



**WHITE MOUNTAIN APACHE TRIBE**  
A Sovereign Tribal Nation

**(Modification of Resolution No. 01-2015-11, Leasing Land to the Bureau of Indian Affairs Through Lease BFA1800412)**

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- WHEREAS**, in 2015 the White Mountain Apache Tribal Council (“Tribal Council”) passed Resolution 01-2015-11 to authorize a land lease to the BIA through Lease No. BFA 1800412 (“Lease”); and
- WHEREAS**, that document effectuates the lease of 14.62 acres of land; and
- WHEREAS**, lands within that Lease include a certain portion of the Whiteriver Airport noted as “BIA Roads” and “BIA Forestry (legal descriptions attached”); and
- WHEREAS**, that Lease is not yet executed and is accordingly not in effect; and
- WHEREAS**, it is now recommended that the Lease be extended to January 2022 due to the fact that the unsigned Lease will lapse in a little over a year in January 2020; and
- WHEREAS**, the extension will grant the Tribe and BIA additional time to negotiate the terms of another lease in which BIA will move into the former Boys Dormitory at Fort Apache as well as sufficient time to complete the necessary renovations to the facility; and
- WHEREAS**, since adoption of Resolution 01-2015-11 and drafting of the Lease, the White Mountain Apache Tribe (“Tribe”) has endeavored to expand its Division of Transportation and the Whiteriver Airport (“Airport”); and
- WHEREAS**, the Tribal Council approved that expansion effort through Resolutions No.06-2017-148 and 05-2018-106, approving the 2017-2021/2018-2022 Transportation Improvement Programs (“TIPs”) that include a “transit facility”; and
- WHEREAS**, the Tribal Council also approved, in Resolution 02-2017-36, placing “airport facilities” under the direction of the Tribal Division of Transportation(“DOT”); and
- WHEREAS**, the Tribal DOT needs to remove certain obstructions to obtain Federal Aviation Administration approval for the expansion plan; and
- WHEREAS**, these obstructions include buildings listed in the Lease; and
- WHEREAS**, these buildings are occupied and/or were constructed by the BIA at the airport; and



**Resolution No. 12-2018-263**

**WHEREAS,** a modification of Resolution No. 01-2015-11 is now needed to conform it to Resolution 05-2018-106; and

**WHEREAS,** this conformance is pivotal for the Airport expansion to avoid delays to a planned construction start date of March 2019; and

**WHEREAS,** BIA currently only utilizes the entirety of the interfering building space for several employees; and

**WHEREAS,** BIA can immediately utilize alternative locations it already accesses for its equipment and the personnel to be displaced from this action.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby amends Resolution 01-2015-11 to extend Lease No. BFA 1800412 to January 2022.

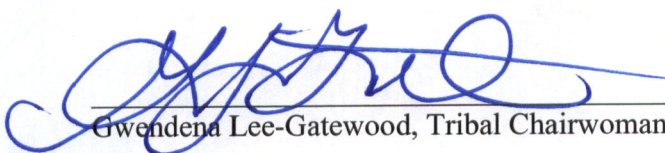
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby modifies Resolution 01-2015-11 to exclude "BIA Roads" and "BIA Forestry."

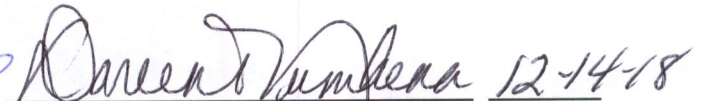
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed 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 Chairwoman, or in her 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 **DECEMBER 10, 2018** duly adopted by a vote of **TEN** 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).

  
Gwendene Lee-Gatewood, Tribal Chairwoman      Date 12/14/18

  
Doreen T. Numkena, Tribal Secretary      Date 12-14-18