



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## ( Authorizing a Lease Amendment with OP Corporation for an Extended Term of Ten Years )

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- WHEREAS,** OP Corporation, Inc. currently leases tower and ground space from the Tribe at Seven Mile, Cibecue and McKay's Peak, pursuant to Business Lease No. BFA-07-401, which lease will expire September 7, 2014; and
- WHEREAS,** OP Corporation, Inc. is interested in continuing to lease space from the Tribe at these locations and is requesting an extension of its business lease for an additional ten (10) year period; and
- WHEREAS,** the Legal Department and OP Corporation have negotiated a Lease Amendment which conforms to tribal and federal leasing regulations, attached hereto and incorporated by reference herein; and
- WHEREAS,** OP Corporation, Inc. is proposing to extend the current lease to September 30, 2014, at which time said lease term will be extended for a ten-year period, effective October 1, 2014 and expiring September 30, 2024; and
- WHEREAS,** Beginning October 1, 2014, OP Corporation, Inc. is offering to pay the Tribe Fifty Thousand Dollars (\$50,000.00) per year, for its lease and use of the Leased Premises, which rent shall be paid in advance and without demand on October 1<sup>st</sup> each year thereafter for the term of the Lease Agreement, unless sooner terminated; and
- WHEREAS,** the Tribal Council has discussed this matter and believes it to be in the best interest of the White Mountain Apache Tribe to approve this request; and
- WHEREAS,** given the urgency of lease extension and amendment, the Tribal Council further finds that the lease renewal needs to be considered and made outside of its regularly scheduled meeting; and
- WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes OP Corporation, Inc. to amend its Business Lease No. BFA-07-041, to extend the lease term for an additional ten (10) years, pursuant to the attached Lease Amendment, attached hereto and incorporated by reference herein.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby waives valuation and has negotiated compensation satisfactory to the Tribe, and has determined that accepting such negotiated compensation and waiving valuation is in the best interest of the White Mountain Apache Tribe.

**Resolution No. 09-2014-155**

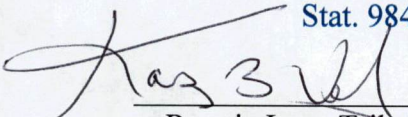
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**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.

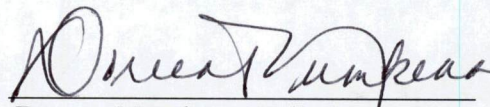
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on 10-3-2014 duly adopted by a vote of 8 for and 0 against with 0 abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984). *rAct. j*

  
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Ronnie Lupe, Tribal Chairman

10-3-14  
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Date

  
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Doreen Numkena, Tribal Secretary

10-3-2014  
\_\_\_\_\_  
Date

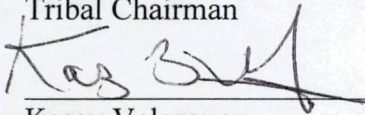
**Resolution No. 09-2014-155**

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 09-2014-155 initiated the 3 day of October 2014. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

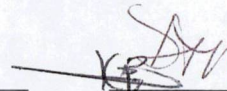
TCS Initials

\_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman

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Date Signed

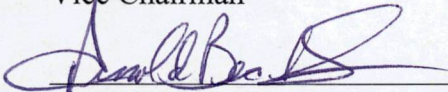


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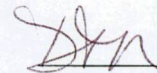
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Kasey Velasquez  
Vice Chairman

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Date Signed

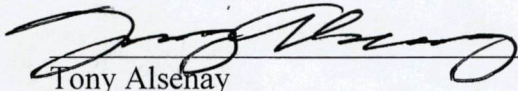


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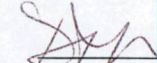
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Arnold Beach, Sr.  
District I Council Member

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Date Signed

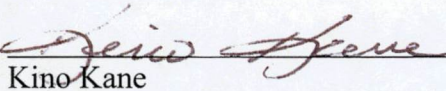


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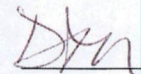
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Tony Alsenay  
District I Council Member

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Date Signed



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9/25/14

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 TCS Initials

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Kino Kane  
District II Council Member

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Date Signed

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Colleen Faden  
District II Council Member

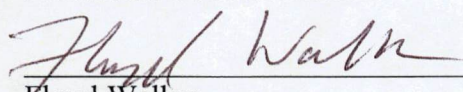
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Date Signed

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TCS Initials


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Alvin DeClay, Sr.  
District III Council Member

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Date Signed

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TCS Initials



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10/02/14

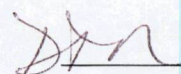
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Floyd Walker  
District III Council Member

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Date Signed


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Jerome Kasey III  
District IV Council Member

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Date Signed

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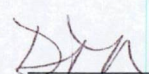
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Alvena Bush  
District IV Council Member

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Date Signed

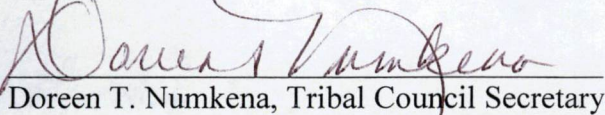
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 TCS Initials

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Theresa Larzelere  
District IV Council Member

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Date Signed

\_\_\_\_\_  
 TCS Initials

ATTEST:

  
Doreen T. Numkena, Tribal Council Secretary

\_\_\_\_\_  
10-3-2014  
Date Signed