



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing a Business Land Assignment to Hondah Casino for the New Convenience Store & Gas Station)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe”, in Section 1(h), “[t]o regulate the uses and disposition of Tribal property”, and in Section 1(m), “[t]o provide by ordinance for the assignment, use, or transfer of tribal lands within the Reservation”; and

WHEREAS, pursuant to Tribal Resolution No. 01-2020-50, Hondah Casino was authorized to begin plans to remove the existing Hondah convenience store and construct an expanded store located on the north side of Highway 260; and

WHEREAS, in compliance with Tribal Land and Business Codes, Hondah Casino submitted a business land application for the premises where the new convenience store will be located, which was reviewed and recommended for approval by the Land Board at its July 14, 2023 meeting (see Exhibit A); and

WHEREAS, Hondah Casino is requesting Council approval of the business land assignment, to direct the Tribal Surveyor to conduct and complete a survey of the lands, and authorization to enter into a business lease for the assigned premises identified herein; and

WHEREAS, the Council has reviewed this matter and agrees it is in the best interests of the Tribe and its members to approve this request.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the tribal business land assignment for the Hondah Casino for the premises identified as the new convenience store and gas station, and directs the tribal surveyor to complete a survey of the said lands.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes entering into a business lease with Hondah Casino for the premises identified, as the new convenience store and gas station, and directs that the Office of Attorney General negotiate lease terms that are in the best interest of the Tribe and its members.

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.

Resolution No. 08-2023-189

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 AUGUST 02, 2023 duly adopted by a vote of SEVEN 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez
Kasey Velasquez, Chairman

8-7-2023
Date

Vaneysa Johnson
Vaneysa Johnson, Tribal Secretary

8/8/2023
Date