

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

5/13/04

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, the Apache Dawn Project is nearly complete with a current total of 299 homes, the majority of which have already been constructed and are occupied by tribal members in various communities on the Fort Apache Indian Reservation; and

WHEREAS, the Tribal Council is advised that four (4) dwelling sites, encompassing a total of 3.67 acres of land which have been developed for housing within the Canyon Day community as part of Phase Five of Apache Dawn, have been inadvertently omitted from the Lease Addenda; and

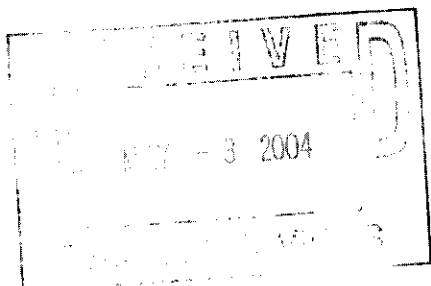
WHEREAS, it is the intent of the Housing Authority to ensure lease compliance with all sites under Apache Dawn, and therefore is requesting approval of a Seventh Addendum to Lease in order to include and incorporate these four (4) single-family dwelling sites within the terms and conditions of the Lease, such inclusion and incorporation to be deemed effective as of the commencement date of Phase Five development by the Lessee; and

WHEREAS, the Tribal Council has considered this request and believes it to be in the best interest of the Tribe to approve the Seventh Lease Addendum in the form attached hereto, for four sites located in the Canyon Day community.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Seventh Lease Addendum with the White Mountain Apache Housing Authority, in the form attached hereto, for four (4) single-family dwelling sites, encompassing 3.67 acres within the Canyon Day Community.

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 intent of this resolution.

The foregoing resolution was on March 18, 2004 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).

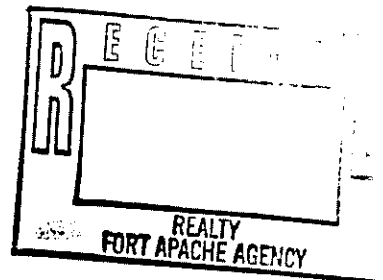


[Signature]
Chairman of the Tribal Council

ACTING *[Signature]*
Secretary of the Tribal Council

D.

**UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs**



SEVENTH ADDENDUM TO LEASE

Lease No. HFA99-1654-01

THIS SEVENTH ADDENDUM TO LEASE, made and entered into this ___ day of February, 2004, 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

On October 19, 1999, the Lessor and the Lessee entered into that certain Lease ("Lease"), whereby the Lessor leased to the Lessee certain real property to be developed, operated, and managed by the Lessee, as a portion of that certain housing development described therein and known as Apache Dawn.

§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 successive Addenda to the Lease ("Lease Addenda") to include and incorporate within the Lease the additional leasehold property required for, and attributable to, such other Phases of Apache Dawn.

The Lessee has advised the Lessor that four (4) dwelling sites which have been developed for housing for Members of the White Mountain Apache Tribe within the community of Canyon Day, Arizona, as part of Phase Five of Apache Dawn ("Phase Five"), have apparently been inadvertently omitted from the Lease Addenda. Therefore, it is the desire and intent of the Lessor and the Lessee to enter into this Seventh Addendum to the Lease, in order to include and incorporate these four (4) single-family dwelling sites within the terms and conditions of the Lease, such inclusion and incorporation to be deemed effective as of the commencement date of Phase Five development by 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 Navajo, State of Arizona ("Leased Premises"), described as follows:

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

The above property, as a portion of Phase Five of Apache Dawn as described in the Lease, will comprise four (4) 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 of 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")

Attest:

By: _____
Its Chairman

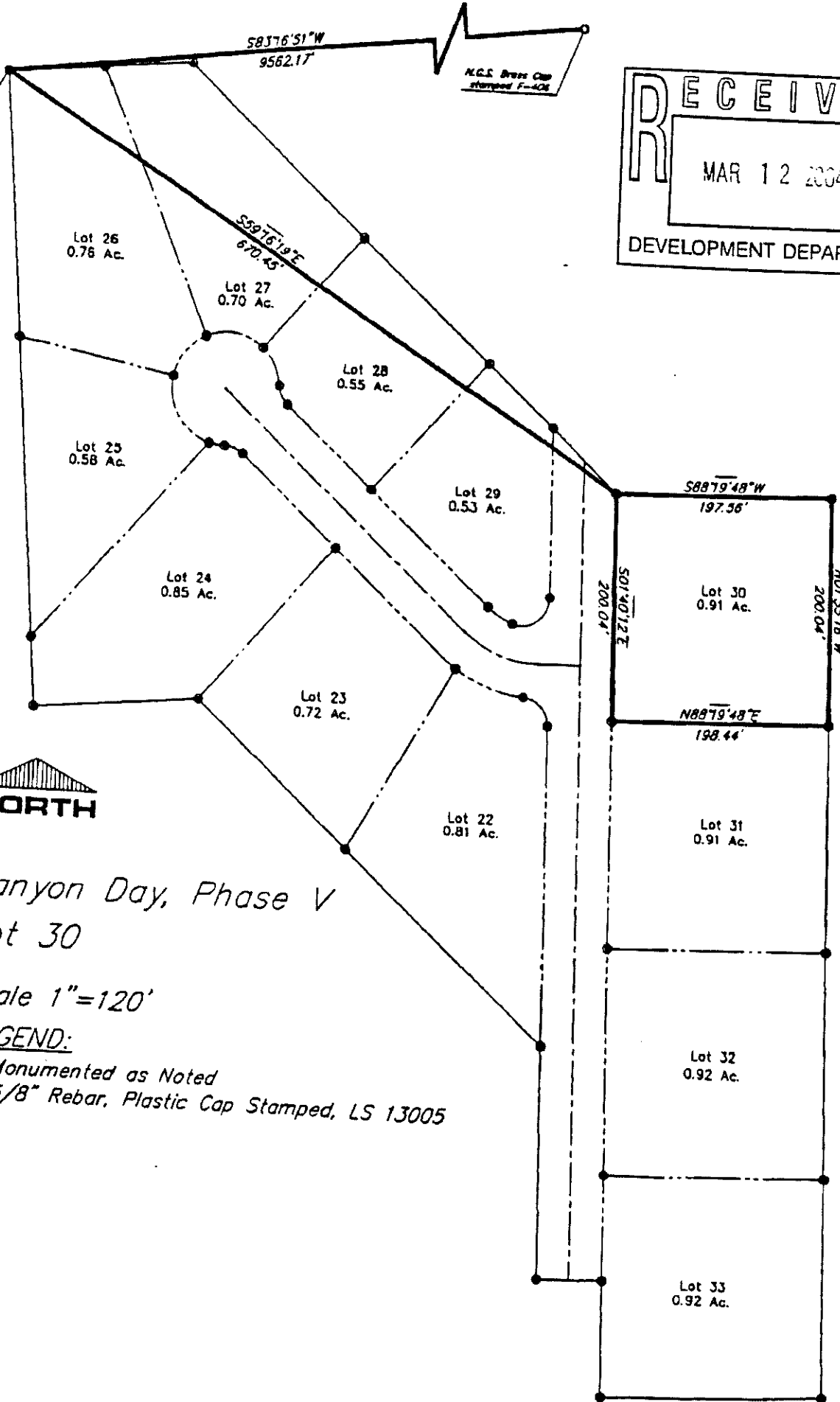
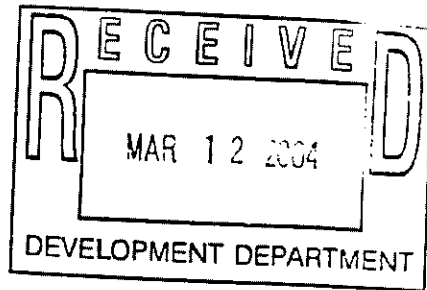
Secretary

**WHITE MOUNTAIN APACHE
HOUSING AUTHORITY ("Lessee")**

By: _____
Gladys Bencomo, Executive Director

1/2" Rebar with
untempered plastic cap

N.G.S. Brass Cap
stamped F-106



*Canyon Day, Phase V
Lot 30*

Scale 1"=120'

- LEGEND:**
- Monumented as Noted
 - 5/8" Rebar, Plastic Cap Stamped, LS 13005