

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribe has decided to replace its existing retirement plan with a qualified defined contribution plan in order to provide the Tribe's employees the opportunity to save for their retirement on a tax favored basis now.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the White Mountain Apache Tribe Retirement Savings Plan (the "Plan") and its associated Trust Agreement, effective February 1, 1991, as presented to the Tribal Council, be and the same hereby are, approved and adopted.

BE IT FURTHER RESOLVED that the terms of the Plan shall allow lump sum distributions to employees, but only if the amount distributed does not exceed \$15,000.00.

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council is hereby authorized to execute said Plan and the Trust Agreement and to make such changes therein as may be suggested by the Tribe's pension attorneys as long as said changes are merely administrative in nature and do not increase the cost of the plan or seriously detract from the benefits provided to employees.

BE IT FURTHER RESOLVED that the proper officers of the Tribe be, and they hereby are, authorized, empowered and directed to file an application, together with any supporting documents, with the United States Treasury Department, with a request for a determination that said Plan and Trust Agreement, as adopted, meet the requirements of Section 401 (a) of the Internal Revenue Code of 1986, as amended, and to execute such Powers of Attorney, schedules and other documents as may be necessary or required in connection therewith.

BE IT FURTHER RESOLVED that the Chairman of the Tribal Council be, and hereby is, authorized and empowered, in his discretion, to execute such further amendments to said Plan and Trust Agreement as may be required in order to obtain the approval of the United States Treasury Department, if, in his judgement, such amendments are in the best interest of the Tribe.

BE IT FURTHER RESOLVED that any financial institution selected by the Tribal Treasurer and the Tribal Chairman shall serve, subject to its consent, as trustee pursuant to the terms and conditions of said Plan and Trust Agreement.

BE IT FURTHER RESOLVED that the Plan Administrator appointed to serve pursuant to the terms and conditions of said Plan shall be the Tribe.

BE IT FURTHER RESOLVED that pursuant to Section 415 of the Internal Revenue Code of 1986 and the treasury regulations issued thereunder, the Tribe shall use as the "limitation year" for the Plan the "Plan Year" of the Plan.

BE IT FURTHER RESOLVED that the acts and deeds of the members of the Tribal Council necessary to carry out the intent and purpose of these resolutions be, and the same hereby are ratified, confirmed and adopted as the acts and deeds of the Tribe.

The foregoing resolution was on April 11, 1991, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

[Faint stamp]

APR 23 1991

FORT APACHE INDIAN AGENCY
ANDERSON, ARIZONA

[Signature]

Chairman of the Tribal Council

[Signature]

Secretary of the Tribal Council