

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

WHEREAS, Tribal members Fitzgerald and Eliza (Brown) Lupe ("buyer" or lessee") have come before the Tribal Council and requested approval from the Tribal Council to convert their present land assignment, fully described in Appendix A attached hereto and incorporated herein, to a homesite lease for the purpose of securing financing to construct a new home; and

WHEREAS, the Tribal Council is advised that the Tribal Revolving Credit Program has approved financing for Fitzgerald and Eliza (Brown) Lupe, and a Homesites lease is required by Section 21(3)2 of the Declaration of Policies and Plan of Operation of the Revolving Credit Program, approved by the Tribal Council on July 22, 1975; and

WHEREAS, it may be necessary to encumber the leasehold interest to secure the financing through the Revolving Credit Program.

WHEREAS, after due consideration the Tribal Council concluded that permission should be granted to Tribal members Fitzgerald and Eliza (Brown) Lupe, for a homesites on their present land assignment pursuant to conditions set forth herein.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants a 25 year lease, with an 25 year renewal, for the premises described in Appendix A to Tribal members Fitzgerald and Eliza (Brown) Lupe pursuant to the following conditions:

1. The premises shall not be re-leased or rented without Tribal Council permission in the form of a resolution;
2. Boundaries of the premises shall not exceed the original land assignment described herein.
3. Any new addition or construction on the premises must be approved by the Tribal Engineering Department;
4. The Tribal Council must approve the removal of any trees on the premises. The lessee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation and safety acceptable to the Tribe, and all electrical wiring if and when installed shall conform to the underwriters specifications;

5. The premises shall be used for residential purposes only and no purpose that would injure reputation or be in violation of law;
6. No horses or other livestock shall be permitted to be on the premises without the consent of the Tribal Council;
7. The lessee shall, at lessee's sole cost and expense, keep and maintain all buildings, structures and other improvements on the premises in good order and repair and the whole thereof in a clean, sanitary, neat and attractive condition;
8. The lessee shall not encumber, assign, or transfer ownership of the premises without the written consent of the Tribe in the form of a Tribal Council resolution;
9. No commercial business are allowed to take place on the premises, such as auto repair, nurseries, junk yards, or any other wholesale or retail business that would detract from a residential appearance.
10. The lessee shall obtain certification that water and septic/sewer facilities are available from the Tribe or IHS.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that violation of any of the foregoing conditions shall make this authorization for a lease null and void.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants authority to Fitzgerald and Eliza (Brown) Lupe to encumber the premises for the purpose of securing a loan through the Revolving Credit Program.

The foregoing was on February 20, 1997 and adopted by a vote of 7 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b) (c) (h) (i) (t) and (u) of the Constitution of the Tribe, 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).

Signatures of the members of the Tribal Council represent their approval of Tribal Resolution
No. 02-97-040.

Ronnie Lupe
Ronnie Lupe
Tribal Chairman

Lafe Altaha
Lafe Altaha
Vice Chairman

Judy DeHose
District I Council Member

Harley Janeway
District I Council Member

Romeo Dazen
Romeo Dazen
District II Council Member

Lynn Cody
Lynn Cody
District II Council Member

Alvin DeClay
Alvin DeClay
District III Council Member

Margaret Baha-Walker
District III Council Member

Frank Endfield, Jr.
District IV Council Member

Guy Massey, Jr.
Guy Massey, Jr.
District IV Council Member

Herbert Tate
Herbert Tate
District IV Council Member

ATTEST:

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APR 21 1998
BY APACHE INDIAN AGEN
WHITERIVER, ARIZONA

Virginia M. Dalton
Virginia M. Dalton
Tribal Council Secretary
WHITE MOUNTAIN APACHE TRIBE