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

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe adopted Resolution 08-92-236 on August 12, 1992 which authorized and issued and granted to the Cibecue Community Education Board, Inc., a Charter in perpetuity for the purposes set forth in the Charter, commencing July 1, 1992; and
- WHEREAS,** on April 8, 1998 the Tribal Council adopted Resolution 04-98-56 which amended the Cibecue Community Education Board, Inc.'s Charter to add Facilities Management Funding to its Operation and Maintenance charter as recommended by the Bureau of Indian Affairs, Education, Department of Personnel based upon the BIA's interpretation of Public Law 100-297 by its Solicitor; and
- WHEREAS,** said amended Charter for the Cibecue Community School was issued in perpetuity subject to the right of the Tribal Council of the White Mountain Apache Tribe to revoke the Charter pursuant to Article XII of the Articles of Incorporation for the Cibecue Community Education Board, Inc.; and
- WHEREAS,** in 1998, the Cibecue School Board obtained congressional authorization to transfer \$4.5 Million Dollars in BIA funds provided to the school in prior years for instructional programs to finance critical school construction activities in 1998 and has utilized said funds for the construction of the Cibecue High School Dome; and
- WHEREAS,** approximately \$2.2 Million Dollars is required to complete the final phase (Phase III) of the high school facility and the Cibecue Community School Board as applied to the United States Department of Agriculture's Rural Development Agency for a bank loan guarantee to complete Phase III; and
- WHEREAS,** the financial institution which will be loaning funds to Cibecue School to complete Phase III construction, which loan amount will be ninety percent guaranteed by Rural Development, has requested clarification of certain issues in order to proceed with the school's loan application: (1) a guarantee that the Tribe will not revoke the School's Charter pursuant to Article XII of the School Board's Articles of Incorporation during the proposed loan repayment term of up to twenty (20) years, and (2) authorization from the Tribal Council approving the Cibecue School Board action soliciting a bank loan in the amount of \$2.2 Million Dollars for capital improvements to complete Phase III of its high school facility; and
- WHEREAS,** the Cibecue Community Board has advised the Tribal Council that the Cibecue Community School has a sufficient investment portfolio to pay for the debt service during the twenty (20) years repayment term of the bank loan guaranteed by Rural Development; and
- WHEREAS,** no collateral will be required for the proposed loan; and
- WHEREAS,** the Cibecue Community Board agrees to provide complete financial and academic audit reports from the past three (3) years to the Council; and
- WHEREAS,** the Tribal Council concludes that it would be in the best interest of the Cibecue Community and its youth to complete construction of the Cibecue High School

dome.

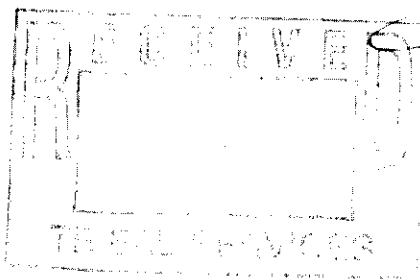
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby guarantees to the USDA Rural Development and to the financial institution extending the loan described above to the Cibecue Community School, that for a period of up to twenty (20) years or until such time as the loan is paid in full, if earlier, the Tribal Council shall not, without the consent of the USDA Rural Development and the financial institution which extends the loan, revoke the Articles of Incorporation and Charter issued to the Cibecue Community Education Board, Inc. pursuant to Article 12 of the Articles of Incorporation of the Cibecue Community Education Board, Inc.

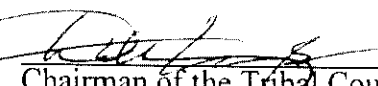
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Cibecue Community Education Board, Inc. to the extent that any such authorization is required by the lending institution or Rural Development for the school board to solicit the loan described above for completion of Phase III of the Cibecue High School facilities project as described herein, subject to the following conditions: (1) no collateral is required for the loan, including no pledge of land, personal property or other security for the transaction (2) the transaction is completed in compliance with applicable tribal and federal regulations governing the use of school funds (3) the school will provide to the Council prior to completion of the loan transaction complete financial and academic audits for the past three (3) years, receipt of such documents to be acknowledged by the Tribe and forwarded to the Cibecue school for verification to the lender of the Tribal authorization contained herein.

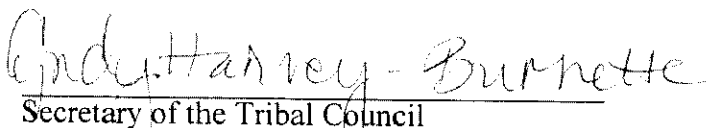
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it ratifies the 1998 transfer of instructional funds to the construction funds account, such transfer occurring at that time without the knowledge or consent of the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and in his absence the Vice-Chairman, to sign any and all documents necessary to carry out the purposes of this Resolution.

The foregoing resolution was on October 5, 2000 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 IV, Section 1 (a), (b), (e), (h), (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).




Chairman of the Tribal Council


Secretary of the Tribal Council



LEGAL DEPARTMENT
WHITE MOUNTAIN APACHE TRIBE

FACSIMILE MEMORANDUM

*to the
CBA Board
Financing
- - -
approval*

TO : Stephen Taddie
FAX No. : (602) 277-4572
FROM : George R. Hesse
DATE : February 14, 2001
RE : Cibecue Resolution

We are transmitting 3 pages, including this cover sheet.

THE ORIGINAL OF THIS DOCUMENT:

- Will be sent by regular mail.
- Will be sent by express mail.
- Will not be sent.
- Other _____

COMMENTS: _____

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