



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Enacting Ordinance No. 297, Amending the Probate Code of the White Mountain Apache Tribe)

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(q) that the Tribal Council (“Council”) shall exercise the power “To enact ordinances... regulating the inheritance of real and personal property or persons within the jurisdiction of the Tribe; and

WHEREAS, The Tribe’s Probate Code is outdated and in need of revision; and

WHEREAS, The Office of the Attorney General and the Tribe’s Realty Office have drafted revisions to the Tribe’s Probate Code; and

WHEREAS, On September 12, 2019, by Council Resolution No. 09-2019-185, the Council authorized the posting of Ordinance No. 297, which amends the Probate Code, pursuant to Article XV of the Constitution of the White Mountain Apache Tribe; and

WHEREAS, Ordinance No. 297 was posted for the requisite time, and the Office of the Tribal Council Secretary has received no comments regarding the proposed changes; and

WHEREAS, The Council has reviewed Ordinance No. 297 carefully, and considered the recommendations and implications thereof in great detail and finds the adoption of the amendments to the Probate Code, as set forth in Ordinance No. 297 to be in the best interest of the White Mountain Apache Tribe.

BE IT ENACTED by the Tribal Council of the White Mountain Apache Tribe that it hereby adopts Ordinance No. 297, attached hereto and incorporated by reference, which amends the Probate Code.

BE IT 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 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.

Resolution No. 10-2019-204

Ordinance No. 297

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.

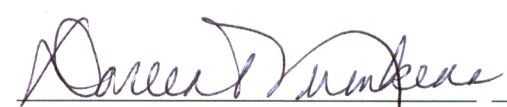
The foregoing resolution was on **OCTOBER 2, 2019** duly adopted by a vote of **ELEVEN** for, **ZERO** against, and **ZERO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT 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

10/11/19

Date



Doreen T. Numkena, Tribal Secretary

10/14/19

Date