

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

WHEREAS, pursuant to previous Resolution No. 07-97-182, tribal member Lucy Benally was granted Tribal Council approval to lease Lot A-80 in the Hondah Homesites for residential purposes; and

WHEREAS, as indicated in Resolution No. 07-97-182, Ms. Benally also requested the adjacent lot A-79, but was advised by the Tribal Council to renew her request to extend her property to include Lot A-79 after the Tribal Land Office has completed its survey of the Hondah Homesites; and

WHEREAS, since 1997 several tribal members have been granted a residential lease to include two adjoining lots in the Hondah Homesites, and therefore, Ms. Benally is renewing her request to extend her property to include Lot A-79; and

WHEREAS, the Tribal Land Office recently conducted a survey of Lots A-79 and A-80 in the Hondah Homesites, and the lots combined total an approximate site of 200 x 175, which is less than the traditional 200 x 200 foot size granted for home site purposes; and

WHEREAS, the Tribal Council has considered this matter and concludes that permission should be granted to Ms. Benally to extend her residential site to include Lot A-79 in the Hondah Homesites community; and

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves a 25-year residential lease, with an automatic 25-year renewal, to tribal member Lucy Benally for Lots A-79 and A-80 in the Hondah Homesites Community, pursuant to the following conditions:

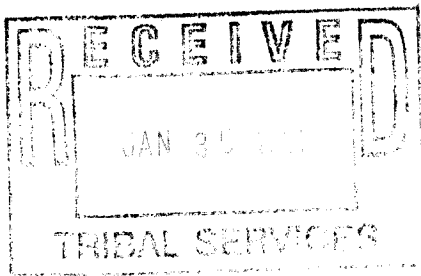
1. Construction of the home shall commence within ninety (90) days, weather permitting, and shall be completed within two years of the date of this resolution;
2. The premises shall not be re-leased or rented without Tribal Council permission in the form of a resolution;
3. Boundaries of the leased premises shall not exceed the original land assignment described herein;
4. Any new addition or construction of the premises must be approved by the Tribal Engineering Department;

5. The Tribal Council must approve the removal of any trees on the property. Said 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. Lessee shall, at Lessee's sole cost and expense, keep and maintain all building structures and other improvements on said 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 is 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. Lessee shall obtain certification that water and septic/sewer facilities are available from the Tribe or IHS.

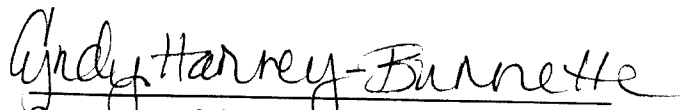
BE IT FURTHER RESOLVED by the Tribal Council that violation of any of the foregoing conditions shall make this authorization for a lease null and void.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, and in his absence the Vice Chairman or other duly authorized representative, to execute any and all documents necessary to carry out the intent of this resolution, including the documents necessary to terminate, upon mutual agreement, any existing lease held by Ms. Benally in exchange for the new lease agreement authorized herein.

The foregoing resolution was on January 3, 2001, duly adopted for a vote of EIGHT 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), (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 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