the Building, as well as the fencing around the exterior of the Blue Building; the School to prepare the ownership transfer documents for the Blue Building at no expense to the Tribe

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 **JULY 3, 2019** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** 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 Date 15 July 2019



Doreen T. Numkena, Tribal Secretary Date 7-15-19