



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

**(Authorizing Renewal of the Northland Pioneer College Land Lease  
for Microwave Use)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(n) that the Tribal Council (“Council”) shall exercise the power “To enact ordinances in accordance with applicable law covering the granting of both surface and subsurface leases...”; and

**WHEREAS,** In 2011, the White Mountain Apache Tribe (Tribe) entered a lease (“Lease”) with Northland Pioneer College (“NPC”) for microwave use of two telecommunications tower sites located within the Fort Apache Indian Reservation (“Reservation”); and

**WHEREAS,** The Lease expired in 2018, but allowed for renewal through 2024, provided that such renewal occurred within a specified time; and

**WHEREAS,** The Tribe has substantially benefitted from the Lease with NPC; and

**WHEREAS,** NPC wishes to renew that lease but did not communicate that intention to the Tribe within the time specified in the Lease; and

**WHEREAS,** NPC proposes that the Lease be renewed, notwithstanding the expiration of the period for renewal; and

**WHEREAS,** The Council has reviewed the Lease and finds that authorizing its renewal will help the Tribe maintain its communication infrastructure and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes renewal of the NPC lease for microwave use of two telecommunications tower sites for the term of 2019 through 2024.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney General’s office to prepare any documents needed for this purpose.

**Resolution No. 03-2020-48**

**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 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.

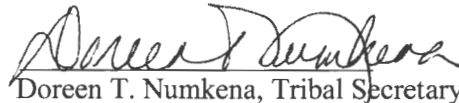
The foregoing resolution was on MARCH 4, 2020 duly adopted by a vote of TEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Gwendena Lee-Gatewood, Tribal Chairwoman

3/4/2020

Date



Doreen T. Numkena, Tribal Secretary

3-5-2020

Date