



Resolution No. 09-2006-303

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

(Authorizing Revised By-Laws, Amended Articles of Incorporation for Fort Apache Heritage Foundation, Inc., and Memorandum of Agreement)

WHEREAS, by Resolution No. 11-98-258, November 4, 1998, the Tribal Council of the White Mountain Apache Tribe issued a charter to the Fort Apache Heritage Foundation ("FAHF"), Inc., authorizing the Foundation board to exercise the functions of a non-profit corporation; and

WHEREAS, the original charter has been renewed by Tribal Council resolution; and

WHEREAS, the FAHF would benefit if the charter was granted in perpetuity and made retroactive commencing January 1, 2006; and

WHEREAS, the FAHF Board of Directors has submitted this day revised By-Laws and Amended Articles of Incorporation for review and consideration by the Tribal Council, as attached and incorporated by this reference; and

WHEREAS, the Tribal Council concludes that there is good cause in the premises to grant the request of the FAHF to be granted a charter in perpetuity to coincide with its fiscal year; and

WHEREAS, the FAHF Board of Directors has also submitted a proposed Memorandum of Agreement between the Tribe and the Foundation, as attached and incorporated by this reference, to establish certain principles for administration and management of the Fort Apache Property as embodied in the Settlement Agreement and Use Plan, approved by Resolution No. 12-2004-292; and

WHEREAS, the Tribal Council finds that approval of the MOU and the FAHF By-Laws Amended Articles of Incorporation, and Charter in perpetuity, in the form and content attached to this resolution and incorporated by reference herein, is in the best interest of Fort Apache and the Tribe.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:


1. The revised charter in perpetuity, By-Laws and amended Articles of Incorporation for the purposes set forth therein, is hereby authorized, issued and granted to the Fort Apache Historical Foundation, Inc., commencing January 01, 2006, in the form and content attached to this resolution and incorporated by reference herein.

Resolution No. 09-2006-303

2. The proposed Memorandum of Agreement between the Tribe and the Foundation, as attached and incorporated by this reference, is hereby approved.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs the Tribal Chairman, or in his absence the Vice-Chairwoman, to execute the documents referenced herein for the purposes set forth therein.

The foregoing resolution was on September 13, 2006, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (i), (s), (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).


ACTING Chairman of the Tribal Council


Secretary of the Tribal Council