



WHITE MOUNTAIN APACHE TRIBE
A Sovereign Tribal Nation

(Approving Transfer of Business Site Lease from Basha's Inc. to its Successor Corporation, Raley's Arizona LLC)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(m) that the Tribal Council ("Council") shall exercise the power, "To provide by ordinance for the assignment, use, or transfer of Tribal lands within the Reservation"; and
- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power, "To negotiate, make and perform contracts and agreements of every description, not inconsistent with Federal law or this constitution, with any person, association, or corporation, with any municipality or any county, or with the State of Arizona or the United States, including agreements with the State of Arizona for rendition of public services"; and
- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(i) that the Tribal Council ("Council") shall exercise the power, "To manage all economic affairs and enterprises of the Tribe including tribal lands, timber, sawmills, flour mills, community stores, and any other Tribal activities; and
- WHEREAS,** The Tribe and Basha's Inc. entered into a business site lease for the Whiteriver Basha's store location, most recently on September 1, 2017, which is set to expire on August 31, 2032; and
- WHEREAS,** Earlier this year, Basha's Inc. sold its company to Raley's Arizona LLC; and
- WHEREAS,** For the Bureau of Indian Affairs to transfer all interest in the lease, the Tribe must first consent to the transfer; and
- WHEREAS,** The Council finds that approving of the transfer of the lease interest from Basha's Inc. to its successor company Raley's Arizona, LLC will enable the Whiteriver grocery store location to continue operating, 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 the Tribe hereby approves of the complete transfer of interest in Business Site Lease No. BFA1800423 from Basha's Inc. to its successor corporation, Raley's Arizona, LLC.

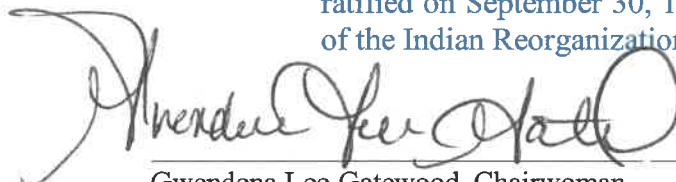

Resolution No. 12-2021-259

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 **DECEMBER 15, 2021** duly adopted by a vote of **ELEVEN** 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).

 12.17.21  12-17-2021
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date