



# WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

## ( Approving a New Lease Agreement with the U.S. Postal Service for the Whiteriver Post Office )

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**WHEREAS,** the United States Postal Service is currently leasing an office site within the Whiteriver Commercial Center, pursuant to a lease which expires January 31, 2017; and

**WHEREAS,** the U.S. Postal Service has submitted a proposed lease for a new lease term effective February 1, 2017, with an expiration date of January 31, 2022, for a total of five (5) years, at an annual rent of \$30,500.00, payable in monthly installments; and

**WHEREAS,** the terms of the lease have been reviewed by the Tribal Legal Department and is approved as to content, and is being submitted for Tribal Council consideration; and

**WHEREAS,** the Tribal Council has considered this matter and believes approval of the new lease for the U.S. Postal Service for the Whiteriver Post Office is in the best interest of the White Mountain Apache Tribe and the residents of the Fort Apache Indian Reservation; and

**WHEREAS,** the Tribal Council makes the declarations below to waive certain requirements under 25 C.F.R. Part 162; and

**WHEREAS,** given the urgency of approaching renewal date, the Tribal Council further finds that the lease 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 approves the proposed Lease of the Whiteriver Commercial Center Office Space to the U.S. Postal Service for a term of five (5) years, at an annual rent of \$30,500.00, payable in monthly installments, pursuant to the terms and conditions set forth therein.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it makes the following declarations about certain conditions which might otherwise be required by federal regulation, 25 C.F.R. Part 162:

**Resolution No. 01-2017-01**

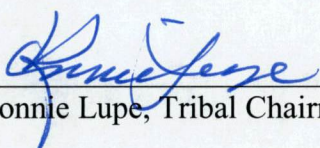
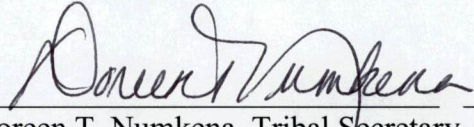
1. The Tribe waives due diligence and enforcement requirements under 25 CFR §162.417 concerning permanent improvements which may be made within the lease site;
2. The Tribe has negotiated satisfactory compensation under the lease terms and for that purpose waives valuation under 25 CFR §162.420, and the Tribe further states that accepting the negotiated compensation and waiving the valuation is in the Tribe's best interest;
3. The Tribe has determined that it is in the Tribe's best interest to not have compensation reviews and/or adjustments, as would otherwise be required under 25 CFR §162.428(a); and
4. The Tribe requests the waiver of the requirements under 25 CFR §162.434 for a performance bond or other security.

**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 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 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 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.

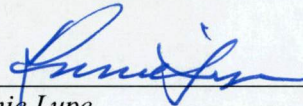
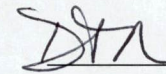
The foregoing resolution was on JANUARY 5, 2017 duly adopted by a vote of 10 for, 0 against, and 0 abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

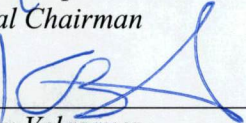

	<u>1-5-17</u>		<u>1-5-2017</u>
Ronnie Lupe, Tribal Chairman	Date	Doreen T. Numkena, Tribal Secretary	Date

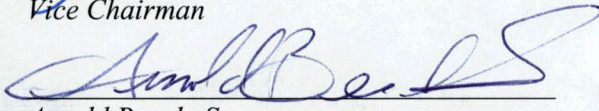
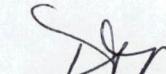
**Resolution No. 01-2017-01**

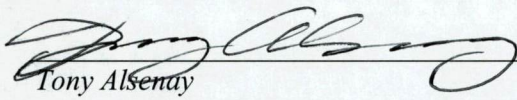

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No: 01-2017-01 initiated the 5<sup>th</sup> day of January, 2017.

**Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials**

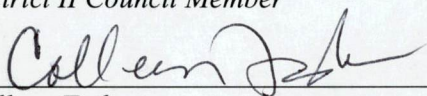
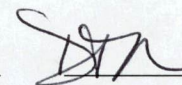
  
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Ronnie Lupe  
Tribal Chairman  
1-5-17  
Date Signed  
 TCS Initials

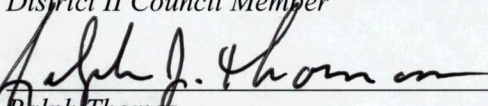
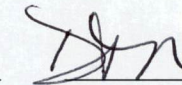
  
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Kasey Velasquez  
Vice Chairman  
Jan. 3.17  
Date Signed  
 TCS Initials

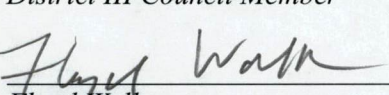
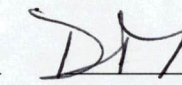
  
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Arnold Beach, Sr.  
District I Council Member  
Jan 3 2017  
Date Signed  
 TCS Initials

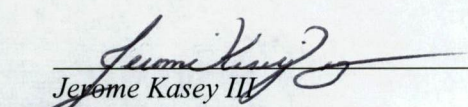
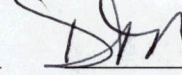
  
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Tony Alsenay  
District I Council Member  
1-5-17  
Date Signed  
 TCS Initials

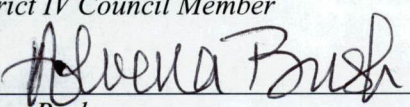
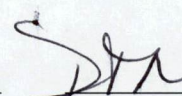
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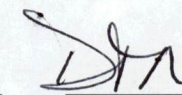
  
\_\_\_\_\_  
Colleen Faden  
District II Council Member  
01/03/17  
Date Signed  
 TCS Initials

  
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Ralph Thomas  
District III Council Member  
01/03/17  
Date Signed  
 TCS Initials

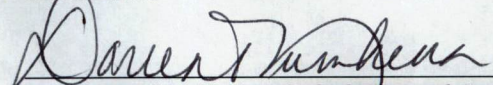
  
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Floyd Walker  
District III Council Member  
01/03/17  
Date Signed  
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Jerome Kasey III  
District IV Council Member  
3 Jan 17  
Date Signed  
 TCS Initials

  
\_\_\_\_\_  
Alvena Bush  
District IV Council Member  
01/04/17  
Date Signed  
 TCS Initials

  
\_\_\_\_\_  
Everette Massey  
District IV Council Member  
01/03/17  
Date Signed  
 TCS Initials

**ATTEST:**

  
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Doreen T. Numkena, Tribal Council Secretary  
1-5-2017  
Date Signed