



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

Resolution No. 05-2012-46

(Authorizing Tribe to Move Forward With New Market Tax Credit Transaction)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe ("Tribe") is empowered by the Tribal Constitution to represent the people in all matters that concern the welfare of the Tribe, to protect and preserve the wildlife, plants, forests and natural resources of the Tribe, and to manage all economic affairs and enterprises of the Tribe, including those enterprises that deal with land, timber, saw mills and so forth; and

WHEREAS, pursuant to *Resolution No. 05-2012-43*, the Tribal leadership supports the creation of an independent and autonomous enterprise to resume operating as the Fort Apache Timber Company ("FATCO") under a newly adopted Articles of Incorporation and by-laws. The enterprise is to be free from political interference and shall be administered and managed by its newly appointed Board of Directors and a third party expert and management service provider that will focus on creating a profitable enterprise for the benefit of the Tribe and its members; and

WHEREAS, an extensive presentation was made to the Tribal Council on various financial alternatives that would serve in reinitiating FATCO business operations on the Reservation and after much discussion and deliberation, the Tribal Council finds that the benefits of applying for new market tax credit based financing far exceed those provided by other financial options available to the Tribe; and

WHEREAS, the Tribal Council finds that it is in the best interest of the Tribe to authorize the Tribe to enter into an agreement in furtherance of the new market tax credit plan as proposed on this day. Funds shall be used in part to financially support the FATCO initiative.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby supports and authorizes the Tribe to enter into an agreement on behalf of the Fort Apache Timber Company to engage in financing using the new market tax credit plan as presented on this day.

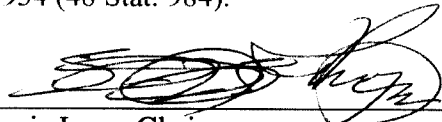
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes and directs that the Legal Department, Treasurer, and Business Office shall work with the Planning Department to contract and engage in new market tax credit financing for the benefit of FATCO.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.

The foregoing resolution was on May 16, 2012 duly adopted by a vote of SEVEN 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), (f), (i), (k), (s), (t) and (u) of the Tribal Constitution, 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).



Ronnie Lupe, Chairman

5-25-12

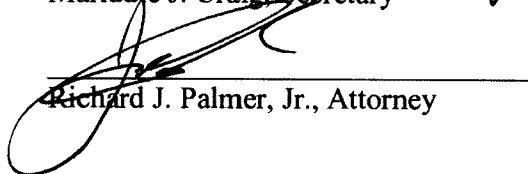
Date



Mariddie J. Craig, Secretary

05-23-2012

Date



Richard J. Palmer, Jr., Attorney

5/25/12

Date