

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

WHEREAS, the Tribal Council previously approved a long-term master lease with the White Mountain Apache Housing Authority for the Apache Dawn Housing Project; and

WHEREAS, applicants are being selected for the Third and Fourth Phases of the Apache Dawn Project, consisting of approximately 120 homes, which will be constructed within the communities of Cedar Creek, Cibecue and Hondah, and funded through the previously approved bond financing; and

WHEREAS, pursuant to Section 1 of the Master Lease, the approval of the Tribal Council is required in order to encumber the Third and Fourth Phases of the Apache Dawn Project with Individual Loan Leasehold Mortgages, as defined therein; and

WHEREAS, after consideration of this matter, the Tribal Council believes it would be in the best interest of the Tribe to approve the Lease Addendum for 20 units within the Cedar Creek community at this time, but wishes to table lease addendum approval for the Hondah and Cibecue communities until issues regarding community input and homesite locations are resolved.


BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Addendum to Lease with the White Mountain Apache Housing Authority, attached hereto, for the Third and Fourth Phases of the Apache Dawn Project, for approximately 20 homes to be constructed within the Cedar Creek community.

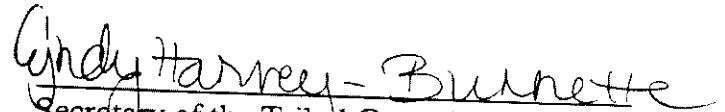
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby tables approval of the Lease Addendum for approximately 100 units to be constructed within the communities of Cibecue and Hondah until such time as additional information is obtained to resolve issues regarding community input and homesite locations.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves and grants authority to the White Mountain Apache Housing Authority as Lessee, to encumber the Apache Dawn Project leasehold premises located within the Cedar Creek Community, with Individual Loan Leasehold Mortgages, as defined in the Master Lease.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman, or in his absence the Vice Chairman or other duly authorized representative, to execute any and all documents necessary to carry out the terms of the Lease.

The foregoing resolution was on October 5, 2001, duly adopted by 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), (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)

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Bureau of Indian Affairs

*ADDENDUM TO LEASE*

Lease No. HFA99-1654-01

THIS ADDENDUM TO LEASE, made and entered into this \_\_\_\_\_ day of October, 2001, in Whiteriver, Arizona, by and between the WHITE MOUNTAIN APACHE TRIBE, a federally recognized tribe ("Lessor"), and the WHITE MOUNTAIN APACHE HOUSING AUTHORITY, the tribally designated housing entity of the Lessor ("Lessee"). This Addendum to Lease shall be subject to the approval of the SECRETARY OF THE INTERIOR, or his authorized representative.

*RECITALS*

Section 1 of the Lease provides, in substance, that, as and when other Phases of Apache Dawn are ready for development and construction, the Lessor and the Lessee will enter into an Addendum to the Lease to include and incorporate within the Lease the additional leasehold property required for, and attributable to, such other Phases of Apache Dawn.

The Lessor, having been advised by Lessee that it is prepared to commence the development and construction of Phase Three and Phase Four of Apache Dawn, to be comprised of 20 dwelling sites for housing for Members of the White Mountain Apache Tribe within the community of Cedar Creek, therefore desires to enter into this Addendum to Lease with the Lessee.

*WITNESSETH:*

The parties hereto, for the consideration hereinafter mentioned, do covenant and agree as follows:

1. **PREMISES.** The Lessor hereby leases to the Lessee the following real property situated in the County of , State of Arizona ("Leased Premises"), described as follows:

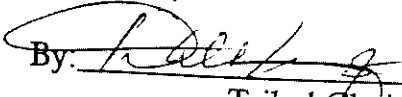
See Attached Exhibit "A" attached hereto  
and incorporated herein ("Legal Description").

The above property, as Phase Three and Four of Apache Dawn as described in the Lease, will comprise 20 dwelling sites for housing for members of the White Mountain Apache Tribe.

- 2. **INCORPORATION OF PREMISES WITHIN LEASE.** The Leased Premises shall be deemed fully incorporated within and made a part of the Lease in all respects, so that all the terms and conditions of the Lease shall benefit, inure to, and be binding upon, as appropriate, the Leased Premises to the same extent and upon the same terms, as if the Leased Premises were originally designated as part of the Leased Premises within the Lease when it was executed by the Lessor and the Lessee.
- 3. **APPROVAL.** It is further understood and agreed between the parties hereto that this Addendum to Lease shall be valid and binding only after approval by the Secretary of the Interior, or his authorized representative.

*In Witness Whereof*, the parties hereto have hereunto set their hands on the date first above written.

WHITE MOUNTAIN APACHE TRIBE  
("Lessor")

By:   
Tribal Chairman

Attest:

\_\_\_\_\_  
Tribal Council Secretary

WHITE MOUNTAIN APACHE HOUSING  
AUTHORITY ("Lessee")

By: \_\_\_\_\_  
Victor Velasquez, Executive Director

APPROVED:  
SECRETARY OF THE INTERIOR

By \_\_\_\_\_  
Superintendent, Fort Apache Agency  
UNITED STATES DEPT OF THE INTERIOR  
Pursuant to the Authority delegated to the Assistant  
Secretary-Indian Affairs by 209 DM8, 230 DM1, and  
to the Western Regional Director by 3 IAM 4  
(Release No. 99-03), and to the Superintendent/  
Field Representative by 10 BIAM 11, as amended  
by Western Regional Release No. 97-1.

Date: \_\_\_\_\_

EXHIBIT A

APACHE DAWN PHASE III & IV

Cedar Creek Community (20 units)

**LEGAL DESCRIPTION: APACHE DAWN 16-54 CEDAR CREEK**

A certain parcel of land situated in the community of Cedar Creek, within Section 36, Township 6 North, Range 20 East, Gila and Salt River Basin and Meridian, Gila County, State of Arizona, being more particularly described as follows:

Commencing at the Bureau of Reclamation Cedar Pass Project aluminum cap monument marked "WP89668" having a published Latitude: North 33° 51' 49.42410", Longitude: West 110° 10' 45.15436". Thence, North 08° 32' 49" East a distance of 2,475.62 feet to corner no. 1 being a Red Plastic cap flush with the ground and the true point of beginning.

Thence, North 12° 08' 47" East a distance of 950.28 feet to corner no. 2, being a Red Plastic cap;

Thence, North 77° 50' 35" West a distance of 2,200.12 feet to corner no. 3, being a Red Plastic cap;

Thence, South 12° 10' 40" West a distance of 450.48 feet to point on line being a Red Plastic cap on the westerly boundary of said parcel;

Thence, South 12° 10' 40" West a distance of 499.52 feet to corner no. 4, no monument set;

Thence, South 77° 49' 20" East a distance of 700.00 feet to corner no. 5, no monument set;

Thence, South 49° 12' 41" East a distance of 626.49 feet to corner no. 6, no monument set;

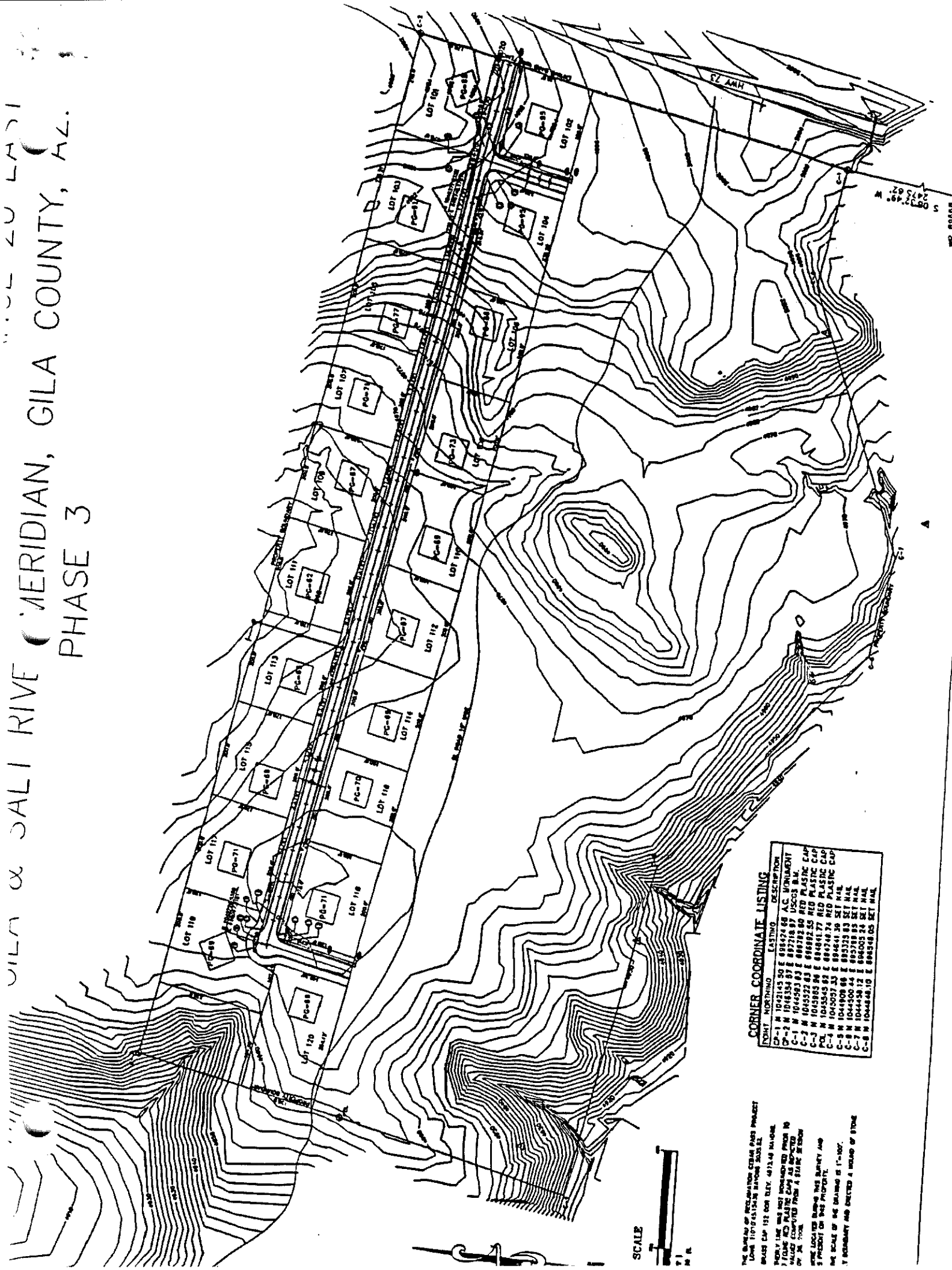
Thence, South 77° 49' 20" East a distance of 210.00 feet to corner no. 7, no monument set;

Thence, North 70° 42' 10" East a distance of 575.29 feet to corner no. 8, no monument set;

Thence, South 77° 51' 13" East a distance of 250.00 feet to the true point of beginning.

Containing 2,310,125.25 sq. feet of land, 53.033 acres.

GILA & GALT RIVER MERIDIAN, GILA COUNTY, AZ.  
 PHASE 3



**CORNER COORDINATE LISTING**

POINT	NORTHING	EASTING	DESCRIPTION
CP-1	N 1042145.50 E	89474.66	A.C. MONUMENT
CP-2	N 1044534.93 E	89278.97	USCGS B.M.
C-1	N 1044593.83 E	89488.80	RED PLASTIC CAP
C-2	N 1045222.83 E	89488.80	RED PLASTIC CAP
C-3	N 1045385.96 E	89488.80	RED PLASTIC CAP
POL	N 1045545.82 E	89474.74	RED PLASTIC CAP
C-4	N 1045037.33 E	89484.38	SET NAIL
C-5	N 1044909.66 E	893323.83	SET NAIL
C-6	N 1044500.44 E	893789.85	SET NAIL
C-7	N 1044458.12 E	894003.26	SET NAIL
C-8	N 1044468.10 E	894548.05	SET NAIL

SCALE  
 1" = 100'

THE BOUNDARY OF RECLAMATION CREEK AND PROJECT BRIDGE CAP 121 BOX ELEV. 4817.40 NATIONAL  
 BENCH LINE WAS NOT RECORDED PRIOR TO  
 THIS SURVEY AND PLASTIC CAPS WERE  
 PLACED COMPUTED FROM A STATION SET  
 BY J.M. TOLSON  
 THE LOCALS BEARING THIS SURVEY AND  
 5' PRECISE TO THE PROPERTY.  
 THE SCALE OF THE DRAWING IS 1"=100'.  
 THE BOUNDARY AND DIRECTION OF STONE