



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing a Residential Lease to Tribal Members Londo and Terrlynn (Pusher) Sanchez)

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, "[t]o negotiate, make, perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation...", and in Section 1(h), "[t]o regulate the uses and disposition of Tribal property"; and

WHEREAS, Tribal members, Londo and Terrlynn (Pusher) Sanchez, are in the process of applying for a loan through the HUD 184 Program to finance the purchase or construction of a home for their family in the Diamond Creek Community; and

WHEREAS, Mr. and Ms. Sanchez have an approved land assignment and have obtained TPRR Committee approval to proceed with preparation of their homesite for a new home purchase or construction; and

WHEREAS, Mr. and Ms. Sanchez are requesting Council approval to convert their land assignment to a Residential Lease for their homesite in the Diamond Creek Community, and are requesting permission to encumber the leasehold interest in order to meet the HUD 184 loan process requirements; and

WHEREAS, the Tribal Council has considered this request and concurs that it 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 approves a residential lease to tribal members, Londo and Terrlynn (Pusher) Sanchez, for a lease term of 25 years with an automatic 25-year renewal, for their homesite located in the Diamond Creek Community.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby grants permission to Londo and Terrlynn (Pusher) Sanchez, both tribal members, to encumber the leasehold premises in order to secure financing for home construction or home purchase through the HUD 184 Program.

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 C.F.R., 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 §162.326, if applicable, and the Tribe further states that accepting the negotiated compensation and waiving the valuation is in the Tribe's best interest.

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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 SEPTEMBER 11, 2024 duly adopted by a vote of SIX for, ZERO against, and THREE 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 ^{KL} ^{09.11.24}
Kasey Velasquez, Chairman

Date

Vaneysa Johnson ^{9/11/2024}
Vaneysa Johnson, Tribal Secretary

Date