



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing a Special Provision Residential Lease to Tribal Member Richanda A. Thompson)

WHEREAS, Richanda (Adley) Thompson, a member of the White Mountain Apache Tribe, has come before the Tribal Council with a request to convert her approved tribal land assignment in Hondah, to a Residential Lease with special provisions; and

WHEREAS, Ms. Thompson advised the Tribal Council that her mother, Rose Adley, is eligible to receive a newly-constructed home for her and her family through the Navajo Relocation Program, provided that she has a valid lease or land assignment for the proposed home site; and

WHEREAS, Rose Adley is a member of the Navajo Nation, and therefore, is not eligible for a residential lease or land assignment on the Fort Apache Indian Reservation; and

WHEREAS, Ms. Thompson has informed the Tribal Council that their family is in need of a home, and requested that the Tribal Council grant her a Residential Lease for the premises, with a special provision for her mother as a tenant, in order to comply with the requirements of the Navajo Relocation Program; and

WHEREAS, the proposed residential lease will include special conditions to allow for a life estate for the nonmember tenant, provided that the nonmember tenant may not sell, encumber or assign any rights to the residential unit, and that all leasehold rights to the premises will revert to the tribal member lessee or lessee's heirs or assigns, following the term of use by the tenant; and

WHEREAS, the residential lease will have an initial term of 25 years and then will automatically renew for an additional term at a rental rate of One Dollar per 25-year term; and

WHEREAS, the Tribal Council has reviewed the lease documents and concurs with the terms, including the special provisions to permit the occupancy by the nonmember tenant, Rose Adley.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes a residential lease for a period of 25 years, with an automatic renewal of 25 years, at the nominal lease fee of \$1.00 per 25-year period, to tribal member Richanda A. Thompson.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the special conditions for the tenancy of nonmember, Rose Adley, to provide a life

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estate to said tenant, provided that the nonmember tenant may not sell, encumber or assign any rights to the residential unit, and that all leasehold rights to the premises will revert to the tribal member lessee or lessee's heirs or assigns, following the term of use by the tenant.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby makes the following declarations for purposes of 25 CFR Part 162:

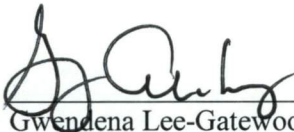
1. The Tribe has determined that the lease will be for public housing purposes and has negotiated satisfactory compensation and will not require valuation pursuant to 25 CFR 162.320 and 25 CFR 162.32, if applicable, and the Tribe further states that accepting the negotiated compensation and waiving the valuation is in the Tribe's best interest;
2. The Tribe has determined that it is in its best interest to not have compensation reviews and/or adjustments as would otherwise be required under 25 CFR 162.328 as the lease is for public housing purposes.

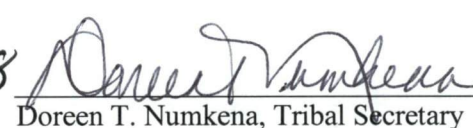
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 **JULY 11, 2018** duly adopted by a vote of **NINE** for, **ONE** against, and **ZERO** 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).

 acting chair 8-17-18
Gwendena Lee-Gatewood, Chairwoman Date

 8-17-18
Doreen T. Numkena, Tribal Secretary Date