



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

(Approving a Master Lease Purchase Agreement with Oshkosh Capital for the Fire Pumps and authorizing a limited waiver of sovereign immunity)

WHEREAS, the White Mountain Apache Tribe of the Fort Apache Indian Reservation (“Tribe”) is a sovereign, self-governing, Indian tribe formally recognized by the United States of America; and

WHEREAS, Article IV Section 1 (b) of the Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation, Arizona vests the Tribal Council with the authority to negotiate and contract with agencies of the federal, state, local and tribal governments, private entities, and individuals on behalf of the Tribe; and

WHEREAS, the Tribe desires to purchase two (2) new Rescue Pumps (the “Pumps”) for the Tribe’s Fire Department for use in the course of performing its essential duties in providing fire protection and rescue; and

WHEREAS, the Tribal Council finds that the Pumps should be acquired by the Tribe; and

WHEREAS, the Tribal Council has located financing sufficient to assist the Tribe with acquiring the Pumps through Oshkosh Capital (the “Lessor”), which has provided a Master Lease Purchase Agreement (the “Agreement”), as attached and incorporated by this reference in which the Tribe as lessee may lease and/or exercise an option to purchase the Pumps; and

WHEREAS, the Pumps are described as (2) Pierce Impel PUC Pumps, with the equipment and options as set forth in the Agreement; and

WHEREAS, the total purchase price for the Pumps is \$840,282.00 that will be paid out over a term of ten (10) years in arrears at an annual rate of 5.149%, which adds \$255,810.50 in interest, for a total of \$1,096,092.50, and there will be 10 scheduled payments at \$109,609.25 with the first payment due on 11/23/2008; and

WHEREAS, the Agreement requires that the Tribe agree to a limited waiver of defense of sovereign immunity for binding arbitration as more fully set forth in the Addendum to Oshkosh Capital Master Lease Purchase Agreement attached hereto and incorporated by reference herein; and

WHEREAS, the Tribal Council finds that after review of the Agreement terms, Addendum to the Agreement and the required limited waiver of defense of sovereign immunity, the

Agreement remains in the best interests of the White Mountain Apache Tribe for the acquisition of the Pumps described above.

Resolution No. 11-2007-497

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

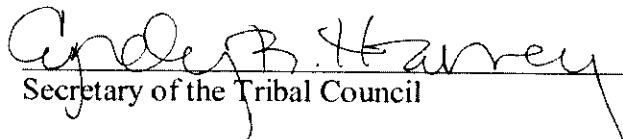
1. Approves the Tribe's entry into, and agreement with, the Agreement and Addendum as attached and incorporated by this reference for the lease and/or purchase of the Pumps, for use by the Tribe's Fire Department in the performance of its essential duties in providing fire protection and rescue.
2. Authorizes a limited waiver of sovereign immunity for the purpose of binding arbitration as provided in the Addendum to the Agreement, as attached and incorporated by this reference.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute the Oshkosh Capital Master Lease Purchase Agreement and the Addendum to the Oshkosh Capital Master Lease Purchase Agreement and all documents related thereto.

The foregoing resolution was on November 14, 2007, duly adopted by a vote of EIGHT 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), (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